

National Identity Card (Amendment) Regulations 2023

GN No. 56 of 2023

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THE NATIONAL IDENTITY CARD ACT

Regulations made by the Minister under section 10 of the National Identity Card Act

1. These regulations may be cited as the **National Identity Card (Amendment) Regulations 2023**.

2. In these regulations –

"principal regulations" means the National Identity Card Regulations 2013.

3. Regulation 3 of the principal regulations is amended by adding the following new paragraph –

(3) The Registrar shall destroy any identity card which has been surrendered to him under the Act in such manner and within such period as he may determine.

4. Regulation 4 of the principal regulations is amended by deleting the words "date of issue" and replacing them by the words "date of issue, or up to the date of the registration of the date of death of the person to whom the card was issued, whichever is earlier".

5. The principal regulations are amended by inserting, after regulation 9, the following new regulation –

9A. (1) Subject to paragraph (2), the heirs of a deceased person or the person in possession of the identity card of the deceased shall, within 28 days of the demise of the deceased person, deliver to the Registrar the identity card belonging to the deceased person for perforation.

(2) Where the identity card belonging to the deceased person is lost, the heirs or the person in possession of the card of the deceased shall deliver to the Registrar, within 28 days of the date of the demise of the deceased person, a memorandum or any other similar document from the Police, attesting that the heirs or the persons in possession of the card have reported the loss of the identity card of the deceased.

(3) Where the heirs or the person in possession of the identity card of the deceased have failed to comply with the period specified in paragraph (1) or (2) above,

they may produce the identity card of the deceased or the memorandum or any other similar document from the Police, as the case may be, within such period of time as the Registrar may determine, should the Registrar be satisfied of compelling reasons for such failure to produce the identity card within the period specified.

(4) Subject to paragraph (5) (a), on receipt of an identity card under paragraph (1) or (3), the Registrar –

- (a) shall ascertain that the person, whose identity card has been received, is recorded in the civil identity register as being a deceased person;
- (b) shall perforate the identity card; and
- (c) shall return the perforated identity card to the heirs of the deceased or the person in possession of the identity card of the deceased.

(5) (a) Where the person, whose identity card has been produced under paragraph (1) or (3), is not recorded in the civil identity register, as being a deceased person, the Registrar shall require the heirs of the person or the person in possession of the card of the deceased whose identity card has been produced to provide the death certificate of that person within such period as the Registrar may determine.

(b) Subject to paragraph (c), upon receipt of the death certificate of the person and where the Registrar is satisfied that the person whose identity card has been produced is deceased, the Registrar shall –

- (i) perforate the identity card of the deceased person; and
- (ii) return the perforated identity card to the heirs of the deceased or the person in possession of the card.

(c) Where the Registrar has good grounds to believe that the person whose identity card has been produced under paragraph (1) or (3) is still alive, the Registrar shall –

- (i) retain the identity card; and
- (ii) refer the matter to the Police.

(6) No person shall use or produce an identity card that has been perforated.

6. These regulations shall come into operation on 15 May 2023.

Made by the Minister on 28 April 2023.