

CHAPTER 332

THE REGISTRATION OF PERSONS ACT

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CHAPTER 332

THE REGISTRATION OF PERSONS ACT

Commencement: 26 March, 2015
except Parts V and VI (1 January, 2016)

An Act to provide for registration of persons; to provide for establishment of a National Identification Register; to provide for establishment of a National Identification and Registration Authority; to provide for the issue of national identification cards and alien identification cards and for related matters.

PART I—PRELIMINARY

1. Application of Act

- (1) This Act applies to the registration of all persons in Uganda.
- (2) Notwithstanding subsection (1), this Act does not apply—
 - (a) to a person who is not a resident or a person visiting Uganda for a period not exceeding ninety days;
 - (b) to a refugee recognised by the Government and the United Nations High Commissioner for Refugees.

2. Purpose of Act

The purpose of this Act is—

- (a) to remove duplication from the processes and laws relating to registration of persons;
- (b) to harmonise and consolidate the law on registration of persons;
- (c) to establish a central registration body for the registration of all persons in Uganda;
- (d) to establish a national identification register of all persons in Uganda; and
- (e) to provide for access and use of the information contained in the national identification register.

3. Interpretation

In this Act, unless the context otherwise requires—

“alien” means a person who is not a citizen of Uganda;

“alien’s identification card” means an alien’s identification card issued under this Act;

“applicant” means an individual who makes an application for an entry to be made in the Register or for the issue or re-issue of a national identification card or alien’s identification card;

“Authority” means the National Identification and Registration Authority established under this Act;

“Board” means the Board of the Authority established under this Act;

“citizen” means a citizen of Uganda under the Constitution of the Republic of Uganda;

“currency point” has the value assigned to it in Schedule 1 to this Act;

“data” means facts or information which may be—

(a) recorded with the intention that it may be processed; or

(b) recorded as part of a relevant filing system or with the intention that they form part of a relevant filing system;

“document” includes any medium in which information is recorded, whether printed or on tape or film or by electronic means or otherwise and a map, diagram, photograph, film, microfilm, video-tape, sound recording, machine-readable record, or any record which is capable of being produced from a machine-readable record by means of equipment or a programme or a combination of both and which is used for that purpose by the authority which holds the record;

“electronic database” means a collection of electronic records organised for ease and speed of search and retrieval using specific data management software;

“Executive Director” means the Executive Director of the National Identification and Registration Authority;

“fingerprint” means a record of the unique pattern of curves formed by the ridges and valleys and other characteristics of the fingers of an individual;

“holder” means an individual to whom the lawful possession of a national identification card or alien’s identification card has been granted under this Act;

“identity data” means the physiographic characteristics of an individual including the biometric information of an individual required for the purpose of establishing that individual’s identity;

“identity document” includes the following—

- (a) a birth certificate;
- (b) a baptism certificate;
- (c) an immunisation card;
- (d) a voter’s identification card;
- (e) an immigration document;
- (f) a valid Uganda or foreign passport or a document that may be used in place of a passport;
- (g) a valid driving licence;
- (h) a valid residence permit; and
- (i) a certificate of acquired citizenship;

“information” means data about a person that is recorded in any form including—

- (a) data that relates to the nationality, age or marital status of the person;
- (b) data that relates to the educational level, or occupation of the person or data that relates to a financial transaction in which the person has been involved;
- (c) an identification number, symbol or other particulars assigned to the person; and
- (d) identity data;

“Minister” means the Minister responsible for internal affairs;

“pass” means a special pass, pupils or students pass, prohibited immigrant pass, interstate pass, visitors pass, in-transit pass, dependent pass and re-entry pass;

“person” means an individual or natural person;

“record” includes information that is recorded in any form or in any medium of writing, print, photographic, electronic or otherwise, but does not include a computer programme or other mechanism that can produce a record;

“refugee” means, subject to the Constitution, a person who is recognised as a refugee by the Government and the United Nations High Commissioner for Refugees under the relevant refugee instruments and the Refugees Act;

“Register” means the National Identification Register established under this Act;

“registration centres” means centres that are designated as such by the National Identification and Registration Authority in accordance with section 58;

“registration officer” means any officer appointed by the National Identification and Registration Authority with the responsibility of registering of persons under this Act;

“residence permit” means a permit granted to a foreign national who intends to remain in the country for a substantial period which in the first instance does not exceed four years and may be extended.

PART II—NATIONAL IDENTIFICATION AND REGISTRATION AUTHORITY

4. Establishment of National Identification and Registration Authority

(1) There is established an authority to be known as the National Identification and Registration Authority.

(2) The Authority shall be a body corporate with perpetual succession and an official seal and may, for the discharge of its functions under this Act—

- (a) acquire, hold and dispose of movable and immovable property;
- (b) sue and be sued in its corporate name; and
- (c) do all acts and things as a body corporate may lawfully do.

5. Functions of Authority

(1) The functions of the Authority are—

- (a) to create, manage, maintain and operate the Register;
- (b) to register the citizens of Uganda;
- (c) to register non-citizens of Uganda who are lawfully resident in Uganda;
- (d) to register births and deaths;
- (e) to assign a unique national identification number to every person registered in the Register;
- (f) to issue national identification cards and alien’s identification cards;
- (g) to harmonise and incorporate into the Register, where applicable, information from other databases in Government agencies relating to registration of persons;
- (h) to verify and authenticate information relating to the registration and identification of persons;

- (i) to collate information obtained under this Act and reproduce it as may be required;
- (j) to ensure the preservation, protection and security of any information or data collected, obtained, maintained or stored in the Register;
- (k) to promote the use of national identification cards to advance the economic, political and social activities in the country;
- (l) to research on the developments in the identity management sector; and
- (m) to perform such other duties which, in the opinion of the Authority, are necessary or expedient for the discharge of its functions under this Act.

(2) In the performance of its functions, the Authority shall observe generally accepted information security practices and procedures, and specific industry or professional rules and regulations.

6. Cooperation with other agencies

(1) The Authority shall cooperate with other Ministries, departments and agencies of Government in the implementation of this Act.

(2) For the purpose of subsection (1), all Ministries, departments and agencies of Government shall accord to the Authority such assistance as may be necessary to ensure the proper discharge of the functions of the Authority.

