

*This draft intends to seek comments of all those interested on the subject, so as to introduce a mechanism for the registration and maintenance of accurate data of subscriber antecedents through proper documentation and verification.*

*All interested are requested send their comments and views on this draft latest by 7<sup>th</sup> March 2009. Your comments may be send in writing, or through email to Ms. Erum Latif, Deputy Director (Law & Regulations) PTA Headquarters F-5/1, Islamabad.  
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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, Commencement and Applicability.** – (1) These regulations shall be called as “Subscriber’s Antecedent Verification Regulations, 2009” and shall come into force from the date of gazette notification.

(2) These regulations shall apply to all operators for the registration and maintenance of accurate data of their subscriber’s antecedents through proper documentation and verification.

**2. 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) "CNIC" means computerized national identity card issued by NADRA
- (d) "NADRA" means National Database Registration Authority;
- (e) "NARA" means National Alien Registration Authority;
- (f) "Operators" means a means a person granted a license or registration by the Authority;
- (g) "Subscriber" means and includes natural or juristic person(s) who subscribes for telecommunication service ;

- (h) ' **Service**' means a service consisting in the emission, conveyance, switching or reception of any intelligence within, or into, or from, Pakistan by any electrical, electro-magnetic, electronic, optical or optio-electronic system, whether or not the intelligence is subjected to re-arrangement, computation or any other process in the course of the service;
- (i) "**SIM (s)**" means Subscriber Identity Module to be provided by Operator as connection for cellular mobile services;
- (j) "**SMS**" means Short messaging Service;
- (k) "**Rules**" means all rules issued by the Federal Government under section 57 of the Act; and
- (l) "**Regulations**" means 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 Verification by Operators

**3. Sale of Service(s).**\_\_\_(1) Operators shall be allowed to sell a service through their customer services outlets or registered and authorized agents/franchisees only.

(2) All operators shall ensure verification of subscriber antecedents at the time of sale of a service.

(3) All operators shall submit a list of all franchisees and agents to the Authority as and when required.

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

**4. Requirement for selling a service.**\_\_\_ (1) No service shall be sold or issued in any manner to any person(s) unless and until following prerequisites are fulfilled:

(a) For Pakistani Nationals:

- i. an adult subject to provision of copy of CNIC.
- ii. In the case of minor(s) copy of CNIC of his/her parents and Form B duly issued by NADRA shall be required;(where applicable) and
- iii. Any additional requirement as required by the Authority from time to time.

(b) For Foreign Nationals:

- i. A copy of passport, with a valid visa to stay in Pakistan;
- ii. Afghan nationals ;
- ii. Aliens holding a valid document and identity card issued by National Alien Registration Authority; and
- iii. Any additional requirement as required by the Authority from time to time.

Provided that only authorized personnel at the customer service center of the concerned operator shall be responsible for attestation of all documents required for the purchase of a service.

(2) 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 owner of the service and concerned family member and thumb impressions of both.

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

**5. Sale of Service(s) to Corporate Customers.**-(1)All organizations/companies/firms/NGO/INGO's and Trusts and others registered with Securities and Exchange Commission of Pakistan, shall be entitled to apply to operators as corporate customers.

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

- (a) Copy of SECP registration certificate duly attested by SECP with their stamp and signature;
- (b) Board Resolution or Authority letter duly issued by the competent authority containing the name of authorizing person or body on behalf of the organization, the name and designation of the person authorized to use the service and the exact number of connections required;and
- (c) The corporate customers shall give an undertaking that since shall be only issued to their employees and incase of change of ownership the same shall be communicated to operator. The respective organizations shall be responsible for any misuse of the service by its employees.

(5) All such subscribers referred to in sub-regulation (4) above shall be required to provide a detailed report to the Operators of persons to whom the telecommunication service/connection are issued on their behalf within thirty (30) days of sale of service.

(6) All application forms will be required to be stamped by all operator(s) or their authorized agents or franchisees as the case may be as per instructions issued by the Authority from time to time.

### **PART -III**

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

**6. Minimum Number(s) of SIM(s) to be issued by the operators.**\_\_\_Subject to holding Pakistani nationality, only such person(s) shall be entitled to have upto a maximum of ten SIM(s) from one operator.

Provided that foreign nationals shall be entitled to one SIM per operator.

**7. SIM(s) activation upon verification.**\_\_\_(1) All operators will be obliged to activate all SIM(s) after complete verification of subscriber(s) antecedents given under regulation 7 of these regulations or as per direction of the Authority.

(2) In the circumstances where any SIM(s) connection is found unverified 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.

**8. Verification and activation of SIM(s).**\_\_\_ (1) All SIM(s) sold shall be verified by the operators in accordance the directives of the Authority in addition to the requirements given below:

- a. Subject to fulfillment of the complete verification by the operator from NADRA or NARA, an operator shall activate the SIM(s);
- b. all new SIM(s) sold shall be verified within (24) twenty four hours of sale of SIM(s) through NADRA ; and
- c. the operators shall communicate the activation of the SIM(s) along with complete account details to the subscribers through SMS or

automated voice messages (English and Urdu) within twenty four hours of the verification.

(2) For the purpose of subscriber's data verification, Operators shall make necessary automated and redundant arrangements with NADRA.

(3) In case of unverified SIM(s), the subscribers shall be informed for completion of required documents within seven days from the date of communication.

(4) Upon failure to provide the requisite documents as required in sub-regulations (3) above, again the subscriber shall be asked to provide the required documents, If the potential subscriber persistently fails to provide the same within fifteen days, in addition to the period given earlier, the SIM(s), sale shall be cancelled. Unverified SIM(s) shall not be activated and the status of all such cancelled SIM(s) shall be reported to the Authority on a monthly basis.

**9. Cleaning of Old Data.** (1) All operators shall verify all SIM(s) sold up to 31<sup>st</sup> January 2009 through NADRA which shall be submitted to the Authority by 15<sup>th</sup> March 2009.

(2) All operators shall furnish a comprehensive report of sub regulation (1) above by 31<sup>st</sup> March 2009 comprising the status (verified, blocked etc.) of all SIM(s) sold upto 31<sup>st</sup> January 2009.

### **Part -III**

#### **GENERAL CONDITIONS**

**10. Directions of the Authority.** (1) All directives, Standard Operating Procedures and orders issued by the Authority on or before the notification of these regulations shall be binding and applicable on the Operators.

(2) The operators shall revise the verification procedure as and when required by the Authority to ensure all updated technical measures are being implemented by the operators for antecedent documentation and verification.

**11. Public Education & Awareness.** All operators shall set up a media campaign through print and electronic means for the education of consumers of all the requirements and processes to be followed to purchase a telecommunication service/connection and verification of antecedents as and when required by the Authority.

**12. 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 registered/authorized agents/franchisees.

(2) The concerned operator(s) and their registered/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.

**13. Reporting Requirements.**\_\_\_In addition to the reporting requirement given in regulation 47 of the Pakistan Telecommunication Authority (Functions & Powers) Regulations 2006, all operators shall submit reports about connections, record of subscribers, documentations, detail of operator's franchisees and authorized agents or any information required for the purpose of these regulations on a monthly basis and as and when the Authority deems appropriate.

**14. Maintenance of Record.**\_\_\_All operators shall be required to update the documentation/record of all connections.

**15. Amendment.**\_\_\_ The Authority may add or amend these regulations as and when deemed appropriate.