

Government Decree No. 2020-312 of May 15, 2020, establishing the content and technical specifications of the unique citizen identifier and the rules governing the maintenance and management of its Register

The Head of Government,

On the proposal of the Minister of Local Affairs and the Minister of Communication Technologies and Digital Transformation,

Having regard to the Constitution,

Having regard to Organic Law No. 2004-63 of July 27, 2004, on the protection of personal data,

Having regard to Law No. 57-3 of August 1, 1957, regulating civil status, together with the texts that have amended or supplemented it, the most recent of which is Law No. 2010-39 of July 26, 2010, on the unification of the age of civil majority,

Having regard to the Tunisian Nationality Code promulgated by Decree-Law No. 63-6 of February 28, 1963, relating to the revision of the Tunisian Nationality Code, ratified by Law No. 63-7 of April 22, 1963, as amended by subsequent texts, the most recent of which is Law No. 2010-55 of December 1, 2010,

Having regard to Law No. 2004-5 of February 3, 2004, on IT security,

Having regard to Decree-Law No. 2020-17 of May 12, 2020, on the unique citizen identification number,

Having regard to Decree No. 2012-1997 of September 11, 2012, establishing the powers of the Ministry of Information and Communication Technologies,

Having regard to Decree No. 2012-1998 of September 11, 2012, on the organization of the Ministry of Information and Communication Technologies,

Having regard to Government Decree No. 2016-365 of March 18, 2016, on the creation of the Ministry of Local Affairs and the establishment of its powers,

Having regard to Presidential Decree No. 2020-19 of February 27, 2020, appointing the Head of Government and its members,

Having regard to the opinion of the National Authority for the Protection of Personal

Data, Having regard to the opinion of the Minister of Finance,

Having regard to the opinion of the Administrative Court,

After deliberation by the Council of Ministers.

Issues the following government decree:

Article 1 – This government decree aims to establish the content and technical specifications of the unique citizen identifier and the rules governing the maintenance and management of its Register.

Chapter 1 – The unique citizen identifier

Art. 2 – The unique citizen identifier, hereinafter referred to as "the identifier," consists of a series of eleven (11) digits composed of three (3) consecutive groups from left to right:

- a) One additional digit,
- b) Eight random sequential digits,
- c) A two-digit check and verification key.

Art. 3 – The username may not contain any information that could reveal the identity of the person.

It is also prohibited to assign the same identifier to several persons or to assign several identifiers to one person.

Art. 4 – The disclosure of the identifier on the civil status platform is prohibited for officials responsible for issuing civil status documents.

Art. 5 – The identifier may be placed in the form of a QR code on documents issued by the bodies referred to in Article 17 of this government decree.

The technical specifications of the QR code are set by joint order of the Minister responsible for local affairs and the Minister responsible for communication technologies and digital transformation.

The list of documents that may bear the QR code shall be determined by joint order of the Minister responsible for local affairs and the Minister responsible for the sectoral supervision of the body concerned, after approval by the National Authority for the Protection of Personal Data.

Chapter II – The Unique Citizen Identifier Registry

Art. 6 – The recording, transmission, and exchange of information relating to the identifier are carried out within the framework of an information system called the "Unique Citizen Identifier Registry," hereinafter referred to as "the Registry."

Art. 7 – The purpose of the Register is to:

- Facilitate the exchange of information between the bodies authorized to use it,
- Avoid asking citizens for information created or stored by the bodies authorized to use it,
- Enable the automatic updating of public sector registers with regard to general information concerning citizens, within the limits permitted by the legal framework,
- Simplify the management of sectoral registers managed by bodies authorized to access the register in the course of their duties,
Simplify the administrative procedures established by the bodies authorized to use it.

Art. 8 – The following persons are registered in the Register:

- a) Persons of Tunisian nationality registered in the civil registers of municipalities,
- b) Persons of Tunisian nationality registered in the civil registers of Tunisian diplomatic missions and consulates abroad,
- c) Persons who acquire Tunisian nationality through naturalization.

Art. 9 – The data recorded in the Register shall be managed and used in accordance with the provisions of the aforementioned Organic Law on the Protection of Personal Data and under the supervision of the National Data Protection Authority.

Art. 10 – Any person who becomes aware of a violation of the data protection standards applied to the register may lodge an objection with the National Personal Data Protection Authority.

Art. 11 – The following data shall be recorded and stored in the register for each person:

- a) Identification number,
- b) The surname and first name in Arabic,
- c) First and last name in French,
- d) Place and date of birth,
- e) The reference number on the birth certificate,
- f) Gender,
- g) The original nationality,
- h) The reference number for acquisition of nationality,
- i) The address of the main residence,
- j) The reference number of the death certificate,
- k) Place and date of death and burial,
- l) Marital status,
- m) First-degree ascendants and descendants, whether the lineage is shown on the birth certificate or in a court decision,
- n) The reference number of any court decisions prohibiting access.

Art. 12 – The data shall be kept in the register for a period of thirty (30) years from the date of death of the person concerned or the loss of their nationality.

Art. 13 – The Minister responsible for Local Affairs is responsible for maintaining the Register, processing the data recorded therein, and setting up a digital platform for its management, and shall ensure that the data recorded in the register corresponds to the original paper data.

Art. 14 – The data recorded in the Register shall be deemed authentic until proven otherwise.

These data may be used as an alternative to those recorded in paper registers.

Art. 15 – Any person who notices a discrepancy between the data in the Register and that in the paper register must inform the Register Management Unit created pursuant to the provisions of Article 23 of this Government Decree.

Art. 16 – Civil registry officers in the municipalities or diplomatic posts or consulates where birth certificates have been issued must update the data in the Register within a maximum of seven (7) days from the date of entry.

