

In the name of Allah, the Gracious, the Merciful

**The National Assembly
Legislation**

**The Third Session
The Civil Registry Act for the year 2011**

Pursuant to the provisions of the National Interim Constitution of the Republic of the Sudan for the year 2005, the National Assembly passed the following law and has been signed by the President of the Republic:

**Chapter One
Preliminary Provisions
Title and Commencement**

1. This act shall be cited as the “Civil Registry Act for the year 2011” and shall come into force from the date of its signature.

Repeal and Interpretation

2. The Civil Registry Act for the year 2001 is hereby repealed, provided that all the regulations, orders and documents issued there under shall remain valid and in force till repealed or amended in accordance with the provisions of this Act.

Interpretation

3. In this Act, unless the context otherwise requires, the following words and expressions shall carry the meanings assigned to them.

Minister: Shall mean the Minister of Interior.

Director General: Shall mean the Director General of the Police Forces.

Director: Shall mean the Director for the General Administration of the Civil Registry.

General Administration: Shall mean the General Administration of the Civil Registry of the Ministry of Interior.

Administration: Shall mean the Civil Registry Administration in the state that follows to the General Administration.

Center: Shall mean the Civil Registry Center in the locality or the administrative unit that follows to the administration.

Registrar:	Shall mean the police officer in-charge of the activities of the registration in accordance with the provisions of this Act.
Civil Registry Data or Information:	Shall mean the figures, letters and codes and all that can be electronically or digitally stored, processed, generated, produced and transferred.
Civil Registry Information System:	Shall mean the group of programs, tools and equipments for producing, storing and processing of information or data and its administration.
Notice:	Shall mean the written document issued by the health authorities or the person authorized under the provisions of article (23) on the occurrence of a birth or death incident.
Incident:	Shall mean any incident of civil status including a birth, marriage, divorce, death or residence incident and the ramification thereof.
Identification Documents:	Shall mean the identity card, civil registry certificate or any other document issued by the Civil Registry.
Permanent Residence:	Shall mean the normal place of residence for the person and shall include the place that the person normally returns to after a temporary stay abroad.
Mission:	Shall mean the Diplomatic Mission or the Sudanese Consulate abroad which includes the office of the interests' care.
Paterfamilias:	Shall mean: <ul style="list-style-type: none"> a) The husband for the wife, even though there are many wives. b) The father for the unmarried sons. c) The person designated by the court in the event of the death of the husband or the father, if the situation so required.
National Number:	Shall mean the number that is given to the citizen at the time of his registration in the Civil Registry, which is a unique and unrepeatabe number.
Civil Registry:	Shall mean the paper or automated record stored on the computer and its electronic or magnetic peripherals or

Records:	any other mean, which include the incidents of the civil status for any Sudanese national. Shall mean the paper or automated records stored on the computer and its electronic or magnetic peripherals or any other mean in which the incidents of the civil status are recorded.
Civil Registry Certificate:	Shall mean the certificate given to the individual after the completion of his registration in the Civil Registry.

Objectives of the Civil Registry

4. The Civil Registry is a national system aims for the realization of the following objectives:
 - a) Controlling the Sudanese Identity, preventing encroachment thereon and the guaranteeing the rights of the individuals.
 - b) Providing the competent apparatuses in the state with the statistical data in order to be utilized in devising the development plans at the national and state levels in the economic, political, social, security fields and others.
 - c) Establishing a central database of information provided that it includes information about the person at work, during movement and activity and any other fields.
 - D) Providing the competent authorities with the information with regard to the movement of the community, internal and external migration and other data relating thereto.

