

STATUTORY INSTRUMENTS SUPPLEMENT

to The Uganda Gazette No. 68 Volume CVIII dated 20th November, 2015

Printed by UPPC, Entebbe, by Order of the Government.

S T A T U T O R Y I N S T R U M E N T S

2015 No. 66.

**THE REGISTRATION OF PERSONS (ACCESS AND USE OF
INFORMATION) REGULATIONS, 2015**

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S T A T U T O R Y I N S T R U M E N T S

2015 No. 66.

The Registration of Persons (Access and Use of Information) Regulations, 2015.

*(Under section 67 of the Registration of Persons Act, 2015,
Act No. 4 of 2015)*

IN EXERCISE of the powers conferred upon the National Identification and Registration Authority Board by section 67 of the Registration of Persons Act, and in consultation with the Minister responsible for Internal Affairs, these Regulations are made this 8th day of October, 2015.

PART I—PRELIMINARY

1. Title.

These Regulations may be cited as the Registration of Persons (Access and Use of Information) Regulations, 2015.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

“Act” means the Registration of Persons Act, 2015;

“Authority” means the National Identification and Registration Authority;

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

“biometric” includes DNA, fingerprint, eye retina, iris, voice pattern, facial pattern, hand measurements and any other detail as may be determined by the Board;

“currency point” has the meaning assigned to it in Schedule 1;

“day” means any day of the week excluding Saturday, Sunday and any gazetted public holiday;

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

“information” means information relating to—

- (a) name;
- (b) date and place of birth;
- (c) address;
- (d) national identification number;
- (e) validity of national identity card;
- (f) information or records contained in the photograph of the individual recorded in the register;
- (g) information or records about the individual’s signature that is recorded;
- (h) information or records comprised in a fingerprint or other biometric information;

“Minister” means the Minister responsible for internal affairs;

“Register” means the National Identification Register established under the Act.

PART II—ACCESS AND USE OF INFORMATION IN REGISTER BY PERSONS OTHER THAN GOVERNMENT AGENCIES

3. Application to access or use information in the Register.

(1) A person who wishes to access or use the information in the Register shall apply to the Authority in Form 1 in Schedule 2.

(2) Without prejudice to subregulation (1), an application to access or use information shall contain the following—

- (a) the particulars of the person whose information is required to be accessed or used including the National Identification Number;
- (b) the residential address of the applicant;
- (c) if the request is made on behalf of a person, capacity in which he or she is making the request; and
- (d) the purpose for which the information is required.

(3) Where an application, under this regulation, is made in respect of information of an individual contained in the Register, the Authority shall only accept that application if the application is accompanied by consent of the person to whom the information relates.

(4) The consent required under subregulation (3) shall be in Form 2 in Schedule 2.

(5) The Authority may refuse access or use of information in the register where a person has given consent, if it is satisfied that granting access or use is likely to prejudice the security or sovereignty of the State or interfere with the right to privacy of any person or any other circumstances as the Authority may deem fit from time to time.

(6) Notwithstanding subregulation (3), the Authority may permit the access or use of a person's information contained in the Register without the person's consent where the access or use is required by law or is necessary for reasons of public order, public safety, public morality, national security or public interest or any other circumstances the Authority may deem fit from time to time.

(7) In order to give effect to this regulation, the Board may issue guidelines setting out the access levels for any person and the manner and form of application for the access or use of the information.

4. Fee for applications

(1) An application for access or use of information in the Register shall be accompanied by the prescribed fee.

(2) The Minister may waive the prescribed fee on the recommendation of the board.

(3) The Board shall set internal guidelines on how the discretion referred to under subregulation (2) maybe exercised.

5. Processing of application

(1) The Executive Director shall designate an officer of the Authority who shall be responsible for receiving and processing all applications under this Regulation.

(2) On receipt of an application, the person designated by the Executive Director shall, within three days after receipt of the application, review the application to ensure that the application is complete.

(3) Where after review the application is found not to be complete, the applicant may be requested to provide the information to complete the application within five days after receipt of the notice that the application is incomplete.

(4) Where the decision of the Authority is to grant access or use, the Executive Director or any person designated by the Executive Director shall inform the applicant of the decision and grant access or use to the person in accordance with the Authority's guidelines on access and use of information in the Register.

(5) The decision of the Authority shall be communicated to the applicant in writing or any other appropriate form within fourteen days after the decision is made.

(6) Where the Authority refuses to grant an application to access or use information, the Executive Director or any officer designated by the Executive Director shall notify the applicant of the decision in Form 3 in Schedule 2 and such decision shall not be final.

