<table>
<thead>
<tr>
<th>Provision</th>
<th>Amendment</th>
</tr>
</thead>
</table>
| Long title | 1. Delete the words “and registration”.
2. Delete the words “verification and the authentication of their identity” and substitute therefor the words “verification of identity information and the authentication of a National Identity Number and a National Identification Card”.
3. Delete the word “person” and substitute therefor the word “individual”.
| Clause 1 | Delete subsection (2) and substitute therefor the following -
“(2) A notice under subsection (1) may appoint different days in respect of different parts or provisions of this Act.”. |
| Clause 2 | 1. Delete the definition of “authentication” and substitute therefor the following –
“authentication” means the process by which a National Identification Number and a National Identification Card of an individual are proved; “.
2. In paragraph (d) of the definition of “National Identification System”, delete the words “and registration”.
3. In the definition of “ordinarily resident”, delete the words “or authorised to legally reside in Jamaica”.
4. Delete the definition of “persons with disabilities”.
5. Delete the definition of “verification” and substitute therefor the following –
“verification” means the process by which the accuracy of identity information is established.”. 
6. Insert in the appropriate alphabetical sequence the following definition –
“DNA” has the meaning assigned to it by the DNA Evidence Act;”.
| Clause 3 | 1. In paragraph (a), delete the words –
(a) “and registration”; and
(b) “and the verification and the authentication of their identity”.

2. Delete paragraph (d) and substitute therefor the following –

“(d) provide a primary source of the verification of identity information and the authentication of a National Identification Number and a National Identification Card.”.

Clause 4  In the marginal note, insert immediately after the word “Application” the words “and non-application”.

Clause 5  Delete the clause and substitute therefor the following -

“Establishment of Authority and General Register Office. 5. - (1) There is established for the purposes of this Act, a body to be called the National Identification and Registration Authority, which shall be a body corporate to which section 28 of the Interpretation Act applies.

(2) There shall be established in the Authority an office which shall be the General Register Office for keeping a register of all births and deaths in Jamaica.

(3) The provisions of the Second Schedule shall have effect in relation to the Authority.”.

Clause 10  1. Delete from subsection (2)(a)(iii) the words “of the” and substitute therefor the words “of a”.

2. In subsection (5)(a), delete the word “may” and substitute therefor the word “shall”.

3. In subsection (5)(d) –

(a) delete the word “may” and substitute therefor the word “shall”;

(b) delete the words “or special reports” and substitute therefor the words “reports and such special reports as the Board considers appropriate,”.

Clause 11  1. Delete the marginal note and substitute therefor the following –

“Appointment, and termination of appointment of Chief Executive Officer.”.

2. Delete subsection (1) and substitute therefor the following –
There shall be a Chief Executive Officer who shall be –

(a) responsible for the day-to-day administration and management of the Authority; and

(b) the Registrar-General of Births and Deaths in Jamaica.”.

3. In subsection 11(4)(c) by deleting the words “of sound and stable financial background” and substitute therefor the words “not a bankrupt within the meaning of the Insolvency Act”.

4. Renumber subsections (5) and (6) as subsections (8) and (9) and insert next after subsection (4) the following -

“(5) Where the Board is satisfied that any circumstance specified in subsection (6) exists in relation to the Chief Executive Officer, the Board may, after consultation with the Minister, terminate the appointment of the Chief Executive Officer.

(6) The circumstances referred to in subsection (5) are that the Chief Executive Officer –

(a) is suffering from a mental disorder within the meaning of the Mental Health Act, or becomes of unsound mind or is permanently unable to perform his functions by reason of ill health;

(b) becomes bankrupt within the meaning of the Insolvency Act;

(c) is convicted and sentenced to a term of imprisonment or to death;

(d) is convicted of an offence involving fraud, dishonesty or moral turpitude;

(e) fails to carry out any of the functions conferred or imposed on him by virtue of this Act;

(f) fails to fulfil contracted performance targets;

(g) engages in action or behaviour reasonably likely to bring the Authority into disrepute;

(h) is no longer a fit and proper person; or

(i) engages in action or behaviour which constitutes sufficient cause for removal.

(7) Before taking any action under this section, the Board shall in writing notify the Chief Executive Officer of the right to be heard on the matter of the proposed termination, within such time as may be specified in the notice.”.
Clause 13

1. Delete the marginal note and substitute therefor the following –

“Appointment, and termination of appointment of Deputy Chief Executive Officers, and other officers and employees.”.