Chapter Two
Responsibilities of the Organs of the Civil Registry
Responsibilities of the General Administration

- 5/1 The General Administration is responsible for all the activities of the Civil Registry in accordance with the provisions of this act and the regulations issued there under and without prejudice to the generality of the aforesaid, it is responsible for the following:
- a) Preparation of the forms, records and identification documents relating to the activities of the Civil Registry within the state and abroad.
 - b) Establishment of coordination mechanisms with the competent organs for registering the vital incidents.
 - c) Setting up of bases and controls for regulating the work of the administrations and its development.
 - d) Issuance of the Civil Registry certificates in accordance with the data recorded in the records, in coordination with the competent authorities.
 - e) Issuance of the identification documents.
 - f) Issuance of the national numbers to all the registered Sudanese in the Civil Registry.
 - g) Issuance of the foreign numbers to the aliens residing in the country.
 - h) Following up the implementation of the conventions and contracts with the concerned states, international and regional organizations in the field of civil registry to which Sudan is a party, in coordination with the competent authorities.
 - i) Any other responsibilities the Minister may entrust thereto.
- 5/2 The General Administration may entrust the civil registry administrations and centers with the authority to practice any of its responsibilities contained in item (1), each in the field of its competency.

Establishment of Administrations and Centers

- 6/1 A civil registry shall be established in each state of the states of the Sudan in accordance with a decision to be issued by the Director to undertake the activities of the Civil Registry in the concerned state.

- 6/2 With a decision from the Director, civil registry centers shall be established at the various levels in the localities and administrative units in coordination with the concerned governance levels.

Appointment of Directors of Administrations, Head of Centers and Registrars

7. The Director shall appoint the directors of administrations, head of centers and registrars from among the experienced and highly competent and professional officers working in the General Administration.

Tasks and Functions of the Registrar

- 8.1 The Registrar shall assume the activities of the Civil Registry that falls within the area of his jurisdiction.
- 8.2 In addition to any other tasks provided for in any other law, the Registrar shall have the following functions:
- a) Registration of the incidents of the civil status in the incidents records, the civil registry and other records as per the details contained in the regulations.
 - b) Issuance of the identification documents and civil registration certificates in accordance with the provisions of this act.
 - c) Issuance of the birth and death certificates.
 - d) Any other responsibilities the Director of Administration or Head of center may assign thereon him, as appropriate.

Contestation of Decisions

- 9.1 Decisions of the Registrar shall be appealed in front of the head of the center within two weeks from the issue date of the decision.
- 9.2 Exception for the decision issued relating to the national number, contestation of the decision of the head of the center shall be submitted to the appeal committee formed under the chairmanship of the Director of Administration and membership of any two persons selected by the Director based on recommendations from the Director of Administration within two weeks from the issue date of the decision. The decision of the committee shall be final.
- 9.3 The aggrieved from the decision issued in relation to the national number may submit his appeal to the Director or the Director General or the Minister, as appropriate, through the Director of Administration within two weeks from the issue date of the decision. The decision of the Minister shall be final.

- 9.4 Notwithstanding the above mentioned, contestation of the decision of the committee referred to in item (2) and the decision of the Minister shall be submitted to the competent authorities concerned with the review of the administrative appeals.
- 9.5 If no decision has been taken on the appeal at any stage within two weeks from the submission date of the application, the appeal shall be considered rejected.

Chapter Three
Records
Establishment of a Civil Registry

- 10.1 A central civil registry is to be opened at the national level in which the incidents of the civil status shall be recorded for all the Sudanese within the Sudan and abroad, each in the area of his jurisdiction.
- 10.2 Each citizen shall register himself in the civil registry center in which area of its jurisdiction he permanently resides and he may not register himself or any of the members of his family in any other center.
- 10.3 The paterfamilias must inform the civil registry center, in which area of its jurisdiction he lives, of any vital incident including birth, marriage, divorce and death incident that may have occurred in the family and of any changes occurred in the information of any of the members of the family in order to be amended by adding or deleting, as appropriate and as prescribed in the regulations.
- 10.4 Every paterfamilias whose place of permanent residence has been transferred outside the area of jurisdiction of the civil registry, in which he has registered, must submit within thirty days from the date of his new residence, a registration transfer application to the center he has resided in the area of its jurisdiction.

