



Identity Cards Act 2006

2006 CHAPTER 15

Offences

25 Possession of false identity documents etc.

- (1) It is an offence for a person with the requisite intention to have in his possession or under his control—
 - (a) an identity document that is false and that he knows or believes to be false;
 - (b) an identity document that was improperly obtained and that he knows or believes to have been improperly obtained; or
 - (c) an identity document that relates to someone else.
- (2) The requisite intention for the purposes of subsection (1) is—
 - (a) the intention of using the document for establishing registrable facts about himself; or
 - (b) the intention of allowing or inducing another to use it for establishing, ascertaining or verifying registrable facts about himself or about any other person (with the exception, in the case of a document within paragraph (c) of that subsection, of the individual to whom it relates).
- (3) It is an offence for a person with the requisite intention to make, or to have in his possession or under his control—
 - (a) any apparatus which, to his knowledge, is or has been specially designed or adapted for the making of false identity documents; or
 - (b) any article or material which, to his knowledge, is or has been specially designed or adapted to be used in the making of false identity documents.
- (4) The requisite intention for the purposes of subsection (3) is the intention—
 - (a) that he or another will make a false identity document; and
 - (b) that the document will be used by somebody for establishing, ascertaining or verifying registrable facts about a person.
- (5) It is an offence for a person to have in his possession or under his control, without reasonable excuse—

Status: This is the original version (as it was originally enacted).

- (a) an identity document that is false;
 - (b) an identity document that was improperly obtained;
 - (c) an identity document that relates to someone else; or
 - (d) any apparatus, article or material which, to his knowledge, is or has been specially designed or adapted for the making of false identity documents or to be used in the making of such documents.
- (6) A person guilty of an offence under subsection (1) or (3) shall be liable, on conviction on indictment, to imprisonment for a term not exceeding ten years or to a fine, or to both.
- (7) A person guilty of an offence under subsection (5) shall be liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both;
 - (b) on summary conviction in England and Wales, to imprisonment for a term not exceeding twelve months or to a fine not exceeding the statutory maximum, or to both;
 - (c) on summary conviction in Scotland or Northern Ireland, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum, or to both;
- but, in relation to an offence committed before the commencement of section 154(1) of the Criminal Justice Act 2003 (c. 44), the reference in paragraph (b) to twelve months is to be read as a reference to six months.
- (8) For the purposes of this section—
- (a) an identity document is false only if it is false within the meaning of Part 1 of the Forgery and Counterfeiting Act 1981 (c. 45) (see section 9(1) of that Act); and
 - (b) an identity document was improperly obtained if false information was provided, in or in connection with the application for its issue or an application for its modification, to the person who issued it or (as the case may be) to a person entitled to modify it;
- and references to the making of a false identity document include references to the modification of an identity document so that it becomes false.
- (9) Subsection (8)(a) does not apply in the application of this section to Scotland.
- (10) In this section “identity document” has the meaning given by section 26.