



**GUIDELINES FOR REPORTING ON SIM-CARD
REGISTRATION BY TELECOMMUNICATIONS
OPERATORS**

2019

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GUIDELINES FOR REGISTRATION OF SIM-CARDS

1 Introduction

The Kenya Information and Communications (Registration of SIM-Card) Regulations, 2015, provide that the authority issues administrative guidelines specifying the manner in which telecommunications operators shall submit to the Authority the records maintained pursuant to Section 4 (3).

Pursuant to the above, in addition to Kenya Information and Communications Act No 2 of 1998, Communications Authority of Kenya (thereinafter referred to as the Authority) therefore makes the following guidelines for registration of SIM Cards.

2 Citation

These Guidelines may be cited as the Guidelines for **Registration of SIM-Cards**, 2019.

3 Interpretation

The terms used in these Guidelines have the same meaning as in the Act unless where the context otherwise requires. In particular:

- 3.1 “Hawker” as used in these Guidelines refers to the definition provided in the Local Government Act, CAP 265. It defines a hawker as a person who, whether as principal, agent or employee:
 - 3.1.1 for the purpose of carrying on trade by the sale or exchange of goods, wares, merchandise or refreshments places himself in any street or public place or unenclosed land (other than in shop premises approved as such by a local authority) or goes about in streets or public places or from premises to premises; or
 - 3.1.2 by any of the means aforesaid carries on trade by the sale or exchange, or the offer or exposing for sale or exchange, of any goods, wares, merchandise or refreshments,
 - 3.1.3 but does not include a person who seeks or takes orders for subsequent delivery or who delivers goods, wares, merchandise or refreshments to premises for the purpose of resale;
- 3.2 “**Formal retail outlet**” refers to an outlet with a physical address and that is validly registered by the relevant national and/or county government to conduct business including but not limited to sale of SIM cards.
- 3.3 “**Inspector**” means a person appointed by the Authority to undertake compliance monitoring, inspections and enforcement as guided in the Kenya Information and

Communications (Compliance monitoring, Inspections and Enforcement) regulations, 2010.

- 3.4 “SIM-card” means the Subscriber Identity Module which is an independent electronically-activated device designed for use in conjunction with a telecommunication apparatus to enable the user of the telecommunication apparatus to transmit and receive indirect communications by providing access to telecommunication systems and enabling such telecommunication systems to identify the particular Subscriber Identity Module and its installed information;
- 3.5 “Registration Agent” means a person contracted or otherwise engaged by a telecommunications operator to carry out registration of SIM-cards.
- 3.6 “Telecommunications Operator” as used in these guidelines refers to Applications Service Providers (ASPs) authorized to offer telecommunications services to the public by way of physical and electronic SIMs, Internet Applications or through any other module.
- 3.7 “Refugees” – to be assigned the meaning alluded to “Alien” under the Aliens Restriction Act.

4 Application of the Guidelines

These Guidelines apply to Telecommunications Operators licensed and authorized by the Authority to provide services by use of subscriber numbers issued to subscribers by way of physical or electronic Subscriber Identification Modules (SIM), software and/or similar applications.

5 Registration of Refugees/Aliens

Aliens can be registered to use a SIM card in Kenya upon production of:

- i) An original passport document; and
- ii) A valid Alien’s registration certificate, in line with the Aliens Restriction Act, in the case of foreigners including refugees who cannot produce original passport documents.

6 Validation of Identification Documents (IDs)

Upon production of identification documents, the telecommunications operators and agents shall validate the said documents as follows;

- 6.1 National IDs: Integrated Population Registration System (IPRS)
- 6.2 Kenyan Passport: Personal Identification Secure Comparison and Evaluation System (PISCES). The telecommunications operator shall maintain a copy of this ID.
- 6.3 Other Passports: Integrated Population Registration System (IPRS) and/or Personal Identification Secure Comparison and Evaluation System (PISCES). The telecommunications operator shall maintain a copy of this ID.
- 6.4 Alien: Integrated Population Registration System (IPRS). The telecommunications operator shall maintain a copy of this ID.
- 6.5 Military IDs: The telecommunications operator shall maintain a copy of this ID.

7 Monitoring Compliance and Enforcement of SIM Card Registration

- 7.1 The Authority have the responsibility and mandate of ensuing compliance to Legal and Regulatory framework with regards to the SIM card registration and shall undertake regular surveillance, monitoring and inspections of operator and registration agent operations and systems, to ensure compliance.
- 7.2 Registration Agents shall be Authorized or licensed by the Authority in the sale and registration of SIM Cards.
- 7.3 Telecommunications Operators shall ensure that they engage the services of authorized or licensed registration Agents with a valid compliance certificates issued by the Authority
- 7.4 Telecommunications operator shall establish a secure portal through which quarterly reports will be deposited for access by the Authority. Telecommunications operators without an established portal shall inform the Authority in writing proposing alternative method of submitting returns.
- 7.5 Telecommunications operators shall incorporate clauses in the contractual agreements with their agents in compliance with the Section 27B, Part 3 of the Kenya Information and Communications Act No, 2 of 1998.
- 7.6 Telecommunications Operators and Registration Agents shall sell and register SIM cards only in formal retail outlets even during promotions, and shall ensure no hawking of SIM Cards registration services.
- 7.7 Telecommunications Operators and Registration Agents shall shall ensure no hawking of the SIM Cards in their possession.

- 7.8 Registration agents handling SIM Cards shall display a copy of their valid compliance certificates, issued by their authority, at all their physical and promotional outlets.
- 7.9 Telecommunications operators and Registration Agents intending to perform promotional activities, shall inform the Authority, at least 14 days in advance providing details of any planned activity including, but not limited to, the venue, physical address, county and duration.

