Draft Regulations laid before Parliament under sections 6(9) and 8(5) of the Identity Cards Act 2006, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2009 No.

IDENTITY CARDS

The Identity Cards Act 2006 (Prescribed Information) Regulations 2009

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

The Secretary of State makes the following regulations in exercise of the powers conferred by sections 6(3)(a) and (b), 6(4)(b), 8(2), 40(4) and 42(1)(**1**) of the Identity Cards Act 2006(**2**).

In accordance with sections 6(9) and 8(5) of that Act, a draft of this instrument was laid before and approved by a resolution of each House of Parliament.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Identity Cards Act 2006 (Prescribed Information) Regulations 2009 and shall come into force on the day after the day on which they are made.

(2) In these Regulations –

"2006 Act" means the Identity Cards Act 2006;

"chartered psychologist" means a person for the time being listed in the British Psychological Society's Register of Chartered Psychologists;

"cryptographic key pair" means a unique pair of mathematically linked digital values which consists of a private key element and a corresponding public key element that are used to verify the authenticity of an ID card's chip or an ID card reader;

"digital signature" means a unique code created from certain items of information recorded on an individual's ID card, which confirms that the information was placed on the card's chip by the issuer of the card and that it has not been modified since signing;

"document signing certificate" means an electronic certificate which confirms that the digital signature is valid;

"EEA national" means a national of an EEA State;

(**1**) Section 42(1) defines "prescribed"
(**2**) 2006 c.15

"EEA State" means –

(a) A Member State, other than the United Kingdom;

(b) Norway, Iceland or Liechtenstein; or

(c) Switzerland;

(d) "Identification card" means –

(e) an ID card issued to an EEA national;

(f) an ID card issued to a family member of an EEA national with a right to reside under the Immigration (European Economic Area) Regulations 2006(**3**);

(g) an ID card issued to an individual in respect of whom there is in force -

(i) a banning order within the meaning of section 14 of the Football Spectators Act 1989(**4**);

(ii) a travel restriction order within the meaning of section 33 of the Criminal Justice and Police Act 2001(**5**); or

(iii) any other requirement imposed by a court to surrender that individual's passport or ID card to the police or other authority;

(h) an ID card issued to an individual who owes money to the United Kingdom government for repatriation or any other form of consular relief;

(i) an ID card issued to an individual who comes within a category of persons which has been notified to Parliament(**6**) as one in respect of whom the Secretary of State will refuse passport facilities; and

(j) an additional ID card issued to an individual who has a need to live at least part of their life in a gender other than the gender recorded on their current birth certificate where that need has been corroborated by evidence from a registered medical practitioner or a chartered psychologist practising in the field of gender dysphoria;

"public key element of a cryptographic key pair" means the cryptographic value which can be used to encrypt data for decryption solely by corresponding private keys or to verify a digital signature created using corresponding private keys;

"title of nobility" means a title held by –

(a) a member of the royal family or of the House of Lords or a person whose name appears on the Roll of the Peerage established by Royal Warrant signed on 1st June 2004;

(b) a person whose title has been acquired by virtue of being a member of the family of a person within sub-paragraph (a);

(c) a holder of a knighthood or baronetcy;

(d) a person whose title has been acquired by virtue of being the wife of a person within sub-paragraph (c); or

(e) a Dame of the Realm.

Information recorded on an ID card

2.—(1) This regulation is subject to regulation 5.

(**3**) S.I. 2006/1003
(**4**) 1989 c.37; section 14 was substituted by section 1 of and paragraphs 1 and 2 of Schedule 1 to the Football (Disorder) Act 2000 (c.25).
(**5**) 2001 c.16
(**6**) From time to time the Secretary of State notifies Parliament of categories of persons who are not entitled to a United Kingdom passport.

(2) The following information is prescribed for the purposes of section 6(3)(a) of the 2006 Act (issue etc. of ID cards)-

(a) the title of the card;

(b) the number of the card;

(c) the holder's name;

(d) the holder's gender;

(e) the holder's nationality;

(f) the holder's date of birth;

(g) the holder's place of birth;

(h) the date of issue of the card;

(i) the expiry date of the card;

(j) the holder's signature, unless the holder is unable to provide a signature;

(k) the holder's facial image;

(l) subject to paragraphs (3) and (4), fingerprints of any two of the holder's fingers;

(m) information specified in regulation 3 and regulation 4(1) to the extent that such information is available or is applicable in relation to the holder;

(n) references to the United Kingdom being the issuing country and the Home Office being the issuing organisation;

(o) a machine readable code;

(p) the symbol of the International Civil Aviation Organization denoting a machine readable document which contains a contactless chip;

(q) the digital signature;

(r) the document signing certificate;

(s) cryptographic key pairs;

(t) information contained in additional security features;

(u) an address in the United Kingdom to which an ID card can be returned, if found and;

(v) contact details that can be used to make general enquiries about ID cards

(3) If the holder is unable to provide two fingerprints, but is able to provide one fingerprint, paragraph (2)(l) is to be modified so as to refer to any one of the holder's fingers.

(4) If the holder is unable to provide any fingerprints, paragraph (2)(l) is to be modified so as to refer to the fact that no fingerprints have been provided.

Additional information that may be recorded on an ID card

3. The information specified for the purposes of regulation 2(2)(m) is –

(a) any title of nobility held by the holder;

(b) any other name specified by the holder as a name by which the holder is known except where there is insufficient space on the ID card or where the Secretary of State believes that the inclusion of such names is unnecessary or contrary to public policy;

(c) that the holder is a member of the Privy Council;

(d) any clarification required to show that a forename of the holder is not a title of nobility;

(e) the inability of the holder to provide a signature;