



Identity Cards Act 2006 (repealed)

2006 CHAPTER 15

Other purposes for which registered information can be provided

17 Public authorities etc.

- (1) The Secretary of State may, without the individual's consent, provide a person with information recorded in an individual's entry in the Register if—
 - (a) the provision of the information is authorised by this section; and
 - (b) there is compliance with any requirements imposed by or under section 21 in relation to the provision of the information.
- (2) The provision of information is authorised by this section where it is—
 - (a) the provision of information to the Director-General of the Security Service for purposes connected with the carrying out of any of that Service's functions;
 - (b) the provision of information to the Chief of the Secret Intelligence Service for purposes connected with the carrying out of any of that Service's functions;
 - (c) the provision of information to the Director of the Government Communications Headquarters for purposes connected with the carrying out of any of the functions of GCHQ; or
 - (d) the provision of information to the Director General of the Serious Organised Crime Agency for purposes connected with the carrying out of any of that Agency's functions.
- (3) The provision of information not falling within paragraph 9 of Schedule 1 is authorised by this section where the information is provided to a chief officer of police—
 - (a) in the interests of national security;
 - (b) for purposes connected with the prevention or detection of crime; or
 - (c) for other purposes specified by order made by the Secretary of State.
- (4) The provision of information not falling within paragraph 9 of Schedule 1 is authorised by this section where the information is provided to the Commissioners for Her Majesty's Revenue and Customs—
 - (a) in the interests of national security;
 - (b) for purposes connected with the prevention or detection of crime;

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- (c) for purposes connected with the prevention, detection or investigation of conduct in respect of which the Commissioners have power to impose penalties, or with the imposition of such penalties;
 - (d) for the purpose of facilitating the checking of information provided to the Commissioners in connection with anything under their care and management, or with any other matter in relation to which the Commissioners have duties under any enactment;
 - (e) for purposes connected with any of the functions of the Commissioners in relation to national insurance contributions or national insurance numbers; or
 - (f) for other purposes specified by order made by the Secretary of State.
- (5) The provision of information not falling within paragraph 9 of Schedule 1 is authorised by this section where the information is provided—
- (a) to a prescribed government department, or
 - (b) to a prescribed Northern Ireland department,
- for purposes connected with the carrying out of any prescribed functions of that department or of a Minister in charge of it.
- (6) The provision of information to a designated documents authority is authorised by this section where the information is provided for purposes connected with the exercise or performance by the authority of—
- (a) any of its powers or duties by virtue of this Act; or
 - (b) any of its other powers or duties in relation to the issue or modification of designated documents.
- (7) The powers of the Secretary of State by virtue of this section to make an order or regulations authorising the provision of information to a person are exercisable for the purposes only of authorising the provision of information in circumstances in which its provision to the person in question is necessary in the public interest.
- (8) The Secretary of State must not make an order or regulations containing (with or without other provision) any provision that he is authorised to make under this section unless a draft of the order or regulations has been laid before Parliament and approved by a resolution of each House.
- (9) In this section—
- “chief officer of police” means—
 - (a) the chief officer of police of a police force maintained for a police area in England and Wales;
 - (b) the chief constable of a police force maintained under the Police (Scotland) Act 1967 (c. 77);
 - (c) the Chief Constable of the Police Service of Northern Ireland;
 - (d) the Chief Constable of the Ministry of Defence Police;
 - (e) the Chief Constable of the Civil Nuclear Constabulary;
 - (f) the Chief Constable of the British Transport Police;
 - (g) the chief officer of the States of Jersey Police Force;
 - (h) the chief officer of the salaried police force of the Island of Guernsey; or
 - (i) the Chief Constable of the Isle of Man Constabulary;
- “GCHQ” has the same meaning as in the Intelligence Services Act 1994 (c. 13).

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- (10) Nothing in this section is to be construed as restricting any power to disclose information that exists apart from this section.

18 Prevention and detection of crime

- (1) The Secretary of State may, without the individual's consent, provide a person with information recorded in an individual's entry in the Register if—
- (a) the provision of the information is authorised by this section; and
 - (b) there is compliance with any requirements imposed by or under section 21 in relation to the provision of the information.
- (2) The provision to a person of information not falling within paragraph 9 of Schedule 1 is authorised by this section (so far as it is not otherwise authorised by section 17) if the information is provided for any of the purposes specified in section 17(2)(a) to (d) of the Anti-terrorism, Crime and Security Act 2001 (c. 24) (criminal proceedings and investigations).
- (3) Section 18 of the Anti-terrorism, Crime and Security Act 2001 (restriction on disclosure of information for overseas purposes) shall have effect in relation to the provision to a person of information by virtue of subsection (2) as it applies in relation to a disclosure of information in exercise of a power to which section 17 of that Act applies.
- (4) The provision of information falling within paragraph 9 of Schedule 1 is authorised by this section if it is provided—
- (a) to a person to whom information may be provided by virtue of any of subsections (3) to (5) of section 17 or is made as mentioned in subsection (2) of this section; and
 - (b) for purposes connected with the prevention or detection of serious crime.

