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**EXTRAORDINARY
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PART II

Statutory Notifications (S. R. O.)

PAKISTAN TELECOMMUNICATION AUTHORITY

NOTIFICATION

Islamabad, the 24th December, 2010

S. R. O. 1189 (I) 2010.—In exercise of powers conferred under clause (o) of sub-section (2) of section 5 of the Pakistan Telecommunication (Re-organization) Act 1996, the Pakistan Telecommunication Authority is pleased to make the following regulations:

PART-I

Preliminary

1. Short Title and Commencement.—(1) These regulations shall be called as “Subscribers Antecedents Verification Regulations, 2010”.

(2) They shall come into force from the date of gazette notification.

2. Scope and Applicability.—These Regulations shall apply to all mobile communications service licensees for the registration and maintenance of accurate data of their subscribers antecedents through proper documentation and verification through NADRA database in accordance with the procedures specified in these Regulations.

(3971)

3. Definitions.—(1) In these Regulations unless there is anything repugnant in the subject or context:—

- (a) **“Act”** means the Pakistan Telecommunication (Re-organization) Act, 1996 (XVII of 1996);
- (b) **“Authority”** means the Pakistan Telecommunication Authority established under section 3 of the Act;
- (c) **“Authorized Sellers”** means and includes franchisees, retailers, agents having a valid written agreement with an Operator for the sale of SIM(s);
- (d) **“CNIC”** means Computerized National Identity Card issued by NADRA;
- (e) **“Corporate Customers”** means and includes following:—
 - (1) All armed forces i.e. Army, PAF, Navy and attached departments;
 - (2) All embassies in Pakistan
 - (3) All foreign missions in Pakistan
 - (4) All Pakistani local organizations that have a National Tax Number (NTN)
 - (5) All Companies/International Non Governmental Organizations (INGOS) that have a registration certificate under the applicable law /NTN
- (f) **“NADRA”** means National Database and Registration Authority;
- (g) **“NARA”** means National Alien Registration Authority;
- (h) **“Operator”** means a person holding a mobile communications service license issued by the Authority;
- (i) **“Person”** means a natural person;
- (j) **“Pre-activated SIM”** means a SIM sold without following the procedures prescribed by the Authority in these Regulations and any SIM found pre-active at any of the sales outlet of the Operator;
- (k) **“Subscriber”** means and includes natural or juristic person who subscribes for a telecommunication service ;

- (l) **“SIM”** means Subscriber Identity Module to be provided by a cellular mobile Operator as a connection for cellular mobile services;
 - (m) **“Rules”** means all Rules issued from time to time by the Federal Government under section 57 of the Act; and
 - (n) **“Regulations”** mean all Regulations issued by the Authority under the Act, from time to time including these Regulations.
- (2) Words and expression used but not defined herein shall bear the meaning given thereto in the Act or the Rules.

PART -II

Subscriber Documentation and Online Verification through NADRA database by the Operator(s)

4. **Sale of SIM(s).**—(1) Operators shall be entitled to sell SIM(s) only through their customer service outlets or registered and authorized agents/franchisees.

(2) The Operator(s) shall ensure verification of Subscriber antecedents at the time of sale of a SIM.

(3) The Operator(s) shall submit an up to date list of all franchisees and agents, as and when required by the Authority.

(4) Any SIM(s) sold by any means shall be the sole responsibility of the Operator(s).

5. **Requirement for Selling SIM(s).**—(1) No SIM(s) shall be sold or issued by any Operator in any manner to any Person(s) unless and until following prerequisites are fulfilled:—

(a) **Requirements for Pakistani Nationals:—**

- (i) Original CNIC to be shown and a copy to be retained by the authorized Person of the Operator.
- (ii) In case of minor(s), original CNIC of his/her parents and original Form B duly issued by NADRA to be shown and copies to be retained by the authorized Person; and

- (iii) Any additional requirement as deemed to be necessary by the Authority from time to time.

