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**S T A T U T O R Y I N S T R U M E N T S**

**2011 No. 16.**

**THE UGANDA CITIZENSHIP AND IMMIGRATION CONTROL  
(REGISTRATION OF CITIZENS AND ISSUE OF NATIONAL  
IDENTIFICATION NUMBERS AND NATIONAL IDENTITY CARDS)  
REGULATIONS, 2011**

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**ARRANGEMENT OF REGULATIONS**

*Regulation*

**PART I—PRELIMINARY**

1. Title
2. Interpretation

**PART II—NATIONAL IDENTIFICATION REGISTER**

3. Register
4. Access to information or records contained in the register

**PART III—REGISTRATION**

*Registration Center and the Secretariat*

5. Registration centre
6. Registration officers and the Secretariat
7. Powers and duties of registration officers

*Registration of Citizens*

8. Registration of citizens and issue of national identification number and national identity card.
9. Registration

## *Regulation*

10. Application for registration
11. Verification of application and authentication
12. Fingerprints or other biometric information
13. Registration of persons returning from abroad

### *National Identification Number and National Identity Card*

14. Issue of national identification number and national identity card.
15. Application for a national identity card upon the attainment of eighteen years
16. Proof of Uganda citizenship
17. Grounds for refusal to grant a national identification number and national identity card

## PART IV—GENERAL

18. Period of validity
19. Purposes for which a national identity card may be used
20. Persons eligible for employment
21. Grounds for cancellation of a national identity card
22. Loss of a national identity card
23. Change of particulars
24. Replacement of a defaced or damaged national identity card
25. Production of national identity card
26. Mandatory use of the national identification number for transactions
27. Ceasing to be a citizen of Uganda
28. Recovery of national identity card after death
29. Appeals
30. Application of rules of natural justice
31. Forms
32. Fees

## PART V—OFFENCES AND PENALTIES

33. Offences and penalties

## **SCHEDULES**

- |            |   |                |
|------------|---|----------------|
| Schedule 1 | — | Currency point |
| Schedule 2 | — | Forms          |
| Schedule 3 | — | Fees           |

# S T A T U T O R Y I N S T R U M E N T S

2011 No. 16.

## **The Uganda Citizenship and Immigration Control (Registration of Citizens and Issue of National Identification Numbers and National Identity Cards) Regulations, 2011.**

*(Under sections 38 and 82 of the Uganda Citizenship and Immigration Control Act, Cap 66)*

IN EXERCISE of the powers conferred upon the Minister responsible for internal affairs by sections 38 and 82 of the Uganda Citizenship and Immigration Control Act, and in consultation with the National Citizenship and Immigration Board, these Regulations are made this 29th day of March, 2011.

### PART I—PRELIMINARY.

#### **1. Title.**

These Regulations may be cited as the Uganda Citizenship and Immigration Control (Registration of Citizens and Issue of National Identification Numbers and National Identity Cards) Regulations, 2011.

#### **2. Interpretation.**

In these Regulations, unless the context otherwise requires—

“Act” means the Uganda Citizenship and Immigration Control Act, Cap 66;

“applicant” means a person who applies to be registered as a citizen and for the issue of a national identification number and national identity card under these Regulations;

“biometric” includes DNA, fingerprint, eye retina, iris, voice pattern, facial pattern, hand measurement and any other thing as may be added from time to time by the Board;

“Board” means the National Citizenship and Immigration Board established by article 16 of the Constitution;

“citizen” means a person referred to under articles 9, 10, 11,12 or 13 and 15 of the Constitution;

“currency point” has the value assigned to it in Schedule 1 to these Regulations;

“national identity card” means a document issued under section 28 of the Act;

“national identification number” means the number allocated to a person upon registration under section 27(1) of the Act;

“public body” includes Government ministry, department, statutory corporation, authority or commission;

“public service” means any service offered by Government or an agency of Government;

“register” means the register required to be maintained under regulation 3;

“registration officer” means an officer designated by the Board under regulation 6;

“registered person” means a person registered under these Regulations;

“Secretariat” means the National Registration Secretariat referred to in section 31 of the Act.

## PART II—NATIONAL IDENTIFICATION REGISTER

### **3. Register.**

(1) There shall be a national identification register maintained and managed by the Secretariat under the direction of the Board.

(2) For the avoidance of doubt the Register may be maintained in an electronic form.

