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**PART II**

**Statutory Notifications (S. R. O.)**

GOVERNMENT OF PAKISTAN

**PAKISTAN TELECOMMUNICATION AUTHORITY**

**NOTIFICATION**

*Islamabad, the 24th August, 2017*

**S. R. O. 904(I)/2017.**—Pursuant to clause 9.6 of the Telecommunications Policy, 2015 read with sub-section (2) of section 29 of the Pakistan Telecommunication (Re-organization) Act, 1996 (XVII of 1996) the Authority hereby makes the following regulations, namely:

**PART- I**

**PRELIMINARY**

1. **Short title and Commencement.**—(1) These regulations shall be called the “**Mobile Device Identification, Registration and Blocking Regulations, 2017**”.

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

(2237)

*Price : Rs. 10.50*

2. **Definitions.**—In these regulations, unless there is anything repugnant in the subject or context,—

- (a) **“Authority”** means Pakistan Telecommunication Authority established under section 3 of the Pakistan Telecommunication (Re-organization) Act, 1996;
- (b) **“Authorized Distributor(s)”** means an entity holding a valid type approval certificate issued by the Authority under the Type Approval Regulations, 2004 (as amended from time to time) for distribution and commercial sale/market of mobile devices for connection to a public switched network;
- (c) **“Black List”** means a list of IMEIs that are associated with mobile device(s) which have been denied mobile communication service (s) by Mobile Network Operator (s) (MNO) as they have been reported lost., stolen, have an invalid IMEI number(s), have a duplicate IMEI(s) or not having certification of compliance to technical standards for such mobile devices issued by the Authority;
- (d) **“Blocking Intimation”** means an alert to subscriber(s) that their mobile devices will be blocked along with reasons for blocking;
- (e) **“Compliant Mobile Device”** means a mobile device that fulfils the following requirements:
  - i. Devices with valid IMEIs assigned by Global System Mobile Association(GSMA);
  - ii. Devices with unique IMEIs;
  - iii. Devices not in the stolen/lost lists (reported locally to the Authority and globally to GSMA); and
  - iv. Devices type approved or having Certification of Compliance to Technical Standards for IMEI devices issued by the Authority.
- (f) **“Device Verification System”** means a web interface and application for subscribers to verify the status of a mobile device;
- (g) **“Duplicate IMEI”** means IMEIs found with two or more mobile devices and also includes same IMEI on a dual or more SIM device for each SIM slot.

- (h) **“Exception List”** means a list containing specific IMEI(s) and Subscription Pairings that are allowed to continue receiving Mobile Communication Services even if their IMEI(s) appears on the blacklist on the basis prescribed by the Authority;
- (i) **“Equivalent Identifier”** means a unique device identifier which may be issued by any other entity/organization and has been accepted by Authority;
- (j) **“IMEI-Subscription Pairing”** means pairing of a particular IMEI with subscriber’s SIM;
- (k) **“IMEI(s)”** means an International Mobile Equipment Identity issued by GSMA and it comprises unique 15 (fifteen) digits decimal numbers required to identify a mobile device(s) on mobile networks;
- (l) **“IMSI”** means the International Mobile Subscriber Identity that is used to identify the subscriber(s) of a particular mobile network operator and is unique with all the cellular networks. IMSI consists of mobile country code, mobile network code;
- (m) **“Lost/Stolen Mobile Devices”** means a mobile device reported as lost or stolen to MNOs or Authority;
- (n) **“Mobile Device”** means a communicating device that uses SIM(s) (Subscriber Identity Module) such as mobile phone, SIM based tablet, SIM Based Router etc.;
- (o) **“Mobile Device Blocking”** means denial of Mobile Communication Services to a mobile device by the MNO(s);
- (p) **“Mobile Device Registration System”** means a registration for certification of compliance to technical standards’ for IMEI devices in the manner as prescribed by the Authority to the Distributors/OEMs/ODM(s)/Type Approval Holder(s)/Individuals from time to time;
- (q) **“Mobile Device Identification Registration and Blocking System” (DIRBS)** means a system and service which is capable of identification, registration and blocking of non-compliant SIM based mobile devices in the prescribed manner;
- (r) **“MSISDN”** means the Mobile Station International Subscribers Directory Number, uniquely identifying a subscription in a GSM or a UMTS mobile network;

