

*Government Notice No. 326 of 2021*

**THE INFORMATION AND COMMUNICATION  
TECHNOLOGIES ACT**

**Regulations made by the Minister, after consultation with the  
Information and Communication Technologies Board,  
under section 48 of the Information and  
Communication Technologies Act**

**1. Short title**

These regulations may be cited as the Information and Communication Technologies (Registration of SIM) Regulations 2021.

**2. Interpretation**

In these regulations –

“Act” means the Information and Communication Technologies Act;

“activate” means to cause a SIM to function on an operator’s mobile network;

“authorised agent” means an agent duly authorised, in writing, by an operator to sell and register SIMs on behalf of the operator;

“child” means any person under the age of 18;

“guardian” means the guardian of a child;

“immigration officer” has the same meaning as in the Immigration Act;

“M2M SIM” means a SIM used exclusively for Machine-to-Machine communication and providing no access to voice services;

“National Identity Card” means an identity card issued under section 5 of the National Identity Card Act;

“operator” means a Public Land Mobile Network (PLMN) service provider licensed by the Authority;

“SIM” means a detachable, or an embedded, Subscriber Identity Module used in a device connected to a mobile network to access the services of an operator;

“pre-activated SIM” means a SIM from which it is possible to access the services of an operator without the registration procedures specified in these regulations;

“subscriber” means a person on whose name a SIM or M2M SIM is registered;

“tourist” –

- (a) means a non-citizen who is the holder of a tourist visa to stay in Mauritius; and
- (b) includes a non-citizen who is the holder of a business visa to stay in Mauritius;

“Unique Identification number”, in relation to a non-citizen, means the non citizen’s official identification number issued by the immigration officer.

### **3. Unauthorised sale**

No person shall sell –

- (a) a pre-activated detachable SIM to another person;
- (b) a device which is embedded with a pre-activated embedded SIM to another person;
- (c) an M2M SIM to a child or tourist.

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**4. Sale by operator and authorised agent**

(1) No person, other than an operator or authorised agent, shall sell a detachable SIM or an M2M SIM to another person.

(2) An operator shall keep a record of –

- (a) all its authorised agents; and
- (b) all SIMs and M2M SIMs allocated to its authorised agents.

(3) An operator who authorises access to its services through a SIM or an M2M SIM shall maintain a database of the particulars, as specified in these regulations, of all its subscribers.

**5. Application for registration of SIM or M2M SIM**

(1) A person who wishes to buy a SIM or an M2M SIM from an operator or authorised agent shall –

(a) in the case of a citizen of Mauritius, make an application in the form set out in the First Schedule, which shall be accompanied by –

- (i) a copy of his National Identity Card or a copy of the personal details of his passport; and
- (ii) a recent copy of his utility bill or any other proof of address;

(b) in the case of a non-citizen who is a resident of Mauritius, he shall make an application in the form set out in the First Schedule, which shall be accompanied by –

- (i) a copy of the personal details of his passport;
- (ii) his Unique Identification number;

- (iii) a copy of his residence permit or occupation permit, as the case may be; and
  - (iv) a recent copy of his utility bill or any other proof of address;
- (c) in the case of a tourist, he shall make an application for a SIM, other than for an M2M SIM, in the form set out in the First Schedule, which shall be accompanied by –
  - (i) a copy of the personal details of his passport;
  - (ii) a copy of his visa appearing on his passport; and
  - (iii) a copy of his proof of address in Mauritius;
- (d) in the case of a child who is a citizen of Mauritius, his parent or guardian shall make an application in the form set out in the Second Schedule, which shall be accompanied by –
  - (i) a copy of his National Identity Card or a copy of the personal details of his passport;
  - (ii) a copy of the birth certificate of the child or the personal details of the child's passport;
  - (iii) a recent copy of his utility bill or any other proof of address;
- (e) in the case of a child who is a non-citizen but a resident of Mauritius, his parent or guardian shall make an application in the form set out in the Second Schedule, which shall be accompanied by –
  - (i) a copy of the personal details of his passport;
  - (ii) a copy of the birth certificate of the child or the personal details of the child's passport;

