# REGISTRATION AND IDENTIFICATION OF PERSONS ACT, REGULATIONS, 2014

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SCHEDULE
THE REGISTRATION AND IDENTIFICATION OF PERSONS ACT,
(CAP. 36)

REGULATIONS

(Made under Section 22(1))

REGISTRATION AND IDENTIFICATION OF PERSONS (GENERAL) REGULATIONS, 2014

PART I
PRELIMINARY PROVISIONS

1. These Regulations may be cited as the Registration and Identification of Persons (General) Regulations, 2014.

2. In these Regulations, unless the context requires otherwise:
   “Act” means the Registration and Identification of Persons Act;
   “Authorized person” means a person duly authorized on behalf of any statutory body to request and share certain information from the Registrar;
   “chip” means an electronically coded- micro processing item which possesses unique biometric credentials of the authorized card holder;
   “Registrar” shall have a meaning ascribed to it in the Act;
   “registration officer” shall have a meaning ascribed to it in the Act;
   “Register” means the Register referred to under regulation 3;
   “National Identity Card” means a card which is issued by the National Identification Authority.
PART II
REGISTRATION

3.-(1) Subject to section 7 of the Act, the Registrar shall keep and maintain a National Register of Persons which shall be in such form as he may determine.

(2) The Register referred to under sub regulation (1), shall be kept and maintained in every region and district within the United Republic.

4.-(1) Every person of or above the apparent age of eighteen years who on or after commencement of these Regulations, is:
   (a) a citizen of the United Republic; or
   (b) an alien resident in the United Republic,
Shall apply to the Authority for registration in the form set out in the First Schedule to these Regulations.

(2) Every person to whom the provisions of the Act applies shall, within ninety days from the date of attaining the age of eighteen years, apply to the Authority for registration in the manner provided herein.

5.-(1) Every person who applies for registration under these Regulations shall follow up all the necessary steps of registration procedure, including filling of the prescribed form, taking of photograph, recording of fingerprints and signature as he may be required by a registration officer.

(2) Where a person has a disability such that fingerprints cannot be taken, a registration officer shall take palm or toe prints of such person, and where palms or toes are missing, he shall use a special identification mark which shall be installed in his chip.

(3) The applicant under subregulation (1) shall furnish the following documents to the registration officer:
in the case is a citizen of the United Republic:

(i) birth certificate or written evidence of birth;

(ii) birth certificate or affidavit of birth or written evidence of birth of either or both of his parents and grandparents;

(iii) passport of either or both of his parents;

(iv) Primary School Certificate;

(v) Form Four Leaving Certificate;

(vi) Voter’s card;

(vii) Zanzibar Identity Card;

(viii) Driving Licence; and

(ix) such other particulars as the Minister may determine.

(b) in the case is an alien resident:

(i) passport;

(ii) birth certificate;

(iii) residence permit, in case of a refugee, a refugee ID card or ration card; and

(iv) such other particulars as the Minister may determine.

(4) Where the applicant is illiterate or is otherwise unable to write, he shall dictate the particulars under sub regulation (1) to the registration officer, and thereafter acknowledge the correctness of the particulars by affixing his thumb print in the presence of the registration officer and the witness of his choice.

(5) For purposes of this regulation, a “written evidence of birth” means a prescribed form issued by
Village/Mtaa Council to an applicant for purposes of determination and verification of his birth place, residence, identity and other matters of similar nature.”

6. Every applicant under regulation 5(1), shall allow his photograph to be taken in a manner described by a registration officer.

7.- (1) Upon registration of a person under these Regulations, the registration officer shall, within six months, issue a National Identification Card to the applicant.

(2) The card referred to under subregulation (1) shall be collected at the centre at which such person was registered or at any other place the Authority directs.

(3) The card shall contain:

(a) on the face of the card:

(i) a recent photograph of the holder;
(ii) National Identity Number (NIN);
(iii) first names and surname;
(iv) sex;
(v) expiry date;
(vi) type of Identity Card;

(b) on the back side of the card:

(i) type of the Identity Card;
(ii) National Identity Number (NIN); and
(iii) issuing Authority.

8. (1) The Registrar may cancel the name of a registered person if he is satisfied that the person is no longer qualifying to be in the Register of persons by reasons of:
(a) change of citizenship, in the case of the citizen of the United Republic;

(b) ceasing to be alien resident in the United Republic;

(c) giving false or misleading information which led to the registration of the person;

(d) expiry; or

(e) death.

(2) Where the Registrar cancels any name of a registered person on reasons prescribed under subregulation (1), the holder of the card shall, within two weeks, surrender the card to the Registrar.

