

COMMENTS ON THE NATIONAL IDENTIFICATION AND REGISTRATION ACT OF 2020 (NIDS)

GENERAL COMMENTS:

The development and implementation of a system of national identification with all the possible linkages to existing data systems is a solid step in the direction of interoperability and interconnectedness in the provision and management of government services and services in general. From a broader development perspective, there is greater potential for realising the goals and objectives of Vision 2030 Jamaica, Agenda 2030 and other related imperatives for sustainable development. The probability for reducing crime, identity theft and corruption as well as greater efficient in the delivery of services and benefits is highlighted. In particular, for the social services, the NIDS will also pave the way for further advancements in social security, with the subsequent development of appropriate social registries of potential beneficiary populations.

It must be noted that a NIDS that is based on voluntary registration may pose constraints for efficiency and effectiveness in both design and implementation. This is so for the reason that some segments of the population may opt against it thereby creating credibility concerns. It is imperative, therefore that a strong moral suasion approach coupled with targeted social marketing should be implemented to create a greater comfort level, particularly as the NIDS gains traction through efficient and secure implementation.

RECOMMENDATIONS:

Page 8 - Board of Management:

In respect of the composition of the Board of Management, consideration could be given to the inclusion of both the Statistical Institute of Jamaica (STATIN) and the Planning Institute of Jamaica (PIOJ), to add value in the areas of national statistics and research databases, as well as for national policy and planning. It is also recommended that further consideration could be given to the judiciary representative as being a retired judge as stipulated in the draft bill to one that is in active service. The rationale for the choice was not explicitly stated.

Page 24 - Period of Validity of National Identification Card:

For consistency, it is recommended that the facial feature images be reduced from fifteen years for the elderly to ten years in keeping with the established standard facial features used in visas and passports.

Page 20 - Cancellation of Enrolment:

Section 14, Sub-section 5(a) i – The Bill should state clearly what is meant by “*purged*”. What elements are disposed of and what are kept? **Page 8, section 6, sub-section 1(a) vi** – suggests that there are conditions under which “all identity information” will be disposed of. Is **section 14 5(a)i** one of those conditions? Does all really mean all? The question remains, particularly in light of section 14 sub-section 4a that speaks of assignment of the NIN of a cancelled enrolment to the individual who wishes to be re-instated. Although it is evident that the NIN is forever once assigned (Section 15 subsection 2c) it is not self-evident in all areas as above. Is it absolutely clear that the enrolment or biometric information is distinct from the NIN?

Page 15 – Enrolment

Section 4 (b) – The Act should enable a “**family member**” as well as a “**guardian**” to be able to enrol a mentally ill person. Most mentally ill persons are abandoned and so most times do not have a relative. Enrolment of a parent or guardian should also apply for persons with disabilities. This would cover a wide range of disabilities including by accidents, stroke, and other disabilities such as blindness, deafness etc. where the individuals may not be able do their own enrolment. What provisions are in place for persons who are illiterate?

QUESTIONS:

1. Will the Executive Agency status of the current RGD be repealed by this Act? If so, has this been stated?
2. Would the NIDS card be accepted at the countries’ borders?
3. What is the extent of interoperability with the existing system in Tax Administration, National Insurance Scheme and PATH.
4. **Page 7**

If a person was diagnosed or misdiagnosed for example with a mental disorder, at a much younger age, should this permanently affect employment in the entity? To what levels of employment would this apply?

5. **Page 5 - Application**

Section 4(a) - Who is being referred to as a citizen? Is it according to the Constitution? What happens in the case of an individual with dual citizenship? It is suggested that "*citizens*" be clearly defined/referenced legally.

6. **Page 18-19 – Verification and Identification Information**

For identification and verification purposes, will the system be in place to validate the links of birth, marriage, divorce, death with regards to whatever events are relevant for an individual?