- (s) **“Notification List”** means a list of Mobile Devices with certain authentication issues such as having IMEI numbers allocated by GSMA but is not type approved by Authority; and/or does not have certification of compliance to technical standards for IMEI devices issued by Authority and/or is non-duty paid and/or is duplicate IMEI and/or any other reason notified by Authority;
- (t) **“OEM/ODM”** means an Original Equipment Manufacturer/ Original Design Manufacturer, who are type approval holder(s), to market and sell mobile devices in the territory of Pakistan;
- (u) **“Secure File System”** means the secure interface for Mobile Network Operators to upload mobile device data in the Authority pre-defined format;
- (v) **“SOP”** means Standard Operating Procedures issued by the Authority under these Regulations from time to time;
- (w) **“Subscriber/Consumer”** means any natural or juristic person who enters into a contract with an MNO(s) for acquiring mobile communication service;
- (x) **“Terminal Equipment”** means any apparatus directly or indirectly connected to any network termination point and used for sending, processing or receiving intelligence; and
- (y) **“Type Approval Bolder”** means and includes an entity holding a valid type approval certificate issued by the Authority under the Type Approval Regulations, 2004 (as amended from time to time).

2. **Scope and Applicability.**—These Regulations shall apply to all Mobile Communications Service Licensee(s), Type Approval Holders; Authorized Distributors and OEM/ODM for registration and maintenance of accurate data of mobile device(s) and IMEI(s), to ensure the sale, purchase and provision of mobile communication service(s) to Compliant Mobile Device(s) only, through DIRBS System in accordance with the procedure(s) provided in these Regulations.

## PART- II

### ESTABLISHMENT & FUNTIONING OF MOBILE DEVICE IDENTIFICATION, REGISTARTION AND BLOCKING SYSTEM

3. **Provision of Mobile Communication Services.**—(1) Mobile Communication Service(s) shall be provided by MNO(s) to Compliant Mobile Devices only.

(2) All Type approval holders/authorized distributors/ OEM/ODM and MNOs shall co-operate with the Authority to ensure that non-compliant mobile devices are not imported, sold, marketed or connected with the mobile operators' networks.

(3) Mobile devices reported as stolen, blocked or bearing a duplicate or non-standard IMEI shall be blocked by MNO(s) from use in Pakistan as per the SOP issued by the Authority from time to time.

(4) Mobile terminal equipment/devices must have a valid and unique IMEI issued by GSMA or equivalent identifier for connection to a public switched network in the manner as set out in these Regulations.

**4. Establishment for Identification of Non-Compliant Mobile Devices.—**(1) The Authority shall establish DIRBS and prescribe Standard Operating Procedures for its implementation on technical, management and operational matters.

(2) The DIRBS System established under regulation 4(1) of these Regulations shall be capable to support verification of IMEIs by Subscribers, to register IMEI paired exceptions, to import data from MNOs, GSMA device database, Authorized Distributors, Type Approval Holders, and list of duplicate and stolen Mobile Device(s):

Provided that a periodic analysis will be performed to allow the identification and tracking of non-compliant devices in accordance within these Regulations using the DIRBS.

**5. Registration of Mobile Devices.—**(1) A Mobile Device Verification System and its Registration System will be provided by Authority for identification/registration of IMEI displayed on the mobile device to verify whether the said device is a compliant mobile device or not.

(2) The format of the system specified in sub-regulation (1) of regulation 5 of the Regulations shall be in accordance with an SOP to be issued by Authority under these Regulations.

(3) Authorized Distributors / Type Approval Holders / ODMs / OEMs having type approval certificate will be required to apply for certification of compliance to technical standards for IMEI devices to Authority before import or to market, respectively as per the prescribed format by Authority in the Type Approval Regulations, 2004 (as amended from time to time).

(4) Mobile Devices imported in accordance with sub-regulation (3) of regulation 5 of these Regulations will be eligible for registration.

(5) Individual(s) importing/carrying device(s) for personal use will be required to apply for certification of compliance to technical standards for IMEI device(s) issued by Authority from time to time under the Type Approval Regulations, 2004 to become eligible for registration of the device(s).

(6) All non-compliant Mobile Device(s) will be included in the black list by means of the DIRBS System. Updated Black List(s), Exception List(s) and Notification List(s) will be provided by means of the DIRBS System to MNO(s) at regular intervals.