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- (iii) a copy of his residence permit or occupation permit, as the case may be; and
  - (iv) a recent copy of his utility bill or any other proof of address;
- (f) in the case of a child who is a tourist, his parent or guardian shall make an application in the form set out in the Second Schedule, which shall be accompanied by –
- (i) a copy of the personal details of his passport;
  - (ii) a copy of the birth certificate of the child or the personal details of the child’s passport;
  - (iii) a copy of his visa appearing on his passport; and
  - (iv) a copy of his proof of address in Mauritius;
- (g) in the case of a public body, corporate body, company, Diplomatic Mission or any other organisation, a person duly authorised by that organisation shall make an application in the form set out in the Third Schedule, which shall be accompanied by –
- (i) a letter from that organisation authorising him to act on its behalf;
  - (ii) a copy of his National Identity Card or a copy of the personal details of his passport;
  - (iii) a recent copy of the utility bill of that organisation, if applicable, or any other proof of address; and
  - (iv) a copy of the Business Registration Card of the organisation, if applicable.
- (2) Where an application is made under paragraph (1), the operator or authorised agent shall –

- (a) take a coloured photograph of the applicant and, in case an application is made on behalf of a child, take a coloured photograph of the child; and
- (b) electronically verify on a real time basis, through the Authority, the National Identity Card or passport details of the applicant.

(3) Any person who, for the purpose of registration of a SIM or M2M SIM, gives any information or furnishes any document which is false or misleading shall commit an offence and shall, on conviction, be liable to a fine not exceeding 50,000 rupees and to imprisonment for a term not exceeding one year.

## **6. Registration of SIM or M2M SIM**

(1) Where an operator or authorised agent is satisfied with the information and documents provided by a person under regulation 5, the operator or authorised agent shall register the SIM or M2M SIM in the name of that person or, in case the person is a public body, corporate body, company, Diplomatic Mission or any other body, in the name of that organisation.

(2) (a) An operator shall, after registration under paragraph (1), activate the SIM or M2M SIM.

(b) The date of sale and the date of activation of any SIM or M2M SIM shall be recorded in the subscriber database.

## **7. Duration of SIM for tourist**

(1) Where a SIM has been activated for a tourist, the SIM shall, subject to paragraph (2), remain activated for a period not exceeding 3 months.

(2) A tourist may request his operator to keep his SIM activated for a further period of one month after the expiry of the 3-month period, subject to the visa of the tourist still being valid.

## **8. Deactivation of SIM or M2M SIM**

(1) Where an operator deactivates the SIM or M2M SIM of a subscriber at the request of the subscriber, the operator shall ensure that the subscriber has given his written consent for the deactivation of the SIM or M2M SIM.

(2) Where a subscriber passes away and his death has been duly updated in the relevant public body database, the SIM or M2M SIM of that subscriber shall forthwith be deactivated by the operator.

(3) Where a subscriber is a non-citizen but resident of Mauritius, the SIM or M2M SIM of that subscriber shall be deactivated by the operator on the expiry or cancellation of his residence permit or occupation permit.

(4) Where a subscriber is a tourist, the SIM of that subscriber shall be deactivated by the operator following the day the subscriber left Mauritius.

(5) A test SIM shall be deactivated at the end of the period for which the test is being carried out.

(6) Where a SIM or M2M SIM has been deactivated or cancelled, the Mobile Station International Subscriber Directory Number (MSISDN) shall not be reallocated to a new subscriber for a period of at least 6 months from the date of deactivation.

## **9. Change of information**

(1) A subscriber shall notify his operator of any change of information submitted for the purposes of registering his SIM or M2M SIM not later than 90 days after such change.

(2) Where it has come to the notice of the operator that there has been a change in the personal data of its subscriber, the operator shall update its database and notify the updates to the subscriber.

(3) Where a subscriber wishes to transfer the ownership of his SIM or M2M SIM, the new owner shall register the SIM or M2M SIM in his name in accordance with these regulations.