(3) The following particulars shall be entered in the register in respect of each citizen registered—

- (a) full name of applicant;
- (b) sex;
- (c) residential address, if any;
- (d) date of birth;
- (e) place of birth;
- (f) indigenous community to which the applicant belongs;
- (g) place of origin;
- (h) occupation;
- (i) profession;
- (j) trade or employment;
- (k) date of registration;
- (l) registration number;
- (m) marital status;
- (n) spouse;
- (o) parent's name;
- (p) a photograph;
- (q) fingerprints or any other biometric information; and
- (r) such other particulars as the Board may determine.

(4) Regulation 23 shall apply where a change occurs in any of the particulars referred to in this subregulation.

#### **4. Access to information or records contained in the register**

(1) A person shall not have access to information or records contained in the register in respect to a registered individual's entry except with the authorisation of the Board.

(2) The Board shall only authorise access to information or records by a person under subregulation (1) where—

- (a) an application for the provision of information or records of that person is made by or with the authority of that registered individual; or
- (b) the individual otherwise consents to the provision of that information or records to that person.

(3) Notwithstanding any other provision of these Regulations but subject to subregulation (4), the Board may, without a registered person's consent provide another person with information or records contained in the register if the provision of the information or records is authorised by this regulation.

(4) The provision of information or records may be authorised under subregulation (3) where the disclosure is—

- (a) in the interest of national security;
- (b) necessary for purposes connected with the prevention of crime; or
- (c) for any other purpose as maybe determined by the Board, subject to this regulation.

(5) Disclosure of information or records contained in an individual's entry in the register may subject to subregulations (1), (2), (3) and (4), only be made upon making a written request and payment of the prescribed fee specified in Schedule 3 to these Regulations.

(6) A person making the request for access to information or records under this regulation shall provide the following—

- (a) particulars of the person whose information or records are required to be accessed;
- (b) his or her particulars;
- (c) his or her address;
- (d) if the request is made on behalf of a person, the capacity in which he or she is making the request; and
- (e) the purpose for which the information about the person is required.

(7) On receipt of a request under this regulation, the Board may by written notice require the person requesting access to provide additional information or documentation to support the request for information or records.

(8) The information or records that may be provided to a person under this regulation may include—

- (a) name;
- (b) date and place of birth;
- (c) address;
- (d) national identification number;
- (e) validity of national identity card;
- (f) information or records contained in the photograph of the individual recorded in the register;
- (g) information or records about the individual's signature that is recorded;
- (h) information or records comprised in a fingerprint or other biometric information; or
- (i) any other information or records as the Board may determine.

(9) Without prejudice to the right of access to information or records under any written law, the Board may refuse to grant the request for access to information or records contained in the register where access is likely to prejudice the security or sovereignty of the state or interfere with the right to privacy of any other person.

(10) Where the Board refuses to grant a request to access to information or records under this regulation, the Board shall notify the person in writing that it is not possible to give access to that information or record.

(11) The Minister may waive the fee referred to in subregulation (5) of this regulation where he or she is satisfied that the access to information or records in the register shall enhance the provision of Government services and any other related matters as he or she may deem necessary.

(12) Subject to these Regulations, the Board may issue guidelines for the management of access to information or records and other related matters under this regulation.

### PART III—REGISTRATION

#### *Registration Centre and the Secretariat*

#### **5. Registration centre.**

(1) The Board shall by notice published in the Gazette declare any place to be a registration centre for the purposes of registration under these Regulations and Part IV of the Act.

(2) For the avoidance of doubt, this regulation shall not prohibit mobile registration if the registration is related to a gazetted registration centre.

#### **6. Registration officers and the Secretariat.**

(1) The Board shall designate among immigration officers such persons as the Board may think necessary for the purposes of carrying out the provisions of the Act and these Regulations relating to registration of Uganda citizens.

(2) The Secretariat shall consist of immigration officers and such support staff as may be necessary, subject to the direction and control of the Board.

#### **7. Powers and duties of registration officers.**

(1) A registration officer may, in the exercise his or her functions under the Act—

(a) register citizens of Uganda;

- (b) interrogate a person whom he or she reasonably believes is able to give any information regarding any infringement or suspected infringement of these Regulations;
- (c) require a person who has given any information under the Act to furnish, documentary or other evidence for the purposes of verifying the truth of that information as is within that person's power;
- (d) enter upon any premises during reasonable hours and investigate any matter relating to the registration of citizens of Uganda; and
- (e) do any other thing as may be necessary or expedient for the proper implementation of these Regulations as the Board in consultation with the Minister may direct.