(b) **Requirements for Foreign Nationals:—**

- (i) Original passport with a valid visa to stay in Pakistan to be shown and copy to be retained by the authorized Person of the Operator;
- (ii) In case of aliens, a valid document and identity card issued by National Alien Registration Authority to be shown to the authorized person of the Operator and a copy to be retained ; and
- (iii) Any additional requirement as deemed to be necessary by the Authority from time to time.

(2) All authorized Persons nominated by the Operator, shall be responsible for the collection, verification and attestation of all documents as referred above, as a prerequisite for the purchase of a SIM.

Provided that all foreign nationals shall only be allowed to purchase SIM(s) from the customer service centers of the Operator.

(3) Any Person holding Pakistani Nationality shall be entitled to purchase a Service for family members, subject to the provision of an original CNIC of the intended purchaser of the SIM and the concerned family member in addition to the thumb impression of the intended purchaser.

Explanation.—“family members” means and includes real father, real mother, real brother (s), real sister(s), real son(s) real daughter(s), husband and wife(s) while in case of step children CNIC of his/her parents shall also be required.

(4) All customer agreement forms shall be stamped by authorized persons of all Operator(s) or their authorized agents and franchisees as the case may be as per instructions issued by the Authority from time to time.

6. Requirements of Selling a Service to Corporate Customers.—

(1) All Operators shall be entitled to sell SIM(s) in bulk to Corporate Customers, only through their customer service centers.

(2) All Corporate Customers referred to in sub-regulation (1) above shall be required to fulfill the following minimum obligations:—

- (a) A Board resolution or authorization letter duly issued by the competent authority containing the name of authorizing Person or body on behalf of the organization, the name, designation and CNIC of the Person authorized to purchase the Services (s), and the number of connections/subscriptions required.
- (b) The Corporate Customers shall give an undertaking that the connection allotted shall only be issued to their employees and in case of change of ownership the same shall be communicated to the Operator within seven (7) days of such change. The respective organization(s) shall be responsible for any misuse of the Service by its employees.

(3) All Corporate Customers shall provide a detailed report to the concerned Operator regarding issuance of SIM(s) to the Person on their behalf within thirty (30) days of sale of the SIM(s).

(4) All Operators shall provide a complete list of all Corporate Customers in accordance with the format attached as **Annex-A** to these Regulations for defense organizations, embassies, foreign missions, INGOs on a quarterly basis.

(5) All Operators shall provide a complete list of all Corporate Customers in accordance with the format attached as **Annex-B** for all other organizations not referred to in sub-regulation(4) , on a quarterly basis.

PART -III

Verification and Activation of SIM(s) by Cellular Mobile Operators

7. Minimum Number(s) of SIM(s) to be issued by Operator.—All persons shall be entitled to purchase in their name upto a maximum of ten SIM(s) from one Operator.

8. SIM(s) Activation upon Verification.—(1) All Operators shall ensure the activation of any SIM only after complete verification of Subscriber(s) antecedents given under regulation 9 of these Regulations in addition to the directions of the Authority from time to time.

(2) In the circumstances where any SIM is found without verification it shall be blocked immediately by the Operator and the status of such blocked SIM(s) shall be reported to the Authority on monthly basis.

(3) The subscriber of each SIM shall be responsible for its use, and shall ensure that it is not misused for any fraudulent, obnoxious or unsolicited communication etc. In the event of loss or theft of the SIM(s), the Subscriber shall report immediately but not later than 24 hours of such loss or theft to the concerned Operator and get the SIM(s) blocked by submitting a request:

Provided where the above stated procedure has not been followed and where such SIM(s) results in being used for the commission of an offence punishable under any law for the time being in force, the owner of the SIM(s) shall be responsible.

9. Verification and Activation of SIM(s) through NADRA.—(1) For the purpose of Subscriber's data verification, Operators shall make necessary automated and redundant arrangements with NADRA:

Provided that when verifying the antecedents of a Subscriber an Operator shall also intimate to NADRA the SIM(s) number intended to be activated on completion of the verification.

