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ETHIOPIAN
COMMUNICATIONS AUTHORITY

SIM CARD REGISTRATION DIRECTIVE
No. 799/2021

JULY 2021
ADDIS ABABA

SIM CARD REGISTRATION DIRECTIVE

WHEREAS, it is found Important to develop a legal framework that governs the general conditions governing the use of SIM cards;

UNDERSTANDING that it is necessary to properly identify the conditions, under which the SIM card is issued, terminated and suspended;

CONVINCED that it is crucial to develop a regulatory framework to monitor, administer and manage the National Subscription Records;

NOW, THEREFORE, the Authority hereby issues this SIM Card Registration Directive in accordance with Communications Service Proclamation No. 1148/2019 Articles 6(2), 51(2) and 54(2).

PART ONE GENERAL

1. Short Title

This Directive may be cited as the “SIM Card Registration Directive No. 799/ 2021.”

2. Definitions

In this Directive, unless the context otherwise requires:

- 1) **“Activate”** means to allow a Subscriber to have full access to a Telecommunications Operator’s network service, including the ability to make and receive calls, to send and receive short message services and other services normally provided by a Telecommunications Operator.
- 2) **“Authorized Agent,” “Dealer” or “Distributor”** means a person appointed or contracted by a Telecommunications Operator to carry out the registration of Subscribers under this Directive.
- 3) **“Authority”** means the Ethiopian Communications Authority established under Article 3 of the Proclamation.
- 4) **“Consent Form”** means a form that the Telecommunications Operator or its Authorized Agent presents to Subscribers with terms and conditions of service, and where the Subscriber knowingly accepts to proceed with the service acquisition process.
- 5) **“Deactivate”** means to disable a Subscriber’s access to Telecommunications Services provided by a Telecommunications Operator.
- 6) **“Dispute”** means an issue in contention between licensees, a consumer and a licensee, where one or both parties is aggrieved by the decision and/or conduct of the other, and the parties have failed to reach an amicable resolution after due effort has been made.
- 7) **“Guardian”** means any person who, in a written decision by an Ethiopian federal or state court, is legally recognized as having legal capacity to make decisions on behalf of a child or legally classified as a disabled person.
- 8) **“Identification Details”** means details given by a Subscriber to a Telecommunications Operator or an Authorized Agent, Dealer, or Distributor for the purpose of registration of a SIM Card.

- 9) **“National Subscriber Registry”** means information concerning Subscribers that the Authority shall require for the purpose of consolidating and harmonizing the database of Subscribers maintained by Telecommunications Operators.
- 10) **“Personal Information”** means the private information and records relating to a Subscriber leading to identify such Subscriber including his or her identity, address, or telephone number and/or traffic and billing data and/or other personal information.
- 11) **“Proxy Registration”** means registration on behalf of a Subscriber by a person who legally represents the actual Subscriber.
- 12) **“Registration”** means the process of recording the Identification Details of a person as a Subscriber by a Telecommunications Operator or an Agent, Dealer or Distributor.
- 13) **“SIM Card”** means the Subscriber Identity Module (SIM) 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 communications by providing access to telecommunications systems and enabling such telecommunications systems to identify the particular SIM and its installed information.
- 14) **“Subscriber”** means any person who receives Telecommunications Services and pays the corresponding fees for a certain period of time by virtue of an agreement that he or she enters into or accepts the terms set forth by a Telecommunications Operator.
- 15) **“Suspend”** means to temporarily disable a Subscriber’s access to Telecommunications Services provided by a Telecommunications Operator.
- 16) **“Telecommunications Operator”** means an entity authorized by the Authority pursuant to the Proclamation to provide Telecommunications Service.
- 17) **“Telecommunications Operator Database”** means a Subscriber information database containing registration information of Subscribers who are customers of the Telecommunications Operator.

3. Objective

To provide a regulatory framework for the registration of all SIM Card users, and for the control, administration, and management of the National Subscriber Registry managed by the Authority, in the Federal Democratic Republic of Ethiopia (“Ethiopia”).

4. Scope of Application

- 1) This Directive shall apply to all Telecommunications Operators and their Authorized Agents, Dealers, and Distributors who sell SIM Cards to Subscribers for use in Ethiopia and all persons who use a SIM Card issued by and registered with the Telecommunications Operator in Ethiopia but shall not extend to users of SIM Cards issued by foreign Telecommunications Operators, notwithstanding those users who are roaming on the network of a Telecommunications Operator in Ethiopia.
- 2) This Directive further applies to all Telecommunications Operators who shall establish a Telecommunications Operator Database where its purpose is to store Subscriber information in a secure database to protect the Subscriber’s information.

