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**PART II**

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

GOVERNMENT OF PAKISTAN

**PAKISTAN TELECOMMUNICATION AUTHORITY**

**NOTIFICATION**

*Islamabad, the 8th March, 2015*

**S. R. O. 480 (I)/2015.**—In exercise of the 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, 2015”.

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

(2001)

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.

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 ;
- (b) **“Alien”** means a person registered with the National Alien Registration Authority (NARA);
- (c) **“Authority”** means the Pakistan Telecommunication Authority established under section 3 of the Act;
- (d) **“Authorized Sellers”** means and includes franchisees, retailers, agents having a valid written agreement with an Operator for the sale of SIM(s) in addition to their current employees authorized by the operator.
- (e) **“CNIC”** means Computerized National Identity Card issued by NADRA;
- (f) **“Change of ownership form”** means the document (electronic or otherwise) containing:
  - (i) Antecedents of the transferor and transferee;
  - (ii) Date of the request;
  - (iii) Signature of transferor or the authorized person and the transferee;
  - (iv) Sales channel information *i.e* Unique ID, name, address, stamp;
  - (v) Any other information deemed necessary by the Authority; and
  - (vi) Unique transaction ID generated by NADRA during biometric verification.
- (g) **“Customer Service Center (CSC)”** means the designated office of the operator, for customer services;

- (h) **“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
- (i) **“NADRA”** means National Database and Registration Authority;
- (j) **“NARA”** means National Alien Registration Authority;
- (k) **“Operator”** means the holder of a Mobile Cellular License issued by the Authority;
- (l) **“Person”** means a natural person;
- (m) **“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;
- (n) **“Subscriber”** means and includes natural or juristic person who subscribes for a telecommunication service ;
- (o) **“SIM”** means Subscriber Identity Module to be provided by a cellular mobile Operator as a connection for cellular mobile services;
- (p) **“Rules”** means all Rules issued from time to time by the Federal Government under section 57 of the Act;
- (q) **“Regulations”** means all Regulations issued by the Authority under the Act, from time to time including these Regulations; and
- (r) **“Unique ID”** means an exclusive sale ID issued by the concerned operator specifically for communicating with database of authorized sales channels.
- (s) **“Verification”** means the authentication of the antecedents/particulars of each cellular mobile subscriber with the data maintained by NADRA in real time in the manner prescribed by the Authority from time to time.

(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 franchisees/agents, current employees authorized by the Operator:

Provided that only a holder of a Unique ID shall be authorized to sell SIM(s):

Provided further, that the Unique ID shall be assigned/managed by the concerned Operator in the manner prescribed by the Authority from time to time.

(2) The Operator(s) shall ensure verification of Subscriber antecedents at the time of sale of SIM in the manner prescribed by the Authority from time to time.

(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. **Minimum Requirements for Sale of New SIM(s).**—(1) No SIM(s) shall be sold and activated by any Operator in any manner to any Person(s) unless and until following prerequisites are fulfilled:

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

(i) Valid identity card number issued by NADRA shall be provided to the authorized Person of the Operator; and

(ii) 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 shall be shown and copy of passport attested by customer service center shall 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 shall be shown at customer service center and a copy shall be retained by the authorized person of the Operator ; and
- (iii) For Afghan Nationals, attested (by Gazetted Officer/notary public) copy of valid identity card issued by the Government of Pakistan; and
- (iv) 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, where applicable, as referred above, as a prerequisite for the purchase of a SIM.

(3) All customer agreement forms, where applicable shall be stamped by the authorized representative of the Operator(s) or their authorized agents and franchisees as the case may be as per instructions issued by the Authority from time to time.

(4) Postpaid and data SIM(s) shall be sold at the customer service center, franchise and by authorized Operator representatives only.

**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 No. of the Person authorized to purchase the Services (s), and the number of connections/subscriptions required;
- (b) Copy of CNIC of the authorized representative;
- (c) 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 seven (7) days of sale of the SIM(s) in accordance with the format attached as Annexure-A and Annexure-B to these regulations.

(4) All operators shall maintain a complete list of all Corporate Customers in accordance with the format attached as Annexure-A to these Regulations for defense organizations, embassies and foreign missions, which shall be provided to PTA as and when required.

(5) All operators shall maintain a complete list of all Corporate Customers in accordance with the format attached as Annexure-B to these Regulations for Pakistani local organizations, companies/International non-governmental organizations having a registration certificate or national tax number, which shall be provided to PTA as and when required.

### **PART-III**

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

**7. Maximum Number of SIM(s) to be issued to individual CNIC holders.**—Not more than five (5) SIM(s) shall be sold and activated collectively by Operators against an individual CNIC holder, whether from one or more Operators.

**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 accordance with 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 as and when required by the Authority.

(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 purposes of subscriber data verification, Operators shall make necessary automated and redundant arrangements with NADRA:

Provided that only the operator concerned shall verify and activate the SIM(s).

(2) All SIM(s) once sold and verified by NADRA shall be activated within a maximum of 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 the case that the subscriber data does not match with NADRA's record, the subscriber shall be informed about the reason for non-verification by the sales agent based upon error code generated by NADRA and the customer shall be advised to visit the nearest customer service center of the concerned Operator or the nearest NADRA swift center, as the case may be to sort out the discrepancy in data mismatch.

**10. Activation of SIM(s) for Foreign Nationals.**—(1) All Operators shall sell and activate SIM(s) to foreign nationals through customer service center only.