(2) All SIM(s) once sold and verified by NADRA through the customer service center of the concerned Operator shall be activated within (24) twenty four hours of the request made by the Subscriber to the Operator in addition to the requirements / directions issued by the Authority from time to time.

(3) In case where the information does not match with the response of query received from NADRA for verification purpose, the customer shall be informed to visit the nearest customer service center of the concerned Operator or the nearest NADRA swift center, as the case may be.

10. Sale, Verification and Activation of SIM(s) for NARA Subscribers.—(1) All Subscribers holding a valid NARA identity shall be issued/sold SIM(s), through the customer service outlets of an Operator.

(2) All sales under sub-regulation (1) shall be verified through a manual process by the concerned Operator in accordance with procedures laid down by the Authority from time to time.

11. Cleaning of Old Data.—(1) All Operators shall ensure cleaning of old data for verification of all Subscribers data as and when required by the Authority.

(2) All Operators shall furnish a comprehensive report under sub regulation (1) comprising the status of verified or blocked SIM(s) as soon as possible but not later than thirty (30) days, from the directive of the Authority.

12. Change of Ownership.—All Operators shall follow the procedures prescribed in regulation 5, 8, 9 and 10 when processing requests for change of ownership by the subscriber.

PART -IV

Miscellaneous Provisions

13. Cancellation and Termination of Agreements with Authorized Sellers.—(1) In case of non-compliance of any procedure specified in these Regulations, the agreement between the Operator and the Authorized seller shall be terminated by the Operator.

(2) Upon receipt of information from any source of non-compliance of these Regulations, the Authority may direct an Operator to terminate the agreement with an Authorized Seller.

14. Directions of the Authority.—(1) All directives, notifications, standard operating procedures and orders issued by the Authority from time to time on or before notification of these Regulations shall be binding and applicable on the Operators.

(2) The Operators shall ensure the revision and updation of the verification procedure as and when required by the Authority.

15. Public Education & Awareness.—All Operators shall launch a special campaign through print and electronic media for the education of consumers (in both English and Urdu languages) of all the requirements and processes to be followed to purchase SIM(s) and verification of antecedents as and when required by the Authority.

16. Inspection.—(1) In order to ensure compliance of these Regulations, the Authority may through its authorized officer(s) may inspect the premises and records maintained by the Operator(s) at any time at their customer services outlets or registered and authorized agents or franchisees.

(2) The concerned Operator(s) and their registered and authorized agents or franchisees shall provide all the information and shall extend all possible assistance to the authorized officer(s) or representative of the Authority to inspect the records.

17. Reporting Requirements.—All Operators shall submit reports about SIM(s), record of Subscribers, documentation, detail of Operator's franchisees and authorized agents or any information for the purpose of these Regulations as and when required by the Authority.

18. Maintenance of Record.—All Operators shall ensure the maintenance of updated record of all SIM(s) sold to Subscribers.

19. Confidentiality of Information.—Without prejudice to the provisions of any law for the time being in force, every Operator shall ensure the confidentiality of all information disclosed by the Subscribers under the provisions of these Regulations.

Annex-A

[See sub-regulation (4) of regulation 6]

List of Corporate Customers M/s. _____

As On _____

| S. No. | Name of Organization | Authority letter No., Date & Total Required SIMs/Connections | Details of Authorized Person Mentioned on Authority Letter | | | No. of SIMs/Connections Issued |
|--------|----------------------|--|--|-------------|----------|--------------------------------|
| | | | Name | Designation | CNIC No. | |
| | | | | | | |

[See sub-regulation (5) of regulation 6]

List of Corporate Customers M/s. _____

As On _____

| S. No. | Name of Organization | Authority letter No., Date & Total Required SIMs/Connections | Details of Authorized Person Mentioned on Authority Letter | | | No. of SIMs/Connections Issued | Details of User to Whom SIMs have been Issued | | | |
|--------|----------------------|--|--|-------------|----------|--------------------------------|---|------|------|-------------------|
| | | | Name | Designation | CNIC No. | | SIM No. | Name | CNIC | Permanent Address |

ERUM LATIF,
Deputy Director(Law & Regulations).