

Extraordinary



Federal Republic of Nigeria Official Gazette

No. 81

Lagos—15th May, 2015

Vol. 102

Government Notice No. 86

The following is published as Supplement to this *Gazette* :

<i>S. I. No.</i>	<i>Short Title</i>	<i>Page</i>
28	Mandatory Use of the National Identification Number Regulations, 2015	B 273-280

Printed and Published by The Federal Government Printer, Lagos, Nigeria.
FGP 92/102015/200

Annual Subscription from 1st January, 2015 is Local : ₦15,000.00 Overseas : ₦21,500.00 [Surface Mail] ₦24,500.00 [Second Class Air Mail]. Present issue ₦500.00 per copy. Subscribers who wish to obtain *Gazette* after 1st January should apply to the Federal Government Printer, Lagos for amended Subscriptions.

**NATIONAL IDENTITY MANAGEMENT COMMISSION ACT, 2007
MANDATORY USE OF THE NATIONAL IDENTIFICATION NUMBER
REGULATIONS, 2015**



ARRANGEMENT OF REGULATIONS

Regulation :

PART I—OBJECTIVE AND ENFORCEMENT

1. Objectives.
2. Enforcement of these Regulations.

PART II—THE NATIONAL IDENTIFICATION NUMBER

3. Generation of the National Identification Number (NIN).
4. Registrable Persons.
5. Foundation and Functional Identity.
6. National Identification Number Slip.
7. Application for National Identification Number.
8. Verification and Authentication of the National Identification Number.

PART III—MANDATORY USE OF THE NATIONAL IDENTIFICATION NUMBER

9. Transaction requiring the Mandatory Use of the National Identification Number.
10. Exemption to the mandatory use of the National Identification Number.

PART IV—ROLE OF THE NATIONAL IDENTITY MANAGEMENT COMMISSION

11. Harmonization and Integration with the National Identity Database.
12. Notification of Implementing Institutions and Agencies.

PART V—MISCELLANEOUS

13. Offences and Penalties.
14. Complaints and Enquiries.
15. Alteration to these Regulations.
16. Further Directions.
17. Interpretations.
18. Citation.

S. I. 28 of 2015

NATIONAL IDENTITY MANAGEMENT COMMISSION ACT, 2007
MANDATORY USE OF THE NATIONAL IDENTIFICATION NUMBER
REGULATIONS, 2015

[4th day of January, 2015]

Commence-
ment.

In exercise of powers conferred on it by section 31 of the National Identity Management Commission Act 2007 (the Act) and all other powers enabling it in that behalf, the National Identity Management Commission (“the Commission”) make the following Regulations.

PART I—OBJECTIVE AND ENFORCEMENT

1. The Objective of these Regulations is to provide details of the regulatory and supervisory requirements necessary for the mandatory use of the National Identification Number (NIN) for certain transactions in Nigeria.

Objectives.

2. The Commission shall in the realisation of its responsibilities under the Act and as empowered by the provision of Item 28, Part I of the Second Schedule of the Constitution of the Federal Republic of Nigeria, 1999 (As amended); and the Presidential directive with reference No. 59803/VII/87 issued by Secretary to the Government of the Federation dated 28th May 2014 on the Implementation of Government Policy on Data Capture, Identity Verification and Authentication activities in Government Ministries, Departments and Agencies, ensure the effective enforcement of these Regulations.

Enforcement
of these
Regulations.

PART II—THE NATIONAL IDENTIFICATION NUMBER

3. The National Identification Number shall be an eleven digit number randomly generated by the Automated Biometric Identification System (ABIS) upon—

Generation of
the National
Identification
Number.

- (a) completion of the de-duplication processes, and
- (b) successful enrolment of an enrollee into the National Identity Database.

4. Registrable Persons as defined by section 16 of the Act include, any—

Registrable
Persons.

- (a) any person who is a citizen of Nigeria ;
- (b) any person, whether or not he is a citizen of Nigeria, who is lawfully and permanently resident in Nigeria ; and
- (c) non-citizen of Nigeria who is lawfully resident in Nigeria for a period of two years or more.