Record of Incidents occurring abroad and Registration Procedures

- 11.1 The head of the mission must open an incident record where the civil status information for the Sudanese living abroad shall be recorded in the manner that has been detailed in the regulations.
- 11.2 Each incident occurring to a Sudanese abroad shall be considered correct if the incident has fulfilled the prescribed procedures in accordance with the provisions of the laws of that country provided that they are not in contradiction with the provisions of the laws in force in the Sudan. The paterfamilias must submit the supporting documents to the head of the mission in that country within thirty days from the date of registration of the incident. In the event that there is no mission in the country in which the incident has taken place, the paterfamilias must send copy of the supporting documents of the incident to the Director by registered mail within thirty days from the date of the incident.
- 11.3 If the incident occurred abroad has taken more than the period prescribed in item (2), it shall not be registered except with the approval of the Director General.

Specimen of the Records and Documents

- 12.1 No specimen, forms or contents of the records and documents may be used other than those prepared by the General Administration.

- 12.2 The regulations will determine the specimen, forms and contents of the records and documents.

Registration in the Records

- 13.1 No information shall be registered in the Civil Registry except those registered in the registry of incidents in a legally valid manner.
- 13.2 No words shall be added in the margins of the records or documents.
- 13.3 The date must be written in both figures and words.
- 13.4 Any person working in the Civil Registry must not register any incident or make any amendments in his identification documents or in the identification documents of any of the members of his family except with the approval of the Director or Director of Administration, as appropriate.

Transfer of Records

- 14.1 Notwithstanding the provisions of any other law, records shall not be moved from their locations and shall not be accessed by individuals for any reason, however if necessary, inspection of the records shall be carried out in their locations.
- 14.2 Without prejudice to the provisions of item (1), Courts, Prosecutions or any other competent authorities can receive, upon request, a copy of the required records after being approved from the Director of Administration.

Maintenance of Records

- 15.1 The civil records must be maintained in a safe custody so as not to be exposed to spoilage. They must be maintained and reproduced in hard copies and electronic form, when necessary, in the manner specified in the regulations.
- 15.2 If the civil records are lost or damaged, totally or in part, and the original copies are maintained in sound status, these records must be renovated based on the original documents by an order issued by the Director. In case of doubt in the authenticity and soundness of these records, new records shall be established by a committee to be formed by the Director General who shall also determine its responsibilities and powers.

Access to the Data and Information

- 16.1 The General Administration must provide the organs in the state with the necessary data and information for developmental planning purposes or for any other purposes, as specified in the regulations.

- 16.2 Notwithstanding what contained in item (1), no body has the right to request access to the personal data or information of any person in the Civil Registry except in accordance with the provisions of the law.
- 16.3 Anyone who had access to the data and information contained in item (1), must not use the accessed data and information for purposes other than the specified and approved purposes.

Access to the Documents

- 17.1 Every one shall have the right to demand any identification document or civil registration certificate or an official copy of his records or records pertaining to any of the members of his family after payment of the prescribed fee. Those who have legal authorization to do so shall also enjoy this right.
- 17.2 The Minister may exempt any person from the prescribed fee, if necessary.

Provision of information to the General Administration

- 18.1 All authorities concerned with the activities of the Civil Registry must provide the General Administration, upon request, with any data or information necessary for the realization of its objectives.
- 18.2 Without prejudice to the generality of the aforesaid, all authorities concerned with the registration of the incidents of civil status at the various governance levels must provide the General Administration with copies of the records, information and incidents of birth, death, marriage and divorce registered with them within one month from the date of its registration for the purposes of establishment of a database and issuance of certificates and identification documents.

Chapter Four
Registration of Incidents of Birth, Death, Marriage and Divorce
Receiving of Notices in Locations Lacking Regular Medical Services

19. The Head of the Center may, in consultation with the Registrar, authorize any person, official or popular authority to receive notices on incidents of birth and death in the areas lacking regular medical services and to issue notices thereon, as specified in the regulations.