2. In subsection (6), delete the words “The Chief” and substitute therefor the words “Subject to subsection (7), the Chief”.

3. Insert next after subsection (6) the following –

“(7) The Deputy Chief Executive Officer shall be an individual who the Board considers to be a fit and proper individual for appointment.

(8) In determining whether an individual is fit and proper to be appointed as a Deputy Chief Executive Officer, regard shall be had as to whether the individual –

(a) has adequate academic qualifications and technical, managerial and leadership competencies and experience;

(b) is of good repute, having regard to his character, honesty and integrity;

(c) is not a bankrupt within the meaning of the Insolvency Act; and

(d) has any business association with any person who, in the opinion of the Board, is not of good repute having regard to his character, honesty and integrity.

(9) Where the Board is satisfied that any circumstance specified in subsection (10) exists in relation to a Deputy Chief Executive Officer, the Board may, after consultation with the Chief Executive Officer terminate the appointment of that Deputy Chief Executive Officer.

(10) The circumstances referred to in subsection (9) are that the Deputy Chief Executive Officer –

(a) is suffering from a mental disorder within the meaning of the Mental Health Act, becomes of unsound mind or permanently unable to perform his functions by reason of ill health;

(b) becomes bankrupt within the meaning of the Insolvency Act;

(c) is convicted and sentenced to a term of imprisonment or
(11) Before taking any action under this section, the Board shall in writing notify the Deputy Chief Executive Officer of the right to be heard on the matter of the proposed termination, within such time as may be specified in the notice.”.

Clause 15
Delete subsection (2) and renumber subsection (1) as clause 15.

Clause 16
1. Delete the word “objectives” and substitute therefor the word “purposes”.
2. Delete paragraph (d) and substitute therefor the following –

“(d) enable the processing of information to facilitate the verification of identity information and authentication of the National Identification Number and National Identification Card;”.

Clause 17
1. In paragraph (a), delete the words “and demographic information”.
2. Delete paragraph (d) and substitute therefor the following –

“(d) to provide a medium for the verification of the identity information and demographic information and authentication of the National Identification Number and National Identification Card; and”.

Clause 18
Delete the word “may” and substitute therefor the word “shall”.

Clause 19
1. Relocate and renumber subsection (4) as subsection (1) and renumber subsections (1) to (3) as subsections (2) to (4) accordingly.
2. Delete subsection (2) (as renumbered) and substitute therefor the following –

“(2) A registered individual –
(a) shall, in the case of any identity information of that individual; and

(b) may, in the case of any demographic information, of that individual,

apply to the Authority to correct the information in any case where, after enrolment, the information is found by the individual to be incomplete, incorrect, misleading or otherwise in need of updating.

3. In subsection (3) (as renumbered), delete the words “On receipt of any request under subsection (1)” and substitute therefor the words “On receipt of an application under subsection (2)”.

4. In subsection (4) (as renumbered), delete the word “registered”.

5. In subsection (5), delete the words “in the Database of which the individual is aware and any change in the information entered in the Database as it relates to that individual” and substitute therefor the words “on the face of the Card, of which the individual is aware”.

6. Delete subsection (6) and substitute therefor the following –

“(6) Every –

(a) application under subsection (2) shall be made; and

(b) notification under subsection (5) shall be given,

within a reasonable time after the individual becomes aware of the circumstances requiring the application or notification, as the case may be, and the Authority shall deal with the matter promptly.”.

7. In subsection (7) –

(a) delete the words “revoke or”; and

(b) insert immediately after the word “Card” the words “, and the provisions of section 34(2) shall apply to a proposed cancellation under this section”.

Clause 20

1. In subsection (5)(c), delete the word “authenticated” and substitute therefor the word “verified”.

2. In subsection (6), delete the words “and demographic information”.

3. In subsection (7), delete the words –

(a) “or demographic information”; and

(b) “and authenticated”.

4. Renumber subsections (8) to (10) as subsections (10) to (12) and
insert next after subsection (7) the following –

“ (8) All information provided under this section, which constitutes registrable particulars that are required to be included in the Database by virtue of the provisions of the Third Schedule, shall be included in the Database.

