
Government Notice No. 93 of 2023

**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 2023.

2. Interpretation

In these regulations –

“Act” means the Information and Communication Technologies Act;

“activate” means to cause a SIM or an M2M 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;

“image check” means the measurement and analysis of physical characteristics that are unique to a person;

“immigration officer” has the same meaning as in the Immigration Act 2022;

“liveness detection” means the various facial challenges to verify the presence of the person making a SIM registration on the Internet;

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

“National Identity Card” means a National Identity Card issued under section 5 of the National Identity Card Act;

“Organisation” means a duly registered body in Mauritius;

“operator” means an entity which holds a licence issued by the Authority to provide services using a SIM or M2M SIM;

“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;

“recent” means not older than 3 months;

“resident” has the same meaning as in the Immigration Act;

“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;

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

“technical issue” means any technical malfunction preventing an operator to carry out real time verification;

“test SIM” means a SIM Card assigned for test purposes by an operator which remains solely under the responsibility of the operator;

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

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.

(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

Any 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, submit to the operator or authorised agent –

- (i) a copy of his National Identity Card or a copy of the personal details of his passport; and
 - (ii) a copy of his recent utility bill or any other proof of address;
- (b) in the case of a non-citizen who is a resident of Mauritius, submit to the operator or authorised agent –
 - (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 copy of his recent utility bill or any other proof of address;
- (c) in the case of a tourist, submit, subject to regulation 3(c), to the operator or authorised agent –
 - (i) a copy of the personal details of his passport or any other valid travel document; and
 - (ii) a copy of his proof of address in Mauritius;
- (d) in the case of an M2M SIM for a public body, a corporate body, a company, a Diplomatic Mission or any other organisation, a person duly authorised by that organisation, submit to the operator or authorised agent –
 - (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 copy of the recent utility bill of that organisation, if applicable, or any other proof of address; and
- (iv) a copy of the Certificate of Incorporation of the organisation, as applicable.

6. Purchase of SIM, other than M2M SIM, on behalf of tourist

Notwithstanding regulation 5, where a person duly licensed by the Tourism Authority wishes to buy a SIM, other than M2M SIM, on behalf of a tourist, he shall submit to an operator –

- (a) a copy of his valid tourist enterprise licence or tourist accommodation certificate;
- (b) in case of an individual, a copy of his Business Registration Number, and in case of a company, its Certificate of Incorporation;
- (c) in case of a company, a letter from his organisation authorising him to act on its behalf;
- (d) a copy of his National Identity Card or a copy of the personal details of his passport;
- (e) a copy of the recent utility bill of that organisation, if applicable, or any other proof of address.

7. Purchase of SIM, other than M2M SIM, on behalf of a public body, corporate body, company, Diplomatic Mission or any other organisation

(1) Notwithstanding regulation 5, a person who wishes to buy a SIM on behalf of a public body, a corporate body, a company, a Diplomatic Mission or any other organisation, shall submit to an operator –

- (a) a letter from that organisation authorising him to act on its behalf;

- (b) a copy of his National Identity Card or a copy of the personal details of his passport;
- (c) a copy of the recent utility bill of that organisation, if applicable, or any other proof of address; and
- (d) a copy of the Certificate of Incorporation of the organisation, as applicable.

(2) Where the required documents under this regulation or regulations 5 and 6 are submitted in person, the operator shall –

- (a) take a coloured photograph of the person and verify the photograph against –
 - (i) the National Identity Card photo retrieved through the Authority from the relevant public body database, where the person is a citizen of Mauritius;
 - (ii) photo from the passport or such other identification document, where the person is a non-citizen of Mauritius; and
- (b) electronically verify on a real time basis, through the Authority, the National Identity Card or passport details or particulars of any other travel document of the person.

