



Amended Subscribers Identification Module (SIM) Cards/ Removable User Identity Module
(RUIM) Registration Regulations

2020

LTA - REG - 008

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Part 1: Introduction

1.1 Preamble

These Regulations have been developed by the Liberia Telecommunications Authority ("the LTA") pursuant to Part III SECTION 11(q) of the Telecommunications Act, 2007 of the Republic of Liberia (the "Act")

1.2 Purpose and Scope of these Regulations

These Regulations are made to provide a regulatory framework for the compulsory registration of all activated SIM/RUIM Cards and SIM/RUIM Card users and the establishment of a control administration and management of a subscriber database for all SIM/RUIM Cards and the users thereof.

These Regulations shall apply to corporate private, government institutions, and all other users of SIM/RUIM Cards in the Republic of Liberia, but shall not extend to users of SIM/RUIM Cards issued by Foreign Licensees who are roaming on the network of a Service Provider in the Republic of Liberia, provided such holder/user of a SIM/RUIM Card issued by a Foreign Licensee shall remain in the Republic of Liberia for thirty (30) days or less.

1.3 Objectives of these Regulations

The objectives of these Regulations are to mandate Service Providers to:

- A. Record and maintain the Personal Information of mobile telecommunications subscribers in the Republic of Liberia.
- B. Establish, control, administer, and protect databases of mobile telecommunications subscribers in the Republic of Liberia,
- C. Use the National Identification Registry (NIR) Verification Platform to verify the authenticity of the Identity documents presented during registration, and
- D. Establish penalties for violations of these regulations.

1.4 Terms and Definitions

As used in these Regulations the defined terms shall have the following meanings and shall refer to both the singular and plural:

Activate: means to allow access to the electronic communication system of the Licensee who provides a mobile cellular Electronic Communications Service, including the ability to make and receive calls, and to send and receive short message services:

Activated, activation, deactivated, and deactivation: shall be read and construed accordingly.

Activation Window: means the period of time in which Service Providers will be required to register all currently activated SIM/RUIM Cards and SIM/RUIM Card Users, and beyond which unregistered SIM/RUIM Cards will be deactivated from the network of Service Providers.

Agent: means a Person contracted or engaged by a Service Provider to carry on the registration of SIM/RUIM Cards on behalf the Service Provider pursuant to these Regulations.

Biometric Information: means the fingerprints and/or facial image of a subscriber in accordance with the Data Dictionary provided by the LTA for the registration of subscribers.

Effective Date: means the date on which the SIM/RUIM Card Registration Regulations shall come into force.

Electronic Communication service: means any service which provides to users the ability to send or receive wired or wireless electronic communication.

Existing Subscriber: means a subscriber on a Service Provider's electronic communication service system prior to the Effective Date of these Regulations

Foreign Licensee: means a telecommunications and or Electronic Communication services provider licensed by a telecommunications regulator other than the LTA, to provide Electronic communication services in a country other than Liberia.

LTA: means the Liberia Telecommunication Authority.

National Identification Registry (NIR): means the government agency responsible for the production and issuance of national identification cards for all citizens and foreign residents.

New Subscriber: means a subscriber who acquires a SIM/RUIM card or subscribe for the provision of Electronic communication service after the commencement of these Regulation.

Personal Information: means the name (first, Middle and last), gender, date of birth, residential address, nationality, county of origin, occupation, and such other personal information and contact details of subscribers as the LTA may from time to time specify in a Data Dictionary.

Proxy Registration: means the registration process in which a person under the age of 18 years is allowed to be registered by his/her parent or guardian.

Regulation: means these SIM/RUIM Registration Regulation;

Reregistration Period: means the time allotted by the LTA within which Existing Subscribers will be required to register.

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Service Provider: means a person or entity under permit or license by the LTA that provides a telecommunications service to the public or that owns or operates a telecommunications network used to provide telecommunications services to the public.

SIM Card/RUIM Registration Database: means the subscriber SIM/RUIM Card Database, containing the specific information stipulated in section 2.1 of these regulations

Subscriber Identity Module (SIM)/Removable User Identity Module (RUIM) Card: means an integrated circuit or chip containing encoded network identification details, the personal identification number and other user data such as an address book provided by a Service Provider for the provision of Electronic Communication Service.

Subscriber Information: means the facial image and Personal Information of a Subscriber that are recorded and stored by Service Providers and or the registration Solution Providers.

Subscriber: means any person who subscribes for the provision of Electronic Communications Services either as a result of the purchase of a SIM/RUIM Card or the conclusion of a contract for provision of electronic communication services by a Service Provider (including an employee of the Service Provider or any person who receives or received such service as a gift, reward, favor, benefit or donation) and shall, where the context so admits, include both Existing Subscribers and New Subscribers.