**PART TWO
NATIONAL SUBSCRIBER REGISTRY**

5. National Subscriber Registry

- 1) The Authority shall establish and maintain a database of all registered Subscribers' information in a central database referred to as the "National Subscriber Registry."
- 2) The Authority shall:
 - a) Host the National Subscriber Registry in a secure location on its premise;
 - b) Provide a platform for the storage of Subscriber information;
 - c) Receive and update a Subscriber's information from each Telecommunications Operator within seventy-two (72) hours of the Telecommunications Operator's registration of the Subscriber's information; and,
 - d) Securely access the database for inspection solely to address inquires or to resolve disputes.

6. Access to the National Subscriber Database

The Authority shall hold and protect the Subscriber information contained in the National Subscriber Registry on a strictly confidential basis and no person or entity shall be authorized to access any Subscriber information without the permission of the Authority or required by a court order.

**PART THREE
SIM CARD REGISTRATION**

7. SIM Card Registration Process

- 1) A Telecommunications Operator or Authorized Agent, Dealer, or Distributor shall be the only entity permitted to register a Subscriber.
- 2) Authorized Agents, Dealers, and Distributors shall have written evidence of authorization to register a Subscriber and issue SIM Cards from Telecommunications Operators.
- 3) A Telecommunications Operator shall maintain electronic records of the following:
 - a) Contact information and consent forms signed for all its authorized employees employed by the entity directly tasked with issuing and/or managing SIM Cards;
 - b) Contact information and consent forms signed by Authorized Agents, Dealers, and Distributors which includes, but not limited to, the following information that shall be submitted to the Telecommunications Operator in order to be authorized by the Telecommunications Operator to distribute SIM cards:
 - i). Business License;
 - ii). Taxpayer Identification Number (TIN);
 - iii). Physical location of the business including House Number, Kebele, Woreda, Zone, Sub-City and Region;
 - iv). Mobile number and e-mail address; and,
 - v). Identification card of contact person(s).
- c) Continually updated list of all SIM Cards sold to its agents and partners for redistribution.

- 4) A Telecommunications Operator shall, on a monthly basis, submit to the Authority a verified list of authorized sales of SIM Cards.
- 5) A Telecommunications Operator shall:
 - a) Establish and maintain a database of all registered Subscribers' information digitally in a Telecommunications Operator's Database and submit an updated Telecommunications Operator Database to the Authority within seventy-two (72) hours of the Telecommunications Operator's registration of the Subscriber's information; and,
 - b) Restrict access to Subscriber information unless requested by the Authority or required by a court order.

8. Information and Documents Required to Register a Subscriber SIM Card

- 1) The following minimum information and documents shall be required for a SIM card registration:
 - a) Full name as it appears on a residence identification card, a driver license, or passport;
 - b) Nationality;
 - c) Date of birth;
 - d) Gender;
 - e) Physical address;
 - f) Postal address (where applicable);
 - g) Recent photograph; and,
 - h) Any biometric data, if available.
- 2) Where a Subscriber has another SIM Card registered to his or her name on a network within Ethiopia, that number shall be registered in the Telecommunications Operator's Database;
- 3) If registering a minor under the care of a Guardian, an original or a certified birth certificate must be presented;
- 4) If registering for a business, the following documents shall be presented:
 - a) A letter that includes the name of the business duly signed with a corporate stamp or seal by the managing director or the person who is responsible for the day-to-day management of the statutory body;
 - b) A copy of the business license and the assigned TIN number; and,
 - c) Identification card of the person procuring the service.
- 5) All information provided under this Article that include changes in Subscriber information shall be communicated to the Telecommunications Operator or the Authorized Agent, Dealer, or Distributor within seven (7) working days of the change taking place.
- 6) Anyone who knowingly provides false information to a Telecommunications Operator or an Authorized Agent, Dealer, or Distributor during the registration process will be in breach of this Directive.