7. Powers of Authority

In carrying out the functions specified under this Act, the Authority may—

- (a) establish a mechanism for collaboration and promotion of partnerships between the various categories of stakeholders in the registration and identification of persons sector; and
- (b) charge fees for the services provided by the Authority.

8. Powers of Minister

The Minister may give directions in writing to the Authority with respect to the policy to be observed and implemented by the Authority, and the Authority shall comply with those directions.

*Board of Authority***9. The Board**

(1) The Authority shall have a Board which shall be the governing body of the Authority.

(2) The Board shall comprise of—

(a) a Chairperson;

(b) a representative of—

(i) the Ministry responsible for internal affairs;

(ii) the Electoral Commission;

(iii) the Directorate of Citizenship and Immigration Control;

(iv) the Uganda Registration Services Bureau;

(v) the National Information Technology Authority Uganda;
and

(vi) the Uganda Bureau of Statistics;

(c) two persons to represent the public, one of whom shall be the Vice Chairperson; and

(d) the Executive Director, who shall have no right to vote.

(3) The Chairperson and the persons referred to in subsection (2) (c) shall be appointed by the Minister from among persons with knowledge and proven experience in any of the following fields; registration of persons, law, information and communications technology, public administration, immigration management, national security or any other relevant field.

(4) The Minister shall, in appointing the members of the Board, ensure that there is a balance of skills and gender.

10. Disqualification from appointment

A person shall not be appointed to the Board who—

(a) has been convicted of an offence under this Act or of an offence involving dishonesty or fraud by a competent court in Uganda or elsewhere;

(b) has been adjudged bankrupt under any law in force in Uganda and has not been discharged;

- (c) has been convicted of an offence and sentenced to a term of imprisonment for six months or more without the option of a fine, by a competent court in Uganda or elsewhere;
- (d) is a member of Parliament, a Minister or a member of a local government council; or
- (e) is a civil servant except those stated under section 9(2)(b).

11. Tenure of office of members of Board

(1) A member of the Board shall hold office for four years and is eligible for re-appointment for one further term.

(2) The Chairperson and members of the Board shall hold office on terms and conditions specified in their instruments of appointment.

(3) A member of the Board may, at any time, resign his or her office by letter addressed to the Minister, giving notice of not less than one month.

(4) The Minister may, at any time suspend or remove a member of the Board only—

- (a) for inability to perform the functions of his or her office arising from infirmity of body or mind;
- (b) for misbehaviour or misconduct;
- (c) for incompetence;
- (d) for absence without prior permission of the Chairperson, or without reasonable cause to the satisfaction of the Minister, for more than four consecutive meetings of the Board;
- (e) for bankruptcy or insolvency;
- (f) for conviction of a criminal offence, in Uganda or elsewhere, in respect of which the maximum penalty exceeds six months imprisonment without the option of a fine; or
- (g) where information relating to the conduct of a member, which could have precluded his or her appointment if it had been made available to the Minister, is brought to the attention of the Minister.

(5) Where it appears to the Minister that there is cause to remove a member under subsection (4), the Minister shall notify the member concerned in writing and shall give the member an opportunity to submit his or her explanation to the Minister and to be heard in person or to be represented by his or her lawyer.

(6) Where a member is removed from office under this section, the Minister shall—

- (a) communicate to the relevant agency under section 9(2)(b) for replacement; and
- (b) where the member was appointed under section 9(3), appoint another qualified person to replace the member,

and in both circumstances, the member appointed shall hold office for the remainder of the term of the previous member.

12. Remuneration of members of Board

The Chairperson and the members of the Board shall be paid such remuneration as may be specified in their instruments of appointment.

13. Functions of Board

(1) The Board is responsible for the general direction and supervision of the Authority.

(2) Without limiting the general effect of subsection (1), the Board shall—

- (a) oversee the operations of the Authority;
- (b) advise the Minister on the registration and identification of persons, related policy and strategic issues;
- (c) review and approve business and operating plans, budgets, reports and audited financial statements of the Authority;
- (d) establish and approve rules and procedures for appointment, promotion, termination, discipline, and terms and conditions of service of the staff of the Authority;
- (e) provide guidance to the Executive Director and staff of the Authority;
- (f) review the management of the Authority; and
- (g) perform any other function conferred by this Act or which may be necessary for the proper implementation of this Act.

14. Meetings of Board and related matters

Schedule 2 to this Act has effect in relation to meetings of the Board and other matters provided for in that Schedule.

15. Committees of Board

- (1) The Board may appoint committees—
 - (a) to inquire into and advise the Board on any matter concerning the functions of the Authority as the Board may refer to the committee; and
 - (b) to exercise such powers or perform such functions of the Authority as the Board may delegate or refer to the committee.

(2) A committee appointed under subsection (1) shall consist of a chairperson and other persons, whether members of the Board or not, as the Board may determine.

(3) The Board may require a committee appointed under this section to act jointly or in cooperation with any other committee.

(4) The members of a committee appointed under this section may be paid such allowances as the Board may, with the written approval of the Minister, determine.

(5) Subject to any direction given by the Board, a committee appointed under this section may regulate its own procedure.

16. Delegation of functions of Authority

(1) The Board may, by instrument of delegation, delegate to the Chairperson, a member of the Board, an officer of the Authority or to a committee established under section 15, any of the powers, duties or functions of the Authority under this Act.

(2) The terms and conditions regulating the exercise of the powers delegated under this section shall be contained in the instrument of delegation.

(3) A person aggrieved by the decision of a delegate in the exercise of powers under this section may appeal to the Board.

(4) A person shall, in the exercise of a delegated power under this section, comply with directions or guidelines as the Board may issue in writing.

PART III—STAFF OF AUTHORITY**17. Executive Director**

(1) The Authority shall have an Executive Director who shall be appointed by the Minister on the recommendation of the Board on terms and conditions specified in his or her instrument of appointment.

(2) The Executive Director shall be a person of high moral character and proven integrity, with the relevant professional qualifications and experience.

(3) The Executive Director shall hold office for five years and is eligible for re-appointment for one further term.

(4) The Executive Director shall cease to hold office where—

- (a) he or she resigns;
- (b) he or she is declared bankrupt or insolvent or has made an arrangement with his or her creditors;
- (c) he or she is convicted of a criminal offence, in Uganda or elsewhere, in respect of which the maximum penalty exceeds six months imprisonment without the option of a fine;
- (d) he or she is removed from office by the Board for inability to perform the functions of his or her office arising from infirmity of body or mind; or
- (e) he or she is removed from office for misbehaviour, misconduct or incompetence.

