



LEGAL AND REGULATORY COMPLIANCE REQUIREMENT FOR EMPLOYEES, CONSULTANTS, LICENSEES, AGENTS AND SERVICE PROVIDERS OF THE COMMISSION & THE GENERAL PUBLIC

- ✓ **The National Identity Management Commission (NIMC) is a body created by an Act of Parliament, that is “*The National Identity Management Commission (NIMC) Act No. 23 of 2007*”.**
- ✓ **The power to enact the law by the National Assembly was derived from the Constitution of the Federal Republic of Nigeria.**
- ✓ **Therefore every citizen of Nigeria must observe and respect requirements of all laws in Nigeria created by the National Assembly or those International Laws that have been domesticated by Nigeria and other Regulations, Guidelines and Government Policies. *This means that:***
 - 1. The NIMC Act is a validly recognized Nigerian law, binding on every person conducting business relating to the functions of NIMC or persons subjected to the jurisdiction of the NIMC (the employee, contractors, consultants, service providers, vendors, licensees, agents, Nigerian Citizens & all other people of other nationalities residing in Nigeria)**
 - 2. All other laws other than NIMC Act such as the Independent Corrupt Practices (ICPC) Act, Code of Conduct Bureau & Tribunal Act, Cybercrime (Prohibition & Prevention) Act, Public Procurement Act and all other Acts created by the National Assembly or domesticated international laws are to be obeyed.**
 - 3. All NIMC employees have mandatory obligations to observe the requirements of NIMC Act, all approved Policies, Regulations and guidelines dully issued by the Commission.**
 - 4. NIMC employees, consultants and service providers are mandated to ensure compliance with all laws in Nigeria at all times.**
 - 5. Every person that breaches or fails to observe expected requirements under the laws & Regulations will be subjected to penalties/punishment provided by the law, Regulations.**

6. NIMC Management therefore brings to the attention of all employees, Consultants, contractors, enrollees and the general public the following offences and their corresponding penalties as provided by relevant legislations.

OFFENCES AND PENALTIES

S/NN	OFFENCES	WHO IT APPLIES TO	PURNISHMENT	RELEVANT SECTION/LEGISLATION
1.	Refusing to register a dully qualified enrollee	Enrolment officers, supervisor, State Coordinators & Licensees	6 (six) months imprisonment or a fine of N100, 000 or both (for each instance)	Section 30 (2) NIMC Act
2.	Collects money and/or obtains favors' for the purpose of providing access to the Commission, services of enrolment, card collection, activation or for the purpose of granting/obtaining a contract award	All Staff, Consultants, Service Providers & Security Personnel, Cleaners	7 (Seven) years imprisonment Dismissal	Sections 14, 20 & 21 ICPC Act Section 10 & 12 Code of Conduct Bureau and Tribunal Act
3.	Non-Disclosure, Diverting financial and or material support to the Commission from States, Local Government and other persons or organizations without approval from the DG/CEO	Head of Departments, Regional & States Coordinators, Local Governments & Special Centers Supervisors	7 (Seven) years imprisonment Dismissal	Section 14 ICPC Act Section 13 Code of Conduct Bureau Act
4.	Failure to register for the National Identification Number Obstructs an employee of the	All eligible persons	Imprisonment for term not less than 6 months or a fine not less than N100,000 (one Hundred Thousand Naira) or both	Section 30(1)(a) & 30(2) NIMC Act

	Commission in the due execution of his duties.	All persons/general public	Imprisonment for term not less than 6 months or a fine not less than N100,000 (one Hundred Thousand Naira) or both	Section 30(1)(b) & 30(2) NIMC Act
	In possession of forged or misleading National identity card	All persons	Imprisonment for term not less than 6 months or a fine not less than N100,000 (one Hundred Thousand Naira) or both	Section 30(1)(g) & 30(2) NIMC Act
	Unlawful Possession of Multiple identity cards	All persons	Imprisonment for term not less than 6 months or a fine not less than N100,000 (one Hundred Thousand Naira) or both	Section 30(1)(h) & 30(2) NIMC Act
	Unlawful possession of another persons National ID Card	All persons	Imprisonment for term not less than 6 months or a fine not less than N100,000 (one Hundred Thousand Naira) or both	Section 30(1)(f) & 30(2) NIMC Act
	Refusing to accept and verify the national identity card when presented as means of identification	All persons	Imprisonment for term not less than 6 months or a fine not less than N100,000	Section 30(1)(j) & 30(2) NIMC Act