#### **10. Lost or stolen SIM or M2M SIM**

(1) Where a subscriber's SIM or M2M SIM is lost or stolen, the subscriber shall, not later than 7 days from the date it is lost or stolen, report the matter to the Police.

(2) The subscriber referred to in paragraph (1) shall produce a memo of the lost or stolen SIM or M2M SIM, issued by the Police, to his operator or his authorised agent when requesting a replacement of the SIM or M2M SIM.

(3) Where a subscriber does not want to reactivate a lost SIM or M2M SIM, the consent of the subscriber for such deactivation, together with the memo from the Police, shall be furnished to the operator.

#### **11. Replacement of lost, stolen, destroyed or damaged SIM or M2M SIM**

An operator or authorised agent shall replace a lost, stolen, destroyed or damaged detachable SIM or M2M SIM or reactivate its services through a SIM or M2M SIM upon –

- (a) verification of the original registration and ownership of the SIM or M2M SIM;
- (b) submission of the destructed or damaged detachable SIM or M2M SIM, where applicable; and
- (c) presentation of the memo from the Police.

**12. Unauthorised access to subscriber’s data**

An operator shall take all appropriate security measures for the prevention of unauthorised access to, or disclosure of, the subscriber’s data kept under its custody.

**13. Numbering plan**

Every operator shall apply a different numbering plan for tourists and M2M SIMs.

**14. IT Security Audit report**

(1) Every operator shall submit to the Authority, by 31<sup>st</sup> July of each year, an IT Security Audit report conducted by a certified Information System Auditor, certifying that –

- (a) the operator has taken necessary measures for the registration of its subscribers;
- (b) the process for registration at the sales point of the operator are in line with the requirements of these regulations or any such guidelines made thereunder;
- (c) the data recorded in the subscriber database of the operator are in accordance with these regulations or any such guidelines made thereunder; and
- (d) any other requirements as may be defined from time to time in guidelines or directives issued by the Authority are being complied with.

(2) Where an operator provides access to a certified Information System Auditor to its subscriber database, that access shall be provided under a non disclosure agreement.

**15. Offences**

Any person who contravenes these regulations shall commit an offence and shall, on conviction, be liable to a fine not exceeding 50,000 rupees and to imprisonment for a term not exceeding one year.

**16. Transitional provision**

(1) Any person who, on the commencement of these regulations, is the holder of a SIM or an M2M SIM shall, not later than 6 months after the commencement of these regulations, make an application to register the SIM or M2M SIM in accordance with regulation 5.

(2) Any SIM or M2M SIM which is not registered 6 months after the commencement of these regulations shall be deactivated.

**17. Commencement**

These regulations shall come into operation on 1 April 2022.

Made by the Minister, after consultation with the Information and Communication Technologies Board, on 30 December 2021.

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**FIRST SCHEDULE**  
[Regulation 5(1)(a), (b) and (c)]

**CUSTOMER REGISTRATION FORM FOR MAURITIAN  
CITIZEN/RESIDENT OF MAURITIUS/TOURIST**

<input type="checkbox"/> <b>Mauritian Citizen</b> <input type="checkbox"/> <b>Resident of Mauritius</b> <input type="checkbox"/> <b>Tourist</b>		<b>[Passport Size Coloured Photo to be affixed here]</b>
<b>First Name</b> <b>Surname</b> <b>Maiden Name</b> (Mr/Mrs/Miss) <b>NATIONALITY</b>		
<b>MAURITIAN CITIZEN NIC NO/PASSPORT NO</b> <i>(submit copy of NIC/Passport)</i>	<b>NON CITIZEN BUT RESIDENT OF MAURITIUS PASSPORT NO</b> <i>(submit copy of Passport)</i>	<b>TOURIST PASSPORT NO</b> <i>(submit copy of NIC/Passport)</i>
<b>UNIQUE IDENTIFICATION NUMBER OF NON-CITIZEN</b>	<b>TYPE OF PERMIT</b> <i>(submit copy of residence permit or occupation permit)</i>	<b>VISA</b> <i>(submit copy of visa appearing on Passport)</i>
<b>ADDRESS</b> <i>(submit recent copy of utility bill/proof of address)</i>		
<b>CONTACT NO</b>  <b>EMAIL</b>		
<b>SUBSCRIPTION DETAILS</b> Mobile No(s) to be registered <input type="checkbox"/> Normal SIM <input type="checkbox"/> M2M		
<b>CUSTOMER DECLARATION</b> I hereby declare and undertake the above information is wholly true.  Name of Customer  Signature of Customer  Date		