18. Functions of Executive Director

(1) The Executive Director is responsible for the day-to-day operations and administration of the Authority.

(2) Subject to this Act and to the general supervision and control of the Board, the Executive Director is responsible for—

- (a) the implementation of the policies and programmes of the Authority and reporting on them to the Board;
- (b) the proper management of the funds and property of the Authority;
- (c) the organisation and control of the staff of the Authority;

- (d) the development of an operating plan to guide the Authority in achieving its objectives;
- (e) cooperation with other lead agencies and organisations in matters related to registration of persons;
- (f) the development of an economic, efficient and cost effective internal management structure;
- (g) proposing and implementing the strategic plan, business plan and annual plan of the Authority;
- (h) ensuring that the policies of the Authority are implemented and that the agreed objectives, targets and service standards are met;
- (i) providing advice as required on all matters within the Authority's responsibility; and
- (j) performing any other duty necessary for the implementation of this Act as may be assigned to him or her by the Board.

(3) The Executive Director is answerable to the Board.

19. Secretary to Authority

(1) There shall be a secretary to the Authority who shall be appointed by the Board on terms and conditions specified in the instrument of appointment.

(2) The Secretary to the Authority shall be the principal legal adviser to the Board and the Authority.

(3) The Secretary to the Authority shall be responsible for—

- (a) arranging the business at meetings of the Board;
- (b) taking the minutes of the meetings of the Board;
- (c) keeping the records of the decisions and other policy records of the Board;
- (d) performing any other function assigned by the Executive Director.

(4) In the performance of his or her functions, the Secretary is answerable to the Executive Director.

(5) The Secretary to the Authority shall possess the relevant professional qualifications.

20. Other officers and staff of Authority

(1) The Board may appoint registration officers and other officers and staff of the Authority as may be necessary for the proper and efficient performance of the functions of the Authority.

(2) The employees appointed under this section shall hold office on such terms and conditions as may be determined by the Board and specified in their instruments of appointment.

(3) The Board shall regulate the manner of appointment, terms and conditions of service and the discipline of the staff appointed under this section.

PART IV—FINANCIAL MATTERS**21. Funds and sources of revenue of Authority**

(1) The funds and sources of revenue of the Authority shall consist of—

- (a) money appropriated by Parliament for the purposes of the Authority;
- (b) grants, gifts or donations from the Government or other sources made with the approval of the Minister and the Minister responsible for finance;
- (c) revenue earned from activities of the Authority under this Act;
- (d) fees charged and civil fines and penalties recovered by the Authority; and
- (e) any other funds received by the Authority in the performance of its functions under this Act.

(2) All non-tax revenue raised by the Authority shall be remitted to the Consolidated fund.

22. Duty to operate on sound financial principles

In the performance of its functions under this Act, the Authority shall have due regard to sound financial principles.

23. Power to open and operate bank accounts

The Board with the Authority of the Accountant General shall open and maintain such accounts as are necessary for the performance of the functions of the Authority.

24. Borrowing powers

Subject to Article 159 of the Constitution, the Board may with the approval of Parliament borrow money as may be required for meeting its obligations or for the discharge of the functions of the Authority under this Act.

25. Estimates

(1) The Executive Director shall, within three months before the end of each financial year, cause to be prepared and submitted to the Board for its approval, estimates of the income and expenditure of the Authority for the next financial year.

(2) The Board shall, within two months of receipt of the estimates referred to in subsection (1), cause to be submitted to the Minister for his or her approval, the estimates of income and expenditure as approved by the Board.

26. Financial year

The financial year of the Authority shall be the period of twelve months commencing on the 1st day of July and ending on the 30th day of June of the following year.

27. Accounts and audit

(1) The Authority shall keep proper books of accounts and all records relating to the transactions and affairs of the Authority.

(2) The Auditor General or an auditor appointed by the Auditor General shall, in each financial year, audit the accounts of the Authority.

(3) The Auditor General or an auditor appointed by the Auditor General shall within three months after receipt of the accounts submit to Parliament a report on the audited accounts of the Authority.

(4) The Auditor General shall submit the audited accounts of the Authority to Parliament in accordance with the Public Finance Management Act.

PART V—REGISTRATION OF BIRTHS

28. Compulsory registration of births

Subject to this Act, registration of every birth within Uganda is free and compulsory.

29. Registration of births

(1) A registration officer in charge of a registration area shall register births and enter or cause to be entered in the Register, the prescribed particulars of every birth notified.

(2) Upon registration of a birth by a registration officer, the Authority will allocate a national identification number to a child identified as a citizen of Uganda or alien identification number to a child identified as an alien.

30. Period for registration of births

(1) A parent, guardian or the person having charge of a child, shall immediately after the date of birth or finding of a child notify the registration officer for the purpose of registration of the birth of that child.

(2) A birth not registered immediately, shall not be registered unless the registration officer is satisfied as to the truth of the particulars and is directed to register them by the Executive Director.

31. Duty to give notice of birth

- (1) Upon the birth of a child, it is the duty of—
 - (a) both the father and mother of the child;

- (b) in the absence of the father or the mother or in the absence of either parent or in circumstances where the available parent lacks capacity to inform on the birth, the occupier of the house in which the child is born; or
 - (c) in the absence of any of the stipulated informants under paragraphs (a) and (b), the guardian or the person having charge of the child,
- shall give notice of the birth to the registration officer of the registration area in which the birth occurs within such time as may be prescribed.

(2) Where a birth occurs in a prison, hospital, orphanage, barracks or quarantine station, the officer in charge of the establishment in which the birth takes place shall ensure that the parent or guardian or person having charge of the child notifies the registration officer of the birth.

32. Mode of registration of births

(1) A person giving notice of the birth of a child shall give the prescribed particulars, which shall immediately be entered by the registration officer in the Register, and the person notifying the birth shall certify to the correctness of the entry by signing or by affixing a mark to the Register.