	Willful destruction / mutilation of the national identity Card	All persons	(one Hundred Thousand Naira) or both Imprisonment for term not less than 6 months or a fine not less than N100,000 (one Hundred Thousand Naira) or both	Section 30(1)(c) & 30(2) NIMC Act
5.	Accessing information in the National Database without authorization.	All staff	10 (Ten) years imprisonment without option of a fine Imprisonment for 5(five) years or more or not less than N5 million fine or both	Section 28(3) NIMC Act Section 6(1) Cybercrime (prohibition & prevention Act 2015
6.	Accessing information from computer systems or official records without authorization Unlawful access to data or information in the National Identity Database	All employees, licensee's & the general Public Corporate bodies	Imprisonment for 5(five) years or more or not less than N5 million fine or both A fine of N1, 000,000 (One Million Naira) on conviction 10 (ten) years imprisonment of the representative of the company & N10, 000,000 (Ten million Naira) fine on the corporate body (for	Section 6(1) Cybercrime (prohibition & prevention Act 2015 Section 28(3) NIMC Act & Regulations

			every instance of breach)	
7.	Refusing to provide relevant data, information to the Commission and/ or providing false information or data to the Commission.	All persons eligible for enrolment into the national Identity Database	A fine of N1,000,000.00 on conviction	Section 28(3) NIMC Act
8.	Amending/correcting and deleting records/ information from files, records , computer systems and/or the National Identity Database without the necessary approvals.	All employees, licensee's & Enrollees	3 (Three) or more years Imprisonment or a fine of not less than N250,000 or both 3 Years imprisonment or N7 million fine or both	28(1)(a) & (2) NIMC Act Section 13 Cybercrime & prevention Act 2015
9.	Provides, Records and sends false information into the database	Enrollees, employees & licensee's	3 (Three) or more years Imprisonment or a fine of not less than N250,000 or both	28(1)(c) & (2) NIMC Act
10.	Refusing to issue personalized cards/ activate eID Cards	Card collection Activation Officers/ supervisors & licensee's	6 (six) months or more imprisonment or a fine of not less than N100, 000 or both	Section 30(2) NIMC Act
11.	Issues an ID card to a wrong person	Card collection & Activation Officers/ supervisors	6 (six) months or more imprisonment or a fine of not less than N100, 000 or both	Section 30(2) NIMC Act

12.	Take possession of other people's ID Cards and or NIN outside the designated locations without prior approval.	All employees, licensee's & the general public	6 (six) months or more imprisonment or a fine of not less than N100, 000 or both	Section 30(2) NIMC Act
13.	Destruction and or mismanagement of the Commission's properties including the National ID Card.	All employees, licensee's & the general public	6 (six) months or more imprisonment or a fine of not less than N100, 000 or both	Section 30(2) NIMC Act
14.	Attempting and carrying out double enrollment into the NIDB	All persons & All employees	3 (Three) or more years Imprisonment or a fine of not less than N250,000 or both	28(1)(c) & (2) NIMC Act
15.	Any employee, consultant or service provider who, without any lawful reason, continues to hold onto the code or access right of his employer after disengagement without any lawful reason	All staff, Consultants, service providers & licensee's.	3 years imprisonment or N3 million or both.	Section 31(2) Cybercrime (prohibition & prevention Act 2015
16	Forging of electronic signature, password and Unlawful use of another persons ID credentials	All employee & the general public	7 years imprisonment or N10 million fine or both.	Section 17(1)(c) Cybercrime (prohibition & Prevention) Act 2015
17.	Unruly conducts and Disrespect to colleagues and non-staff visiting the Commission.	All employees	Disciplinary Action	NIMC Personnel Policies
18.	Improper dressing during working hours	All employees & the	Disciplinary Action	NIMC Personnel

		general public		Policies
19.	Providing services in transactions requiring identification of an individual/person without requesting for and verifying/authenticating the individual/ person's National Identification Number (NIN).	<p>All persons registered and issued the NIN</p> <p>All service providers providing services listed under Section 27 NIMC Act and the NIMC Regulations</p>	<p>An imprisonment of a term not less than 6 months or a fine of N50,000 (Fifty Thousand Naira or both against the registered person</p> <p>A fine of N1,000,000 (One million Naira) on the Corporate body; and an additional fine of N1,000,000 (One Million Naira) on any person acting on behalf of the corporate body.</p>	<p>Section 29(a) NIMC Act & the Regulations on the Mandatory Use of the NIN</p> <p>Section 29(b) NIMC Act & the Regulations on the Mandatory Use of the NIN</p>

IGNORANCE OF THE LAW IS NOT AND WILL NOT BE TAKEN AS AN EXCUSE TO ESCAPE OR ABSOLVE ANY PERSON FROM THE PRESCRIBED PUNISHMENT. PLEASE ENDEAVOUR TO READ AND UNDERSTAND ALL LAWS, REGULATIONS AND POLICIES.

FOR FURTHER COMMENTS AND CLARIFICATIONS PLEASE CONTACT US AT:

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