5. The National Identification Number shall provide the “Foundation Identity” upon which every agency or institution shall adopt in establishing the “Functional Identity” requirement for its operation.

Foundation
and Functional
Identity.

6. The National Identification Number shall be printed on a security paper known as the “National Identification Number Slip” which shall be visible on inspection and the National Identification Number can also be read from the chip embedded on the General Multipurpose Card (GMPC) using a card reading device.

National
Identification
Number (NIN)
and NIN Slip.

7.—(1) The National Identification Number shall be used to confirm or authenticate the identity of an individual in any transaction requiring the presentation or confirmation of an identity.

Application of
the National
Identification
Number.

(2) The mandatory use of National Identification Number shall be applicable in transactions listed under Part III of these Regulations and such other transactions as may be specified by the Commission pursuant to section 31 of the Act and in relation to the provision of services to persons designated as "Registrable Persons" under regulation 4 of these Regulations.

(3) The use of National Identification Number in specified transactions shall become mandatory as from the 1st day of September 2015.

(4) All national identity cards issued by the Department of National Civic Registration (DNCR) shall from the date specified under sub-regulation (3) of this regulation, become invalid and shall not be used for any identification purposes within and outside the Federal Republic of Nigeria.

Verification and authentication of the National Identification Number.

8.—(1) The National Identification Number shall be verified or authenticated by the NIMC upon the presentation of the National Identification Number Slip or the presentation of the General Multi-Purpose Card or both by individuals, persons on behalf of themselves and or organizations seeking to identify or authenticate the identity of the NIN slip or card holder.

(2) Where the National Identification Number Slip is presented, the genuineness of the National Identification Number Slip shall be confirmed with the use of ultra-violet lights to ascertain the security features embedded in the slip.

(3) Where the National Identification Number or the National Identification Number slip is the only evidence presented by an individual as proof of identity, the institution or person requesting for such proof of identity shall utilise the online National Identity Management System ("NIMS") National Identification Number-Verification service through the Commission's secure Authentication and Verification Clearing House Infrastructure to confirm and authenticate such identity.

(4) Where the General Multi-Purpose Card is presented as means of identification, the institution or persons requesting such identity verification and or authentication, shall verify and or authenticate the identity presented before it by:

- (a) conducting an immediate assessment of the person presenting the identity with the photograph on the face of the General Multi-Purpose Card ;
- (b) conducting a Match-on-Card verification, through an irrefutable offline confirmation, by requesting the person to provide one of his finger prints on a card reading device to enable the matching of the finger print provided with the finger prints stored in the chip of the General Multi-Purpose Card ; and
- (c) carrying out an online verification through the Commission's secure Authentication and Verification Clearing House (AVCH) infrastructure using either the National Identification Number, fingerprint expression or both to ensure 100% confirmation of the identity of the person.

PART III—MANDATORY USE OF THE NATIONAL IDENTIFICATION NUMBER

Transaction requiring the Mandatory use of the National Identification Number.

9.—(1) In accordance with the provisions of section 27 (1) of the Act, the use of the National Identification Number shall be mandatory for the following transactions :

- (a) application for, and issuance of an International Passport and or other international travel document ;
- (b) opening of individual and or personal bank accounts ;

- (c) purchase of insurance policies ;
- (d) subject to the provisions of the Land Use Act, the purchase, transfer and registration of land by any individual or any transaction connected therewith ;
- (e) such transactions pertaining to individuals as may be prescribed and or regulated by the Pension Reform Act, 2004 (as amended) ;
- (f) such transaction specified under the Contributory Health Insurance Scheme ;
- (g) such transactions that have social security implications ;
- (h) all consumer credit transactions ;
- (i) registration of voters ;
- (j) payment of taxes ;
- (k) such relevant government services ; and
- (l) any other transaction which the Commission may so prescribe and publish in the Federal Government Gazette from time to time.

(2) It shall be mandatory for all institutions or authorities that offer services listed in sub-regulation (1) of this regulation to require any person transacting with them to produce his General Multi-Purpose Identity Card or National Identification Number subject to the provisions of regulation 10 of these Regulations.

