

Namibia

Identification Act, 1996

## Identification Regulations, 2001

Government Notice 96 of 2001

Legislation as at 15 November 2017

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Republic of Namibia  
**Annotated Statutes**

**Identification Act, 1996**

# **Identification Regulations, 2001**

## **Government Notice 96 of 2001**

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**[This is the version of this document at 15 November 2017.]**

**[Note: The version of this legislation as at 15 November 2017 was revised and consolidated by the Legal Assistance Centre and the Government of the Republic of Namibia. All subsequent amendments have been researched and applied by Laws.Africa for NamibLII.]**

**The Government Notice which issues these regulations repeals the regulations published in RSA GN R.749/1972 and SWA AG GN 13/1980, and all amendments thereof. The previous regulations were issued under the RSA Identity Documents in South West Africa Act 37 of 1970 and the SWA Identification of Persons Act 2 of 1979, and deemed to have been made under the Identification Act 21 of 1996 by section 19(2) of that Act.**

### **1. Definitions**

In these regulations, unless the context indicates otherwise, any expression to which a meaning has been assigned in the Act bears that meaning, and-

“**Annexure**” means the appropriate annexure to these regulations;

“**the Act**” means the Identification Act, 1996 (Act [No. 21 of 1996](#)).

### **2. Applications for identity document**

- (1) Subject to subregulation (2), an application for an identity document by a person contemplated in section 5 of the Act must be made-
  - (a) if the person applies for the first time, on Form 3-1/0066 a specimen of which is set out in Annexure A; and
  - (b) if the person applies for the replacement of an identity document issued in terms of any law repealed by section 19(1) of the Act, on Form 3-1/0067 a specimen of which is set out in Annexure B.

- (2) Every person who, on or after the commencement of the Act becomes 16 years of age and who is not in possession of an identity document, must within three months from the date on which he or she attained the age of 16 years apply for an identity document.

### 3. Issue of identity documents

An identity document issued in terms of section 5 of the Act shall be in the form of a card, a specimen of which is set out in Annexure C, and -

- (a) when issued to a Namibian citizen, be blue in colour; and
- (b) when issued to a non-citizen who is the holder of a permanent residence permit, be pink in colour, and shall in addition to the particulars mentioned in [section 5\(3\)\(a\) to \(d\)](#) of the Act contain the signature or mark of the person to whom it was issued and-
  - (i) his or her left thumb print; or
  - (ii) if he or she has no left thumb or if such thumb is so deformed or so injured that an impression cannot be taken, his or her right thumb print; or
  - (iii) if he or she has no right thumb or if such thumb is so deformed or so injured that an impression cannot be taken, a sticker with the word "DISABLED" imprinted thereon.

### 4. Proof of registration

A proof of registration must in the case of an application-

- (a) referred to in regulation 2(1)(a), be in the form as set out in paragraph D of the form mentioned in that regulation;
- (b) referred to in regulation 2(1)(b), be in the form as set out in paragraph D of the form mentioned in that regulation.

### 5. Submission of identity document or proof of registration

- (1) If-
  - (a) an identity document or a proof of registration does not correctly reflect the particulars of the person to whom it was issued; or
  - (b) an identity document no longer contains a photograph which is a recognizable image of the person to whom it was issued,  
  
such person must within 30 days after having become aware of the incorrectness of such identity document or proof of registration or of the fact that the photograph contained in such identity document is no longer a recognizable image of him or her, hand over to the Minister such identity document or proof of registration in compliance with section 12 of the Act.
- (2) Any identity document or proof of registration of which the Minister has by virtue of section 12 of the Act obtained possession and which is required to be cancelled in terms of that section, must be cancelled by imprinting the words "CANCELLED" on the identity document or proof of registration.

### 6. Cancellation of identity documents of deceased persons

- (1) An uncanceled identity document or proof of registration of a deceased person which was handed over to a registrar or assistant registrar referred to in section 13 of the Act, or which was seized by such registrar or assistant registrar in terms of that section, must be cancelled in the manner prescribed in regulation 5(2).

- (2) The identity number of the deceased person referred to in subregulation (1) must be retained on the population register for a period of 12 months after the cancellation of the identity document in question.

## **7. Applications for duplicate or improved identity document**

- (1) If an identity document issued to a person in terms of section 5 of the Act-
  - (a) is lost, damaged, destroyed or stolen, a duplicate identity document; or
  - (b) is surrendered to the Minister in terms of section 12 of the Act, an improved identity document,  
must be issued to such person, but only if he or she-
    - (i) in duplicate completes a form as set out in Annexure D; and
    - (ii) pays the amount of N\$50,00; and
    - (iii) in the case of a damaged identity document, hand that document over to the Minister.
- (2) A duplicate form referred to in subregulation (1)(i) serves as a proof of registration.

## **8. Fingerprints**

The fingerprints and palmprints required to be taken in terms of section 8 of the Act, must be taken by a person authorized thereto by the Minister by imprinting such fingerprints and palmprints on any of the forms set out in Annexure A, B or D, whichever may be applicable.

## **9. Short title**

These regulations are called the Identification Regulations.

## **Annexures A - D**

### **Forms**

**[Editorial note: The forms have not been reproduced]**