

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

# IDENTITY CARDS ACT 2006

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### *Supplemental*

#### *Section 43: Scotland*

221. *Subsection (1)* provides that the use in relation to Scotland of the Register or an ID card is authorised only in matters which are reserved or which are in accordance with an Act of the Scottish Parliament.
222. *Subsection (2)* ensures that regulations may not be made under section 13 which allow or require the imposition of a condition on the provision of a public service in Scotland except where it is in relation to a reserved function. Separate legislation by the Scottish Parliament would be required if, for example, it were proposed in the future to require an ID card to be produced as a condition of accessing a devolved public service in Scotland.
223. *Subsection (3)* provides that nothing in this section restricts any of the provisions of this Act authorising information from the Register to be provided. For example, provision of information to the police in Scotland under section 17 or for verification with consent under section 12. This section also does not restrict the powers under this Act to make other provision authorising such information to be provided to a person in Scotland (for example, regulations may be made under section 20(1) to permit information to be provided to the Registrar General of Births, Deaths and Marriages for Scotland).