

*These notes refer to the Identity Cards Act 2006
(c.15) which received Royal Assent on 30 March 2006*

IDENTITY CARDS ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Supplemental

Section 40: Orders and regulations

214. This section provides how orders and regulations are to be made. This will be through an affirmative resolution procedure in most instances provided for in the Act.
215. *Subsection (4)* enables provisions to differ for different cases, with exemptions and exceptions. For example, regulations may allow different application procedures for groups such as the very elderly or those with mental health problems.
216. *Subsection (5)* provides that if in the future the age at which an entitlement to registration arises (section 2(2)) is modified so that individuals under the age of 16 may register, then any obligations under this Act (for example to notify changes under Section 10) will fall on the child's parents or other responsible adult.
217. *Subsection (6)* is necessary so that if amendments are made to Schedule 1, consequential changes may be made to sections 12(2) and 12(3) and to those parts of the Act which make reference to the Schedule.
218. *Subsection (7)* sets out in more detail what the power for the approval of a person or of apparatus (the accreditation system) may entail. This includes the granting of an approval subject to specific conditions (e.g. that the organisation maintains an agreed level of security) which may be modified as well as the suspension or withdrawal of an approval (e.g. where the organisation has misused the verification service).