

ACT

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THE NATIONAL REGISTRATION ACT, 2008

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SCHEDULE

SIGNED this 24th day of April, 2008

ERNEST BAI KOROMA,
President.



No. 4



2008

The National Registration Act, 2008.

Short title.

Being an Act to provide for the compulsory registration of citizens and non citizens resident in Sierra Leone and the issue of Identity Cards to such persons and for the use of public bodies; and to provide for other related matters.

[

] Date of commencement.

ENACTED by the President and Members of Parliament in this present Parliament assembled.

PART I—PRELIMINARY

Interpretation. 1. In this Act, unless the context otherwise requires—

“Chief Registrar” means the Chief Registrar appointed under section 4, and includes a Registration Officer;

“Minister” means the Minister responsible for internal affairs;

“Register” means the National Register established by section 2;

“registration area” means a local council area declared as registration area by section 3;

“Secretariat” means the National Registration Secretariat and includes a provincial or district office of the Secretariat.

PART II—OBLIGATION TO REGISTER

Establishment of National Register. 2. (1) For the purposes of this Act, there is hereby established a National Register in which shall be registered and maintained the particulars of every person who is—

- (a) a citizen; or
- (b) a non-citizen resident,

of Sierra Leone.

(2) The particulars referred to in subsection (1) shall be as prescribed in the Schedule.

(3) An electronic or computer data base version of the Register shall be kept so as to facilitate the maintenance of the particulars contained therein.

3. (1) Every locality in a province or district for which a local council is established under section 2 of the Local Government Act, 2004 is hereby declared a registration area for the purposes of this Act.

Declaration of registration areas and periods of registration. Act No. 1 2004.

(2) The Minister may, by notice made by statutory instrument, fix the period or periods and the time within which the registration of the persons referred to in subsection (1) of section 2 shall take place in any registration area; and may in such manner as he thinks fit bring the content of the notice to the attention of the persons affected thereby.

4. (1) For the purposes of this Act, the Public Service Commission shall appoint a Chief Registrar and such Registration Officers and other public officers as may be necessary for the implementation of this Act.

Appointment of Chief Registrar and Registration Officers.

(2) The Chief Registrar, in the exercise of his functions under this Act, shall be subject to the supervision of the Minister.

5. The functions of the Chief Registrar shall include the making of such arrangements and the doing of such things as are necessary for the preparation and maintenance of the Register in accordance with this Act and for that purpose to make arrangements for the printing and issue of the forms and instructions in connection therewith and for the collection of the forms when completed by applicants.

Registration functions of Chief Registrar.

6. (1) Subject to subsection (2) of section 3, every person referred to in subsection (1) of section 2 shall apply to the Registration Officer of his registration area to be registered under this Act.

Obligation of residents to register.

(2) An application under subsection (1) shall be in such form containing the particulars referred to in subsection (2) of section 2 as may be prescribed.

(3) Every application shall be signed by the applicant and the applicant shall permit his photograph to be taken in such manner as may be prescribed.

(4) The Minister or any person authorised by him in that behalf may require any person giving any information under this section to prove to his satisfaction the veracity of such information by the production of such documentary or other evidence as may be prescribed so as to ensure that the person giving the information is who he claims to be.

PART III—IDENTITY CARDS

Identity cards
of registered
persons.

7. (1) It shall be the duty of the Chief Registrar to cause a card containing the particulars referred to in subsection (2) of section 2 (hereafter in this Act referred to as an “Identity Card,”) to be issued with respect to every registered person in accordance with Regulations made by the Minister under this section.

(2) Regulations made under subsection (1) shall –

- (a) prescribe the form of Identity Cards and require to be entered therein such particulars with respect to such of the matters specified in the Schedule as may be prescribed;
- (b) provide for the issue of an Identity Card, either directly or otherwise, to the person to whom it relates, or to such other person as is deemed under the Regulations to be in charge of the person to whom it relates;

(c) provide for the transfer of an Identity Card from time to time to the person who for the time being is responsible under the Regulations for the custody of the card;

(d) provide for the issue to such persons or classes of persons in such circumstances as may be prescribed of Identity Cards valid for such period as may be prescribed upon payment of the prescribed fees;

(e) provide for the issue, subject to the payment of such fee and compliance with such condition as may be prescribed by Regulations, of fresh Identity Cards in place of cards which have been lost, destroyed or defaced;

(f) provide for the surrender of Identity Cards by such persons and in such circumstances as may be prescribed, and, except where a person, to whom the card relates has died or is outside Sierra Leone for issue of a fresh Identity Card in place of the surrendered card or (in case of a card valid for a limited period only) for the endorsement of the card for a further period.

(3) In this section, “registered person” means–

- (a) a person registered under this Act;
- (b) a person registered under the Non-Citizens (Registration, Immigration and Expulsion) Act, 1965.

Act No. 14
of 1965.

Identity cards of public bodies.

8. (1) Every public body which requires identity cards or other pertinent identification documentation for any purpose, whether security, immigration, election or employment, may apply to the Chief Registrar who shall supply such cards or other identification documentation subject to such fees, charges or other terms and conditions as may be determined or agreed.