(9) Subject to subsection (7), information provided under this section, which constitutes registrable particulars that may be included in the Database by virtue of the provisions of the Third Schedule, may be included in the Database if the Authority considers the inclusion appropriate having regard to the purposes of the Database in relation to the particular registrable individual.”.

5. Insert next after subsection (12) (as renumbered) the following –

“ (13) The Authority may use any lawful means available to it to obtain any registrable particulars of a registrable individual that are required to be included in the Database if the registrable individual fails to provide the information to the Authority within the time specified by the Authority.

(14) A Parish Court before which a person is convicted of an offence under subsection (11) shall, instead of sentencing the person to imprisonment for the non-payment of a fine imposed in respect of the offence, deal with the person in any other way in which a Court may deal with an offender under section 3 of the Criminal Justice (Reform) Act (other punishment in lieu of imprisonment).”.

Clause 21 In subsection (1)(a), insert next after the words “concealment of” the word “identity”.

Clause 23 Delete –

(a) the word “a person’s” and substitute therefor the word “an individual’s”; and

(b) the word “person” and substitute therefor the word “individual”.

Clause 24(1) Insert immediately before the word “identity” the words “attributes or”.

Clause 25 Delete the clause and substitute therefor the following –

“Issue and renewal of National Identification Card free of charge.

25. - (1) An individual is eligible for the issue of a National Identification Card if the Authority is satisfied that the individual has been enrolled in the Database.

(2) No fee shall be payable by a registered individual for the first issue, or any renewal, of a National Identification Card to the registered individual by the Authority.”.
Clause 26  Delete the clause and substitute therefor the following -

“Renewal of National Identification Card. 26. Subject to sections 25(2) and 37(5), a National Identification Card may be renewed in such form and manner as may be prescribed and for the relevant period referred to in section 29(2).”.

Clause 29  In subsection (1), delete paragraph (a) and substitute therefor the following –

“ (a) cancelled under section 19(7), 21(2), 34(1), 35(1) or 37; or”.

Clause 34  1. In subsection (1)(a), insert next after the word “incomplete” the word “identity”.

2. In subsection (1)(c), delete the words “or other tangible reason”.

3. In subsection (3) insert next after the word “issued” the words “is notified of the cancellation of the National Identification Card”.

4. Delete subsection (4) and renumber subsections (5) and (6) as subsections (4) and (5).

5. In subsection (5) (as renumbered) delete the words “or (4)”.

Clause 35  Delete the clause and substitute therefor the following –

“Cancellation of National Identification Card. 35. – (1) The Authority may cancel a National Identification Card if it is satisfied that –

(a) the application for the National Identification Card contained false or misleading information in a material particular;

(b) more than one National Identification Card has been issued to the same person;

(c) there has been an unauthorized modification of the information in the Database in respect of the holder of the card;

(d) the Minister charged with responsibility under the Jamaican Nationality Act has deprived the individual of citizenship under that Act;
(e) the Minister charged with responsibility under the *Immigration Restriction (Commonwealth Citizens) Act* has revoked leave to remain in the Island under that Act; or

(f) the Minister has caused a declaration of renunciation of citizenship of Jamaica under the *Jamaican Nationality Act* to be registered in relation to the individual.

(2) Before cancelling a National Identification Card under subsection (1), the Authority shall notify the registered individual in writing of the proposed cancellation, stating the reasons for the proposed cancellation and (except in the case of a cancellation under subsection (1)(e)) of the right of appeal conferred upon the registered individual under section 47.

(3) Where an individual is notified of the cancellation of the National Identification Card under this section, the individual shall return the National Identification Card forthwith to the Authority.

(4) A person who fails to return to the Authority a National Identification Card that has been cancelled under this section commits an offence shall be liable on conviction to the penalty specified in relation to that offence in the Fourth Schedule.”.

**Clause 36**

In subsection (3), insert next after the word “representative” the words “or other person having charge of the affairs”.

**Clause 37**

Delete subsection (5) and substitute therefor the following –

“(5) If satisfied as to any of the circumstances specified in subsection (2), the Authority shall replace the National Identification Card, and may impose such fee as may be prescribed in respect of the replacement.”.

**Clause 38**

Delete the clause and substitute therefor the following -

“Authentication and verification by Authority. 38. - (1) The Authority may authenticate the validity of National Identification Numbers and National Identification Cards, in such form and manner, subject to such conditions and on payment of such fees, as may be specified in the regulations.
Clause 39

1. Delete subsections (1) and (2) and substitute therefor the following –

   “(1) A requesting entity may apply in writing to the Authority requesting that the Authority verify identification information and the Authority may grant the request but shall not disclose core biometric information of the individual.