6. **Blocking/Un-Blocking of Devices.**—(1) Mobile Network Operator (s) shall provide the data in the prescribed format to the Authority. The DIRBS system shall generate Black List, Exceptions List and Notification List which will be forwarded to the MNOs for implementation on their network(s) for blocking and unblocking of Mobile Devices and intimation to the Subscribers wherever required:

- (a) **Black List:** Black list will be sent to all MNOs periodically through the DIRBS interface. All devices whose IMEIs are included in the latest black list will be denied mobile communication service by the MNO.
- (b) **Exceptions List:** An operator specific Exceptions List containing specific IMEI-Subscription pairings, as per regulation 7 of these Regulations, will be sent to each MNO(s) periodically. MNOs will allow the pairings in the latest list to continue receiving Mobile Communication Service even if their IMEIs appear in the blacklist.
- (c) **Notification List:** MNOs specific notification lists will be used to indicate mobile devices with certain issue(s). IMEIs on a notification list will be provided along with the subscription they were observed with, so that the relevant MNOs may communicate with such devices and help resolve the issues. If the issues with a device remain unresolved for a period specified by Authority, its IMEI will be sent to the blacklist.

(2) The lists at sub-regulation (1) of regulation 6 of these Regulations will be generated and provided to MNOs at regular intervals, in accordance with the procedure prescribed by Authority through a standard operating procedure.

(3) Any blacklisted mobile device by Authority will be not be activated except for lost/stolen and type approved devices which are verified by DIRBS in accordance with the SOP approved by the Authority under these Regulations.

7. **Mobile Device-Subscription Pairing.**—(1) A pairing system will be part of DIRBS which will pair Mobile Devices with subscriptions based on criteria to be provided by the Authority.

(2) Paired mobile devices will remain in exception list for a time period specified by Authority to be determined through consultation with the MNOs.

8. **Roamers.**—(1) These Regulations shall also apply on Mobile Devices while roaming in Pakistan with the exception that these Mobile Device(s) will not be placed in the category of devices not type approved or not having Certification of Compliance to Technical Standards for IMEI devices issued by the Authority:

Provided that in case roamers stay in Pakistan beyond the prescribed time limit as set out in the SOP, then such roaming Mobile Device shall be required to apply to Authority for issuance of certification of compliance to technical standards for IMEI Mobile Devices.

### PART- III

#### RIGHTS & OBLIGATIONS

9. **Obligations of MNOs.**—(1) All MNOs shall ensure implementation of Equipment Identity Register (EIR) or related module in their networks or as directed by the Authority.

(2) MNOs shall ensure that their system is capable to facilitate the implementation and smooth functioning of DIRBS.

(3) Through information provided by Authority, MNOs shall not install or permit the installation or connection of any terminal equipment/Mobile Device unless the terminal equipment/Mobile Device is type approved by the Authority, or otherwise permitted by the Authority.

(4) All MNOs shall upgrade their EIRs/systems in terms of hardware and software at their own cost in order to support blocking the Mobile Devices placed in the Black List, allow the IMEI-Subscription pairings that are listed in the Exceptions List to continue receiving mobile communication service even if their IMEIs appear on the Black List and update these lists on a daily basis or the frequency specified by Authority and whenever new/updated lists are provided by Authority.

(5) All MNOs shall provide Mobile Device data in the given timeframe and format as specified by the Authority from time to time.

(6) All MNOs shall setup, operate and maintain a Secure File Interface to the DIRBS core system as well as provide secure connectivity between DIRBS' SMS gateway and their SMSC at their own cost as specified by the Authority from time to time.

(7) MNO(s) will actively help in identifying Stolen phones, blocked phones and phones with duplicate or non-standard identifiers on their networks and will maintain and report to DIRBS and update database with information about such phones/Mobile Devices for the benefit of the mobile services sector worldwide.

(8) MNO(s) shall be required to become members of the International Mobile Equipment Identity Database (IMEI DB, *formerly* the CEIR) operated by the GSMA, or others as applicable.

(9) MNO(s) will include countries that are the source of a large number of stolen mobile devices to Pakistan in their IMEI DB notification profile.

(10) MNO(s) will not allow the registration of new terminal equipment/mobile devices with invalid identifiers on their networks.

(11) All MNO(s) shall ensure that only type approved Mobile Devices are connected to their network(s).

10. **Rights of MNOs.**—Each MNO shall be provided an analysis report generated by means of the DIRBS System, as specified in the standard operating procedures prescribed by the Authority from time to time.

11. **Obligations of Type Approval Holder/Authorized Distributor/OEM/ODM.**—All Type Approval Holders/Authorized Distributors/OEMs/ODM(s) shall provide accurate information of type approved Mobile Devices for issuance of certification of compliance to technical standards for IMEI devices by Authority in order to maintain the updated list of IMEI numbers of Mobile Devices in the DIRBS as per Regulation 5 of these Regulations.

12. **Rights of Type Approval/Authorized Distributor/OEM/ODM.**—Type Approval Holders/Authorized Distributors/OEM/ODM will be allowed to get their blacklisted devices registered by submitting valid documents as per Type Approval Regulations, 2004 and fulfilling requirements.

