The Presidency
NATIONAL IDENTITY MANAGEMENT COMMISSION

REGULATION
ON THE MANDATORY USE OF THE NATIONAL IDENTIFICATION NUMBER (NIN)
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Part 1

1.0 INTRODUCTION

1.1 The National Identity Management Commission (NIMC) was established by the National Identity Management Commission Act No. 23, 2007 and charged with the responsibility of maintaining the National Identity Database, registration of Registerable Persons, issuance of National Identification Numbers (NINs), National Electronic Identity Cards (eID Cards) and other related matters.

1.2 The NIN is an 11 (eleven) digit number randomly generated by the National Identity Management System upon the successful enrolment of an enrolee into the National Identity Database and completion of de-duplication processes. The NIN provides the “FOUNDATION IDENTITY” which relevant persons shall adopt in establishing the “FUNCTIONAL IDENTITY” requirements with respect to Registrable Persons for relevant activities.

1.3 This Regulation is issued pursuant to the powers conferred on the National Identity Management Commission under section 27(1) and (2) of the Act regarding the mandatory use of NIN for transactions.

2.0 EFFECTIVE DATE OF COMMENCEMENT OF MANDATORY USE OF NIN

2.1 From the commencement date of 1st of July 2015 any government agency/institution, bank, insurance company and all other institutions offering services and or are involved in transactions requiring the identity of an individual as contained in section 27 of the Act, and who so transacts without demanding or using the NIN as contemplated hereunder, has committed an offence under the Act.

2.2 As from the date stipulated in paragraph 2.1 above, every Person involved in any of the Specified Transactions shall demand for, examine and record the NIN of other parties to the transaction.

2.3 The NIN shall be used by every party involved in transactions requiring the authentication and verification of identity to confirm identity.

2.4 All National Identity Cards issued by the Department of National Civic Registration (DNCR) shall from the date stated in paragraph 2.1 become invalid and shall not be used for any identification purposes.

2.5 For the purposes of this Regulation, Specified Transactions are
a. Application for, and issuance of an International Passport;

b. Opening of individual and or personal bank accounts, all consumer credits;

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 regulated by the Pension Reform Act, 2004;

f. Such transaction specified under the Contributory Health Insurance Scheme;

g. Such transactions that have social security implications;

h. Registration of voters;

i. Payment of taxes;

j. Such relevant government services; and

k. Any other transaction which the Commission may so prescribe and list in the Federal Government Gazette.

Part 2

3.0 APPLICATION OF THE NIN

3.1 The mandatory use of the NIN is applicable to persons designated as “Registrable Persons” under Section 16 of the Act, that is:

3.1.1 Any person who is a citizen of Nigeria;

3.1.2 Any person, whether or not he is a citizen of Nigeria, who is lawfully and permanently resident in Nigeria; and

3.1.3 Any non-citizen of Nigeria who is lawfully resident in Nigeria for a continuous period of two years or more.

3.2 For the avoidance of doubt, the following persons are excluded from the application of the Act and therefore shall not be required to produce a NIN for the Specified Transactions:
3.2.1 A foreigner who is validly transiting through Nigeria or is employed in and
or resides in Nigeria for less than twenty four (24) consecutive calendar
months;

3.2.2 Members of the diplomatic staff and of the administrative and technical
staff of the diplomatic mission of any foreign state, and Consular Officers
and Consular Employees, together with members of their families forming
part of their respective households, as these expressions are defined for
the purposes of Diplomatic Privileges (Vienna Convention) Act and the
Consular Relations Act, who are present in Nigeria, provided that such
persons are not citizens of Nigeria or permanent residents in Nigeria; and

3.2.3 Any other person who is not a citizen of Nigerian or a foreigner authorised
under the Immigrations Act to lawfully reside in Nigeria.

4.0 AUTHENTICATION AND VERIFICATION OF THE NIN

4.1 The NIN shall be authenticated and/or verified through the following processes:

4.1.1 On presentation of the NIN. The Person requesting such proof shall utilise
the online NIMS NIN verification service through the Authentication and
Verification Clearing House to confirm such identity.

4.1.2 On presentation of the National Electronic Identity Card. The Person
requesting such identity, shall authenticate the identity through either or all
of the following means:

a. Conduct an immediate visual comparison and assessment of the
person presenting the identity with the photograph on the face of
the National eID Card.

b. Conduct a Match on Card verification (an irrefutable offline
confirmation) by requesting the person to provide 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 National eID
Card.

c. Carryout an online verification through the Commission’s secure
Authentication and Verification Clearing House (AVCH)
infrastucture using the either the NIN, biometrics expression or
both to ensure 100% confirmation of the identity of the person.
5.0 MISCELLANEOUS

5.1 PENALTIES:

Where a Person carries out or permits the carrying out of any of the Specified Transactions without the production of or and demand for the NIN, commits an offence in contravention of Section 29 of the NIMC Act and shall:

a. Where the offence is committed by a registered individual, such Person shall be liable upon conviction to a fine of not less than N50,000.00 (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, the Person shall be liable on conviction to a fine of not less than N1,000,000.00 (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 N1,000,000.00 each.

5.2 CHANGES TO THE REGULATION

The Commission may from time to time review and modify this Regulation pursuant to the powers conferred under Section 31 of the Act. In doing so, the Commission may request and receive advice from external advisory groups but shall not be bound by any such advice.

5.3 FURTHER DIRECTIONS

The Commission may from time to time issue additional rules or directions on any aspect of this Regulation, and either of general or specific application.

5.4 DEFINITIONS

The terms and expressions defined in the Act shall have the same meaning in these Regulations, save that unless the context otherwise requires:

“Act” means the National Identity Management Commission Act No. 23, 2007;
“Commission” or “NIMC” means the National Identity Management Commission
“Foundation Identity” means the identity established with the issuance of a NIN which is a means of identification and a proof of identity of Persons recognised under the Act.
“Functional Identity” means additional information required by agencies/institutions in addition to the NIN, specific to their organisation’s operational requirements.

“National electronic Identity Card” or “National eID Card” means the Multipurpose Identity Card issued by the Commission to registered persons pursuant to Section 18 of the Act.

“National Identity Management System” or “NIMS” means the system consisting of 5 (five) key components including; (i) the data capture system (for demographic and biometrics data capture/collection); (ii) the Biometrics system (de-duplication processes); (iii) Connectivity (network infrastructure); (iv) Central depository (the Main database and redundancies- business continuity); and (v) the Authentication and Verification System.

“Person” shall include both natural and artificial persons as well as banks, insurance companies, other financial institutions, government ministries, departments and agencies and other entities participating in the Specified Transactions.

“Regulations” means this Mandatory Use of the NIN Regulations.

5.5 CITATION

These Regulations may be cited as the Mandatory Use of the NIN Regulations 2015.

Made at Abuja this…………..day of ……………2015.