   (2) A requesting entity shall ensure that any identity information of an individual that was obtained through its access to the Database is only used for verification purposes.”.

2. Insert next after subsection (3) the following –

   “(4) A requesting entity that contravenes subsection (2) commits an offence and is liable to the penalty specified in relation to the offence in the Fourth Schedule.”.

Clause 40

1. In subsection (1), delete the words “for the purposes of verifying an individual’s information” and substitute therefor the words “for verification purposes”.

2. Delete subsection (2) and substitute therefor the following –

   “(2) Every registered individual shall be entitled to obtain from the Authority, in such form and manner as may be specified in the regulations –

   (a) the individual’s information contained in the Database; and

   (b) a record of requests made to the Authority under subsection (1).”.

Clause 41

(a) 1. In subsection (2), delete the words “; and the registered individual shall comply with the request”;

2. Delete –

   (b) subsection (3) and substitute therefor the following –

   “(3) This section does not apply during a period of public disaster or public emergency as defined in section 20 of the Constitution of Jamaica or in any other situation that poses a threat to health or life.”;

   (c) subsection (4).
Amendment of heading

In the heading appearing immediately before clause 43, delete the word “Identity”.

Clause 43

1. In subsection (2) -

   (a) delete the words “on an application by the Authority,” and substitute therefor the words “on an *ex parte* application by the Authority to a Judge in Chambers,“;

   (b) in paragraph (c), delete the words “a public health or”.

2. In subsection (3), delete the words “Notwithstanding subsections (1) and (2), the Authority may disclose” and substitute therefor the words “The Authority may disclose demographic”.

Clause 44

In subsection (2), insert next after the words “court order” the words “or with the authorisation of the registered individual”.

Clause 45

In subsection (3)(b)(iii), delete the word “and” and substitute therefor the word “or”.

Clause 47

In subsection (6)(b), delete –

   (a) the words “be represented”;

   (b) “attorney-at-law” and substitute therefor the word “representative”.

Clause 48

Delete the clause and substitute therefor the following –

“Offences relating to impersonation.

48. - (1) An individual shall not -

   (a) use a National Identification Card for impersonating or attempting to impersonate a registered individual; or

   (b) allow or induce another person to use or attempt to use a National Identification Card to impersonate a registered individual.

   (2) An individual shall not impersonate or attempt to impersonate another individual by providing false identity information or demographic information.

   (3) An individual who contravenes subsection (1) or (2) commits an offence and is liable to the penalty specified in relation to the offence in the Fourth Schedule.”.

Clause 49

Insert next after the words “attempt to collect” the words “, on behalf of the Authority,”.
Clause 50  Delete subsection (1) and substitute therefor the following –

“ (1) A person shall not wilfully provide false information to the Authority.”.

Clause 52  Delete the clause and substitute therefor the following –

“Offences relating to Database.

52. - (1) A person shall not, without lawful authority, intentionally –

(a) obtain, for himself or another person, access to the Database;

(b) modify the contents of the Database (whether or not the modification is, or is intended to be, permanent or temporary); or

(c) intercept, or cause to be intercepted, any function of the Database.

(2) A person shall not, without lawful authority, justification or excuse, intentionally cause, directly or indirectly –

(a) a degradation, failure, interruption or obstruction of the operation of any program or data comprised in the Database; or

(b) a denial of access to, or impairment of the function of, any program or data comprised in the Database.

(3) In this section –

(a) intercepting includes listening to or viewing, by use of technical means, or recording, a function of any program or data comprised in the Database, or acquiring the substance, meaning or purport of any such function;

(b) “data” and “program” have the meaning assigned to them, respectively, by the Cybercrimes Act;

(c) “access” shall be construed in accordance with the Cybercrimes Act, in the case of any part of the Database which comprises a computer, program or data; and

(d) as relates to the commission of an offence under this section, the acts or intent alleged to constitute the offence need not be directed at –

(i) any specifically identifiable
program or data or type of program or data; or
(ii) any program or data held in a specifically identifiable computer.

(4) A person who contravenes this section commits an offence and is liable to the penalty specified in the Fourth Schedule in respect of the offence.”.

