

National Identity Register (Amendment) Bill, 2017

ARRANGEMENT OF SECTIONS

Section

1. Section 4 of Act 750 amended
2. Section 7 of Act 750 amended
3. Section 8 of Act 750 amended
4. Section 22 of Act 750 amended
5. Section 27 of Act 750 amended
6. Section 75 of Act 750 amended

National Identity Register (Amendment) Bill, 2017

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NATIONAL IDENTITY REGISTER (AMENDMENT) ACT, 2017

AN ACT to amend the National Identity Register Act, 2008 (Act 750), to make further provision for the mode of application for identity cards, provide for the conditions and requirements for registration, prescribe information to be supplied by persons to whom national identity cards are to be issued and for related matters.

PASSED by Parliament and assented to by the President:

Section 4 of Act 750 amended

1. The National Identity Register Act, 2008 (Act 750) referred to in this Act as the “principal enactment” is amended in section 4 by the substitution for paragraph (a) of subsection (2), of

“(a) that individual’s

- (i) full name;
- (ii) sex;
- (iii) date of birth;
- (iv) place of country of birth;
- (v) nationality;

National Identity Register (Amendment) Bill, 2017

- (vi) residential address;
- (vii) postal address;
- (viii) marital status and where applicable the name of the spouse;
- (ix) level of education;
- (x) employment status;
- (xi) birth certificate number;
- (xii) street name;
- (xiii) electronic mail address;
- (xiv) telephone number;
- (xv) Tax Identification Number (TIN) and date of issue;
- (xvi) social security number and date joined;
- (xvii) national health insurance number and date of issue;
- (xviii) voter identity number and date of issue;
- (xix) passport number and date of issue;
- (xx) driver's licence number and date of issue;
- (xxi) digital address code;
- (xxii) language spoken;
- (xxiii) occupation;
- (xxiv) height;
- (xxv) colour of eyes;
- (xxvi) colour of hair;
- (xxvii) person with disability code;
- (xxviii) zip or postal code;
- (xxix) existing personal identification number;
- (xxx) type of verification document, its number and date of issue; and
- (xxxi) challenged column.”.

Section 7 of Act 750 amended

2. Section 7 of the principal enactment is amended

- (a) in subsection (1) by the substitution for “of the age of six years” the opening paragraph, of “aged zero”; and
- (b) in subparagraph (i) of paragraph (c) of subsection (4) by the insertion after “any other enactment, or”, of “international obligations of the Republic” .

National Identity Register (Amendment) Bill, 2017

Section 8 of Act 750 amended

3. Section 8 of the principal enactment is amended

(a) by the substitution for subsection (1), of

“(1) The Authority shall require an individual who applies for an entry to be made in the Register to submit any of the following identity documents:

(a) a birth certificate;

(b) a valid passport;

(c) a valid residence permit;

(d) a valid certificate of acquired citizenship; and

(e) any other information as may be required by the Authority.”; and

(b) by the substitution for subsection (2), of

“(2) Where an applicant is unable to submit any of the documents specified under subsection (1), the Authority shall require

(a) a relative of the applicant to identify the applicant under oath; or

(b) two persons determined by the Board to identify the applicant under oath, where the applicant has not got relatives.”.

Section 22 of Act 750 amended

4. Section 22 of the principal enactment is amended by the substitution for subsection (1) of

“(1) A registration officer or any other person may challenge an applicant if that applicant provides false information or does not satisfy the registration requirements provided for in this Act.”.

Section 27 of Act 750 amended

5. Section 27 of the principal enactment is amended in subsection (5) by the substitution for “Court of Appeal”, of “Supreme Court”.

Section 75 of Act 750 amended

6. Section 75 of the principal enactment is amended by the deletion of the definition for “identity document”.

Date of *Gazette* notification: 15th November, 2017.

National Identity Register (Amendment) Bill, 2017

MEMORANDUM

The National Identification Authority Act, 2006 (Act 707) and the National Identity Register Act, 2008 (Act 750) govern the operations of the National Identification Authority.

The statutory duties of the Authority include registering citizens in Ghana and abroad as well as eligible foreign nationals resident in Ghana. Act 750 empowers the Authority to capture the personal information of individuals for the purpose of issuing national identity cards, protect the personal information so captured, and generally ensure the accuracy, integrity, confidentiality and security of data collected.

The Bill seeks to amend some aspects of Act 750 to bring the law in tune with the times and also to ensure the accuracy and integrity of the National Identification System as required by the laws governing the Authority.

Clause 1 of the Bill amends section 4 of Act 750 by substituting paragraph (a) of subsection (2). The new provision adds on to the existing particulars to be entered in the National Identity Register. The particulars added on are the birth certificate number; street name; electronic mail address; telephone number(s); Tax Identification Number (TIN) and date of issue; social security number and date joined; National Health Insurance Number and date of issue; voter identity number and date issued; passport number and date of issue; driver's licence number and date of issue; digital address code; language(s) spoken; occupation; height; colour of eyes; colour of hair; person with disability code; zip/postal code; existing personal identification number; type of verification document, its number and date of issue; and challenged column. The rationale for the information added on is to include in the data for the Authority, data required by stakeholders including the Ghana Revenue Authority, Social Security and National Insurance Trust, National Health Insurance Authority and the Ghana Immigration Service.

National Identity Register (Amendment) Bill, 2017

The amendment is intended to enable the Authority to register persons who are either stateless or refugees in accordance with the countries international obligations

Clause 2 amends section 7 of Act 750 by substituting in subsection (1), the minimum age of eligibility for registration from the current age of six years to age zero. This clause also amends subparagraph (i) of paragraph (c) of subsection (4) of section 7 by inserting after “any other enactment, or”, “any international obligations of the Republic”. This amendment is intended to enable the Authority to register persons who are either stateless, or refugees, in accordance with international obligations of the country.

Clause 3 amends section 8 of Act 750 by substituting new provisions for subsections (1) and (2). The new provision replacing the existing subsection (1), will require an individual who applies for an entry to be made in the Register to produce an identity document which should be either a birth certificate, a valid Passport, a valid residence permit, a valid certificate of acquired citizenship or any other information as may be required by the Authority. Also where an applicant is unable to submit any of the documents specified under the new subsection (1), the Authority is obliged to require either a relative of the applicant to identify the applicant under oath, or any two persons determined by the Board to identify the applicant under oath, where the applicant has not got relatives.

Clause 4 amends section 22 of Act 750 by substituting for “a person authorised by the Authority” in subsection (1), “any other person”. The amendment proposed to be effected by this clause is intended to expand the scope of persons who may challenge an applicant who provides false information to the Authority or who does not satisfy the registration requirements provided for under Act 750.

Clause 5 amends section 27 of Act 750 by substituting for “Court of Appeal” in subsection (5), of “Supreme Court”. This amendment is intended to make the Supreme Court instead of the Court of Appeal, the final appellate court on matters relating to challenges.

National Identity Register (Amendment) Bill, 2017

Clause 6 amends section 75 of Act 750 by deleting the entire definition of “identity document”. This amendment is necessary to ensure that the only documents required for purposes of registering an applicant under Act 750 are those specified in section 8 of Act 750.

HON. DR. ANTHONY AKOTO OSEI (MP)
Minister responsible for the National Identification Authority

Date: 14th November, 2017