
STATUTORY INSTRUMENTS

2009 No. 2575

The Identity Cards Act 2006 (Provision of Information with Consent) Regulations 2009

Grant of approval conditions

7.—(1) A grant of approval in respect of a person is subject to that person being able, subject to being approved, to make an application in accordance with regulation 3.

(2) A grant of approval in respect of a person to whom information is to be provided is also subject to that person satisfying the Secretary of State that the person will—

- (a) where appropriate, carry out the activities set out in paragraph (3); and
- (b) only use information which has been provided to that person under section 12 of the 2006 Act for the purposes for which the individual has consented to that person being provided with the information for.

(3) The activities referred to in paragraph (2)(b)(i) are—

- (a) monitoring whether the activities set out in sub-paragraphs (b) to [(i)] are being carried out;
- (b) making a record of—
 - (i) who requested the information under section 12 of the 2006 Act;
 - (ii) the date and time of the request;
 - (iii) the information which was provided pursuant to the request,

and retain that record for 12 months from the date the request was made, unless the Commissioner and the Secretary of State are satisfied that the record no longer needs to be retained;

- (c) retaining the document referred to in Regulation 2 for 28 days, unless that document is retained as part of the record referred to in Regulation 6(3)(b), in which case the record must be retained in line with that regulation.
- (d) providing the Commissioner or the Commissioner's staff, if requested by either of them, with all such information as they may reasonably require for the purpose of carrying out the Commissioner's functions insofar as they relate to—
 - (i) the arrangements made by the person for obtaining information under section 12 of the 2006 Act and for recording and using it, and
 - (ii) the person's use of ID cards;
- (e) informing the Secretary of State if that person, or anyone acting on that person's behalf, has reasonable grounds for suspecting that an individual has committed or is attempting to commit an offence relating to the Register or an identity document;
- (f) co-operating with any investigations by the Secretary of State into suspected fraudulent activity relating to the Register or an identity document;
- (g) reporting promptly any failures or suspected failures to carry out the activities set out in sub-paragraphs (a) to (f) to the Secretary of State

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (h) reporting promptly any non-compliance, or suspected non-compliance, with the terms of any agreement or Memorandum of Understanding with the Secretary of State regarding the disclosure of information to that person under the 2006 Act to the Secretary of State;
- (i) assisting the Secretary of State, insofar as is reasonably practicable, in order that the Secretary of State can be satisfied that the activities set out in sub-paragraphs (a) to (h) are being carried out.