Clause 53
Delete subsection (1) and substitute therefor the following -

“  (1) An individual who –

(a) provides false information or makes a false statement of a material nature with the intention of obstructing or misleading the Authority when -

(i) providing information for an entry to the Database;

(ii) making a modification to an entry to the Database;

(iii) making a confirmation of the content of an entry to the Database; or

(iv) obtaining the issue or re-issue of a National Identification Card;

(b) fraudulently obtains for the use of that individual, or for the use of another individual, a National Identification Card;

(c) knowingly enrols or attempts to enrol more than once in the Database; or

(d) falsely alleges the loss or destruction of that individual’s National Identification Card and applies for a new card while in possession of a National Identification Card,

commits an offence and shall be liable to the penalty specified in relation to the offence in the Fourth Schedule.”.

Clause 54
1. In subsection (1)(b), delete the words “mutilates or attempts to mutilate” and substitute therefor the words “tampers with or attempts to tamper with”.

2. In subsection (1)(c), delete the words “without authority” and substitute therefor the word “unlawfully”.

3. In subsection (2)(a) delete the word “false” wherever it appears and substitute therefor in each case the word “counterfeit”.

4. Insert next after subsection (3) the following –
“(4) A person who contravenes subsection (1) or (2) commits an offence and shall be liable to the penalty specified in respect of the offence in the Fourth Schedule.”.

Clause 56
In subsection (2), delete the word “lawful”.

Clause 57
1. In subsection (1)(b), delete the words “collection, verification and authentication” and substitute therefor the words “collection and verification”.

2. In subsection (1)(c), insert immediately after the word “cancellation” the word “, renewal”.

3. In subsection (1)(f), delete the word “collection” and substitute therefor the word “correction”.

Clause 58
1. In subsection (3), insert the words “or make a copy of” next after the word “seize”.

2. Delete subsection (4) and substitute therefor the following –

“(4) A constable may, at the request of the person from whom a document is seized under this section, make copies or take extracts from the document.”.

3. In subsection (9), delete the words “publish a notice in a daily newspaper circulated in Jamaica regarding the intention to apply to the Court for an order for forfeiture, not less than thirty days prior to the application” and substitute therefor the words “not less than thirty days prior to the application, publish a notice in a daily newspaper in circulation throughout Jamaica, of the intention to apply to the Court for an order for forfeiture”.

4. In subsection (11), delete the comma and all the words appearing after the words “deems appropriate”.

Clause 59
In subsection (2), insert next after the words “after the” the word “first”.

Clause 60
Delete the clause and renumber the remaining clauses accordingly.

Clause 61 (as renumbered)
Delete the words “Registrar-General’s Department” and substitute therefor the words “General Register Office appointed under section 4 of the Registration (Births and Deaths) Act”.

Clause 62 (as renumbered)
Delete subsection (4).

Clause 63 (as renumbered)
1. In subsection (1), delete the words –

(a) “on secondment”; and

(b) “for a period of six months or such longer period as the Board may determine”.

2. Delete subsections (3) and (4).

**FIRST SCHEDULE**

1. In paragraph 1(2), renumber sub-paragraphs (e) and (f) as sub-paragraphs (f) and (g) and insert next after sub-paragraph (d) the following -

“(e) the Public Defender;”.

2. Delete paragraph 1(2)(f) (as renumbered) and substitute therefor the following –

“(f) the head of the Government agency responsible for children;”.

3. In paragraph 1(4) –

(a) delete sub-paragraph (b) and substitute therefor the following –

“(b) a representative of the Jamaica Council for Persons with Disabilities”;

(b) in sub-paragraph (f) delete the words “to the Minister” and substitute therefor the words “to the Permanent Secretary”;

(c) in sub-paragraph (g) insert immediately after the word “organization” the words “, having experience in human rights matters”.

4. In paragraph 3, insert next after sub-paragraph (a)(ii), the following –

“(iii) is in compliance with any tax and other statutory requirements imposed on the individual;”.

5. In paragraph 5, delete the words “in keeping with the composition of the Board” and substitute therefor the words “being an individual who possesses similar qualifications to those required under paragraph 1(4) in respect of the appointed member”.

6. In paragraph 9, delete sub-paragraphs (3), (4) and (5).

7. In paragraph 10(c) delete the words “or compounds with, or suspends payment to, his creditors” and substitute therefor the words “within the meaning of the Insolvency Act”.

