



# Identity Cards Act 2006

## 2006 CHAPTER 15

### *Offences*

#### **29 Tampering with the Register etc.**

- (1) A person is guilty of an offence under this section if—
  - (a) he engages in any conduct that causes an unauthorised modification of information recorded in the Register; and
  - (b) at the time when he engages in the conduct, he has the requisite intent.
- (2) For the purposes of this section a person has the requisite intent if he—
  - (a) intends to cause a modification of information recorded in the Register; or
  - (b) is reckless as to whether or not his conduct will cause such a modification.
- (3) For the purposes of this section the cases in which conduct causes a modification of information recorded in the Register include—
  - (a) where it contributes to a modification of such information; and
  - (b) where it makes it more difficult or impossible for such information to be retrieved in a legible form from a computer on which it is stored by the Secretary of State, or contributes to making that more difficult or impossible.
- (4) It is immaterial for the purposes of this section—
  - (a) whether the conduct constituting the offence, or any of it, took place in the United Kingdom; or
  - (b) in the case of conduct outside the United Kingdom, whether it is conduct of a British citizen.
- (5) For the purposes of this section a modification is unauthorised, in relation to the person whose conduct causes it, if—
  - (a) he is not himself entitled to determine if the modification may be made; and
  - (b) he does not have a consent to the modification from a person who is so entitled.
- (6) In proceedings against a person for an offence under this section in respect of conduct causing a modification of information recorded in the Register it is to be a defence

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*Status: This is the original version (as it was originally enacted).*

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for that person to show that, at the time of the conduct, he believed, on reasonable grounds—

- (a) that he was a person entitled to determine if that modification might be made; or
- (b) that consent to the modification had been given by a person so entitled.

(7) A person guilty of an offence under this section shall be liable—

- (a) on conviction on indictment, to imprisonment for a term not exceeding ten 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) In the case of an offence by virtue of this section in respect of conduct wholly or partly outside the United Kingdom—

- (a) proceedings for the offence may be taken at any place in the United Kingdom; and
- (b) the offence may for all incidental purposes be treated as having been committed at any such place.

(9) In this section—

- “conduct” includes acts and omissions; and
- “modification” includes a temporary modification.