Art. 17 – The following bodies, hereinafter referred to as "the bodies," are authorized to access the data in the Register in the course of their duties:

- a) Public authorities,
 - b) Central, regional, and local administrations, public institutions and enterprises, local authorities, and independent bodies,
 - c) Judicial bodies,
 - d) Private bodies responsible for managing a public service and which may, in the course of performing a task in the public interest, use the data in the Register.
- The list of these bodies is established by order of the Minister responsible for local affairs after approval by the National Data Protection Authority.

Art. 18 – The bodies referred to in Article 17 of this government decree may access the data in the Register in accordance with the legislation on the protection of personal data.

In the event of any violation of the provisions of the first paragraph of this article, the National Personal Data Protection Authority may request the Registry management unit established under Article 23 of this government decree to issue a decision temporarily prohibiting access to the Registry for the offending entity until the violation has been remedied.

Art. 19 – Organizations may not require citizens to provide them with data recorded in the Registry.

Art. 20 – Each operation involving the consultation, updating, modification, or transmission of the data of the person concerned shall be recorded through the digital platform for managing the Registry.

Any person may, for a period of one year from the date of completion of the operations referred to in the first paragraph of this article, consult the date and identity of the organization that accessed or performed any operation relating to their personal data, through a website dedicated for this purpose or any other official means of digital communication.

Art. 21 – Organizations are required to facilitate the performance of the control missions of the National Personal Data Protection Authority.

Organizations must also appoint a personal data protection officer and inform the National Personal Data Protection Authority thereof.

Art. 22 – Organizations must carry out periodic security audits of information systems and networks in accordance with the legislation in force on IT security.

Chapter II – The Unique Citizen Identifier Registry Management Unit

Art. 23 – A unit called the "Unique Citizen Identifier Registry Management Unit," hereinafter referred to as the Unit, is created within the ministry responsible for local affairs.

Art. 24 – The Unit created by Article 23 above shall be responsible for:

- manage the civil registry and database,
- set up mechanisms for assigning identifiers,

- ensure the quality, security, and updating of the Registry's data,
- ensure the proper functioning of the unique citizen identifier information system,
- establish mechanisms for accessing Registry data in accordance with applicable laws and regulations,
- to put in place the necessary mechanisms enabling individuals to consult operations relating to their personal data, their history, and the identity of the organization that accessed the data,
- encourage the use of services linked to the identifier,
- submit proposals as part of the strategy for using the identifier.

The unit is also responsible for executive tasks consisting of ensuring:

- the provision of electronic services with probative value, enabling access to and updating of the Register's data,
- the quality of the data exchanged,
- the fluidity and continuity of access to the data exchanged,
- the protection of data during the data exchange process,
- the management of complaints related to the operation of this service.

Art. 25 – The Unit is responsible for establishing tables of correspondence between the sectoral identifiers it has and administers and the identifier, in coordination with the organizations.

Art. 26 – The National IT Center is responsible for technical and operational tasks related to the management of the registry.

The above operations are carried out under the supervision of the Unit.

The tasks and commitments of each party are determined by an agreement concluded for this purpose in accordance with the procedures in force after consultation with the National Personal Data Protection Authority.

Chapter IV – The Council for Monitoring the Use of the Unique Citizen Identifier

Art. 27 – A Council for Monitoring the Use of the Identifier, hereinafter referred to as "the Council," is established within the Ministry responsible for local affairs.

Art. 28 – The Council shall ensure the proper functioning, management, and use of the Registry.

All requests for access to the Register's data and its uses must be submitted to the Council.

The Council is responsible for coordinating between the various bodies in order to establish the identifier and promote its widespread use.

Art. 29 – The Council shall be chaired by the Minister responsible for local affairs or his or her representative. It shall be composed of members representing the following bodies:

- The Ministry of the Interior,
- The Ministry of Justice,
- The Ministry of Social Affairs,
- The Ministry of Communication Technologies and Digital Transformation,
- The Ministry of Health,
- The Ministry of Education,
- The Ministry of Higher Education,
- The Ministry of Finance,
- The National Authority for the Protection of Personal Data,
- The e-Government Unit at the Office of the Prime Minister,
- The Directorate General for Information Technology and IT Application Development within the Ministry of Local Affairs,
- The National Center for Information Technology,
- The National Cybersecurity Agency.

The President of the Council may summon any person whose presence is deemed useful to participate in the work of the Council.

Art. 30 – The members of the Council shall be appointed by order of the Minister responsible for local affairs on the recommendation of the ministers concerned.

Art. 31 – The Council shall meet, upon convocation by its President, at least once every three (3) months and whenever necessary, with an agenda sent to all its members at least seven (7) days before the date of the meeting.

The deliberations of the Council shall only be valid in the presence of its chairperson and half of its members. If there is no quorum, the chairperson of the Council shall send a new notice of meeting to the members and the Council shall meet on the date decided by its chairperson within a maximum of seven (7) days from the date of the first meeting, regardless of the number of members present.

Decisions shall be taken by a majority vote of the members present. In the event of a tie, the chair shall have the casting vote.

The secretariat of the council is entrusted to the Directorate General for Information Technology and IT Application Development of the Ministry of Local Affairs, which is responsible in particular for preparing the council's agenda, sending out notices of meetings, taking minutes of meetings and, in general, preparing the council's work and keeping records.

The council's deliberations are recorded in minutes signed by the members present, a copy of which is issued to each of them.

Art. 32 – The Minister of Local Affairs and the Minister of Communication Technologies and Digital Transformation shall be responsible, each in their respective areas, for the implementation of this government decree, which shall be published in the Official Journal of the Republic of Tunisia.

Tunis, May 15, 2020.