(2) The registration officer shall before entering any information in the Register, ensure that a person giving notice under subsection (1) provides the following particulars—

- (a) in respect of a birth; the name, sex, date, disability if any, weight at birth, place and district of birth;
- (b) in respect of the mother; the name, age, marital status, usual residence, nationality, national identification number or alien identification number for citizens and aliens respectively; level of education, profession or occupation, and previous births;
- (c) in respect of the father; the name, age, marital status, usual residence, nationality, national identification number or alien identification number for citizens and aliens respectively; level of education and profession or occupation; and
- (d) in respect of the informant; the name, capacity, nationality, national identification number or alien identification number for citizens and aliens respectively; signature of informant, and date of notification.

33. Birth registration of foundlings

(1) The Authority shall register presumed births as provided for under Article 11(1) of the Constitution.

(2) Any person who finds a child whose parents are unknown or any person who is given to take care of such a child shall report immediately to the nearest police station or health centre and thereafter, the person in charge of the police station or health centre as the case may be, shall cause to be registered such particulars concerning the birth of the child to the registration officer in the registration area, in which the child was found.

34. Registration of births occurring outside Uganda

(1) A person giving notice of a birth occurring outside Uganda of a child whose parent or guardian is a citizen of Uganda, shall produce to the registration officer the following evidence of the birth—

- (a) a certificate of birth issued by the appropriate authority in the foreign country, with an English translation of the certificate if it is not in English;
- (b) if a certificate of birth was not issued in the foreign country, a certificate of the birth given by the doctor, midwife or other persons who attended to the birth, with an English translation of the certificate if it is not in English;
- (c) if there is a Uganda Mission in the country abroad, a certificate of an officer of the Mission that the officer is satisfied, from the evidence produced and inquiries the officer has made, that the particulars of the birth given in the certificate are correct; or
- (d) if there is no Uganda Mission in the country abroad, such other evidence as the Minister may prescribe in the regulations.

(2) The person giving notice of the birth shall certify in writing to the registration officer the correctness and authenticity of the evidence which that person submits.

(3) Upon receiving the evidence required under subsection (1), the registration officer shall immediately enter the prescribed particulars of the birth occurring outside Uganda in the Register of births.

35. Entry of father in Register in contested cases

(1) A person shall not be entered in the Register as the father of any child except—

- (a) at the joint request of the father and mother of the child appearing physically before the registration officer;
- (b) upon the production to the registration officer of DNA test results;
- (c) upon the production to the registration officer of a court order establishing paternity.

(2) In case of subsection (1)(b), the person contesting parentage of the child shall be responsible for meeting the costs of carrying out the DNA test.

36. Change of name of adult

(1) Any person, being over the age of eighteen years or a widower, widow, divorced person or a married person, who wishes to change his or her name, shall cause to be published in the *Gazette* a notice in the prescribed form of his or her intention to do so.

(2) Not less than seven days after the publication of the notice, the person intending to change his or her name may apply in the prescribed form to the registration officer of the registration centre in which his or her birth is registered.

(3) The registration officer shall, upon being satisfied that the requirements of this section have been carried out and upon payment of the prescribed fee, amend the Register accordingly and shall sign and date the amendment.

37. Change of name of child

(1) The parents or guardian of any child under the age of eighteen years may apply in the prescribed form to the registration officer of the registration centre in which the birth of the child is registered to change the name of the child.

(2) The registration officer shall, upon payment of the prescribed fee, amend the Register accordingly and shall sign and date the amendment.

38. Registration of child born hermaphrodite

If a child born a hermaphrodite, after being registered, through an operation, changes from a female to a male or from a male to a female and the change is certified by a medical doctor, the registration officer shall, with the approval of the Executive Director, upon application of the parents or guardian of that child, update the particulars of the child which appear on the Register.

39. Certificate of birth

(1) Upon receipt of the application in the prescribed form and upon payment of the prescribed fee, the Authority shall issue a certificate in the prescribed form of the birth of any person compiled in the prescribed manner from the records and Register in the Authority's custody.

- (2) A certificate of birth issued under subsection (1) shall contain—
 - (a) the information concerning the child which shall include—
 - (i) the name;
 - (ii) the place of birth;
 - (iii) the date of birth;
 - (iv) the sex;
 - (v) the nationality; and
 - (vi) the national identification number or alien identification number of the child;
 - (b) the information concerning the parents of the child which shall include the name, nationality, national identification number or alien identification number for citizens and alien's parents respectively; and
 - (c) any other information as may be prescribed by the Minister.

(3) The information contained in a certificate of birth issued under this Act is presumed to be correct and it may be received as evidence in any judicial proceedings.

(4) A child who has been entered in the Register and has been issued with a certificate of birth shall be issued with another certificate of birth upon adoption.

40. Production of certificate of birth

(1) Any Ministry, department, agency or institution, in the exercise of its lawful function, may require production of a certificate of birth and such requirement shall be lawful.

(2) Any Ministry, department, agency or institution under subsection (1) may, notwithstanding the provisions of any other law for the time being, defer consideration of the service until the certificate of birth of the said person has been produced or other proof that the birth of the person has been registered is provided.

PART VI—REGISTRATION OF DEATHS**41. Compulsory registration of deaths**

Subject to this Act, registration of every death within Uganda is free and compulsory.

42. Registration of deaths

A registration officer in charge of a registration area shall register deaths and enter or cause to be entered in the Register, the prescribed particulars of every death notified.

43. Duty to give notice of death

Upon the death of any person, it is the duty of—

- (a) the next of kin or the relative of the deceased present at the time of death of the deceased;
- (b) in the absence of persons contemplated in paragraph (a), the next of kin or relative of the deceased dwelling or being in the same area as the deceased; or
- (c) in the absence of persons contemplated in paragraphs (a) and (b), the occupier of the house in which to the person's knowledge the death took place or an inmate of the house in which the death took place or any person finding or taking charge of the body of

the deceased person or causing the body of the deceased person to be disposed of, in that order, to give notice to the registration officer of the area in which the death took place within such time as may be prescribed.

44. Mode of notification and registration of death

(1) A person giving notice of a death shall, to the best of the person's knowledge and ability, give the prescribed particulars, which shall immediately be entered by the registration officer in the Register.

(2) A person notifying the registration officer in subsection (1) shall certify to the correctness of the entry by signing or affixing a mark on the Register.

(3) Every death shall be registered immediately it occurs and in any case, not more than three months from the date of that death.

(4) A death shall not be registered after the expiration of three months from the date of that death except upon the applicant complying with such requirements as may be provided for in regulations.