**SUBMISSIONS CHECKBOX:**

- Coloured Photo Submitted**   
**Copy of NIC/personal details of Passport**   
**Copy of Permit (non-citizen)**   
**Copy of VISA appearing on Passport (Tourist)**   
**Proof of Address**   
**Unique Identification number of non-citizen**

**FOR OFFICE USE**

**Name of Shop/Retailer**  
**Name of Sale Person**  
**NIC No of Sale Person**  
**Date of SIM card sale** **Date of Activation**  
**Documents duly checked by –**  
**Signature**  
**Date**

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**SECOND SCHEDULE**  
[Regulation 5(1)(d), (e) and (f)]

**CUSTOMER REGISTRATION FORM FOR CHILDREN**

<b>Child details</b> <input type="checkbox"/> Mauritian Citizen <input type="checkbox"/> Resident of Mauritius <input type="checkbox"/> Tourist <b>First Name</b> <b>Surname</b> <b>Maiden Name</b> (Mr/Mrs/Miss)		<b>[Passport Size Coloured Photo to be affixed here]</b>
<b>Birth Certificate/Passport</b> <i>(submit copy of NIC/Passport)</i>		
<b>Parent/Guardian</b> <b>First Name</b> <b>Surname</b> <b>Maiden Name</b> (Mr/Mrs/Miss)		<b>[Passport Size Coloured Photo to be affixed here]</b>
<b>MAURITIAN CITIZEN NIC NO/PASSPORT NO</b> <i>(submit copy of NIC/Passport)</i>	<b>NON CITIZEN BUT RESIDENT PASSPORT NO</b> <i>(submit copy of Passport)</i>	<b>TOURIST PASSPORT NO</b> <i>(submit copy of NIC/Passport)</i>
<b>UNIQUE IDENTIFICATION NUMBER OF NON-CITIZEN</b>	<b>TYPE OF PERMIT</b> <i>(submit copy of residence permit or occupation permit)</i>	<b>VISA</b> <i>(submit copy of visa appearing on passport)</i>
<b>ADDRESS</b> <i>(submit recent copy of utility bill/proof of address)</i>	<b>ADDRESS</b> <i>(submit recent copy of utility bill or any other proof of address)</i>	<b>ADDRESS</b> <i>(submit proof of address)</i>
<b>Contact No</b> <b>Email</b>		
<b>SUBSCRIPTION DETAILS</b> Mobile No(s) to be registered		

**CUSTOMER DECLARATION**

I hereby declare and undertake the above information is wholly true.

Name of Customer

Signature of Customer

Date

**SUBMISSIONS CHECKBOX:****Child**

Coloured Photo Submitted

Birth Certificate/Passport

**Guardian**

Coloured Photo Submitted

Copy of NIC/personal details of Passport

Copy of Permit (non-citizen)

Copy of VISA appearing on Passport (Tourists)

Proof of Address

Unique Identification number of non-citizen

**FOR OFFICE USE**

Name of Shop/Retailer

Name of Sale Person

NIC No of Sale Person

Date of SIM card sale

Date of Activation

Documents duly checked by –

Signature

Date



**SUBMISSIONS CHECKBOX:****Business Registration Card** **Authorisation Letter** **Copy of NIC/Passport of Representative Permit (non-citizen)** **Proof of Address** **FOR OFFICE USE****Name of Shop/Retailer****Name of Sale Person****NIC No of Sale Person****Date of SIM card sale****Date of Activation****Documents duly checked by –****Signature****Date**

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