13. **Subscriber's/Consumer Rights.**—(1) Subscriber(s)/Consumer may report their lost/stolen Mobile Devices for blocking on the designated helpline of MNO(s) and PTA respectively.

(2) Subscribers may prove the authenticity of their duplicated IMEI device(s) which have been blocked by submitting valid documents to Authority and get Mobile Communication Services restored through pairing, if device is ascertained to be compliant as a result of scrutiny of the submitted documents to Authority.

#### PART- IV

#### GENERAL CONDITIONS

14. **MNOs & Subscribers/Consumer.**—(1) The Authority will send an intimation to all those Subscribers/ Consumer who are using non-compliant Mobile Devices.

(2) Subscribers may contact the helplines/email/or any other mechanism defined by Authority from time to time.

(3) All MNO's shall provide free of cost SMS facility to be sent from DIRBS system to the consumer. However, where a consumer/subscriber initiates an SMS for query to the DIRBS system, charges for such SMS shall be determined in the SOP to be issued by the Authority under these regulations.

15. **Authorized Distributors/OEM/ODM.**—The Authorized Distributors/Type Approval Holders/OEMs/ODMs will ensure that they get their Mobile Devices type approved from Authority as per the Type Approval Regulations, 2004.

16. **Public Education & Awareness Campaigns.**—(1) The Authority, type Approval Holders, Authorized Distributor(s), OEM, ODM shall carry out extensive media campaigns to educate consumers for the requirement to verify the validity of the Mobile Devices in their use and the procedure for verification of Mobile Devices available for sale/purchase, using the device verification system of DIRBS.

(2) The SMS broadcast shall encompass the following:

(a) Subscribers desirous of getting Mobile Communication Services shall ensure that they are using compliant Mobile Device(s) by checking through “**Device Verification System**” which could be web based, mobile app or SMS short code.

- (b) Respond and take necessary actions as requested through any message delivered to them through any means regarding their device(s).
  - (c) All information and knowledge about DIRBS to avoid inconvenience caused due to their Mobile Devices getting blocked.
  - (d) Any other notifications/information required to be sent to the customers by the Authority from time to time.
- (3) MNOs/Type Approval Holders/ OEM(s)/ODM/ Authorized Distributors will train their Customers Service and Call Centers staff to guide the customers on DIRBS. They will also design and display posters in their Customer Service Centers and provide them to their dealers for awareness of general public.
- (4) MNOs/Type Approval Holders/ OEM(s)/ODM/ Authorized Distributors shall train their customer service representatives for facilitation to their consumers educating them on how to check authenticity of a mobile device by means device verification interface.

**17. Inspection.**—(1) In order to ensure compliance of these Regulations, the Authority may through its authorized officer(s) inspect the premises and records maintained by the Type Approval Holders/ OEM(s)/ODM/Authorized Distributors and MNO (s) for the mobile devices already type approved and having certification of compliance to technical standards for such devices issued by the Authority at any time at their customer services outlets or registered and authorized agents for inspection as and when required by Authority.

(2) All Type Approval Holders/ OEM(s)/ODM/ Authorized Distributors must have copy of Type Approval certificate, authorization distribution certificate from the Type Approval holders along with certification of compliance to technical standards issued by the Authority.

**18. Complaints System.**—(1) The MNOs, Authorized Distributors / OEM(s)/ODM(s) and Type Approval Holders shall establish an efficient methodology to promptly receive, process and respond to complaint lodged by subscribers regarding their devices.

(2) They shall make all reasonable efforts to resolve complaints in accordance with the Telecom Consumers Protection Regulations, 2009

**19. Privacy of Data.**—(1) MNO(s) shall not disclose the contents of any data being transmitted or received from DIRBS, except to the extent permitted by Authority in writing or through any regulation/instruction/ directive.

(2) MNOs shall take all reasonable measures to safeguard the databases from unauthorized interception or unauthorized access.

**20. Directions of the Authority.**—(1) All directives, notifications, Standard Operating Procedures and orders issued by the Authority from time to time, shall be binding and applicable on the MNOs, Authorized Distributors /OEM(s)/ ODM(s) and Type Approval Holders.

**21. Confidentiality of Information.**—Without prejudice to the provisions of any law for the time being in force, all MNOs, Authorized Distributors /OEM(s)/ ODM(s) and Type Approval Holders shall ensure the confidentiality of all information disclosed by the Consumers under the provisions of these Regulations.

ERUM LATIF,  
*Deputy Director(Law & Regulations).*