45. Registration of deaths occurring outside Uganda

(1) A person giving notice of the death of a citizen of Uganda which occurred outside Uganda shall produce to the registration officer—

- (a) the certificate of death issued by the appropriate authority in the country in which the death occurred, with an English translation of the certificate, if it is not in English;
- (b) where there is a Uganda Mission in the country in which the death occurred, a certification by an officer of the Mission that the officer is satisfied, from the evidence produced to that officer and inquiries which the officer has made, that the particulars of the death given are correct; or
- (c) where there is no Uganda Mission in the country, any other evidence as the Minister may prescribe in the regulations.

(2) The person giving notice of the death shall certify in writing, to the registration officer, the correctness and authenticity of the evidence produced.

(3) Upon receiving the information required under subsection (1), the registration officer shall enter the particulars of the death in the Register in the prescribed manner.

46. Certificate of cause of death

(1) In the case of a death occurring in Uganda of any person who has been attended to during the person's last illness by a medical officer, the medical officer shall sign a certificate stating to the best of the medical officer's knowledge and belief the cause of death.

(2) A certificate of cause of death signed in accordance with subsection (1) shall immediately be forwarded by the medical officer to the registration officer who shall cause the particulars of the death to be entered in the Register in the prescribed manner.

(3) A medical officer who refuses or fails without reasonable cause to comply with any of the provisions of this section commits an offence and is liable, on conviction, to a fine not exceeding twenty-four currency points or to imprisonment for a term not exceeding one year, or both.

(4) Subject to the Inquests Act, where an inquest is held on the body of a deceased person, the magistrate holding the inquest shall forward to the registration officer a certified copy of the report of the findings of the inquest, and on receipt of the report, shall cause the particulars of the death to be entered in the Register in the prescribed manner.

47. Presumption of death

(1) Where it is proved that a person has not been seen and has not been heard of for seven years by those who might be expected to have seen or heard of the person if the person were alive, there shall be a rebuttable presumption that the person is dead.

(2) Where a person is presumed dead in accordance with subsection (1), any person who would have been under a duty under section 43 to give notice of the death of the person being presumed dead may apply for an order of presumption of death in a court of competent jurisdiction, and the order, once issued, shall be served upon the Authority and shall have the same effect as a certificate of death issued under this Act.

(3) The Authority shall register presumed deaths and shall enter in the Register all orders issued by the court and served upon the Authority in respect of presumed deaths.

48. Certificate of death

(1) The Authority shall upon application and payment of the prescribed fee issue a certificate of death in the prescribed form.

- (2) A certificate of death issued under subsection (1) shall contain—
- (a) the information concerning the deceased which shall include—
- (i) the name;
 - (ii) the date of birth;
 - (iii) the place of birth;
 - (iv) the date of death;
 - (v) the place of death;
 - (vi) the sex;
 - (vii) the nationality;
 - (viii) the national identification number or alien identification number of a deceased who is a citizen of Uganda or an alien, respectively; and
 - (ix) the cause of death; and
- (b) any other information as may be prescribed by the Minister.

(3) The information contained in a certificate of death issued under this Act is presumed to be correct and it may be received as evidence in any judicial proceedings.

PART VII—GENERAL PROVISIONS UNDER PART V AND PART VI

49. Monthly returns

Within ten days of the last day of each month, every registration officer shall forward to the supervising officer a copy of all entries made by him or her in the Register during the preceding month.

50. Certified copies

(1) Upon payment of the prescribed fee by the applicant, the Authority shall furnish a certified copy of any entry in the Register or return in its custody or a certified copy of any extract from that entry.

(2) The copy of any entry in the Register or return, or a copy of any extract from the entry, which is certified under the hand of the authorised staff of the Authority to be a correct copy, shall be *prima facie* evidence in all court proceedings of the facts contained in the copy.

51. Correction of errors

(1) The Executive Director may authorise the staff of the Authority, in writing, to correct any error in the Register, return, index or certificate.

(2) Any correction made under subsection (1) shall be done without erasure and shall be authenticated by the Executive Director or other staff of the Authority, as may be authorised by the Executive Director.

52. Failure to register births or deaths

Any person who, being under a duty to register the birth or death of a person, fails to do so within the prescribed period or refuses to state any of the prescribed particulars commits an offence and is liable, on conviction, to a fine not exceeding six currency points or to imprisonment for a term not exceeding three months.

53. Falsifying information

Any person who wilfully gives any false information or particulars for the purpose of registration is liable, on conviction, to a fine not exceeding twelve currency points or to imprisonment for a term not exceeding six months.

PART VIII—COMPULSORY REGISTRATION

54. Compulsory registration

- (1) The following persons shall register with the Authority—
(a) citizens of Uganda resident in or outside Uganda;

- (b) subject to this Act, alien residents issued with a permit, certificate or pass under the Uganda Citizenship and Immigration Control Act.
- (2) In the case of a person—
 - (a) 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; and
 - (b) 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.

55. Registration requirements

- (1) For the purposes of registration, every person shall provide to the Authority the information specified in Schedule 3 to this Act.
- (2) The Authority may, before registering a person, require the person to provide proof of the information required for the purposes of this Act.
- (3) The Authority may require a person applying to be registered to produce any of the following—
 - (a) a birth certificate;
 - (b) where applicable, a voter's card, a driving permit, a passport or a baptism certificate; or
 - (c) any other information prescribed under the Act.
- (4) Where an applicant is unable to produce any of the documents, a relative of the applicant or a person prescribed by the Minister, may identify the applicant under oath.
- (5) Without limiting the general effect of subsection (1), an individual—
 - (a) who has acquired dual citizenship status shall produce the relevant certificate of the other citizenship; or
 - (b) who has acquired Uganda citizenship by registration or naturalisation shall produce the certificate of registration or naturalisation.

(6) It shall be the duty of an applicant to prove citizenship of Uganda before being registered under this Act.

56. Registration period

(1) The Minister shall, from time to time, by notice in the *Gazette* and the mass media, prescribe the dates upon which every person required to register under this Act shall register.

(2) The Minister may divide the persons required to register into different categories and appoint different dates for registration of persons in the different classes of locations.

(3) A person, who is outside Uganda at the time prescribed for registration, shall within thirty days of returning to Uganda attend before a registration officer for registration.

