

## **IDENTITY CARDS ACT 2006**

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### **EXPLANATORY NOTES**

#### **COMMENTARY ON SECTIONS**

##### *ID cards*

##### *Section 8: Functions of persons issuing designated documents*

62. A designated documents authority is defined as an issuer of a designated document as described in section 4. This section sets out how common standards will be set for all designated documents authorities in carrying out their functions in relation to the Register and ID cards.
63. *Subsection (1)* requires that a designated document may only be issued if the designated documents authority is satisfied that:
- the requirements imposed by or under the Act in relation to the application for the issue of that document to that individual have been complied with;
  - the Secretary of State has considered and dealt with so much of the application as relates to the making of an entry on the Register or the confirmation (with or without changes) of the contents of such an entry; and
  - it has ascertained whether the individual already holds a valid ID card.
64. *Subsection (2)* requires that, where a designated document is issued to an individual who does not hold a valid ID card, the designated documents authority must ensure that the document is issued with an ID card satisfying the requirements set out in regulations, unless the individual is being issued with a designated document on an application falling within section 6(7) (temporary opt out for British passport applicants).
65. Regulations made under subsection 2 are subject to the affirmative resolution procedure (*subsection (5)*)
66. *Subsection (3)* sets out in more detail the requirements that may be imposed on designated documents authorities, regarding:
- how applications made to them for entry on the Register are to be handled;
  - how applications to be issued with ID cards made to them are to be handled; whether they be stand-alone applications or applications made alongside applications for designated documents; and
  - how applications made to them confirming an individual's entry to the Register are to be handled.
67. *Subsection (4)* allows the Secretary of State to make regulations requiring those issuing designated documents together with ID Cards to notify the Secretary of State where a designated document is modified, suspended or revoked; or required to be surrendered.

*Maintaining accuracy of Register etc.*