

**THE REGISTRATION OF PERSONS (AMENDMENT)  
ACT, 1987**

**No. 9 of 1987**

*Date of Assent: 30th July, 1987*

*Date of Commencement: 7th August, 1987*

**An Act of Parliament to amend the Registration of Persons Act**

ENACTED by the Parliament of Kenya as follows:—

1. This Act may be cited as the Registration of Persons (Amendment) Act, 1987. Short title.

2. The Registration of Persons Act, in this Act called "the principal Act", is amended in section 3— Amendment of section 3 of Cap. 107.

(a) by inserting the following definitions in proper alphabetical order—

"chief fingerprint officer", "deputy chief fingerprint officer", "senior fingerprint officer", "fingerprint officer" and "senior fingerprint assistant" means the persons appointed as such by the Principal Registrar under section 4 (2) (a);

"District Registrar" and "Provincial Registrar" means the persons appointed as such by the Principal Registrar under section 4 (3);

"registration document" means a document used for the purposes of registration of persons under this Act whether prescribed or not;

"registration officer" means the Principal Registrar, Deputy Principal Registrar and any of the persons appointed under section 4 (2) (a);

(b) by deleting the definition of "senior registrar", "registrar", "assistant registrar" and "registration officer" and inserting the following definition—

"senior assistant principal registrar", "assistant principal registrar", "senior registrar", "registrar" and "assistant registrar" means

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the persons appointed as such by the Principal Registrar under section 4 (2) (a).

Amendment  
of section 4  
of Cap. 107.

3. Section 4 of the principal Act is amended by repealing subsection (2) and inserting the following subsection—

(2) (a) The Principal Registrar may, by notice in the Gazette, appoint the officers specified in the Schedule for the purposes of the Act.

(b) The Minister may by order amend the Schedule.

(3) The Principal Registrar may, by notice in the Gazette, appoint any of the persons appointed under subsection (2) (a) to be the Provincial Registrar or the District Registrar for any province or district for the purposes of this Act.

Amendment  
of section 5  
of Cap. 107.

4. Section 5 of the principal Act is amended by deleting paragraph (h) of subsection (1) and inserting—

(h) finger and thumb impressions but in case of missing fingers and thumbs, palm or toe or palm and toe impressions.

Amendment  
of section 6  
of Cap. 107.

5. Section 6 of the principal Act is repealed and the following new section inserted—

Registration. 6. Every person who attains or has attained the age of eighteen years and is unregistered shall be liable to registration under this Act and shall within 90 days of attaining that age present himself before a registration officer and register himself by giving to the registration officer the particulars specified in subsection (1) of section 5, and for this purpose shall permit his finger and thumb or toe or palm impressions to be recorded in any manner prescribed.

Amendment  
of section 9  
of Cap. 107

6. Section 9 of the principal Act is amended—

(a) by repealing subsection (2) and inserting the following new subsection—

(2) Every identity card shall contain—

(a) a photograph, of the prescribed size and type, of the registered person; and

(b) such of the finger and thumb or palm or toe impressions of the registered person as the registration officer may require;

and for the purpose of obtaining them the registered person shall permit his photograph and his finger and thumb or palm or toe impression to be taken.

(b) by repealing subsection (3) and inserting the following new subsection—

(3) A registered person whose identity card is torn, worn out, mutilated, tampered with or otherwise rendered unserviceable may attend upon a registration officer and apply for renewal of the identity card upon payment of the prescribed fee and shall at the time surrender the torn, worn out, mutilated, tampered with or otherwise unserviceable identity card;

(c) by deleting subsection (7) and inserting the following new subsection—

(7) Any person who finds, or who comes into possession of, an identity card which does not belong to him shall without undue delay and without charging any fee therefor, return it either to its owner or to the nearest registration officer or alternatively to the nearest police station.

7. Section 10 of the principal Act is amended by deleting subsection (4) and inserting the following—

Amendment  
of section 10  
of Cap. 107.

(4) The Principal Registrar, the Deputy Principal Registrar or any of the persons appointed under section 4 (2) (a) may, in the lawful exercise of his duties or functions under this Act, require a person to whom this Act applies to produce for inspection his identity card, and if the person fails to produce the identity card when required so to do, may require him to produce it within such time, to such person and at such place as the person making the requirement may think fit.

Amendment  
of section 14  
of Cap. 107

8. Section 14 of the principal Act is amended—

(a) in subsection (1)—

(i) by deleting paragraph (d) and inserting the following—

(d) unlawfully makes an entry, alteration or erasure on an identity card or on any registration document; or

(ii) by deleting paragraph (e) and inserting the following—

(e) unlawfully issues an identity card or laminates or prints an identity card or any of its component parts; or

(iii) by inserting the following new paragraph (n)—

(n) without the written authority of the Principal Registrar, charges fees for the delivery of lost and found identity cards;

(iv) by deleting the expression “liable to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding six months”, and inserting the expression “liable to a fine not exceeding ten thousand shillings or to imprisonment for a term not exceeding twelve months”; and

(b) in subsection (2), by deleting the expression “liable to a fine not exceeding two thousand five hundred shillings or imprisonment for a term not exceeding three months” and inserting the expression “liable to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding two months”.

9. The principal Act is amended by inserting the following new sections after section 16—

17. Every identity card issued under this Act and expressed to be valid up to any particular date after issue shall not cease to be valid at that date but shall continue to be valid up to such time as the Minister may by notice in the Gazette declare

Insertion of  
new sections 17  
and 18 in  
Cap. 107.

Validity of  
identity  
cards  
previously  
issued.

and upon such declaration every person with an identity card declared so to be invalid shall within thirty days of the declaration present himself before a registration officer to be registered in accordance with section 6.

Prosecution  
of offences.

18. A prosecution for an offence under this Act may, without prejudice to any other power in that behalf and in particular subject to the general or special directions of the Attorney-General, be instituted and conducted by any registration officer of or above the rank of registrar or fingerprint officer.

10. The principal Act is amended by inserting the following new Schedule after section 16—

Insertion  
of Schedule.

#### SCHEDULE

##### OFFICERS TO BE APPOINTED BY PRINCIPAL REGISTRAR

###### *First category*

Senior Assistant Principal Registrar, assistant principal registrars, senior registrars, registrars and other registration officers.

###### *Second category*

Chief Fingerprint Officer, deputy chief fingerprints officers, fingerprint officers and senior fingerprint assistants.