57. Cancellation of registration

- (1) The Authority shall cancel the registration of a person where—
- (a) a person has under the law ceased to be a citizen of Uganda;
 - (b) the registration is based on inaccurate or incomplete information;
 - (c) the registration was obtained by fraud, false representation, bribery or deceit;
 - (d) the document of registration and identification needs to be re-issued due to a defect;
 - (e) double or multiple registrations have been done; or
 - (f) there is an order of court for cancellation of registration.

(2) Before cancellation of the registration and revocation of the document of registration and identification as provided for in subsection (1), the Authority shall issue notice to the holder of the Authority's intention to cancel the registration and shall provide the person with reasonable opportunity and forum to show cause why the registration should not be cancelled.

(3) Where the registration of a citizen is cancelled or revoked but such cancellation or revocation is not due to the loss of the person's Ugandan citizenship, the citizen may file a new application for registration within

such time and upon meeting such conditions as may be provided for in the regulations made under this Act.

(4) The Minister shall by notice in the *Gazette* publish the names and numbers of documents of registration and identification of the persons whose registration has been cancelled including those who have refused, neglected or failed to surrender the document of registration and identification.

**PART IX—REGISTRATION CENTRES AND RESPONSIBILITIES
OF REGISTRATION OFFICERS**

58. Designation of registration centres in Uganda

(1) The Authority shall by notice in the *Gazette* designate registration centres for the purpose of registration.

(2) For the purposes of subsection (1), the Authority may use the polling stations created by the Electoral Commission.

(3) Notwithstanding subsection (1), the Authority may adopt other means that it considers appropriate to access persons to be registered.

59. Registration centres abroad

(1) The official premises of a Uganda Mission shall serve as a registration centre for the purposes of this Act.

(2) Notwithstanding subsection (1), the Authority may designate other locations outside Uganda as registration centres after consultation with the Minister responsible for foreign affairs.

60. Responsibilities of registration officers

- (1) A registration officer shall—
 - (a) ensure the accurate recording of information of an applicant;
 - (b) exercise control over the registration processes at a registration centre;
 - (c) have custody of registration forms, equipment and other materials assigned to the registration centre;

- (d) promptly and in the most practicable manner report any difficulty that is encountered at the registration centre; and
- (e) at the close of each month, forward personally to the supervising officer a return of the registrations made in the month in the prescribed form.

61. Non-disclosure of information by registration officers

A registration officer or a person who processes personal data on behalf of the Authority, shall treat the information which comes to the knowledge of the person as confidential and shall not disclose the information unless required by law.

PART X—NATIONAL IDENTIFICATION REGISTER

62. National Identification Register

- (1) The Authority shall establish a National Identification Register.

(2) The Register shall be maintained as an electronic database or in any other form.

63. Content of Register

The Register shall contain information on all persons required to be registered under this Act.

64. Continuous update of information

(1) The Authority shall update the information contained in the Register on a continuing basis.

(2) For the purposes of this section, the Authority may use the information from other databases in Government agencies relating to registration of persons to update the Register.

(3) A person registered under this Act shall notify the Authority of any change or error in the information recorded about that person in the Register.

(4) The notification shall be given within ninety days after the change in circumstances occurs or when the person becomes aware of the error.

(5) Any person who without reasonable cause fails to comply with subsection (3), commits an offence and is liable, on conviction, to a fine not exceeding fifty currency points or to imprisonment for a term not exceeding three years, or both.

65. Use of information in Register

(1) The information in the Register shall be used for—

- (a) issuing national identification cards and alien's identification cards;
- (b) issuing passports;
- (c) immigration and passport control;
- (d) national security purposes;
- (e) statistical purposes;
- (f) monitoring money laundering and human trafficking;
- (g) taxation purposes;
- (h) law enforcement;
- (i) public administration;
- (j) providing social services, including social security services, health, education and welfare benefits;
- (k) facilitating the provision of information to a person entitled to receive the information; and
- (l) any other purpose as may be determined by the Minister.

(2) The Electoral Commission may use the information contained in the Register to compile, maintain, revise and update the voters' register.

(3) For the purposes of this section, a Ministry, department or agency of Government may access and use the information contained in the Register.

66. Mandatory use of national identification cards

(1) A Ministry, department or agency of Government or any other institution providing a public service shall require a person accessing the service to produce a national identification number or national identification card or alien's identification number or alien's identification card.

(2) For the avoidance of doubt, a Ministry, department or agency of Government or any other institution providing the following services shall require a person to produce a national identification number or national identification card or alien's identification number or alien's identification card—

- (a) employment;
- (b) identification of voters;
- (c) application for and issuance of passports;
- (d) opening of bank accounts;
- (e) purchase of insurance policies;
- (f) the purchase, transfer or registration of land by any individual or any transaction connected with the purchase, transfer or registration of land;
- (g) pension and social security transactions;
- (h) all consumer credit transactions;
- (i) payment of taxes;
- (j) financial services;
- (k) registration services;
- (l) statistical services; or
- (m) any other purpose as may be prescribed by the Minister.

67. Access to information

(1) Access to the Register shall be restricted to the information required by a Ministry, department or agency of Government.

(2) The Board shall determine the levels of access relating to information in the Register under this section.

(3) A person other than a Ministry, department or agency of Government may access the information in the Register in accordance with regulations issued by the Board after consultation with the Minister.

PART XI—NATIONAL IDENTIFICATION CARDS AND RELATED PROVISIONS

68. National identification number

(1) The Authority shall, upon entering a person's information in the Register, allocate to that person a unique national identification number.

(2) Where any enactment requires a person to prove citizenship, the production of the unique national identification number shall be *prima facie* evidence of citizenship.

69. National identification card

(1) The Authority shall issue to every citizen allocated a unique national identification number, a national identification card.

(2) A national identification card is *prima facie* proof of the particulars contained in it.

(3) An issued national identification card remains the property of the Government.

(4) A national identification card shall be valid for such time as the Minister shall prescribe by regulations.

(5) Upon expiry of the national identification card, the Authority shall on the application by the holder, renew the card.

(6) Subject to section 68(2) and for the avoidance of doubt, the expiry of a national identification card does not amount to expiry of citizenship of a person.