(2) In addition to the powers of a registration officer under subregulation (1), where—

- (a) there is reasonable cause to suspect that a person has contravened a provision of these Regulations or that his or her national identity card was fraudulently acquired; and
- (b) in order to prevent the purpose of the Act from being defeated, it is necessary to arrest that person immediately, a registration officer may arrest that person without a warrant of arrest and the provisions of section 17 of the Criminal Procedure Code Act, Cap.116 shall apply to the arrest.

(3) For avoidance of doubt, this regulation shall apply without prejudice to the powers and duties of an immigration officer under section 50 of the Act.

### *Registration of Citizens*

## **8. Registration of citizens and issue of national identification number and national identity card.**

(1) A citizen of Uganda shall subject to these Regulations be registered by the Board and upon registration shall be allocated a national identification number.

(2) It shall be the duty of every citizen of Uganda to apply to the Board to be registered under these Regulations.

(3) In the case of a citizen below the age of eighteen years, it is the duty of the parent, guardian or other person responsible for the supervision or welfare of the person to take steps to cause the person to be registered.

(4) In the case of a person incapacitated by illness, old age or other reason from applying for registration, it shall be the duty of the guardian or other person responsible for the supervision or welfare of the person to take steps to cause the person to be registered.

## **9. Registration**

(1) Registration of citizens and issue of national identification cards under these Regulations shall be carried out within such period as the Minister may prescribe by notice in the Gazette.

(2) The notice required under subregulation (1) shall, in addition to publication in the Gazette be published in media of wide circulation.

## **10. Application for registration**

(1) An applicant shall appear in person at the designated registration center for the purpose of being registered and issued with a national identification number and national identity card.

(2) In the case of an application for a person below the age of eighteen years or one incapacitated by illness, old age or other reason is prevented from appearing in person at the registration center, the person responsible for the supervision or welfare of that person shall take steps to cause the person to appear in person to be registered.

(3) A person seeking to be registered as a citizen shall do so at his or her area of residence or origin.

(4) An application for registration as a Uganda citizen and for the issuance of a national identification number and national identity card shall be made in Form D specified in Schedule 2 to these Regulations.

(5) The registration officer shall verify the applicant's citizenship by demanding proof of any of the following documents—

- (a) birth certificate;
- (b) certificates issued by a Government medical officer;
- (c) baptism certificate issued by a minister of a recognised religious organisation; or
- (d) any other evidence acceptable to the registration office.

(6) An applicant who satisfies the requirements of this regulation shall have his or her photograph taken; particulars recorded, and shall be issued with a registration receipt in form D1 specified in Schedule 2 to these Regulations.

(7) For the avoidance of doubt, a registration receipt is not proof of citizenship but only proof of application for registration as a citizen, issue of national identification number and national identity card under these Regulations.

## **11. Verification of application and authentication.**

A registration officer may accept the following documents to support the application for a national identification number and national identity card—

- (a) birth certificate;
- (b) national passport, where applicable;
- (c) citizenship certificate in the case of registered citizen referred to in section 33 of the Act;
- (d) immunization card; or
- (e) any other document as the registration officer may deem necessary.

## **12. Fingerprints or other biometric information.**

(1) At the time of lodging an application for a national identity card under these Regulations, the registration officer shall take and record the applicant's fingerprints or other biometric information using appropriate equipment.

(2) In the case of children fingerprints shall be obtained only in respect of children not below the age of fourteen years.

(3) In the case of an applicant with a disability or physical limitation rendering him or her unable to provide a fingerprint or other biometric information due to the disability or physical limitation, the disability or physical limitation shall be recorded by the registration officer.

(4) Where a person whose fingerprint or other biometric information is recorded suffers a disability or physical limitation resulting in the loss of the fingerprint or other biometric information, that person shall as soon as practicable, report the disability or loss to the registration officer and the officer shall record the loss.

## **13. Registration of persons returning from abroad.**

Subject to these Regulations, a citizen of Uganda who, at the commencement of these Regulations is absent from Uganda shall register within thirty days after his or her return to Uganda.

### *National Identification Number and National Identity Card*

## **14. Issue of national identification number and national identity card.**

(1) Where the Board is satisfied that an applicant under these Regulations is a citizen of Uganda and that he or she is of or above the age of eighteen years, the Board shall issue to that person a national identification number and a national identity card.

