
DRAFT STATUTORY INSTRUMENTS

2009 No.

**The Identity Cards Act 2006 (Provision of
Information without Consent) Regulations 2009**

Prescribed government departments and functions

2.—(1) The following government departments and functions of that department or Minister in charge of it are prescribed for the purposes of section 17(5) of the 2006 Act—

- (a) the Home Office for the functions—
 - (i) carried out under Part 5 of the Police Act 1997⁽¹⁾;
 - (ii) of the issue, manufacture, modification, cancellation or surrender of passports;
 - (iii) of the prevention or detection of crime;
 - (iv) of safeguarding national security; and
 - (v) relating to immigration, asylum or nationality;
- (b) the Ministry of Justice for the functions of—
 - (i) repatriating British nationals imprisoned overseas; and
 - (ii) assisting with the enforcement of:
 - (aa) sums adjudged to be paid by a conviction or order of a magistrates' court; or
 - (bb) other orders imposed by a magistrates' court or the Crown court;
- (c) subject to paragraph (3), the Department for Transport for the functions carried out under—
 - (i) Part 3 of the Road Traffic Act 1988⁽²⁾; and
 - (ii) Part 10 of the Merchant Shipping Act 1995⁽³⁾;
- (d) the Department for Work and Pensions for the functions of the prevention, detection, investigation or prosecution of offences relating to social security; and
- (e) the Foreign and Commonwealth Office for—
 - (i) the functions of manufacture, modification, cancellation or surrender of passports; and
 - (ii) consular functions.

(2) Subject to paragraph (3), the Department of the Environment (Northern Ireland) for the functions carried out under Part 2 of the Road Traffic (Northern Ireland) Order 1981⁽⁴⁾ is prescribed for the purposes of section 17(5).

(3) The functions referred to in paragraphs (1)(c) and (2) are only prescribed to the extent to which those functions are being exercised for the purpose of preventing or detecting crime.

(1) 1997 c. 50.
(2) 1988 c. 52.
(3) 1995 c. 21.
(4) 1981 No. 154 (N.I. 1).

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory
Instrument: The Identity Cards Act 2006 (Provision of Information with Consent) Regulations 2009 No. 2575