8. In paragraph 13(3), insert immediately after the word “seven” the words”, taken from among the appointed members”.

9. In paragraph 13(4), insert next after the words “majority of the” the word “appointed”.

**SECOND SCHEDULE**

In paragraph 7(1), delete the word “borrowing”.
THIRD SCHEDULE

1. Delete Parts A and B and substitute therefor the following -

“

Part A

Biographic Information

A1. The following biographic information shall be included in the Database -

1. The full names, including any name by which the individual is or has been known and any name changed by deed poll.
2. Where available, the date and time of birth of the individual.
3. The place of birth of the individual.
4. Where available, the full names of the mother and father of the individual.
5. Whether the individual is male or female.
6. The height of the individual.
7. The principal place of residence and any alternative places of residence of the individual.
8. The mailing address of the individual.
9. The nationality of the individual.
10. In the case of an individual who is not a citizen of Jamaica, the period of residence of the individual in Jamaica.
11. The marital status of the individual and the full names of the spouse of the individual within the meaning of the Property (Rights of Spouses) Act.
12. If the individual is married, the date and place of marriage of the individual.
13. If the individual is divorced, the date of grant of the decree absolute to the individual.
14. If the individual is deceased –
   (a) the date of death and age of the individual at the date of death; and
   (b) the place of death of the individual.

A2. The following biographic information may be included in the Database –

The e-mail address of the individual.
Part B

Biometric Information

Core Biometric Information

B1. The following core biometric information shall be included in the Database –

1. The photograph or other facial image of the individual.
2. Subject to Subpart B2, the fingerprint of the individual.
3. The eye colour of the individual.
4. The manual signature of the individual, if the individual is over the age of 18 years.

B2. Any of the following categories of core biometric information may be taken and included in the Database –

1. The retina or iris scan of the individual.
2. The vein pattern of the individual.
3. If it is not possible to take any of the information specified in Item 1 or 2 any two of the following –
   (a) the footprint of the individual;
   (b) the toe print of the individual; and
   (c) the palm prints of the individual.

Other Biometric Information

B3. The following information may be included in the Database –

1. Any distinguishing feature, including physical feature of the individual.
2. The blood type of the individual.

2. In Part C –
   (a) insert the words “provided voluntarily by an individual” after the word “information” in the chapeau;
   (b) insert the following as item 9 –
       “9. Whether the individual is male or female.”.

3. In Subpart D1 of Part D -
   (a) delete the words “The following” and substitute therefor the words “Where available, the following”; and
   (b) insert next after Item 9 the following –
“10. The National Health Fund number of the individual.”

4. Delete Part F.

FOURTH SCHEDULE

1. Delete the Fourth Schedule and substitute therefor the following –

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“FOURTH SCHEDULE (Sections 20, 34, 35, 36, 39, 48, 50, 51, 52, 53, 54, 55 and 58)

Offences and Penalties

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section</td>
<td>Offence</td>
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<td>___</td>
<td>___</td>
</tr>
</tbody>
</table>

20(11) Refusing or failing without reasonable cause to apply to the Authority for enrolment in the Database. On summary conviction in a Parish Court, to a fine not exceeding one hundred thousand dollars.

34(5) Failure to return National Identification Card forthwith to the Authority. On summary conviction in a Parish Court, to a fine not exceeding one hundred thousand dollars.

35(4) Failure to return to the Authority a National Identification Card that has been cancelled. On summary conviction in a Parish Court, to a fine not exceeding one hundred thousand dollars.

36(2) Failure to return a National Identification Card to the Authority as soon as practicable, where the person –

(a) finds a National Identification Card that had not been issued to that person by the Authority;

(b) comes into possession of one without the permission of the individual to whom it was issued or the Authority;

(c) regains possession of the original National Identification Card after reporting the Card as being lost and or stolen. On summary conviction in a Parish Court, to a fine not exceeding one hundred thousand dollars.
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and is issued a replacement card by the Authority; or

(d) comes into possession of a National Identification Card –

(i) that has expired;

(ii) that has been cancelled;

(iii) in contravention of the requirements of this Act or any other enactment; or

(iv) that is otherwise invalid.

39(4) Failure to ensure that any identity information of an individual that was obtained through its access to the Database is only used for verification purposes. On summary conviction in a Parish Court, to a fine not exceeding five hundred thousand dollars.