(2) For the avoidance of doubt, nothing in these Regulations shall prevent the Board from issuing a national identity card to a person below the age of eighteen years who applies and is registered as a citizen under these Regulations.

(3) The national identity card shall be issued under section 28(1) of the Act and shall be in Form D2 specified in Schedule 2 to these Regulations.

(4) The particulars contained in a national identity card shall correspond with the particulars of the person as contained in the register.

(5) An applicant shall collect his or her national identity card in person except if he or she has sign an authorisation form in Form E specified in Schedule 2 to these Regulations authorising a person to do so.

(6) A person authorised under this regulation shall in addition to the authorisation form present the registration receipt issued under these Regulations.

(7) The person authorised to collect the national identity card shall be a person who himself or herself holds a national identity card.

## **15. Application for a national identity card upon the attainment of eighteen years.**

(1) Except where a person under the age of eighteen years was issued with a national identity card under regulation 14(2), a person in respect of whom a registration receipt was issued under regulation 10 shall, on the attainment of the age of eighteen years, apply for a national identity card within ninety days after the attainment of that age.

(2) An application for registration under subregulation (1) shall be accompanied by the registration receipt issued under these Regulations.

(3) The application shall be made in accordance with the procedure prescribed in regulation 10.

(4) An applicant under this regulation shall appear before a registration officer for the purpose of registering himself or herself under these Regulations and shall have his or her fingerprint or other biometric information recorded.

(5) Where a person by reason of disability does not have a fingerprint or other biometric information capable of being recorded, the registration officer shall record the nature of the disability in the register.

(6) A person who satisfies the requirements of this regulation shall be issued with a national identity card.

## **16. Proof of Uganda citizenship**

(1) Subject to these Regulations, a national identity card issued under these Regulations is evidence of Uganda citizenship.

(2) For the avoidance of doubt, it shall be the duty of every person to whom a national identity card has been issued to carry it at all times.

(3) A person who fails to comply with subregulation (2) of this regulation commits an offence and the provisions of section 37(1) of the Act shall apply.

## **17. Grounds for refusal to grant a national identification number and national identity card.**

(1) The Board may not issue a national identification number and national identity card to an applicant under these Regulations on any of the following grounds—

- (a) fraud, false representation or deceit;
- (b) concealment of a material fact;
- (c) where an applicant is not a citizen of Uganda; or
- (d) having made intentional or deliberate false statements in his or her application.

(2) Where the Board is not satisfied that an applicant is a citizen of Uganda, the Board shall not issue that person with a national identity card and shall state in writing the reasons for its decision to that applicant.

**18. Period of validity.**

(1) A national identity card issued under these Regulations shall be valid for ten years and shall be renewable in accordance with these Regulations.

(2) A holder of a national identity card shall apply for renewal of a national identity card at least two months before the expiry date but not earlier than four months to the expiry date in the form and manner specified in Form F in Schedule 2 and shall pay the fee prescribed in Schedule 3 to these Regulations.

(3) The Board may renew a national Identity card of an applicant who fails to renew his or her national identity card within the period prescribed in subregulation (2) where—

- (a) he or she applies for renewal within two months after the expiry of the period specified in subregulation (2), and shows to the satisfaction of the Board that he or she has been taking practical steps to renew the national identity card; or
- (b) he or she pays in addition to the fee for renewal, a civil penalty of two currency points in respect of each day of default.

(4) A person whose national identity card expires while he or she is absent from Uganda shall apply to the Board for its renewal within thirty days of his or her entry into Uganda in the form and manner prescribed in subregulation (2).

**19. Purposes for which a national identity card may be used.**

A national identity card shall be used for the following—

- (a) identification of a Uganda citizen;
- (b) access to a public service;
- (c) identification of a citizen for the purpose of voting; or
- (d) any other purpose that may be prescribed by the Minister by notice published in the Gazette.

## **20. Persons eligible for employment**

(1) A person who is not a holder of national identity card and who is not an expatriate in a Government service shall not be eligible for service in any public office or in employment in the private sector in Uganda from such a date as the Minister shall prescribe by notice in the Gazette.

(2) For the avoidance of doubt the employment of a child shall be subject to the provisions of section 32 of the Employment Act, 2006 and for the purposes of employment a child may present his or her national identification number or national identity card issued under section 28 of the Act.

