



# Identity Cards Act 2006

## 2006 CHAPTER 15

### *Fees and charges*

#### **35 Fees in respect of functions carried out under Act**

- (1) The Secretary of State may by regulations impose fees, of such amounts as he thinks fit, to be paid to him in respect of any one or more of the following—
  - (a) applications to him for entries to be made in the Register, for the modification of entries or for the issue of ID cards;
  - (b) the making or modification of entries in the Register;
  - (c) the issue of ID cards;
  - (d) applications for the provision of information contained in entries in the Register;
  - (e) the provision of such information;
  - (f) applications for confirmation that information supplied coincides with information recorded in the Register;
  - (g) the issue or refusal of such confirmations;
  - (h) applications for the approval of a person or of apparatus in accordance with any regulations under this Act;
  - (i) the grant of such approvals.
- (2) The provision that may be made by regulations under this section includes—
  - (a) provision for the payment of fees by instalments; and
  - (b) provision establishing arrangements under which instalments may be paid in anticipation of a fee becoming due.
- (3) In prescribing a fee under this section in respect of anything mentioned in a particular paragraph of subsection (1), the Secretary of State may take into account—
  - (a) expenses that will be or have been incurred by him in respect of that thing, both in the circumstances in relation to which the fee is prescribed and in other circumstances;
  - (b) expenses that will be or have been incurred by him in respect of such other things mentioned in that subsection as he thinks fit;

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*Status: This is the original version (as it was originally enacted).*

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- (c) other expenses that will be or have been incurred by him in connection with any provision made by or under this Act;
  - (d) expenses that will be or have been incurred by any person in connection with applications for, and the issue of, designated documents (whether or not together with ID cards);
  - (e) expenses that will be or have been incurred in the provision of consular services (within the meaning of section 1 of the Consular Fees Act 1980 (c. 23)); and
  - (f) such differences between different persons by or in relation to whom that thing may be done as he thinks fit.
- (4) The consent of the Treasury is required for the making of regulations under subsection (1).
- (5) Every power conferred by or under an enactment to fix or impose fees in respect of—
- (a) applications for a designated document, or
  - (b) the issue of designated documents,
- includes power to fix or impose fees in respect of things done by virtue of this Act in connection with such applications, or with the issue of such documents.
- (6) References in this section to expenses that will be incurred for any purpose include references to expenses that the Secretary of State considers are likely to be incurred for that purpose over such period as he thinks appropriate, including expenses that will be incurred only after the commencement of particular provisions of this Act.
- (7) The power of the Secretary of State to make regulations containing (with or without other provision) a provision that he is authorised to make by subsection (1) is exercisable—
- (a) on the first occasion on which regulations are made under this section, and
  - (b) on every subsequent occasion on which it appears to the Secretary of State that the power is being exercised for purposes that are not confined to the modification of existing fees to take account of changes in the value of money,
- only if a draft of the regulations has been laid before Parliament and approved by a resolution of each House.
- (8) Fees received by the Secretary of State by virtue of this section must be paid into the Consolidated Fund.