Registration Procedures of Incidents of Birth

- 20.1 The health Institutions and other health facilities where the incident of birth has occurred must send a copy of the birth notice to the Registrar who the incident of birth falls in the area of his jurisdiction within fifteen days from the date of the birth.
- 20.2 The person or body authorized in accordance with the provisions of article (19), must receive the notices on the incidents of birth that fall in the areas of his jurisdiction for the persons who lack regular medical services on the sample specified and send a copy of it to the concerned registrar, as specified in the regulations.
- 20.3 The persons authorized to notify the birth incidence must notify the registrar about any incidents occurring in the area of his jurisdiction within thirty days from the date of the birth incident. The Minister may, by a decision from him, increase this period in some areas, if necessary.
- 20.4 The concerned registrar must, after receiving information of the birth incident from the notification authorized person, shall register the incident in the registry of the birth incidents and other records after verification of the authenticity of the information submitted, as specified in the regulations.
- 20.5 If the time span for the incident of birth did not exceed one year, the registration shall be made after investigation to be carried out by the concerned registrar, however the registration shall not be made if the time span exceeded one year except with the approval of the Director General.

The Persons authorized to notify the Incidents of Birth

- 21.1 Subject to the provisions of article (18) of this act, the persons authorized to notify the incidents of birth are:
- a) The health institution in which the birth occurred.
 - b) The midwife who conducted the birth process.
 - c) The father if he was present at the time of the birth.
 - d) The mother if her health situation does not prevent her from notifying the birth personally or in writing.
 - e) Any adult person who resides in the same house with the mother at the time of the birth.

f) The person who the birth process has taken place in his house.

21.2 Every one of the persons mentioned in paragraphs b, c, d, e and f in item (1) will be responsible for the notification he/she made in accordance with the provisions of article (19) if the senior person(s) in the hierarchy are not present.

Report of birth in certain circumstances

22.1 If the birth occurred during a travel on board of a Sudanese ship or aircraft or during a Hajj or Omrah trip, the captain of the ship or aircraft or the head of the Hajj or Omrah mission must issue a notice on the birth incident, a copy of which shall be sent to the Director within thirty days from the date of the incident and the person in-charge of notification shall inform the concerned registrar within fifteen days from the date of his return.

22.2 The Directors of the institutions in-charge of taking care of the children of unknown parents must notify the registrar the child was found in the area of his jurisdiction within seven days from the date the institution received the child.

Procedures of Registration of the incident of Death

23.1 The health institutions and other health facilities where the incident of death occurred must send a copy of the notice of the death to the registrar the incident of death occurred in the area of his jurisdiction within seven days from the date of the death.

23.2 The person or entity authorized in accordance with the provisions of article (19), must receive notices of incidents of death that occur within the area of his jurisdiction in the locations lacking regular medical services on the specified sample and send a copy thereof to the concerned registrar, as specified in the regulations.

23.3 The persons authorized to report the death, must notify the concerned registrar about any death occurrence occurred within the area of his jurisdiction within thirty days from the date of the occurrence of the death. The Minister may, by a decision from him, increase this period in some areas, if necessary.

23.4 The registrar, after receipt of the notification of the incident of death from the authorized reporting person, must verify the authenticity of the information submitted in order to register the incident in the death registry and other records, as specified in the regulations.

23.5 If the time span of the incident of death is less than one year, the registration shall be made after investigation to be carried out by the concerned registrar, however the registration shall not be made if the time span exceeded one year except with the approval of the Director General.

The Persons authorized to notify the Incidents of Birth

- 24.1 Subject to the provisions of article (18) of this act, the persons authorized to notify the incidents of death are:
- a) The proprietor of the facility in which the death occurred or the manager thereof whether the facility is a factory, workshop, hotel, institute or any other location.
 - b) The father of the deceased or his sons, daughters, wives, brothers or sisters.
 - c) Any adult relative of the deceased who was present at the time of the death.
 - d) Any other adult living with the deceased in the house in which the death occurred.
 - e) The police officer who the death incident falls within the area of his jurisdiction.
- 24.2 Any one of the persons mentioned in item (1) will be responsible for the notification he/she made in accordance with the provisions of article (22) if the senior person(s) in the hierarchy are not present.