9. Verification Requirements by Telecommunications Operator, Authorized Agents, Dealers, and Distributors

- 1) A Telecommunications Operator or an Authorized Agent, Dealer, or Distributor shall require the following document to verify the registration details of a Subscriber:
 - a) Citizens of Ethiopia:
 - a) A valid residence identification card;
 - b) A valid driver's license; or,
 - c) A valid passport.
 - b) Foreign nationals of Ethiopian origin:
 - a) A valid passport; or,
 - b) A valid Ethiopian Origin Identification Card.
 - c) Non-Ethiopians:
 - i). Members of the diplomatic community categorized as resident diplomats by the Ethiopian Ministry of Foreign Affairs:
 - a) A valid passport; and,
 - b) A valid diplomatic identity card.
 - ii). Non-Diplomatic Foreign Citizens and Nationals Residing in Ethiopia
 - a) A valid passport;
 - b) An official employment letter; or,
 - c) Residence permit issued by the Government of Ethiopia.
 - d) Visitors:
 - i). A valid passport; and,
 - ii). A local address (including and where applicable, a commercial establishment providing accommodation), and contact phone number where the visitor can be reached during the visit.
 - e) Private, government, Foreign Non-Government- and Not-for-Profit Organizations and Institutions:
 - i). A letter that includes the name of the business and duly signed with a corporate stamp or seal by the managing director or the person who is responsible for the day-to-day management of the statutory body;
 - ii). A copy of the business license;
 - iii). An assigned TIN number; and,
 - iv). Identification card of the person procuring the service.

10. Registering and Updating Subscriber's Information

- 1) Telecommunications Operators and Authorized Agents, Dealers, and Distributors shall:
 - a) Register a person as a Subscriber using a common form that is provided by the Authority;

- b) Enter the registration details provided by a person in an electronic or physical form;
 - c) Require a person to appear before the Telecommunications Operator or its Agent in person; or,
 - d) Require a registered Power of Attorney.
- 2) Telecommunications Operators shall:
- a) Update the information obtained pursuant to Article 8 of this Directive in its Telecommunications Operator's Database;
 - b) Maintain the registration details obtained in an electronic medium in a secure and confidential manner. and,
 - c) Include such Subscriber registration details for updates in the National Subscriber Registry.

11. Registration of Minors

- 1) A minor who wishes to register a SIM Card shall be accompanied by his or her Guardian possessing relevant Identification Details as provided in Articles 9 and 10 of this Directive;
- 2) The Telecommunications Operator or agent shall record the date of birth of the minor when registering the minor's SIM Card pursuant to Sub-Article (1) of this Article.
- 3) A Guardian accompanying a minor for the purposes of registering a minor's SIM Card under this Article shall be registered as the Subscriber of that particular SIM Card until the minor attains the age of eighteen (18);
- 4) Within not less than one (1) month prior to the minor attaining the age of eighteen (18), the Telecommunications Operator shall advise the minor to register as an adult and shall inform the minor that his or her Telecommunications Services shall be suspended if he or she fails to comply within three (3) months of such notice;

12. Proxy Registration

There shall be no Proxy Registration of any SIM Card except as otherwise permitted under Article 11 of this Directive.

13. Transfer of Ownership of a SIM Card

- 1) When requesting a transfer in ownership of a SIM Card registered in a person's name, a Subscriber shall make an application to the relevant Telecommunications Operator informing the Telecommunications Operator of his or her intention to cancel the use of the SIM Card and to transfer the benefits, use, and liability of the SIM Card to a particular person.
- 2) When considering such an application under Sub-Article (1) of this Article, the Telecommunications Operator shall apply the registration requirements provided in Articles 8, 9, and 10 of this Directive.

14. Providing Access to the Authority

A Telecommunications Operator shall grant the Authority access to its system, premises, facilities, files, records, and other data to enable the Authority to undertake regulatory audit and ensure the effective compliance of this regulation at any given time.

15. Suspension of Unregistered SIM Card and Notification

A Telecommunications Operator shall:

- 1) Notify all its unregistered SIM Card users of its intentions to suspend the Telecommunications Services if the unregistered Subscriber does not comply with the provisions of this Directive within sixty (60) working days of the coming into force of this Directive.
- 2) Use the following methods to notify unregistered SIM card users and request compliance by:
 - a) Sending a Short Message Service (SMS) to the unregistered phone number;
 - b) Broadcasting the request on established radio and television channels;
 - c) Posting a notice at all outlets that sell the SIM card of the Telecommunications Operator;
 - d) Printing a notice on a newspaper with national circulation rights; or,
 - e) Publishing notices and postings on the Telecommunication Operator's website and official social media pages.
- 3) Suspend the SIM Card of an unregistered SIM Card user if the unregistered SIM card user fails to comply with this Directive following notifications provided under Sub-Article (1) of this Article.
- 4) A Telecommunications Operator shall reactivate a suspended SIM Card where a Subscriber is found to have complied with these Directives.