48(3) Using National Identification Card for impersonating or attempting to impersonate a registered individual or allowing or inducing another person to use a National Identification Card to impersonate a registered individual. On summary conviction in a Parish Court, to a fine not exceeding one million dollars.

48(3) Impersonating or attempting to impersonate another individual by providing false identity information. On summary conviction in a Parish Court, to a fine not exceeding one million dollars.

49(2) Collecting or attempting to collect identity information or demographic information when not authorized to do so. On summary conviction in a Parish Court, to a fine not exceeding two million dollars.

50(3) Wilfully providing false information to the Authority. On summary conviction in a Parish Court, to a fine not exceeding two million dollars.

50(3) Wilfully obstructing or impeding the Authority in the exercise of the Authority’s functions. On summary conviction in a Parish Court, to a fine not exceeding five hundred thousand dollars.

51(3) Making, producing, manufacturing, printing, binding, designing, distributing any document purporting that document to be a National
51(3) Using any equipment or apparatus to produce a document purporting that document to be a National Identification Card. On summary conviction in a Parish Court, to a fine not exceeding three million dollars.

52(2) Without lawful authority, intentionally – On conviction on indictment in a Circuit Court, to a fine or imprisonment for a term not exceeding twenty-five years, or to both such fine and imprisonment.

(a) accessing the Database;
(b) modifying the contents of the Database;
(c) intercepting any function of the Database;

52(2) Without lawful authority, justification or excuse, causing directly or indirectly – On summary conviction in a Parish Court, to a fine not exceeding three million dollars.

(a) a degradation failure, interruption or obstruction of the operation of a program or data comprised in the Database;
(b) a denial of access to, or impairment of the function of any program of data comprised in the Database.

53(1) Providing false information or making a false statement with the intention of obstructing or misleading the Authority when – On summary conviction in a Parish Court, to a fine not exceeding three million dollars.

(a) providing information for an entry to the Database;
(b) making a modification to an entry to the Database;
(c) making a confirmation of the content of an entry to the Database; or
(d) obtaining the issue or re-issue of a National Identification Card.

53(1) Fraudulently obtaining for the use of that individual or for the use of another individual, a National Identification Card. On summary conviction in a Parish Court, to a fine not exceeding three million dollars.

53(1) Knowingly enrolling or attempting to enrol more than once in the Database. On summary conviction in a Parish Court, to a fine not exceeding five hundred thousand dollars.
53(1) Falsely alleging the loss or destruction of that individual’s National Identification Card and applying for a new card while in possession of a National Identification Card.

On summary conviction in a Parish Court, to a fine not exceeding three million dollars.

54(4) Wilfully destroying or attempting to destroy a National Identification Card.

On summary conviction in a Parish Court, to a fine not exceeding one million dollars.

54(4) Tampering or attempting to tamper with a National Identification Card.

On summary conviction in a Parish Court, to a fine not exceeding five hundred thousand dollars.

54(4) Unlawfully depriving or dispossessing a holder of that holder’s National Identification Card.

On summary conviction in a Parish Court, to a fine not exceeding three million dollars.

54(4) Using a National Identification Card other than the National Identification Card issued for that individual’s use.

On summary conviction in a Parish Court, to a fine not exceeding five hundred thousand dollars.

54(4) Taking or keeping possession of a National Identification Card that was improperly obtained.

On summary conviction in a Parish Court, to a fine not exceeding five hundred thousand dollars.

54(4) Being in possession of more than one National Identification Card that is intended to show the individual’s identity.

On summary conviction in a Parish Court, to a fine not exceeding five hundred thousand dollars.

54(4) Permitting another person to use a National Identification Card issued to another individual.

On summary conviction in a Parish Court, to a fine not exceeding five hundred thousand dollars.

54(4) Without reasonable cause, taking or keeping possession of a National Identification Card –

(a) which is counterfeit or which that person knows to be counterfeit;

(b) which that person knows has been improperly obtained; or

(c) that belongs to another person.

On summary conviction in a Parish Court, to a fine not exceeding three million dollars.

55(5) At any time communicating or attempting to communicate the information or anything contained in the book, record or document to any person, otherwise than for the purposes of this Act or any person, other than an authorized officer of the Authority or person at the

On summary conviction in a Parish Court, to a fine not exceeding three million dollars.
direction of the court.