Report of death in certain circumstances

- 25.1 If the death occurred during a travel on board of a Sudanese ship, aircraft or during a Hajj or Omrah trip, the captain of the ship or aircraft or the head of the Hajj or Omrah mission must issue a notice on the death incident, a copy of which shall be sent to the Director within thirty days from the date of the incident and the person in-charge of reporting shall inform the concerned registrar within fifteen days from the date of death or he became aware of it.
- 25.2 The Directors of the institutions in-charge of taking care of the children of unknown parents, in case the death of the child occurred within the area of his jurisdiction, must notify the registrar of the death within seven days from the date he became aware of it.
- 25.3 The entities legally authorized to execute the death penalty must send a copy of the notice of death to the concerned registrar within seven days.

Procedures of Registration of the incident of Marriage and Divorce

- 26.1 The authority concerned with the attestation of marriage contracts or certificates of divorce and approval of marriage must send a copy of marriage contract or divorce to the registrar within thirty days from the date of the incident.

- 26.2 The concerned registrar, after receipt of the notification of marriage or divorce, must approve the documents and register the incident in the incidents registry and other records, as specified in the regulations.
- 26.3 Notwithstanding the provisions of item (2), the concerned registrar may register the marriage or divorce incident after verifying the incidents, as specified in the regulations.

Chapter Five
Identification Documents
Identity Card

- 27.1 Every Sudanese who reached the age of sixteen must obtain an identity card, from the office of the Civil Registry in which area of jurisdiction he lives, after payment of the prescribed fee. Identity cards may be issued for those who are less than that age, if necessary.
- 27.2 The identity card issued in accordance with the provisions of item (1) shall be considered as official identification document for its bearer and no party may refrain from accepting thereof.
- 27.3 Any person who holds no valid identity card may not be recruited in the public, private or mixed sectors or the like.
- 27.4 Any person who holds an identity card must present such a card to any competent authority whenever he is requested so; however the party that receives the identity card for legal procedures must give the bearer a document indicating thereon.
- 27.5 If the identity card is lost, the bearer must notify the nearest police station thereon within one week from the date of loss.
- 27.6 The person, whose identity card has become damaged or expired, must apply to the competent authority to issue him a new identity card after payment of the prescribed fee within two months from the date of the spoilage or expiry.
- 27.7 It is not allowed to issue more than one identity card to any person.
- 27.8 Notwithstanding the provisions of any other law, after obtaining the identity card and registration certificates, the citizenship certificate shall be cancelled and replaced with the identity card.
- 27.9 The regulations shall specify the form of the identity card, the information contained therein, its period of validity, fees and the procedures for the issuance and renewal.

Civil Registration Certificates

- 28.1 Every person must register himself and all the members of his family in the civil registration center that falls in the area of jurisdiction in which he permanent lives, within the declared period and obtain the civil registration certificate.
- 28.2 Every husband must register his family in the registration center in the area of jurisdiction he lives and obtain a civil registration certificate, as the case may be, within ninety days from the date of marriage.

- 28.3 Every paterfamilias, whose data of his family has changed, must submit an application to the civil registration center in the area of its jurisdiction within fifteen days from the date of occurrence of the changes in order to obtain a civil registration certificate that reflects the changes.
- 28.4 Subject to the provisions of items (2) and (3), the civil registration certificate which is pending addition or deletion shall not be used for all the transactions before effecting the required amendment.
- 28.5 The regulations shall specify the specimen of the civil registration certificates, its types, the data it contains and the procedures of issuance and methods of delivery.
- 28.6 The civil registration certificate may be issued to the person without fee.

Chapter Six General Provisions

Registration of the National Number

- 29.1 The General Administration shall issue the national number to all the Sudanese nationals registered in the Civil Registry.
- 29.2 Without prejudice to the generality of the aforesaid, the Sudanese Diplomatic Missions abroad shall, in coordination with the concerned authorities, issue the national number to the Sudanese nationals residing abroad.
- 29.3 The national number consists of (11) digits and is characterized by the following:
- a) It is unique so as not to be issued to more than one person even if that person died.
 - b) The national number of the citizen is not subject to change even if his information changed.
- 29.4 All the official entities must write the name of the person coupled with his national number in all the official documents.