(2) In this section, “public body” includes -

- (a) government Ministries, departments and agencies;
- (b) Parliament;
- (c) the Freetown City Council and any other local council;
- (d) a company in which the Government is a major shareholder; and
- (e) a corporation established by an Act of Parliament or out of

moneys provided by Parliament.

Identity card to be proof of particulars, etc.

9. An Identity Card issued under this Act shall—

- (a) be—
 - (i) *prima facie* evidence of the matters contained therein; and
 - (ii) satisfactory evidence for the purposes of section 14 of the Electoral Laws Act, 2002, and
- (b) have such security features as the Minister may, from time to time, direct.

Act No. 2 of 2002.

10. (1) A constable in uniform or any person authorised for the purpose under Regulations may require a person who, under the Regulations, is for the time being responsible for the custody of an Identity Card, forthwith to produce the card to him:

Authorised officer may require production of Identity Card.

Provided that if, within the prescribed period of twenty-four hours after the requirement was made, the person so required produces the card in person at the nearest police station or other such place and to such person as may be prescribed, he shall not be convicted of an offence under this Act by reason of his failure to produce the card at the time the requirement was made.

(2) Where a person fails to produce an Identity Card when required to do so under subsection (1), the person who requires its production may, without prejudice to the taking of proceedings in respect of the failure, require him to furnish orally or in writing particulars with respect to any of the matters specified in the Schedule.

PART IV – NATIONAL REGISTRATION SECRETARIAT

11. (1) For the purposes of his functions under this Act, there shall be a National Registration Secretariat, which shall provide such secretarial, administrative and other support to the Chief Registrar and the Registration Officers as may be required.

Establishment of National Registration Secretariat.

(2) The Secretariat shall have such provincial and district offices as may be established or designated by the Chief Registrar.

(3) There shall be in the Secretariat and its provincial and district offices such staff as the Registrar shall determine for the efficient performance of the functions of the Secretariat, employed by the Public Service Commission on such terms and conditions as the Public Service Commission shall determine.

PART V—MISCELLANEOUS PROVISIONS

Fees and other charges to be paid into Consolidated Fund.

12. All fees and other charges received under this Act shall be paid promptly into the Consolidated Fund.

Regulations.

13. The Minister may make Regulations for the better carrying out of the purposes of this Act and in particular, but without prejudice to the generality of the foregoing power, may make Regulations with respect to the following matters:—

- (a) the registration or removal from the register of any person on his ceasing to be, or becoming a person who by virtue of the Regulations made under this section is not, required to be registered under this Act;
- (b) the surrender of an Identity Card relating to any person on his becoming a person who is not required to be registered under this Act; and
- (c) the length of time within which a person shall comply with section 6.

Offences and penalties.

14. (1) Any person who—

- (a) in giving any information for the purposes of this Act, knowingly or recklessly makes any statement which is false in a material particular; or
- (b) with intent to deceive –
 - (i) makes false representation that he or any other person is a person to whom an Identity Card relates; or

(ii) allows any other person to have possession of an Identity Card for the custody of which he is responsible under the Regulations; or

(iii) forges an Identity Card or makes or has in his possession any document so closely resembling an Identity Card as to be calculated to deceive,

shall be guilty of an offence under this Act and shall be liable on summary conviction to a fine not exceeding one million leones or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

(2) Any person who—

- (a) in the execution of his duties under this Act publishes or communicates to any person without lawful authority, any information acquired in the course of his employment; or
- (b) having possession of any information which to his knowledge has been disclosed in contravention of this Act, publishes or communicates that information to any other person,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one million leones or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

(3) Any person who—

- (a) wilfully refuses or without lawful excuse neglects to apply to be registered or upon such application, refuses to fill up the application form or to cause it to be filled up to the best of his knowledge, information and belief or to deliver it as therein required; or
- (b) unlawfully makes, signs or delivers or causes to be made, signed or delivered any false entries of any matter in an application form;

shall be guilty of an offence and shall, for each such offence, be liable on summary conviction to a fine not exceeding one million leones.

(4) Any person who, without lawful excuse, fails to produce an Identity Card within the prescribed period referred to in the proviso to subsection (1) of section 10 and to such person as may be prescribed under that proviso shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one million leones, or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

Repeal of Act
No. 20 of
1974 and
savings.

- 15.** (1) The National Registration Act, 1974 is hereby repealed.
- (2) Notwithstanding subsection (1), any rules or regulations made under the National Registration Act, 1974 and in force immediately before the commencement of this Act, shall continue in force until revoked under this Act.

SCHEDULE

*(Section 2(2))**(Section 6 (2))*

Matters with respect to which particulars are to be entered in the register—

1. Name.
2. Sex.
3. Age, date and place of birth.
4. Occupation, profession, trade or employment.
5. (a) Permanent Home address.
(b) Present residential address.
6. Conditions as to marriage.
7. Membership of any of the Armed Forces of Sierra Leone or of the Police Force.
8. Nationality.
9. Such other particulars as may be prescribed.

Passed in Parliament this *6th* day of *June*, in the year of our Lord two thousand and seven.

A. A. KEMOKAI,
Clerk of Parliament.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed Parliament and found by me to be a true and correct printed copy of the said Bill.

A. A. KEMOKAI,
Clerk of Parliament.