(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 verification of antecedents of all SIM(s) whether active or not, within the timelines and in the manner prescribed 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.

(3) All Operators shall block all the SIM(s) which are unverified within the timelines prescribed by the Authority from time to time.

**12. Change of Ownership.**—(1) All Operators shall follow the procedures prescribed by the Authority from time to time for processing requests for change of ownership by subscriber(s).

(2) Change of ownership request shall only be received by the Customer Service Centers and franchisees:

Provided that upon receipt of request under sub-regulation (2) above, the CSC and franchisee shall complete the process of such request within three (3) working days.

(3) A request for the change of ownership must include at a minimum the following:

(a) Physical presence of owner or an authority letter authorizing such person to initiate request of change of ownership on behalf of the owner alongwith original CNIC of authorized person, original owner and transferee;

(b) Change of ownership form (electronic or otherwise) duly filled in ;

(4) Subject to fulfillment of requirements specified in sub-regulation (3) upon showing the original CNIC of owner or authorized person and transferee the request for change of ownership shall be processed:

Provided that a request of change of ownership shall not be entertained before the completion of the 30th day of last availed mobile number portability or issuance of a duplicate SIM.

(5) Upon completion of the process of each request for the change of ownership the existing SIM shall be deactivated and a new inactive SIM(s) shall be issued and activated in accordance with the procedure prescribed in regulation 8 and 9 of these regulations.

(6) All documentation with regard to each Change of Ownership request, specified in sub-regulation (3), shall be maintained by Operator and shall be provided to the Authority as and when required.

#### **Part -IV**

#### **Miscellaneous Provisions**

**13. Breach of Agreements by Authorized Sellers.**—(1) In case of noncompliance of any procedure specified in these Regulations and as directed by the Authority from time to time, or upon receipt of information from any source of non-compliance of these Regulations and directions of the Authority, the Authority or an authorized officer of the Authority not below the rank of Director, may direct an Operator to take action against the 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 updating 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 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 the premises of the 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 and shared with the Authority/concerned quarters from time to time.

**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.

**20. Repeal and Savings.**—(1) The Subscriber Antecedents Verification Regulations, 2010, Subscriber Antecedents Verification (Amendment) Regulations, 2012 and Subscriber Antecedents Verification (Second Amendment) Regulations, 2012 are hereby repealed.

(2) Notwithstanding the above, all orders, directives, notifications and actions taken under the Subscriber Antecedents Verification Regulations, 2010, Subscriber Antecedents Verification (Amendment) Regulations, 2012 and Subscriber Antecedents Verification (Second Amendment) Regulations, 2012 shall be deemed to have been made, taken, issued lawfully and validly unless amended, withdrawn, rescinded or annulled by the Authority under these Regulations.

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

**Annexure-A**

(See regulation (5) of regulation 6)

**List of Corporate Customers M/S**

As on \_\_\_\_\_

S. No.	Name of Organization	Date & Total Required SIMs/ Connections	Details of Authorized Person Mentioned on Authority Letter			Number of SIMs/ Connections Issued
			Name	Designation	CNIC/Passport Number	

**Annexure-B**

(See regulation (6) of regulation 6)

**List of Corporate Customers M/S**

As on \_\_\_\_\_

S. No.	Name of Organization	Date & Total Required SIMs/ Connections	Details of Authorized Person Mentioned on Authority Letter			Number of SIMs/ Connections Issued	Detail of User to Whom SIMs have been issued				
			Name	Designation	CNIC/ Passport Number		SIM No.	Name	CNIC/ Passport No.	Present Address	Permanent Address

**PAKISTAN TELECOMMUNICATION AUTHORITY***Islamabad, the 11th March, 2015****Corrigendum Notification***

[To the Gazette of Pakistan Extra-ordinary Part II, dated 13<sup>th</sup> August, 2014, containing notification No. S.R.O. 730(I)/2014 dated 2<sup>nd</sup> June, 2014]

1. **Amendment in Annex-A, S.R.O.730 (1)/2014.**—In the Protection from Health Related Effects of Radio Base Station Antennas (Amendment) Regulations, 2014 at page 2438, Annex-A shall be substituted and read as follows:

**Compliance Certificate (under regulation 4 of these regulations)**

1. *Certified that radio network (BTS Antennas) installed by our company in Pakistan are complying with standards/guidelines set by International Commission on Non-Ionizing Radiation Protection (ICNIRP) for radiation hazards (adopted as National Standard by Government of Pakistan).*

2. *The network already deployed has been audited by us carefully and it is declared/confirmed that power density values at public level in tower's proximity are well within the safe limits as below:*

**Power Density Public Exposure Limits**

- *For 400 MIL - 2000 MI lz range public exposure power density limit  $\leq f/2000$  mW/cm<sup>2</sup> (where f is frequency in MHz) and*
- *For 2 GHz - 300 GHz range public exposure power density limit  $\leq 1$  mW/cm<sup>2</sup>*

3. *We further undertake that the Network planned for future installations will be in accordance to the said standards. In case of any deviation found by the Authority on existing sites to date, the same will be modified / removed to bring it within the policy guidelines as prescribed above and in case of non-compliance it may be considered as sheer negligence on our part, subject to the penalties imposed by the Authority at the time of the findings.*

Date:

Signature  
(Name and Seal of company)"

ERUM LATIF,  
Dy. Director (Law & Regulations).