PART FOUR

SALE OF SIM CARDS BY AUTHORIZED AGENTS, DEALERS, AND DISTRIBUTORS

16. Use of an Authorized Agent, Dealer, and Distributor

- 1) A Telecommunications Operator may use an Authorized Agent, Dealer, or Distributor to sell and distribute SIM Cards or a built-in SIM Card mobile telephone or SIM-enabled mobile communication equipment or device.
- 2) An Authorized Agent, Dealer, or Distributor who sells and distributes a detachable SIM card or built-in SIM Card mobile telephone or SIM-enabled mobile communication equipment or device shall have written evidence of authorization from the respective Telecommunications operator.
- 3) A Telecommunications Operator shall inspect its Authorized Agent, Dealers, and Distributors on a monthly basis to ensure compliance with SIM card registration requirements of this Directive.

17. Requirements for Authorized Agents, Dealers, and Distributors

Every Telecommunications Operator shall ensure that an Authorized Agent, Dealer, and Distributor referred to under Sub-Article (2) of Article 16 provide the required information as listed in Sub-Article (3)(b) of Article 7 of this Directive.

18. Submission of Quarterly Reports

Every Telecommunications Operator shall, on a quarterly basis, submit to the Authority a verified list of its Authorized Agents, Dealers, and Distributors.

PART FIVE
ACTIVATION, DEACTIVATION AND REPLACEMENT OF SIM CARDS

19. Activation of SIM Cards

- 1) A Telecommunications Operator shall not activate a SIM Card, built-in SIM Card mobile telephone or SIM-enabled mobile communication equipment or device on its electronic communication system unless the Telecommunications Operator has registered the Subscriber's details pursuant to this Directive.
- 2) The details of a registered SIM Card, built-in SIM Card mobile telephone or SIM-enabled mobile communication equipment or device shall be kept active in the Telecommunications Operator's database as stipulated in this Directive.
- 3) Any activated SIM Card, built-in SIM Card mobile telephone or SIM-enabled mobile communication equipment or device that is not registered as stipulated in this Directive shall be considered unregistered and shall be deactivated.

20. Deactivation of SIM Cards

- 1) A Telecommunications Operator shall deactivate a Subscriber's SIM Card where:
 - a) Service to the Subscriber has been suspended for a period of three (3) months;
 - b) Upon request by the Subscriber;
 - c) Upon request of a Power of Attorney;
 - d) All efforts to collect outstanding balances have not been successful;
 - e) The Telecommunications Operator or the Authority establish that the Subscriber has provided false information when registering his or her SIM Card;
 - f) The Telecommunications Operator or the Authority establish that a breach has occurred as specified in Article 27 of this Directive;
 - g) The Telecommunications Operator establishes that the Subscriber has not used the SIM Card for six (6) months unless the Subscriber has notified the Telecommunications Operator that such SIM Card will remain idle for more than ninety (90) calendar days consecutively but not exceeding a period of twelve (12) months from the date of notification.; or
 - h) A family member or Authorized Agent of the Subscriber presents a death certificate of the Subscriber.
- 2) Notwithstanding Article 8 of this Directive, where an authorized government representative informs the Authority that a Subscriber has provided false information for registration of a SIM Card, the Authority shall notify the Telecommunications Operator of the complaint and the intended deactivation of the Subscriber's SIM Card.
- 3) Where information under Sub-Article (2) of this Article has been provided to the Authority, a Telecommunications Operator shall give the Subscriber against whom such information has been reported an opportunity to be heard before deactivating the SIM Card, built-in SIM Card mobile telephone or SIM-enabled mobile communication equipment or device;
- 4) Where a SIM Card, built-in SIM Card mobile telephone or SIM-enabled mobile communication equipment or device has been deactivated, the Telecommunications Operator shall retain the records of the relevant Subscriber for three (3) months;

- 5) A Subscriber whose SIM Card, built-in SIM Card telephone or SIM-enabled mobile communication equipment or device has been deactivated may resubmit a new request for registration of the same number subject to availability.