70. Cancellation of national identification card

- (1) The Authority shall cancel a national identification card where—
- (a) subject to section 57, the Authority cancels the registration of the citizen;
 - (b) the national identification card is lost, stolen, defaced or damaged, tampered with or destroyed; or
 - (c) the Authority has modified the information in the Register in relation to the person.

(2) Upon the death of a person, his or her national identity card automatically lapses.

71. Surrender of national identification card

A person shall surrender the national identification card to the Authority or to the nearest police station where—

- (a) the Authority cancels the registration of a citizen or the national identification card; or
- (b) a person—
 - (i) finds a national identification card that does not belong to that person or comes into possession of one without the Authority of the holder or the Authority;
 - (ii) to whom a new national identification card is re-issued, regains possession of the original national identification card; or
 - (iii) comes into possession of a national identification card that has expired, been cancelled, is of a description that the Authority requires to be re-issued or is otherwise invalid.

Alien's identification number and identification card

72. Alien's identification number

The Authority shall, upon entering an alien's information in the Register, allocate to that alien a unique identification number.

73. Alien's identification card

- (1) The Authority shall issue to every alien allocated a unique identification number an alien's identification card.
- (2) An alien's identification card is *prima facie* proof of the particulars contained in it.
- (3) An issued alien's identification card remains the property of the Government.
- (4) An alien's identification card is valid for the period of residence or visit.
- (5) Upon expiry, the Authority may, on the application by the holder, renew an alien's identification card.

74. Cancellation of alien's identification card

- (1) The Authority shall cancel an alien's identification card where—
 - (a) subject to section 57, the Authority cancels the registration of the alien;
 - (b) the alien's identification card is lost, stolen, defaced or damaged, tampered with or destroyed; or
 - (c) the Authority has modified the information in the Register in relation to the person.

(2) Upon the death of an alien, his or her alien identity card automatically lapses.

75. Surrender of alien's card

A person shall surrender the alien's identification card to the Authority or to the nearest police station where—

- (a) the Authority cancels the registration of an alien or the alien's identification card;
- (b) a person—
 - (i) finds an alien's identification card that does not belong to that person or comes into possession of one without the Authority of the holder or the Authority;
 - (ii) to whom a new alien's identification card is re-issued, regains possession of the original alien's identification card; or
 - (iii) comes into possession of an alien's identification card that has expired, been cancelled, is of a description that the Authority requires to be re-issued or is otherwise invalid.

PART XII—OFFENCES AND PENALTIES**76. Registration offences**

Any person who—

- (a) does not register in accordance with this Act;
- (b) gives false information or makes a false statement when providing information for an entry, making a modification to an entry, making a confirmation of the content of an entry or obtaining the issue or re-issue of a national identification card or alien's identity card;

- (c) fraudulently obtains for the use of that person or for the use of another person, a national identification card or alien's identification card;
- (d) forges an identity document for the purpose of registration;
- (e) illegally influences the decision of a registration officer;
- (f) falsely alleges the loss or destruction of his or her national identification card or alien's identification card and applies for a new card while in possession of an identification card or alien's identification card; or
- (g) tampers with the Register by causing an unauthorised modification of information in the Register, or preventing or delaying the retrieval of relevant information in a legible form from a computer used for the purposes of this Act,

commits an offence and is liable, on conviction, to a fine not exceeding one hundred twenty currency points or to imprisonment for a term not exceeding five years, or both.

77. Offences relating to identification cards

Any person who—

- (a) wilfully destroys or attempts to destroy, or mutilates or attempts to mutilate, a national identification card or alien's identification card;
- (b) without authority deprives or dispossesses a holder of his or her national identification card or alien's identification card;
- (c) uses another person's national identification card or alien's identification card;
- (d) unlawfully alters or modifies information on a national identification card or alien's identification card;
- (e) unlawfully keeps or takes possession of a national identification card or alien's identification card that belongs to another person;
- (f) is in possession of more than one national identification card or alien's identification card that is intended to show the person's identity; or
- (g) permits a person to use his or her national identification card or alien's identification card or a national identification card or alien's identification card issued to another person,

commits an offence and is liable, on conviction, to a fine not exceeding forty-eight currency points or to imprisonment for a term not exceeding three years, or both.

78. Offences relating to production of identification cards

(1) Subject to the provisions of this Act, a person shall not make, produce, manufacture, print, bind, design, distribute any document purporting that document to be a national identification card or alien's identification card.

(2) Any person who—

- (a) makes, produces, manufactures, prints, binds, designs or distributes any document purporting that the document is a national identification card or alien's identification card; or
- (b) uses any equipment or apparatus to produce a document purporting that the document is a national identification card or alien's identification card,

commits an offence and is liable, on conviction, to a fine not exceeding one hundred sixty currency points or to imprisonment for a term not exceeding seven years, or both.

(3) A person who is convicted under subsection (1) or (2) shall forfeit to the State the equipment and material that was used to commit the offence.

79. Power to arrest

(1) A registration officer or a police officer who has reasonable cause to believe that a person has committed an offence under this Act shall, if it appears to the registration officer or the police officer to be necessary to do so in order to ensure that the purposes of this Act are not defeated, arrest that person without a warrant.

(2) An arrest made under subsection (1) shall be subject to the relevant provisions of the law.

80. Unauthorised disclosure, submission or transfer of information from Register

A registration officer or any other officer of the Authority who without authority discloses, submits or transfers data from the Register to any other person, commits an offence and is liable, on conviction, to a fine not exceeding seventy-two currency points or to imprisonment for a term not exceeding five years, or both.

81. General penalty

Where a person contravenes any provision of this Act or regulations made under this Act and where no penalty is specifically provided for, that person commits an offence and is liable, on conviction, to a fine not exceeding thirty-six currency points or to imprisonment for a term not exceeding eighteen months, or both.

PART XIII—MISCELLANEOUS**82. Protection of members and employees from personal liability**

A member of the Board or staff of the Authority or a person acting under the authority of the Board or of the Authority is not personally liable for any act or omission done or omitted to be done in good faith in the exercise of the functions of the Authority.

83. Review of decision of Authority and appeal

(1) The Board shall—

- (a) establish an identification and registration committee to adjudicate over matters arising from or related to registration under this Act; and
- (b) publish the general rules and guidelines to be used by the committee in execution of its work.

(2) A person who is dissatisfied with a decision of the committee established under subsection (1)(a) may appeal to the High Court.