10. The following persons are excluded from the application of the Act and therefore shall neither be registered nor be required to produce a General Multi-Purpose Card or National Identification Number for transactions :

Exemption to
Mandatory
Use of the
National
Identification
Number.

- (a) a foreigner who is validly transiting through Nigeria or is employed in and or resides in Nigeria for less than twenty four months ;
- (b) members of the diplomatic staff and of the administrative and technical staff of the diplomatic mission of any foreign state; who are not citizens of Nigeria or permanent residents in Nigeria ;
- (c) Consular Officers and Consular Employees, together with members of their families forming part of their respective households, provided that such persons are not citizens of Nigeria or permanent residents in Nigeria ; and
- (d) any other person who is not a citizen of Nigeria or a foreigner not authorised under the Immigrations Act to lawfully reside in Nigeria.

PART IV—ROLE OF THE NATIONAL IDENTITY MANAGEMENT COMMISSION

11.—(1) Pursuant to the provisions of section 5 (a) of the Act, the Commission shall be among other things be responsible for the harmonisation and integration of existing identity databases in Government Agencies and Institutions in the country and shall—

Harmonization
and
Integration
with the
National
Identity
Database.

- (a) cause then to be integrated into the National Identity Database ; and
- (b) deliver the processes and procedures for achieving a seamless integration of the National Identity Management System infrastructure with existing infrastructures of other agencies and institutions in the country.

(2) The harmonisation and integration of all relevant databases into the National Identity Database under sub-regulation (1) of this regulation shall be in line with—

(a) the approved Government Policy and Guidelines or Regulations issued by the Commission which shall take into account the operational requirements of respective agencies or institutions ; and

(b) the outcome of needs assessment carried out by the Commission in collaboration with relevant agencies or institutions to determine the best and seamless means or level of integration with the National Identity Database.

(3) The harmonisation and integration of all relevant databases into the National Identity Database under sub-regulation (1) of this regulation shall be in any or all of the following levels—

(a) data collection, processing and transmittal ;

(b) unique identification and database harmonisation ; or

(c) card issuance, identity authentication and verification.

(4) In determining an Agency's or institution's harmonisation and integration with the National Identity Database, under sub-regulation (1) of this regulation, the Commission shall consider the institution's level of preparedness in the execution of its functional identity requirements within the following variables :

(a) Agencies or Institutions that have operational databases with laid down standards, procedures and processes ;

(b) Agencies or Institutions that have not commenced the creation of databases and who are at the stage of procurement and are yet to commence actual implementation of data capture ; or

(c) Agencies or institutions that are at the planning stage for the creation of database.

Notification of
Implementing
Institutions
and Agencies.

12. The Commission shall give notice to all relevant Agencies, Institutions, Authorities and the general public through publication in two widely circulated Newspapers in Nigeria two months prior to the effective date of these Regulations in order to—

(a) bring all relevant Agencies, Institutions and Authorities on-board with the policy on the mandatory use of the National Identification Number ;

(b) allow all relevant Agencies, Institutions and authorities use the transitory period to inform and educate their clients of the mandatory use of the National Identification number ; and

(c) allow all relevant Agencies, Institutions and Authorities put the necessary infrastructure and processes in place to ensure the seamless harmonization and integration with the National Identity Database for effective implementation in line with the provisions of these Regulations.

PART V—MISCELLANEOUS

Offences and
Penalties.

13.—(1) A person who carries out or permits the carrying out of any transaction specified in regulation 9 (1) of these Regulations without a National Identification Number commits an offence and shall—

(a) where the offence is committed by a registered individual, be liable to on conviction to a fine of not less than ₦50,000.00 (Fifty Thousand Naira) or imprisonment for a term not less than 6 months or to both such fine and imprisonment ; and

(b) where the offence is committed by a body corporate, be liable on conviction to a fine of not less than ₦1,000,000.00 (One Million Naira) and in addition, the Chief Executive or the line manager or other similar officer of the body corporate, or any other person purporting to act in any such capacity shall be deemed guilty of that offence and shall be liable on conviction to a fine of ₦1,000,000.00 each.