21. Replacement of a Lost, Stolen, or Damaged SIM Card

A Telecommunications Operator shall replace a lost, stolen, or damaged SIM Card upon verification of the original registration and ownership of the SIM Card.

22. Requirement to Submit Quarterly Reports on Deactivated Accounts

A Telecommunications Operator shall submit quarterly reports to the Authority of the record of deactivated and suspended Subscribers and shall update the Telecommunications Operator's Database accordingly.

**PART SIX
DISPUTE RESOLUTION**

23. Right to Dispute the Authority's Findings

- 1) A Telecommunications Operator has the right to dispute any fine imposed by the Authority by submitting the decision review request in writing to the Authority within seven (7) working days from the date of the imposed fine.
- 2) Following the written request, the Authority shall respond to the Telecommunications Operator not later than twenty (20) working days whether:
 - a) The Authority requires additional information from the Telecommunications Operator prior to reaching a decision;
 - b) The Authority has accepted the Telecommunications Operator's appeal; or,
 - c) The Authority has denied the Telecommunications Operator's request and shall inform the Telecommunications Operator's rights to seek resolution of the dispute in accordance with the procedures established in the Authority's Dispute Resolution Directive.

**PART SEVEN
SECURITY AND CONFIDENTIALITY OF SUBSCRIBERS' REGISTRATION DETAILS**

24. Security and Confidentiality of Subscriber Information

A Telecommunications Operator shall:

- 1) Take all reasonable steps to ensure the security and confidentiality of its Subscribers' registration details;
- 2) Notify the Authority of the steps taken and processes introduced to ensure the security and confidentiality of its Subscribers' registration details within thirty (30) days after this Directive comes into force;
- 3) Verify the accuracy and authenticity of information related to a Subscriber's details contained in its Operator's Database as required by the Authority from time to time;
- 4) Update the Authority, on a monthly basis, of any Subscriber changes to the Operator's Database;
- 5) Notify the Authority of any data breach that compromises Subscriber information within seven (7) working days from the discovery of the breach; and,

- 6) Notify the affected Subscribers of any data breach including instructions on how to manage the compromise.

PART EIGHT COMPLIANCE AND ENFORCEMENT

25. Compliance

The Authority shall monitor a Telecommunications Operator's compliance with the provisions of the Proclamation and this Directive.

26. Enforcement

- 1) Where the Authority, consistent with the provisions of this Directive, the Proclamation, and other instruments that the Authority may issue, determines that a Telecommunications Operator has violated the provisions of this Directive, it shall impose remedies pursuant to Article 52 of the Proclamation, that shall include fines or restitution.
- 2) Without prejudice to Article 28 of this Directive and Sub-Article (1) of this Article, the Authority's remedies and sanctions shall be guided by the Council of Ministers Regulation issued pursuant to Article 52(6) of the Proclamation that determines the types of infractions that would result in license revocation, suspension, and other administrative measures and stipulate the penalties and the amount of fines to be paid.

PART NINE MISCELLANEOUS

27. Breach Under This Directive

Failure to comply with the provisions and requirements provided in this Directive shall result in a breach of this Directive.

28. Penalties

The Authority shall impose a penalty in the form of fines on a Telecommunications Operator or its Authorized Agents, Dealers, and Distributors where they:

- 1) Fail to capture, register, deregister or record the verified details of a Subscriber to the Telecommunications Operator's Database as required by this Directive;
- 2) Activate any SIM Card without capturing, registering, and updating the Telecommunications Operator's Database;
- 3) Refuse service to a Subscriber notwithstanding the fact that a Subscriber fulfils all the requirements as listed in Article 8 of this Directive;
- 4) Fail to protect the privacy of the Subscriber as required by this Directive; and,
- 5) Are found to be in breach of any part of this Directive.

29. Amendment

The Authority may, at any time, when it deems it necessary, amend this Directive by notifying all Telecommunications Operators in advance and conducting a stakeholder consultation process in line with the provisions of the Proclamation.

30. Effective Date

This Directive shall come into force on the 9th day of July 2021.

DONE AT ADDIS ABABA ON THE 9TH DAY OF JULY 2021

**ENGINEER BALCHA REBA
DIRECTOR GENERAL
ETHIOPIAN COMMUNICATIONS AUTHORITY**