

Zambia

National Registration Act, 1964

Chapter 126

Legislation as at 31 December 1996

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National Registration Act, 1964 (Chapter 126)

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Zambia

National Registration Act, 1964

Chapter 126

Commenced on 3 July 1964

[This is the version of this document at 31 December 1996.]

[This legislation has been revised and consolidated by the Ministry of Legal Affairs of the Government of the Republic of Zambia. This version is up-to-date as at 31st December 1996. All subsequent amendments have been researched and applied by Laws.Africa for ZAMBIALII.]

[19 of 1964; 38 of 1965; 44 of 1966; 13 of 1994; Government Notice 497 of 1964]

An Act to provide for the registration of persons; and to provide for matters incidental thereto.

1. Short title

This Act may be cited as the National Registration Act.

2. Interpretation

In this Act, unless the context otherwise requires—

"**Chief Registrar**" means the person appointed as such in pursuance of the provisions of section four;

"**registered person**" means a person registered under the provisions of section six;

"**specified area**" means an area declared as such by the Chief Registrar in accordance with the provisions of section six.

3. Application

This Act shall apply to all persons who at the commencement have attained, or thereafter attain, the age of sixteen years, or who at such commencement or thereafter are of an apparent age of sixteen years or more and who are within a specified area:

Provided that this Act shall not apply to—

- (i) serving members of the armed forces of any friendly power;
- (ii) persons duly accredited to Zambia by or under the authority of the Government of any sovereign state; or
- (iii) such persons or class of persons being *bona fide* passengers in transit through Zambia or such *temporary visitors to or such residents in Zambia as may be prescribed by *Gazette* notice.

*Visitors to Zambia for periods not in excess of three months prescribed by G.N. No. 939 of 1966.

[As amended by No. 44 of 1966]

4. Appointment of Chief Registrar and staff

There shall be a Chief Registrar and such registrars and other public officers as may be necessary for the carrying out of the provisions of this Act.

5. Register

- (1) The Chief Registrar shall cause to be kept and maintained a register of all persons in Zambia to whom this Act applies in which there shall be recorded, in so far as they can be ascertained, the following particulars in respect of each such person:
 - (a) registration number;
 - (b) name in full;
 - (c) sex;
 - (d) race and declared national status;
 - (e) date or apparent year of birth and place of birth; and
 - (f) such other particulars as may be prescribed.
- (2) The Chief Registrar, or any person authorised by him, may provide extracts from the register—
 - (a) to any public officer acting in the exercise of his official duties;
 - (b) to a person authorised by the Minister in writing on payment of such fee as may be prescribed.

[As amended by No. 38 of 1965]

6. Registration

- (1) The Chief Registrar may, by *Gazette* notice and in such other manner as he may consider best fitted to bring the contents thereof to the notice of the persons affected thereby, declare any area of Zambia to be a specified area and require all persons within such specified area to whom this Act applies to attend before a registrar at such place and between such dates as he may specify in such notice.
- (2) Every person so required shall attend before the registrar and shall register himself by providing the particulars described in section five and shall permit his photograph to be taken in such manner as may be prescribed.
- (3) Every unregistered person who—
 - (a) being a person to whom this Act applies, enters any specified area; or
 - (b) being within any specified area becomes a person to whom this Act applies;shall, within fourteen days, attend before the nearest registrar and register himself in the manner prescribed in subsection (2).

7. Power to require proof of information

A registrar may require any person giving any information in pursuance of this Act to furnish such documentary or other evidence of the truth of such information as is within the power of such person to furnish.

8. Issue of national registration cards

- (1) Upon the registration of a person under this Act, the registrar shall issue to such person a national registration card in the prescribed form.
- (2) Every person to whom a national registration card has been issued shall keep such card in safe custody.

- (3) Any person who finds or unlawfully comes into possession of a national registration card which was not issued to him shall, without undue delay, return it to the person to whom it was issued or forward it to the nearest registrar.

9. Replacement of national registration cards

- (1) In any case where a national registration card is lost, destroyed or materially damaged, the person to whom it was issued shall, without undue delay, report such loss, destruction or damage to the nearest registrar who, on payment of any fee and subject to any conditions which may be prescribed, shall issue to such person a new national registration card:

Provided that if the registrar is satisfied that the loss or destruction of or damage to a national registration card occurred through no fault or neglect of the person to whom the card was issued, no fee shall be payable for the issue of a new national registration card.