(7) A person who is dissatisfied with the decision of the Authority may appeal to the registration and identification committee in the prescribed form and the decision of the committee is not final.

(8) A person dissatisfied with the decision of the registration and identification committee may appeal to the High Court within thirty days of notice of the decision of the committee and in that case the decision of the High Court shall be final .

PART III—ACCESS AND USE OF INFORMATION IN REGISTER BY GOVERNMENT AGENCIES

6. Access and use of information by Government

(1) A ministry, department or agency of Government may, in accordance with section 67(1) of the Act, access or use the information in the Register.

(2) In order to give effect to subregulation (1), the Board shall issue guidelines setting out the access levels for ministries, departments or agencies of Government and the manner and form of application for the access or use of the information.

(3) Access levels may be granted for a specific reason and for a period of time and such access or use may be renewed.

(4) Notwithstanding subregulation (1), an application by a ministry, department or agency of Government to access or use information in the Register shall—

- (a) state the purpose for which the information is required; and
- (b) where applicable, provide the required consent in form 2 in schedule 2.

(5) An application by a ministry, department or agency of Government to access or use information in the Register may be accompanied by the prescribed fee.

(6) Notwithstanding subregulation (5), the Minister may, on the recommendation of the Board, exempt a ministry, department or agency of Government from the requirement to pay the prescribed fee.

7. Processing of applications.

Regulation 5 applies with the necessary modifications to the processing of applications by a ministry, department or agency of Government.

PART IV—GENERAL

8. Access and use of information in the Register without authority.

(1) A person shall not access or use information in the Register except with the written authorisation of the Authority.

(2) A person who accesses or uses information in the Register without authority commits an offence and is on conviction liable to a fine not exceeding thirty six currency points or imprisonment not exceeding eighteen months or both.

9. Extension of time.

Where the Authority is required to perform a function within a certain prescribed time under these Regulations and the Authority, for good cause, does not perform the function within that time, the Authority shall perform that function as soon as it is practicable to do so and without further delay.

10. Designation of responsible officers.

Every ministry, department or agency of Government shall designate a person who shall be responsible for making applications and handling all matters under these Regulations.

SCHEDULES

SCHEDULE 1

Regulation 2

CURRENCY POINT

One currency point is equivalent to twenty thousand shillings.

SCHEDULE 2

Regulation 3(1)

FORM 1

THE REPUBLIC OF UGANDA

THE REGISTRATION OF PERSONS ACT, 2015

THE REGISTRATION OF PERSONS (ACCESS AND USE OF INFORMATION) REGULATIONS, 2015.

APPLICATION TO ACCESS OR USE INFORMATION IN THE REGISTER (tick whichever is applicable)

PARTICULARS OF APPLICANT

1. PARTICULARS OF APPLICANT

Name

Postal address

National Identification Number.....

Physical address Plot No

Street Town/City

Telephone No Fax No

Email

2. Particulars of information required (clearly state the information required)

.....
.....

3. *Purpose for which the information is required*.....

.....
.....

4. Method of access or use preferred (please choose one (a) receive paper copies of the information (b) receive electronic copies of the information (d) examine the information in Authority offices)

5. *Duration for which the access or use is required.....*
.....

6. *Declaration by applicant to use information for the required purpose*
.....

7. *If space provided is not sufficient, attach as many additional pages as needed for the statement)*
.....
.....
.....
.....

.....
Signature of applicant

FORM 2
Regulation 3(4)

THE REPUBLIC OF UGANDA

THE REGISTRATION OF PERSONS ACT, 2015

THE REGISTRATION OF PERSONS (ACCESS AND USE OF
INFORMATION) REGULATIONS, 2015.

**CONSENT TO APPLICATION TO ACCESS OR USE INFORMATION
IN THE REGISTER** (tick whichever is applicable)

I (name of person whose information is sought to be accessed or used) of(address) with Reg. No..... (national identification number or alien identification number) do give consent to..... (name of applicant) who is making an application to the Authority to access or use (tick whichever is applicable) my information contained in the Register.

Signature of owner of information

Regulation 5(c)

THE REPUBLIC OF UGANDA

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INFORMATION) REGULATIONS, 2015.

**NOTICE OF REFUSAL OF APPLICATION TO ACCESS OR USE
INFORMATION**

To (Name and address of applicant)

Reference is made to your application to Access or use information dated day of 20.....

Your application to access or use information has been denied on the following grounds

iDated this day of 20.....

.....
Executive Director.

JAMES BABA,
Minister of State for Internal Affairs.