Draft Order laid before Parliament under sections 3(7), 9(8), 17(8), 20(3), 34(9) and 38(7) of the Identity Cards Act 2006, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2009 No.

IDENTITY CARDS
PASSPORTS

The Identity Cards Act 2006 (Information and Code of Practice on Penalties) Order 2009

Made - - - -	***
Coming into force - -	***

The Secretary of State makes the following Order in exercise of the powers conferred by sections 3(6), 9(4) and (6), 17(3)(c)(**1**), 20(1)(**2**), 34(6) and 38(3)(e) and (5) of the Identity Cards Act 2006(**3**).

In accordance with section 34(5) of the Identity Cards Act 2006, before laying the draft code of practice under that section, the Secretary of State published the proposed code and consulted members of the public about the code.

In accordance with section 34(4) of the Identity Cards Act 2006, the Secretary of State has laid a draft of the code of practice before Parliament.

In accordance with sections 3(7), 9(8), 17(8), 20(3), 34(9) and 38(7) of the Identity Cards Act 2006, a draft of this Order has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Identity Cards Act 2006 (Information and Code of Practice on Penalties) Order 2009 and shall come into force on the day after the day on which it is made.

(2) In this Order –

"credit reference agency" means a person carrying on a business comprising the furnishing of information relevant to the financial standing of individuals, being information collected by the agency for that purpose; and

"the 2006 Act" means the Identity Cards Act 2006.

(**1**) Section 17(7) contains a limit on the enabling power in subsection (3).
(**2**) Section 20(2) contains a limit on the enabling power in subsection (1).
(**3**) 2006 c.15.

Amendment to Schedule 1

2. In paragraph 6 of Schedule 1 to the 2006 Act (information that may be recorded in the Register) after paragraph (g) insert—

"(ga) particulars of every person who has been named as a referee by the individual on an application for an ID card or a designated document, so far as those particulars were included on the application;".

Specified persons for the purposes of section 9

3. The following persons are specified for the purposes of section 9 of the 2006 Act (power to require information for validating Register)—

(a) the Department for Work and Pensions;

(b) the Department for Transport;

(c) the Foreign and Commonwealth Office;

(d) the Department of the Environment (Northern Ireland);

(e) Her Majesty's Revenue and Customs;

(f) the Registrar General for England and Wales;

(g) the Registrar General for Scotland;

(h) the Registrar General for Northern Ireland; and

(i) any credit reference agency which, at the time when the particular requirement is imposed under section 9 of the 2006 Act, is a party to a contract for the supply of information for the purposes of the carrying out by the Secretary of State of functions under that Act.

Revocation

4. The Verification of Information in Passports Applications Etc. (Specified Persons) Order 2007(**4**) is revoked.

Specified persons for the purposes of section 38

5. The following persons are specified for the purposes of section 38 of the 2006 Act (verifying information provided in passport applications etc.)—

(a) the Registrar General for England and Wales;

(b) the Registrar General for Scotland;

(c) the Registrar General for Northern Ireland; and

(d) any credit reference agency which, at the time when the particular requirement is imposed under section 38 of the 2006 Act, is a party to a contract for the supply of information for the purposes of the carrying out by the Secretary of State of functions under that Act.

Person to whom the duty is owed

6.—(1) The duty which is imposed by section 9(3) of the 2006 Act on a person specified in article 3 on whom a requirement to provide information is imposed, is owed to the person imposing the requirement.

(**4**) S.I. 2007/2186