- (2) In any case where a national registration card issued to a registered person ceases in any material particular to accurately represent his identity, such person shall, without undue delay, produce his national registration card and give such particulars as shall be necessary for the issue of a new national registration card to a registrar who, on payment of any fee and subject to any conditions which may be prescribed, shall issue to such person a new national registration card.

10. Production and inspection of national registration cards

- (1) Any authority specified by the *Minister, by statutory notice, to which a person applies for the grant of any licence, permit or other document may, in its discretion, request any person to produce his national registration card for inspection.

*All municipal councils, township councils and rural councils specified by S.I. No. 175 of 1967.

- (2) When any person requested under subsection (1) to produce his national registration card fails to do so or to satisfy the authority by other proof that he is a registered person, the authority may, notwithstanding any other written law for the time being in force, in its discretion defer consideration of any such application until such person produces either his national registration card or such other proof.
- (3) The Chief Registrar and any registrar may, in the lawful exercise of his duties or functions under this Act, request any person to produce his national registration card for inspection and, if such person fails to produce his national registration card when requested to do so, may require him to produce it within such time, to such person and at such place as he may in writing reasonably specify.
- (4) The *Minister may specify an authority for the purpose of subsection (1) by specifying the class to which the authority belongs.

*All municipal councils, township councils and rural councils specified by S.I. No. 175 of 1967.

11. Proof of exemption

Where any person claims that this Act does not apply to him, the burden of proving the same shall lie upon such person.

12. Evidence

Any document purporting to be a certificate signed by the Chief Registrar, or any officer authorised by him in writing, certifying a copy or extract of any record kept by the Chief Registrar under this Act shall, in any proceedings for an offence under this Act, be *prima facie* evidence of the facts stated therein, and, if stated to be signed by an officer authorised by the Chief Registrar shall, unless the contrary be proved, be deemed to be signed by the officer so authorised without production or proof of such authorisation.

13. Offences and penalties

- (1) Notwithstanding the provisions of section three, any person who-
- (a) when required in accordance with the provisions of section six to register himself, fails to do so;
 - (b) wilfully obstructs the Chief Registrar or a registrar in the due execution of his duties;
 - (c) in giving any information for the purposes of this Act, knowingly or recklessly makes any statement which is false in any material particular;
 - (d) falsely denies that he has previously registered or by any false representation or any act or omission attempts to deceive or deceives a registrar as to any circumstance concerning such previous registration or particulars given on such previous registration;
 - (e) wilfully destroys or mutilates any national registration card;
 - (f) unlawfully issues any national registration card or makes any entry, alteration or erasure on any national registration card;
 - (g) unlawfully deprives any person of a national registration card issued to him under this Act;
 - (h) is in unlawful possession of or makes use of a national registration card issued to any other person under this Act;
 - (i) is knowingly in possession of a national registration card on which any unlawful entry, alteration or erasure has been made or of a document so closely resembling a national registration card as to be calculated to deceive;
 - (j) is in possession of more than one national registration card purporting to show his identity; or
 - (k) hands over the national registration card issued to him under this Act to any other person to be used by such other person;

shall be guilty of an offence and be liable to a fine not exceeding three thousand penalty units or to imprisonment for a term not exceeding six months, or to both.

- (2) If any person contravenes any of the provisions of this Act or any regulations made thereunder, or, without lawful cause, fails to comply with any lawful demand or requirement made under this Act or such regulations, he shall be guilty of an offence and, where no other penalty is specified, liable to a fine not exceeding seven hundred and fifty penalty units or to imprisonment for a term not exceeding three months, or to both.

[As amended by Act [No. 13 of 1994](#)]

14. Regulations

The Minister may, by statutory instrument, make regulations-

- (a) prescribing anything to be prescribed or which may be prescribed under this Act;
- (b) prescribing the form or different forms of national registration card which may be issued and the persons or classes of persons to whom such form or different forms of national registration card shall be issued;
- (c) providing for the insertion in, or removal from, the register of particulars to be recorded or recorded therein;
- (d) providing for returns to be made by registrars to the Chief Registrar of particulars recorded by such registrars;

- (e) providing for the reissue, replacement, surrender, cancellation or amendment of national registration cards and the procedure to be followed on the issue of such cards and such reissue, replacement, surrender, cancellation or amendment;
- (f) providing for the procedure to be followed where the particulars recorded in relation to any registered person suffer change and where any such person leaves Zambia, or dies;
- (g) prescribing the fees which may be charged for the reissue or replacement of national registration cards, including different fees in different circumstances, and the circumstances in which such fees may be charged;
- (h) prescribing the fees which may be charged for extracts from the register;
- (i) generally for the better carrying out of the provisions of this Act.