19 Correcting inaccurate or incomplete information

- (1) This section applies where—
- (a) information about an individual has been provided for verification purposes to the Secretary of State or to a designated documents authority; and
 - (b) it appears to the Secretary of State that the information was inaccurate or incomplete in one or more particulars.
- (2) The Secretary of State may, without the individual's consent, provide the person who provided the inaccurate or incomplete information with information about—
- (a) the respects in which it is inaccurate or incomplete; and
 - (b) what is in fact recorded in that individual's entry in respect of the matters to which the inaccurate or incomplete information related.
- (3) The provision of information to a person under this section is subject to compliance with any requirements imposed by or under section 21 in relation to its provision.
- (4) The reference in this section to providing information about an individual for verification purposes is a reference to providing information about that individual which is required (whether under section 9 or otherwise) or intended to be used by the Secretary of State or a designated documents authority for verifying—
- (a) something recorded in that individual's entry in the Register,

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- (b) something provided to the Secretary of State or a designated documents authority for the purpose of being recorded in an entry about that individual in the Register, or
- (c) something otherwise available to the Secretary of State to be so recorded.

20 Power to authorise provision of information in other circumstances

- (1) In a case where there is no authorisation under sections 17 to 19 for the provision of information, the Secretary of State may nevertheless, without the individual's consent, provide a public authority with information recorded in an individual's entry in the Register if—
 - (a) the information is not information falling within paragraph 9 of Schedule 1;
 - (b) the information is of a description specified or described in an order made by the Secretary of State;
 - (c) the information is provided to a public authority so specified or described;
 - (d) the information is provided for the purposes so specified or described; and
 - (e) there is compliance with any requirements imposed by or under section 21 in relation to the provision of the information.
- (2) The power of the Secretary of State by virtue of this section to make an order authorising the provision of information to a public authority is exercisable for the purpose only of authorising the provision of information in circumstances in which its provision to the authority in question is necessary in the public interest.
- (3) The Secretary of State must not make an order containing (with or without other provision) any provision that he is authorised to make by this section unless a draft of the order has been laid before Parliament and approved by a resolution of each House.

21 Rules for providing information without individual's consent

- (1) Under sections 17 to 20 the Secretary of State may provide a person with information within paragraph 2 of Schedule 1 only if he is satisfied that it would not have been reasonably practicable for the person to whom the information is provided to have obtained the information by other means.
- (2) The Secretary of State may by regulations make provision—
 - (a) imposing requirements that must be satisfied before information is provided under any of sections 17 to 20; and
 - (b) restricting the persons who may be authorised to act on his behalf for or in connection with the provision of information under any of those sections.
- (3) Those regulations may include—
 - (a) provision requiring a person to be provided with information only where an application for it has been made by or on behalf of that person;
 - (b) provision specifying or describing the persons who are entitled to make applications for the provision of information to a person; and
 - (c) provision imposing other requirements as to the manner in which such applications must be made.
- (4) The Secretary of State may by regulations make it a condition of providing information to a person—

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- (a) that that person (where not specified in sections 17 to 20) and the applicant for the information (where different) are for the time being approved by the Secretary of State in the prescribed manner; and
 - (b) that apparatus used for the purposes of the application, and apparatus that it is proposed to use for the receipt and storage of the information, is for the time being approved in the prescribed manner by the person specified in or determined under the regulations.
- (5) The Secretary of State may also by regulations provide that information that may be provided to a person under any of sections 17 to 20 may be provided instead to another person who—
- (a) is authorised by that person to be a recipient of information provided under that section;
 - (b) holds such office, rank or position as may be specified in the regulations; and
 - (c) is under the direction or control of that person, or is otherwise answerable or subordinate to him, in respect of any of his duties as a person holding that office, rank or position.
- (6) A power of the Secretary of State under any of sections 17 to 20 to provide information about an individual to another person is exercisable only where the provision of the information is subject to the satisfaction in relation to that other person of conditions imposed under subsection (4)(a).
- (7) The Secretary of State must not make regulations containing (with or without other provision) any provision that he is authorised to make by this section unless a draft of the regulations has been laid before Parliament and approved by a resolution of each House.

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