



# Identity Cards Act 2006 (repealed)

## 2006 CHAPTER 15

### *Civil penalties*

#### **34 Code of practice on penalties**

- (1) The Secretary of State must issue a code of practice setting out the matters that must be considered when determining—
  - (a) whether a civil penalty should be imposed under this Act; and
  - (b) the amount of such a penalty.
- (2) The Secretary of State must have regard to the code when—
  - (a) imposing a civil penalty under this Act; or
  - (b) considering a notice of objection under section 32.
- (3) The court must have regard to the code when determining any appeal under section 33.
- (4) Before issuing the code, the Secretary of State must lay a draft of it before Parliament.
- (5) Before a draft code under this section is laid before Parliament, the Secretary of State must take such steps as he thinks fit—
  - (a) for securing that members of the public in the United Kingdom are informed about the proposed code; and
  - (b) for consulting them about it.
- (6) The code issued under this section does not come into force until the time specified by order made by the Secretary of State.
- (7) The Secretary of State may from time to time—
  - (a) revise the whole or a part of the code; and
  - (b) issue the revised code.
- (8) Subsections (4) to (6) apply to a revised code as they apply to the code first issued under this section.
- (9) The power of the Secretary of State to make an order containing (with or without other provision) a provision authorised by this section is exercisable, on the first occasion

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*Status: Point in time view as at 20/10/2009. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Identity Cards Act 2006 (repealed), Section 34. (See end of Document for details)*

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on which an order is made under this section, only if a draft of the order has been laid before Parliament and approved by a resolution of each House.

- (10) A statutory instrument containing an order which—
- (a) contains provisions that the Secretary of State is authorised to make by this section, and
  - (b) is not an order a draft of which is required to have been laid before Parliament and approved by a resolution of each House,
- shall be subject to annulment in pursuance of a resolution of either House of Parliament.

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Identity Cards Act 2006 (repealed), Section 34.