(3) Subject to subsection (1)(a), offences under this Act shall be tried by the High Court.

(4) Prosecution for an offence under this Act may, without prejudice to any other powers granted to any other public officers, be instituted by a registration officer on his or her own initiative or on a complaint made by any person.

(5) Proceedings instituted under subsection (4) may be conducted by the office of the Director of Public Prosecutions.

84. Power to amend Schedules

(1) The Minister may, by statutory instrument, with the approval of Cabinet, amend Schedule 1 to this Act.

(2) The Minister may, by statutory instrument, amend Schedules 2 and 3 to this Act.

(3) Any statutory instrument made under subsection (2) shall be laid before Parliament.

85. Regulations

(1) The Minister may, by statutory instrument, make regulations for the better carrying out of the purposes and provisions of this Act.

(2) Without prejudice to subsection (1), the Minister may make regulations—

- (a) prescribing the form for the application for registration;
- (b) prescribing the conditions and requirements for registration;
- (c) prescribing further information required to be recorded in the Register;
- (d) providing the manner of attending before a registration officer;
- (e) relating to verification of information entered in the Register;
- (f) prescribing the size, description, and content of a national identification card or alien's identification card;
- (g) providing for the procedure for renewal or replacement of a national identification card or alien's identification card;
- (h) providing for the manner in which consent of the owner of information may be given to persons or for services not provided for in this Act;
- (i) prescribing the fees for services rendered by the Authority;
- (j) prescribing the manner in which aliens' identification cards may be surrendered in the case of aliens whose period of stay is due to expire or has expired;
- (k) providing for the imposition in respect of the contravention of the regulations of a fine not exceeding seventy-two currency points or imprisonment for a term not exceeding five years;
- (l) prescribing the forms to be used and the particulars to be given under Parts V and VI of this Act;

- (m) prescribing the mode in which particulars shall be given to the registration officer of births and deaths;
- (n) prescribing the manner in which any document shall be signed under Parts V and VI of this Act;
- (o) prescribing the manner in which all registers, records and indexes may be kept and the returns under Parts V and VI of this Act may be made;
- (p) providing for the inspection of registers, records and indexes to be kept under Parts V and VI of this Act;
- (q) providing for certified copies of records or extracts of records to be kept under Parts V and VI of this Act;
- (r) prescribing the hours during which births and deaths may be registered and registers, records and indexes may be inspected;
- (s) prescribing the places at which births and deaths occurring outside Uganda may be registered; and
- (t) providing for anything required or authorised by this Act to be prescribed by regulations.

(3) Any regulations made under subsection (1) shall be laid before Parliament.

SCHEDULES

Schedule 1

Sections 3, 84(1)

Currency Point

A currency point is equivalent to twenty thousand shillings.

Schedule 2

Sections 14, 84(2)

Meetings of Board

1. Meetings of Board

(1) The Board shall meet at least once every three months at such places and at such times as may be decided upon by the Board.

(2) The Chairperson shall preside at every meeting of the Board and in his or her absence, the Vice Chairperson shall preside over the meetings.

(3) The meetings of the Board shall be convened by the Chairperson.

2. Quorum

(1) The quorum for a meeting of the Board is five members.

(2) Where a member declares an interest in an agenda item or in a matter before the Board, the member shall not be counted for purposes of forming a quorum in relation to that item or matter in question.

3. Decisions of Board

(1) All decisions at a meeting of the Board shall be by simple majority of the votes of the members present and where there is an equality of votes, the person presiding at the meeting shall have a casting vote.

(2) The validity of any proceedings of the Board shall not be affected by any vacancy amongst the members or any defect in the appointment of a member.

(3) The decision reached by the Board shall be binding on all members.

4. Disclosure of interest

(1) A member of the Board who has a direct or indirect personal interest in a matter being considered or which is about to be considered by the Board shall, as soon as possible after the relevant facts have come to his or her knowledge, disclose the nature of the interest to the Board.

(2) A disclosure of interest under subparagraph (1) shall be recorded in the minutes of the meeting of the Board and the member who makes the disclosure shall not, unless the Board otherwise determines in respect of that matter—

- (a) be present during any deliberation on the matter by the Board; or
- (b) take part in the decisions of the Board.

(3) For the purpose of making a decision by the Board under subparagraph (2), in relation to a member who makes a disclosure under subparagraph (1), the member who makes the disclosure shall not—

- (a) be present during the deliberations of the Board for making the determination; or
- (b) influence any other member or participate in the making by the Board of the determination.

(4) Where there is no quorum for the continuation of a meeting only because of the exclusion of a member from the deliberations on a matter in which he or she disclosed a personal interest, the other members present may—

- (a) postpone the consideration of that matter until quorum, without that member is realised; or
- (b) proceed to consider and decide the matter at a subsequent meeting.

5. Minutes of proceedings

(1) The Board shall cause the minutes of all proceedings of its meetings to be recorded and kept, and the minutes of each meeting shall be confirmed by the Board at the next meeting and signed by the Chairperson and Secretary to the Authority.

(2) The Chairperson shall submit to the Minister a copy of the minutes of each meeting of the Board as soon as the minutes are confirmed.

6. Residual power of Board to regulate its proceedings

Subject to this Schedule, the Board shall regulate its proceedings and may make rules regarding the holding of meetings, notice to be given, the keeping of minutes or any other matter relating to its meetings.

Schedule 3

Sections 55(1), 84(2)

Information required at registration

1. Name and date of birth.
2. Information relating to citizenship and details of such citizenship.
3. Information relating to—
 - (a) place of birth;
 - (b) details of parents;
 - (c) clan;
 - (d) descendants;
 - (e) tribe;
 - (f) ethnicity;
 - (g) sex;
 - (h) marital status;
 - (i) details of spouse where applicable;
 - (j) education and profession;
 - (k) occupation;
 - (l) address; and
 - (m) tax identification numbers.
4. Passport number, where applicable.
5. Personal biometric information including fingerprint or any other biometric information prescribed by the Minister.
6. Any other information as may be required by the Authority.

History: Act 4/2015; S.I. 70/2015

Cross References

Constitution

Inquests Act, Cap. 13

Public Finance Management Act, Cap. 171

Refugees Act, Cap. 312

Uganda Citizenship and Immigration Control Act, Cap. 313
