

**STATUTORY INSTRUMENT**

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STATUTORY INSTRUMENT NO. 7 OF 2009

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*THE TELECOMMUNICATIONS ACT, 2006*

*(Act No. 9 of 2006)*

THE TELECOMMUNICATIONS OPERATORS (REGISTRATION OF SUBSCRIBERS OF SIM AND UIM CARDS) REGULATIONS, 2009 Short title.

In exercise of the powers conferred on the National Telecommunications Commission by section 82 of the Telecommunications Act, 2006, the National Telecommunications Commission hereby makes these Regulations.

1. In these Regulations unless the context otherwise requires— Interpretation.

“Act” means the Telecommunications Act, 2006; *Act No. 9 of 2006.*

“operator” means a mobile cellular phone operator licensed under the Act;

“sales agent” means any person authorised by an operator to sell its SIM or UIM card on its behalf;

“SIM card” means a Subscriber Identification Module card;

“subscriber” means an individual or company who uses the services of an operator;

“UIM card” means a User Identification Module card.

Registration of subscribers.

2. (1) Every operator, either by itself or its sales agent shall register any individual or company who wishes to subscribe to a mobile cellular service provided by the operator, in the form set out in the Schedule.

(2) The operator or sales agent shall before registering an individual, require the individual to produce an identity card or driving licence or in the case of a non-citizen, a passport or other equivalent document.

(3) Where the mobile cellular service is required by a company for its employees, any information required for registration shall be provided by the company.

(4) Where the registration is done by a sales agent, the sales agent shall return the registration forms to the operator within fifteen days after the registration.

SIM card or UIM card to be issued.

3. (1) An operator or sales agent shall, after the registration, issue a SIM card or UIM card as the case may be, to the person and shall forthwith activate the SIM card or UIM card.

(2) An operator shall not issue more than three SIM cards or UIM cards in respect of one individual.

Operator to keep database of subscribers.

4. An operator shall keep a database of information relating to its subscribers and update the database when necessary.

Information to be confidential.

5. Any information relating to a subscriber obtained under regulation 2 shall be confidential and shall not be disclosed except required by law or on the consent of the subscriber.

Transitional provisions.

6. (1) Any person who before the coming into force of these Regulations has been subscribing to the services of an operator shall, within six months of the coming into force of these Regulations register with the operator whose services are being subscribed to.

(2) The operator shall de-activate the SIM card or UIM card of any person who contravenes sub-regulation (1).

7. (1) No operator or sales agent shall sell a SIM card or UIM card to a person who has not been registered under regulation 2. Offence.

(2) Any operator or sales agent who contravenes sub-regulation (1) commits an offence and is liable on conviction to a fine not exceeding Le400,000 or to a term of imprisonment not exceeding six months or to both the fine and imprisonment.

## SCHEDULE

### APPLICATION FORM FOR SUBSCRIBERS OF SIM CARDS AND UIM CARDS

1. Date of application
2. Name of operator
3. Principal address/office of operator
4. Name of applicant
5. Address of applicant
6. Nationality of applicant
7. Driving Licence/Identity card/Passport/Laisser Passe Number
8. Services required by applicant – SIM card/UIM card
9. SIM card/UIM card No.
10. Signature/thumb print of applicant
11. Signature of operator/sales agent

MADE this 27th day of October, 2009.

Siray Alpha Timbo	–	Chairman and Commissioner
Frank E. Jarrett	–	Commissioner
Frank A. Manja	–	Commissioner
Saidu A. Turay	–	Commissioner
Ibrahim Kabia	–	Commissioner
Richard Kargbo	–	Commissioner
Sahr R. Tumoe	–	Commissioner