9.- (1) Where any of the particulars in the Register requires amendment by reason of a change of name or of any other alteration in the circumstances affecting the registered person, including change of residence, the registered person shall apply for a change of particulars in the prescribed form set out in the First Schedule and the registration officer shall, upon being satisfied that the application is properly made, change or update the particulars.

(2) Where the Applicant has made the application for changes in the particulars under this regulation, he shall immediately notify the Ward Executive Officer or Sheha of the ward in which the village, mtaa, kitongoji or shehia is situated, who shall transmit such particulars to the Registrar.

(3) Notwithstanding sub regulation (1), where by reason of any adjustment in the boundaries or areas of one or more local authorities, a local authority becomes part of another local authority with a new name, it shall not be necessary for a person whose name is in the Register affected by such adjustment to apply for the change of particulars to the appropriate register, and the Registrar shall, as soon as possible, effect such changes as may be necessary to give effect to such adjustment as if an
application for change of particulars had been made by the registered person concerned.

10. A registration officer may require any person who has given any information to furnish a documentary or other evidence of the truth of that information.

11.- (1) Where a registration officer refuses an application under these Regulations, he shall give to the applicant a written statement in prescribed form setting out in the First Schedule the grounds of his refusal, and any applicant aggrieved by such refusal and may, within thirty days after receipt of that statement, appeal against such refusal to the Minister.

(2) An aggrieved person who has failed to comply with the conditions set under sub regulation (1), may lodge an application to the Minister for extension of time to appeal out of time.

12.- (1) Any person may lodge objection against registration of any person with the Registrar in the prescribed form set out in the First Schedule to these Regulations.

(2) The Registrar shall, within thirty days from the date of receiving the objection, inform the objected person the grounds of objection and require such person to give a written representation.

(3) Subject to subregulation (2), the Registrar shall:

(a) issue a seven days notice to the person who lodged the objection and the objecting person specifying the place, date and time of an inquiry to be conducted;

(b) conduct an inquiry on the objection; and

(c) determine the objection and inform the parties of the outcome, accordingly.
(4) A person who is aggrieved by the decision of the Registrar may, within thirty days from the date of receiving the decision, appeal to the Minister in the prescribed form.

13.- (1) Where a registered person has reported the loss, damage or destruction of his identity card to a registration officer, he shall give to the registration officer his name in full and shall allow his photograph and fingerprint to be retaken and recorded in such manner as the registration officer may determine.

(2) Upon payment of the prescribed fee by the Applicant, the registration officer shall fill in a prescribed form set out in the First Schedule and thereafter issue a certificate to the registered person.

(3) After the expiration of thirty days from the issuance of the certificate by the registration officer, the registered person shall appear before the registration officer and surrender the certificate in exchange for a new identity card.

(4) Upon the issuance of the certificate to the registered person and until the issuance of a new identity card, the certificate shall be deemed for all purposes to be an identity card issued under the Act.

(5) There shall be inserted in every new identity card particulars which are contained in the Register of the person to whom the new card is being issued.

(6) Upon issuance of a new card to any person, the Registrar shall, inform all relevant authorities of the fact and particulars relating to the new card issued.

(7) Every person to whom a new card has been issued under these Regulations shall pay to the registration officer to whom he has reported the loss of his identity, a fee set out in the Second Schedule to these Regulations.
14. Every Regional Commissioner, District Commissioner, District Executive Officer, Sheha, Mtaa Executive Officer and Village Executive Officer shall ensure that all persons eligible for registration under the area of his jurisdiction are registered under these Regulations.

Confidentiality

15.- (1) Any person who performs any functions or exercise any powers under these Regulations shall observe confidentiality, and for that purpose, he shall not disclose any information to an unauthorized officer.

(2) Subject to the provisions of subregulation (1) any person before commencing his functions or exercise any power shall take an oath in a manner prescribed in the First Schedule to these Regulations.

Fees

16. A person who:

(a) applies for replacement of his identity card;

(b) wants to change particulars that leads to the issuance of a new card;

(c) intends to use any information under the custody of the Registrar;

(d) is an alien resident issued with a smart card,

shall pay fees as set out in the Second Schedule to these Regulations.

Offence and penalties

17. Any person who:

(a) refuses to register himself under regulation 4;

(b) knowingly gives false or misleading information to a registration officer;
(c) fails to surrender his identity card within prescribed time; or

(d) refuses to furnish any documentary or other evidence provided for under regulation 10,

commits an offence and shall, on conviction be liable to a fine of not less than two hundred thousand shillings and not more than five million shillings or to imprisonment for a term not less than two months and not more than two years.