8 Reporting Framework

The Kenya Information and Communications (Registration of SIM-Card) Regulations, 2015, provide that the telecommunications operators shall – submit to the Authority the records maintained pursuant to Section 4 (3), on a quarterly basis the following records:

- 8.1 List of all its agents including their contact details;
- 8.2 All SIM cards issued to their agents and the number sold by each during the reporting period;
- 8.3 The registered subscribers made by the telecommunications operator and the telecommunications operator's agents and any changes made thereto;
- 8.4 Number of verification requests against Integrated Population Registration System (IPRS) and Personal Identification Secure Comparison and Evaluation System (PISCES); and
- 8.5 Mechanisms put into place to ensure customer information and personal data is secured.
- 8.6 submit to the Authority a report of its operations on the maintenance of these records on an annual basis or upon request by the Authority.

In compliance with the regulations, a reporting template (see annex) to guide the submission of this data. The telecommunications operators shall submit these data via soft-copy, an online portal or in any other format agreed with the Authority.

9 Non-Compliance with these Guidelines

Where a licensee contravenes these Guidelines, the Authority may penalize the licensee in accordance with licence conditions, relevant regulations including the Kenya Information and Communications (Registration of SIM Card Registration) Regulations 2015, Regulation 19. (3) of the Kenya Information and Communications (Licensing and Quality of Service) Regulations, 2010 and the Act.

10 Amendment of Guidelines

The Authority may amend these Guidelines from time to time.

11 Coming into force

These Guidelines will come into effect on the date they are published in the Kenya Gazette.

Signed

**Director General
Communications Authority of Kenya**

DRAFT

ANNEX



COMPLIANCE RETURN FORM

REGISTRATION OF SIM CARDS

PURSUANT TO THE PROVISIONS OF THE KICA No. 2 1998 ON REGISTRATION OF SIM-CARDS REGULATIONS

1 GENERAL INFORMATION

1.1 Licence Details

Name of Licensee: _____

ASP License No: _____

1.2 Period under review (Tick against appropriate quarter)

FINANCIAL YEAR _____ *(based on Government of Kenya Financial year)*

Quarter 1
(1st July – 30th
Sep)

Quarter 2
(1st Oct – 31st
Dec)

Quarter 3
(1st Jan – 31st
Mar)

Quarter 4
(1st Apr – 30th
Jun)

1.3 Instructions

1. This form has provision for quarterly reports.
2. Please provide information in the space provided, you may insert additional rows and pages as required or request for the word version to fill out electronically.
3. Where the information required is extensive, an electronic copy of the same can be submitted.

PART A: QUARTERLY REPORTING SECTION

2 AGENCY RETAIL OUTLETS

2.1 New registration agents

	Agency Name	Contact Person	Telephone and Email contacts	Physical Address of the Formal Retail Outlet	Level of Agency (eg. Dealer, Agent, sub-agent etc.	Serial numbers of allocated SIM Cards	Subscriber Number Block allocated for sell & Registration	Total Numbers sold during the period/Quarter
1.								
2.								
3.								

2.2 Amendments to existing registration by Agents

	Agency Name	Contact Person	Telephone and Email contacts	Physical Address of the Formal Retail Outlet	Level of Agency (eg. Dealer, Agent, sub-agent etc.	Serial numbers of allocated SIM Cards	Subscriber Number Block allocated for sell & Registration	Total Numbers sold during the period/Quarter
4.								
5.								
6.								

3 OPERATOR OWNED RETAIL OUTLETS

3.1 New registration by operator owned retail outlets

	Directly Operated Outlet (Operator owned)	Contact Person	Telephone and Email contacts	Physical Address of the Formal Retail Outlet	Serial numbers of allocated SIM Cards	Subscriber Number Block allocated for sell & Registration	Total Numbers sold during the period/Quarter
7.							
8.							
9.							

3.2 Amendments to Existing Registration by Operator Owned Retail Outlets

	Directly Operated Outlet (Operator owned)	Contact Person	Telephone and Email contacts	Physical Address of the Formal Retail Outlet	Serial numbers of allocated SIM Cards	Subscriber Number Block allocated for sell & Registration	Total Numbers sold during the period/Quarter
10.							
11.							
12.							

4 SUMMARY OF SIM CARDS REGISTERED DURING

	Number of New Registrations			
	Quarter 1	Quarter 2	Quarter 3	Quarter 4
By Agents				
By Operator				

	Number of New Registrations			
	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Total				

5 STATUS OF SIM CARDS

	Status of SIMs			
	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Active				
Suspended				
Deactivated				

6 DATA PROTECTION & SECURITY FRAMEWORK

A description of the systems currently in place/or introduced to securely store subscriber registration particulars – both digital and the physical documentation.

For the software part, please provide the details of the name, its developer, security features for access, traceability and redundancy.

For the physical data storage, please provide measures undertaken to safely and secure the data and any redundancy measures.

7 IPRS AND PISCES

Please share the number of checks performed against the two national reference databases.

8 COMMENTS/ SUGGESTIONS

Please share any challenges faced and/or make suggestions to improve the regulatory environment.

Signed..... Name..... Title..... Date	<div style="border: 1px solid black; width: 100%; height: 100%;"></div> <p>Company Stamp above</p>
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THANK YOU FOR COMPLETING THE FORM

FOR OFFICIAL USE ONLY – DO NOT FILL BELOW THIS LINE

These returns have been :

Checked By:	Verified by:	Approved <input type="checkbox"/> Rejected <input type="checkbox"/> (Tick as appropriate)
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Name			
Title			
Signature			
Date			

N/B THE AUTHORITY WILL NOT ISSUE A COMPLIANCE CERTIFICATE IF THE COMPLIANCE RETURNS ARE SUBMITTED LATE OR REJECTED