Security Agency: means any of the national security apparatus, military or para security agencies established by an Act of the National Legislature.

Verifiable Government Issued Identification: Means any government agency/ministry's issued identification document that can be verified on the NIR's Verification Platform.

Vouch Registration: means a registration process in which a prominent resident of a community is allowed to supply/give evidence/testimony about the identity of a subscriber who does not have a valid identification document

Part II: Requirement and Process for SIM/RUIM Card Registration

2.0 Requirements

2.1 All Service Providers shall, beginning the effective date of these Regulations, register all SIM/RUIM Cards and the subscribers to whom the cards are issued. Information to be captured by Service Providers during registration are as follow:

- A. Phone (SIM/RUIM Card) Number;
- B. Full Name of SIM/RUIM Card User;
- C. Date and Place of Birth;
- D. Gender
- E. Facial image of the Subscriber
- F. A verifiable government issued Identification.

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- G. Occupation
- H. Place of work, school or business address;
- I. Physical (Home) address, including county of residence;
- J. Nationality.
- K. The registration officer's name and unique identification number

2.2 In the case of a juridical person (corporation, government entity, or other business entities), Service Providers shall capture the information of said juridical person as specified in Section 2.1 above. In the place of information limited to natural persons, the registration documents of the juridical person shall be captured along with all other information in Section 2.1 necessary to identify and locate the juridical person as easily as possible.

2.3 Where there is a change in any of the information provided by a Subscriber pursuant to Section 2.1, said subscriber shall within thirty (30) days of the change, notify his/her Service Provider or an Agent of the Service Provider about the change.

2.4 Upon receipt of a notification pursuant to Section 2.3, the Service Provider or its Agent shall within five (5) days amend the relevant registration information of the Subscriber.

2.5 All Service Providers or their Agents shall accept for the purpose of registration, only the identity documents listed in Section 2.1 (F). In the case of foreign residents, only Verifiable Government Issued Identification document shall be accepted for registration purpose.

2.6 Passports of foreign nationals travelling to Liberia and staying temporarily shall be accepted for registration purpose. "Staying temporarily" as used herein shall mean ninety (90) days or less. Service Providers shall deactivate any and all registration done using foreigner passport after 90 days and said registration shall only be reactivated upon the presentation of a Verifiable Government Identification or presentation of a proof of extended stay.

2.7 Service Providers shall duly inform foreigners registering pursuant to Section 2.6 above of the duration of their registration and what is required if the foreigner is staying in the country beyond the period mentioned in Section 2.6.

3.0 Verification of Subscribers' Information

3.1 All Service Providers or their agents are obligated under these Regulations to use NIR's Verification Platform to establish the authenticity of the identification presented by subscriber for registration of SIM Card.

3.2 Failure to adhere to Section 3.1 of these Regulations the Service Provider shall be held liable for violations.

3.3 Any Subscriber whose information does not match NIR's Verification Database shall not be registered.

4.0 Registration of Subscribers

4.1 The registration of Subscribers shall be done only by a Service Provider or its Agent. The Service Provider or its Agent shall capture all of the information pursuant to Part II Section 2.1 on every Subscriber on its network. Failure to capture the information in Section 2.1 above and store same on the network of the Service Provider shall constitute a breach of these Regulations.

4.2 The Service Providers/Agents shall ensure the registration officer's profile (name and verifiable identification) is captured and confirmed during registration.

4.3 There shall be no Vouch and *Proxy Registration for minors. Parents desiring of their minors having mobile phone shall register the SIM/RUIM Cards of those mobile phones in their (parents') names.*

5.0 Deactivation of Subscribers' SIM/RUIM Card

5.1 Service Providers shall enforce the SIM/RUIM Card registration for existing Subscribers by promptly deactivating any SIM/RUIM Card where the Subscriber owning such card has not been registered by the Service Provider after the deadline set by the LTA for the registration of currently activated SIM/RUIM Card.

5.2 An Order setting a Reregistration Period for currently activated SIM/RUIM Cards shall be made and issued by the LTA pursuant to these Regulations.

5.3 Service Providers shall be obligated under these Regulations to notify their subscribers of the LTA's amended SIM/RUIM Card Registration Regulations and the Reregistration Window ordered by the LTA for all existing Subscribers on their networks as well as the consequences for non-compliance within the timeframe herein specified or as may be ordered by the LTA.

5.4 The notification pursuant to Section 5.3 above shall be in the form of the following:

- A. an advertisement in a newspaper of national circulations;
- B. an advertisement via an electronic medium that broadcasts throughout the country;
- C. SMS (short message service) texts via subscribers' phone numbers; and
- D. Any other form of information dissemination available to the Service Provider.