(2) The Commission may impose administrative penalties or sanctions on any person or entity who carries out or permits the carrying out of any transaction specified under regulation 9 (1) of these Regulations without a National Identification Number.

14.—(1) Complaints and enquiries can be channelled through :

- (a) the contact portal of the NIMC website, www.nimc.gov.ng ;
- (b) by email to info@nimc.gov.ng ;
- (c) the designated contact phone number 0700-CALL-NIMC by SMS or call ; or
- (d) correspondence to the office of the Director General/CEO; National Identity Management Commission.

Complaints
and Enquiries.

(2) The Commission shall attend to and initiate a feedback to such complaints or enquiries by email, registered mail or by SMS within forty eight (48) working hours of receipt of such complaints or enquiries.

15. The Commission may from time to time review and modify this Regulation pursuant to the powers conferred under Section 31 of the Act.

Alteration to
these
Regulations:

16. The Commission may, from time to time, issue additional rules, guidelines or directions on any aspect of these Regulations for the general or specific application.

Further
Directions.

17. In these Regulations—

Interpreta-
tions.

“*Act*” means the National Identity Management Commission (NIMC) Act No. 23, 2007 ;

“*Authentication and Verification Clearing House*” (“*AVCH*”) means the Authentication and Verification Clearing House which is the Commission’s secure web service established for the purposes of verification of persons and or queries into the NID ;

“*Card*” means and includes a document or other article, or a combination of a document and an article, in or which information is or may be recorded ;

“*Citizens of Nigeria*” means a person who is a citizen of Nigeria in accordance with chapter III of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) ;

“*Commission or NIMC*” refers to the National Identity Management Commission established by Act No. 23 of 2007 ;

“*Database*” means the National Identity Database established pursuant to section 14 of the Act ;

“*Fingerprint*” in relation to a registered individual, means record (in any form and produced by any method) of the skin pattern and other physical characteristics or features of any of the individual’s fingertips ;

“*Foundation Identity*” means the unique identity established with the issuance of a National Identification Number as a means of identification and a proof of identity of persons recognised under the NIMC Act ;

“*Functional Identity*” means additional information required by agencies or institutions in addition to the National Identification Number specific to their organization’s operational requirements ;

“*General Multi-Purpose Card*” (“*GMPC*”) this means the identity card issued to registered persons pursuant to section 18 of the NIMC Act 2007 ;

“*Match on Card*” (“*MoC*”) means an irrefutable offline confirmation of the General Multi-Purpose Card using specific devices and or terminals as approved by the Commission ;

“*National Identity Database*” (“*National Identity Database*”) means the National Identification Database established pursuant to section 14 of the NIMC Act ;

“*National Identity Management System*” (“*NIMS*”) means the National Identity Management System consisting of five key components including—

- (i) National Identity Database ;
- (ii) National Identification Number Issuance ;
- (iii) General Multi-Purpose Card Issuance ;
- (iv) Authentication and Verification System ;
- (v) Harmonisation and Integration of Databases.

“*National Identification Number*” (“*NIN*”) means the National Identification Number assigned to registered persons pursuant to section 19 of the NIMC Act 2007 ;

“*National Identification Number Slip*” (“*NIN Slip*”) refers to a security document with anti-counterfeiting features which is issued by the Commission, as acknowledgment and proof of unique enrolment into the NID ;

“*Registerable Persons*” means any person designated as such by section 16 of the NIMC Act in respect of whom entries shall be recorded in the Database ;

“*Regulations*” means the Mandatory Use of the National Identification Number Regulation.

Citation.

18. These Regulations may be cited as the Mandatory Use of the National Identification Number Regulations, 2015.

MADE at Abuja this 23rd day of April 2015.

CHRIS E. ONYEMENAM

Director-General

National Identity Management Commission

EXPLANATORY NOTE

(This note does not form part of the above Regulations but is intended to explain its purport)

These Regulations provide details of regulatory and supervisory requirements necessary for the mandatory use of the National Identification Number for certain transactions in Nigeria.