## **21. Grounds for cancellation of a national identity card.**

(1) The Board may cancel a national identity card on any of the following grounds—

- (a) fraud, false representation or deceit;
- (b) concealment of a material fact;
- (c) bribery;
- (d) intentional and deliberate false statements in his or her application;
- (e) the national identity card was issued in reliance on inaccurate or incomplete information;
- (f) the national identity card has been lost, stolen, defaced or damaged, tampered with or destroyed;
- (g) modification of information recorded in an individual's entry in the register;
- (h) change of particulars requiring modification of information recorded in the register or on the national identity card; or
- (i) ceasing to be a citizen of Uganda.

## **22. Loss of a national identity card.**

(1) Where a person loses a national identity card granted under these Regulations, that person shall within seven days report the loss to the nearest police station and shall be issued with a police report.

(2) A person to whom subregulation (1) applies shall, after reporting the loss of the national identity card to the Police apply within thirty days to the Board for replacement of the national identity card in Form G specified in Schedule 2 and shall pay the fee prescribed in Schedule 3 to these Regulations.

(3) The application under subregulation (2) shall be accompanied by the Police report issued under subregulation (1) and a statutory declaration specified in Form G1 set out in Schedule 2 to these Regulations.

(4) Subject to this regulation, a person shall present himself or herself to the registration officer for the recording of a photograph or other biometric information for the issue of a new national identity card.

## **23. Change of particulars.**

(1) Where a change occurs in the particulars of a person registered under these Regulations, that person shall where the change occurs in any particulars specified in subregulation (2) of this regulation apply to the Board for change of particulars within thirty days after the change, in Form H prescribed in Schedule 2 to these Regulations.

(2) The particulars referred to in subregulation (1) are as follows—

(a) surname;

(b) given name;

(c) other names;

(d) date of birth;

(e) gender;

(f) permanent and significant changes to the features of the face such that the person cannot be identified from the photograph of his or her national identity card;

(g) permanent and significant changes to the signature as recorded on the national identity card; or

(h) the loss of or permanent and significant changes to the persons fingerprints as recorded on the national identity card.

(3) Where an application for change of particulars is made under this regulation, the applicant shall present himself or herself to the Board for the update of his or her particulars recorded and maintained in the Register.

(4) Where a change in the following particulars of a person registered listed under this sub regulation occurs, that person may apply to the Board in Form H specified in Schedule 2 to these Regulations for change of particulars contained in the register—

(a) residential address;

(b) profession;

(c) place of birth;

(d) indigenous community to which the applicant belongs;

(e) place of origin;

(f) occupation;

(g) trade or employment;

(h) marital status;

(i) spouse; and

(j) parent's name.

(5) An application for change of particulars under this regulation shall be supported by the following documents—

(a) the current national identity card;

(b) deed poll;

(c) marriage certificate;

(d) decree nisi from a court of Uganda;

(e) statutory declaration; or

(f) any other legal documents verifying the change of particulars.

(6) Where a person fails to comply with subregulation (1), he or she commits an offence and is liable on conviction to a fine not exceeding ten currency points or imprisonment not exceeding three months or both.

(7) Where a person makes an application for change of particulars under this regulation, he or she shall pay the fee prescribed in Schedule 3 in relation to that application.

(8) Where an application is made under subregulation (1) and the Board is satisfied that the applicant has complied with the requirements of the application under this regulation, the Board shall issue to the applicant a new national identity card.

(9) Subject to these Regulations, where an application under subregulation (4) is received the Board may issue to the applicant a new national identity card.

#### **24. Replacement of a defaced or damaged national identity card.**

(1) A person may apply to the Board in Form I specified in Schedule 2 to these Regulations for replacement of a national identity card issued under these Regulations if the national identity card is defaced or damaged.

(2) Where an application for replacement of a defaced or damaged national identity card is made, the applicant shall present himself or herself to a registration officer for the recording of a photograph, fingerprint or other biometric information for the issue of a new national identity card.

(3) Upon an application being made under subregulation (1), the applicant shall pay the fee prescribed in Schedule 3 to these Regulations.

#### **25. Production of national identity card.**

(1) A registration officer may require any person to whom a national identity card has been issued under these Regulations to produce the national identity card and it shall be the duty of that person to produce it.

(2) If for any reason that person cannot produce the national identity card, he or she may be required to produce it at a place as may be required, within forty eight hours.

**26. Mandatory use of the national identification number for transactions.**

(1) Every person providing services listed in this regulation shall require a person accessing the services to state their national identification number and it shall form part of their records for those services from the time specified by the Minister by notice published in the Gazette.

(2) Subject to this regulation, a person shall before accessing the services listed in this regulation state their national identification number issued under these Regulations.