6.0 Non-Activation of New SIM/RUIM Cards Prior to Registration

6.1 No Service Provider shall activate a new SIM/RUIM Card on its network unless that Service Provider has firstly registered the New Subscriber's information pursuant to Section 2.1 of these Regulations.

6.2 Activating new SIM/RUIM Card prior to registration shall constitute a violation of these Regulations and Service Providers who violate shall be subject to appropriate penalties as stipulated in Part IV of these Regulations.

Part III: The SIM/RUIM Card Registration Database

7.0 Establishment and Management of SIM/RUIM Card Database by Service Provider

7.1 All Service Providers shall establish, maintain and manage a database of their Agents, Registration officers and all Subscribers' information as defined in Section 2.1 of these Regulations. The Database so established shall be known as the SIM/RUIM Card Registration Database.

7.2 All Subscribers' information acquired by a Service Provider pursuant to Section 2.1 of these Regulations and kept in the SIM/RUIM Card Registration Database shall belong to the Service Provider. All Service Providers shall provide the LTA access to the SIM/RUIM Card Registration Database in accordance with the Telecommunications Act, 2007

7.3 The Management, care and control of SIM/RUIM Card Registration Database established by a Service Provider shall be vested in the Service Provider and the Service Provider shall determine the domicile or housing of the database.

7.4 Reports on the management of the SIM/RUIM Card Registration Database shall be submitted to the LTA on an annual basis or upon LTA's request. Failure to submit this report to the LTA and at the time herein stipulated shall constitute a violation of these Regulations. The LTA shall provide a template of said report.

8.0 Data Protection and Confidentiality

8.1 Any Subscriber whose personal information is stored in the SIM/RUIM Card Registration Database established by a Service Provider shall have the right to view the said information and to request updates and amendments thereto.

8.2 The Subscribers' information contained in the SIM/RUIM Card Registration Database shall be held on a strictly confidential basis and no person or entity shall be allowed access to such information except as provided for in these Regulations or by Sections 49 (1) and 52 of the Telecommunications Act, 2007.

8.3 Service Providers and their Agents shall not under any circumstances retain, duplicate, deal in or make copies of any Subscriber's information or store in whatever form any copies of the Subscriber's information for any purpose other than as stipulated in these Regulations or the Telecommunication Act, 2007.

8.4 Service Providers and their Agents shall take all reasonable precautions in accordance with international practices to preserve the integrity and prevent any unauthorized use or disclosure of Subscribers' information obtained in the registration process.

8.5 Notwithstanding the provisions of Sections 6.2 of these Regulations, and subject to the provisions of any Act of the National Legislature, Subscribers' information contained in the SIM/RUIM Card Registration Database of a Service Provider may be released to Government.

Authorities in keeping with Section 52 of the Telecommunications Act of 2007 and/or by an Order of a court of competent jurisdiction within the Republic of Liberia.

8.6. Service Providers may utilize Subscribers' information contained in the SIM/RUIM Card Registration Database pursuant to these Regulations solely for their operations and in accordance with provisions of the Telecommunications Act, 2007.

Part IV: Violations and Penalties:

9.1 Any Service Provider who activates a SIM/RUIM Card in violation of Section 2.1, or who fails to deactivate a SIM/RUIM Card in accordance with Section 5.1 of these Regulations, shall be deemed to be in material breach of these Regulations and shall be subject to a fine of US\$500.00 per SIM/RUIM Card upon first offence. For the second and every subsequent offense, the Service Provider shall be fined US\$1,000.00 per SIM/RUIM Card.

9.2 Any Service Provider who breaches the confidentiality and data protection provisions of these Regulations shall be subject to a fine of US \$50,000.00 per day until the breach is remedied.

9.3 Any Service Provider who fails to register SIM/RUIM Card that is in use beyond the registration deadline ordered by the LTA shall be subject to a fine of US\$ 500.00 per SIM/RUIM Card.

9.4 Any Service Providers failing to submit reports on the management of the SIM/RUIM Card Registration Database to the LTA as stipulated in Section 7.4 of these Regulations shall be fined US\$50,000.00. For any willful delay in submitting said report, the penalty stipulated in the 2015 amended Telecommunications Licensing Authorization Regulation shall apply.

Part V: Amendments

10.1 The LTA may amend or modify these Regulations or any part therefore, at any time the LTA deems necessary.

PART VI: Citation and Effective Date

11.0 Citation

11.1 These Regulations shall be cited as the SIM/RUIM Card Registration Regulation for the Republic of Liberia.

12.0 Effective Date

12.1 These Regulations shall come into effect on the date it is published by the Liberia Telecommunications Authority (LTA).