

14 February 2020



Ministry Issues SIM card Registration Regulations

- Obligation to register SIM card articulated
- Provide procedure for registration
- Change of information concerning registration to be reported
- Ownership of more than one SIM card with the same operator disallowed
- Procedure for registration of minors, visitors, foreigners, refugees, diplomats prescribed
- Punishments for SIM card registration related offences stipulated, includes imprisonment
- Grace period for compliance provided

In a bid to ensure proper regulation, monitoring and identification of SIM card users in Tanzania, the Ministry of Works, Transport and Communications has issued detailed procedures for registration of SIM cards vide the Electronic and Postal Communications (SIM card Registration) Regulations 2020 (SIM card Registration Regulations) which came into force on 7 February 2020.

Regulation 4 of the SIM card Registration Regulations lists a number of requirements to be complied with by owners and people who intend to use detachable SIM cards in Tanzania. The Regulations require all users and owners of SIM cards to register biometrically with their respective licensees (mobile network operators) or authorised distributors, agents or dealers. It should be noted that the biometric registration will be conducted by using a National Identity Card (NIDA card) or a National Identity Number (NIN). Also, the Regulations prohibit persons to register any SIM card by using any other person's NIDA card.

Further, the Regulations recognise biometric SIM card registration for minors as well. In doing the said registration, a parent or a guardian is required to present a minor's certified copy of birth certificate or adoption document or valid passport with valid visa and minor's portrait photo. Moreover, the parent/guardian will be required to present their NIDA card for finger print verification of the parent. However, after attaining the age of majority, the minor shall be required to re-register using his or her NIDA card, failure of which will result in the deactivation of the SIM card.

Apart from minors, the Regulations prescribe different registration procedures for visitors, foreigners, refugees and diplomats as follows:

- For visitors, a passport with a valid visa will be required then other normal registration procedures will be observed
- For foreigners and refugees, NIDA identity will be required followed by normal registration procedures
- For diplomats, a passport and diplomatic identity will be required with no fingerprints to be taken during registration.

Furthermore, the Regulations stipulate an alternative registration procedure for persons with defaced fingerprint or have no fingers at all. The alternative registration demands a customer to obtain NIDA's approval for such kind of registration. In doing so, NIDA is supposed to generate verification questions in their system in the form of questions, and these will be used by the operator to verify and register a customer with physical challenges.

For further information on legal updates please contact:

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Also, the Regulations oblige users and owners of SIM cards to report any change of ownership or possession of a registered SIM card. Regulation 12 makes it clear that any change of information submitted for the purposes of registering a SIM card, should be reported within 15 days from the date of occurrence of any such change.

Furthermore, the Regulations make it mandatory for owners of registered SIM cards to report loss or theft of SIM card and obtain a loss report or preliminary investigation report within 7 days from the date of loss or theft. The loss report shall be submitted to the service provider when requesting for a replacement of a SIM card.

It is worth noting that individuals are prohibited from owning/using more than 1 SIM card from the same operator for use on voice, short message and data services. On the other hand, an individual is allowed to own/use a maximum of 4 SIM cards from different operators for use on machine to machine communication. In case of a company or an institution, the Regulations prohibits owning of more than 30 SIM cards from the same operator and not more than 50 SIM cards from different operators for use on machine to machine communication. However, a customer may be allowed to register/own more than the maximum specified number of SIM cards upon being granted an approval from Tanzania Communications Regulatory Authority.

Additionally, the Regulations impose punishment for contravening the above requirements. In case of individuals, the punishment is a fine of not less than TZS 5M or imprisonment for a term of not less than 12 months or to both, and plus a fine of not less than TZS 75,000 for every day during which the SIM card was used or possessed. For companies or institutions, the punishment is a fine of not less than TZS 50M, plus additional fine of not less than TZS 175,000 for everyday during which the SIM card was used or possessed.

It is also important to note that the Regulations provide a grace period up to 30 June 2020 for customers who own more than the required number of SIM cards to accordingly choose SIM cards that are to remain active and abide by the Regulations. Lastly, unused SIM cards for 90 consecutive days will be deactivated.

To read the SIM card Registration Regulations, 2020 [click here](#).

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