(3) The services for which a national identification number is required to be stated under this regulation are—

- (a) application for a passport;
- (b) opening of bank accounts;
- (c) purchase of insurance policies;
- (d) for every purchase, transfer and registration of land by any person or any transaction connected with land;
- (e) transactions regulated by the Pensions Act, Cap. 286;
- (f) transactions specified in the contributory health insurance scheme;
- (g) transactions that have social security implications;
- (h) all consumer credit transactions;
- (i) registration of voters;
- (j) registration or payment of taxes; and
- (k) public services.

(4) For the purposes of this regulation, a person shall produce the national identity card for any dealings with a public body or private body.

## **27. Ceasing to be a citizen of Uganda.**

(1) Where a person of full age and capacity issued with a national identity card under these Regulations acquires the citizenship of a foreign country and that person is not a dual citizen, he or she shall make a declaration for renunciation of citizenship in Form J specified in Schedule 2 to these Regulations.

(2) Subject to these Regulations, the Board shall cause the declaration of that person to be recorded and that person shall cease to be a citizen of Uganda and shall within forty eight hours surrender his or her national identity card to the Board.

## **28. Recovery of national identity card after death.**

It shall be the duty of the next of kin of the deceased person issued with a national identity card under these Regulations to recover that national identity card and surrender it to the Board within twenty days after the death of a person.

## **29. Appeals.**

(1) A person aggrieved by a decision of the Board under these Regulations may, within thirty days after the decision is communicated to him or her, appeal to the Minister against the decision.

(2) The Minister may, where it appears to him or her to be just, extend the period within which an appeal may be made under this regulation.

(3) The Minister may, upon application by the person aggrieved by the decision, extend the period within which an appeal may be made under subregulation (2) if it appears to the Minister just to do so.

(4) The Minister may on appeal under this regulation confirm or reverse the decision of the Board or refer the matter to the Board for reconsideration.

(5) A person aggrieved by a decision of the Minister on an appeal from a decision of the Board under these Regulations may, within thirty days after the decision is communicated to him or her, appeal to the High Court against the Minister's decision and the decision of the High Court shall be final.

### **30. Application of rules of natural justice.**

The rules of natural justice shall be observed in dealing with any matters relating to these Regulations.

### **31. Forms.**

For the avoidance of doubt, all forms referred to under these Regulations may be maintained in an electronic form.

### **32. Fees.**

(1) Initial application for a national identity card shall be free.

(2) Subject to subregulation (1) the fees prescribed in Schedule 3 shall be payable in respect of the matters specified in that Schedule.

## **PART V—OFFENCES AND PENALTIES**

### **33. Offences and penalties**

(1) A person who knowingly—

- (a) uses a national identity card or other document issued or required by or under these Regulations which has been revoked;
- (b) gives false information for the purpose of these Regulations or makes a statement which is false in a material fact;
- (c) conceals or fails to furnish information which could have otherwise affected his or her registration and issue of a national identity card;
- (d) makes any false representation for the purpose of procuring for himself or herself or for any other person the grant, issue, renewal or variation of a national identity card,

commits an offence and is liable on conviction to a fine not exceeding one hundred currency points or imprisonment not exceeding one year or both.

(2) A person who—

- (a) fails to comply with the directions, terms or conditions given to him or her by the Board under any provision of these Regulations;
- (b) unlawfully deprives a person of a national identity card issued to him or her under these Regulations;
- (c) unlawfully possesses or makes use of a national identity card belonging to any other person;
- (d) knowingly publishes or discloses any confidential information relating to registration that comes to his or her knowledge in the course of employment without the knowledge and approval of the Board;
- (e) knowingly accesses the register and makes extracts, publishes or discloses confidential information to any person not part of his or her ordinary course of employment;
- (f) unlawfully enters, issues or prints, alters or erases any part of a national identity card or any records in the register;
- (g) knows of a violation of the Act or any Regulations made under the Act, does not report to the Board;
- (h) fails to maintain a record required to be maintained by or under these Regulations in a permanent and indelible material; or
- (i) knowingly causes himself or herself to be registered more than once under these Regulations,

commits an offence and is liable on conviction to a fine not exceeding one hundred currency points or imprisonment not exceeding one year or both.

## **SCHEDULES**

### **Schedule 1**

*Section.2 of the Act, reg.2*

#### **Currency point**

A currency point shall be equivalent to twenty thousand shillings.