58(5) Hindering or obstructing a constable or any person acting in aid of the constable in the performance of his functions. On summary conviction in a Parish Court, to a fine not exceeding one million dollars.’’

Fifth Schedule
Delete paragraph 1 and substitute therefor the following –

“1. The Appeal Tribunal shall consist of two panels, each consisting of three individuals, with the chairman being a retired Judge of the Supreme Court or Court of Appeal.”.

Sixth Schedule
1. In the proposed amendment to the Cybercrimes Act -
(a) delete the words “Section 9(2)” and substitute therefor the words “Section 11(2)”;
(b) renumber paragraph 1 as paragraph 1(a) and insert the following next thereafter –

“(b) delete the word "or" appearing immediately after the words “section 11(2)(d)” and insert it immediately after the words “section 11(2)(e)”.

2. Insert next after the proposed amendments to the DNA Evidence Act the following proposed amendments to the Education Regulations, 1980 -

“Education Regulations, 1980

Regulation 26

1. Delete the full stop appearing at the end of paragraph (1)(f) and substitute therefor a semi-colon, and insert next thereafter the following sub-paragraph –

“(g) the National Identification Number of the student.”.

2. Insert next after paragraph (3) the following –

“(4) In the case of students over the age of six years, the National Identification Card may be presented in order to verify the student’s date of birth.”.

3. In the proposed amendment to the Forgery Act, delete the proposed new section 6A.

4. In the proposed amendment to the Jamaican Nationality Regulations, 1962 –
(a) in the proposed amendment to regulation 12, delete the word “Database” and substitute therefor the words “register of citizens of Jamaica”;

(b) insert next after the proposed amendment to regulation 12 the following –

“Regulation
13

Renumber the regulation as regulation 13(1) and insert the following as paragraph (2) –

“ (2) Where a notice has been cancelled or amended under subsection (1), the Chief Immigration Officer shall cause a notice of the cancellation or amendment (as the case may be) to be sent to the National Identification and Registration Authority established by section 5 of the National Identification and Registration Act.”.

5. In the proposed amendment to the Marriage Act –

(a) delete the words “as section 71A” and substitute therefor the words “sections”;

(b) insert next after the proposed new section 71A the following section –

“Amendment of Schedules. 71B. The Minister may amend the schedules by order subject to affirmative resolution.”.

6. In the proposed amendment to the Passport Act, insert next after the proposed new section 3(5) the following –

“ (6) For the avoidance of doubt, nothing in subsection (4) shall be construed to apply to a passport issued before the appointed day bringing into force the amendments to the Passport Act set out in the Sixth Schedule to the National Identification and Registration Act, 2017.”.

7. In the proposed amendment to the Registration (Births and Deaths) Act –

(a) in the column headed “Amendment or Repeal”, number the proposed amendment to section 2 as paragraph 1 and insert next thereafter the following –

“ 2. Delete the definition of “Registrar-General”;

(b) delete the proposed amendment to section 4;
(c) insert next after the proposed amendment to section 2
the following –

“Sections 4, 5, Delete the sections.”;
6, 7 and 8.

(d) in the proposed amendment to section 11, delete the
proposed subsection (4) and substitute therefor the
following –

“ (4) In subsection (3), “prohibited name” means
a name that –

(a) is obscene or offensive;

(b) could not practicably be established by repute
or usage because it consists of, or includes
symbols without phonetic significance; or

(c) is contrary to the public interest.”;

(e) in the proposed amendments to sections 23 and 24, delete
the words “two hundred” and substitute therefor in each
case the words “one hundred”.

Memorandum of
Objects and
Reasons

1. Delete the words “verification and authentication of the
identity of all citizens” and substitute therefor the words
“Verification of identity information and authentication of a
National Identification Card and National Identification Number
of all citizens”.

2. In paragraph (a), delete the words “issued to each person
registered in the database” and substitute therefor the words
“assigned to each person enrolled”.

3. Delete the words “Jamaican citizens and foreign nationals in
prescribed categories are required to register for and obtain a
National Identification Card”.

4. Delete the words “visitors and temporary residents” and
substitute therefor the words “persons who are not Jamaican
citizens but who are ordinarily resident in Jamaica”.

5. Delete the words “such as passports, driving licences and
immigration records”.

6. Delete the words “person”, “persons” and “person’s”
wherever they appear and substitute therefor the words
“individual”, “individuals” and “individual’s”, respectively.