Correction of the Registration

- 30.1 No correction or amendment shall be made in the civil registry except by a final ruling from the competent court that the original registration falls in the area of its jurisdiction.
- 30.2 Notwithstanding the provisions of item (1), correction, addition or deletion may be effected in the information with regard to the formal errors or names based on documents, investigations or legal attestations from the court that the original registration falls in the area of its jurisdiction.
- 30.3 The administration of the registration shall be part in all the cases with regard to corrections in the civil registry and registration of incidents.

Deed of Registration and Identification Documents

- 31.1 Any registration in the civil records shall be evidence for the all till the contrary is proved as invalid or false.
- 31.2 All the identification documents shall have the strength of evidence with regard to all the information registered therein and must be accepted by all the official parties.

- 31.3 All the official parties and others must not accept any identification documents or any certificates issued by the Civil Registry only after having authenticated from the competent department in the Civil Registry.

Responsibility of the Staff of the Civil Registry

- 32.1 All staff in the Civil Registry, each in the area of his jurisdiction, shall be responsible for any falsification in or misuse of the records that are in his custody.
- 32.2 No staff in the Civil Registry is allowed to disclose any information or any issues of confidential nature or based on any order or he is not allowed to make any statement thereon during the period of his service or thereafter except by legal procedures or judicial order issued from a competent party.

Summons

- 33 The Director or his authorized representative, in order to carry out his duties under this act, may authorize any person to attend or give any information under oath or present any documents with regard to an incident of civil status being presented before him.

Application of the Law on the Alien

- 34.1 Subject to the provisions of article (27), provisions of this act shall be applied on any alien person residing in the Sudan.
- 34.2 A special card shall be issued for the aliens residing in the Sudan to be called "alien's identity card" to include the alien's number, as specified in the regulations.

Retaining of the National and Alien Number

35. Notwithstanding any contrary provision in this act and for the purposes of the civil registry, any Sudanese national who has acquired the citizenship of another country or any alien who has acquired the Sudanese citizenship along with the national or alien number must retaining them.

Crimes and Punishments

- 26.1 Anyone who has accessed or tried to access or facilitated access to the civil registry information system without permission shall be punished with imprisonment for a period not exceeding seven years or by fine or with both if he has done so for the following purpose:
- a) Access the Civil Registry Information System or made a copy thereof.
 - b) Amend the information in the system by canceling, updating or causing damage therein.

- c) Prevent the authorized persons to use the system from accessing it.
- 26.2 If the perpetrator is a civil servant or a staff of the General Administration shall be punished with imprisonment for a period not exceeding fifteen years and by fine.
- 26.3 Without prejudice to any severe punishment in this act or any other act, anyone who violates the provisions of this act and regulations issued thereunder shall be punished, upon conviction, with imprisonment for a period not exceeding one year or by fine or with both.

Authority for the Issuance of Regulations

- 37.1 The Minister shall issue the necessary regulations to implement the provisions of this act and without prejudice to the generality of the aforesaid, these regulations shall provide for the following:
- a) Samples of records, identification documents and registration certificates used for the Civil Registration purposes.
 - b) The fees with the consent of the Ministry of Finance and National Economy.
 - c) Inspection and audit of the records.

Certification

I hereby certify that the National Assembly had passed the “Civil Registry Act for the year 2011” in its third session number (36) convened on the twelfth day of the month of Shaaban 1432 Hijri corresponding to the thirteenth day of the month of July of the year 2011 and that the Joint Permanent Committee of the two assemblies had decided in its meeting number (3) which convened on the twenty fifth day of the month of Shaaban of the year 1432 hijri corresponding to the twenty sixth day of the month of July of the year 2011 and that this act does not affect the interest of the states.

Ahmed Ibrahim Al Tahir
Speaker of the National Assembly
Head of the Joint Permanent Committee of the two assemblies

I agree:
Field Marshal/ Omar Hassan Ahmad Al-Bashir
President of the Republic
Date: 10/09/1432
Corresponding to: 10/08/2011