(3) Where the required documents under this regulation or regulations 5 and 6 are submitted remotely on the Internet, the operator shall –

- (a) perform a liveness detection;
- (b) obtain a coloured photograph of the person;
- (c) perform an image check of the person's photograph against –

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- (i) the National Identity Card photo retrieved through the Authority from the relevant public body database, where the person is a citizen of Mauritius; or
 - (ii) the photo from the passport or other travel document, where the person is a non-citizen of Mauritius; and
- (d) electronically verify on a real time basis, through the Authority, the National Identity Card, or the passport or valid travel document details, of the person.
- (4) Where a technical issue arises under this regulation or regulations 5 and 6, the operator shall –
- (a) take or obtain a coloured photograph of the person;
 - (b) take or obtain a copy of his recent utility bill or any other proof of address;
 - (c) in the case of a citizen –
 - (i) who submits his documents in person, take a copy of his National Identity Card and verify the coloured photograph of the person against the copy of his National Identity Card photograph; or
 - (ii) who submits his documents remotely on the Internet, obtain a copy of his National Identity Card and perform an image check of the person against the copy of his National Identity Card photograph;
 - (d) in the case of a non-citizen who is a resident of Mauritius –
 - (i) take or obtain a copy of his passport or valid travel document details;

- (ii) take or obtain a copy of his Unique Identification number;
 - (iii) take or obtain a copy of his residence permit or occupation permit, as the case may be; and
 - (iv) who submits his documents in person, verify the coloured photograph of the person against the copy of his photograph of his passport; or
 - (v) who submits his documents remotely on the Internet, perform an image check of the person against the copy of his photograph of his passport;
- (e) in the case of a tourist –
- (i) take or obtain a copy of his passport or identification document details;
 - (ii) take or obtain a copy of his valid visa details or entry permit; and
 - (iii) who submits his documents in person, verify the coloured photograph of the person against the copy of his photograph of his passport; or
 - (iv) who submits his documents remotely on the Internet, perform an image check of the person against the copy of his photograph of his passport or any other valid travel document; and
- (f) perform a liveness detection under this regulation where the required documents are submitted remotely on the Internet.

(5) Any person who, for the purpose of registration of a SIM or an 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.

8. 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, a corporate body, a company, a Diplomatic Mission or any other body, in the name of that organisation.

(2) Notwithstanding regulation 8(1), where an operator or authorised agent is satisfied with the information and documents provided under regulations 6 and 7, the operator shall –

- (a) record, where the person is a public body, a corporate body, a company, a Diplomatic Mission or any other body, the ownership of the SIM card in the name of that body; and
- (b) register the SIM card in the name of the natural person to whom the SIM card is assigned.

(3) (a) An operator shall, after registration under paragraph (1), activate the SIM or M2M SIM except for applications made under regulations 6 and 7.

(b) An operator shall, after individual registration under paragraph (2), activate the SIM.

(c) An operator shall keep record of all the mandatory details listed in First, Second, Third, Fourth, Fifth and Sixth Schedules, as applicable.

(4) Where an operator is satisfied with the information provided under regulation 7(4), he shall –

- (a) provide a temporary identification code to such application;
- (b) register and activate a SIM card in the name of the applicant;
- (c) inform the applicant that an online verification will be performed when the system is available; and
- (d) upon restoration of the technical issue, forthwith electronically verify on a real time basis through the Authority, the National Identity Card or passport or identification details of the applicant.

(5) Where the verification under regulation 8(4)(d) is invalid, the operator shall forthwith inform the subscriber and deactivate the SIM.

9. 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, 15 days after the death has been duly updated in the relevant public database, 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 following day of the expiry or cancellation of his residence permit or occupation permit.

(4) Where a subscriber is a tourist, either registered under regulation 8(1) or (2), the SIM of that subscriber shall be deactivated

by the operator on the following day of the expiry or cancellation of his visa or entry permit.

(5) Where an operator uses a test SIM, the test SIM shall be deactivated at the end of the period for which the test is being carried out.

(6) Where a SIM or an 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.

(7) Notwithstanding paragraph (2), where a subscriber who has been individually registered under regulation 8(2), following an application for registration under Regulation 5(a) or (b), passes away and his death has been duly updated in the relevant public body database, the SIM of that subscriber shall be deactivated unless the public body, corporate body, company, Diplomatic Mission or any other organisation has, within 30 days after being notified by the operator, made a change of information under regulation 10.

(8) Notwithstanding paragraph (1), where a subscriber who has been individually registered under regulation 8(2), following a request for registration under regulation 5(a) or (b), wishes to deactivate a SIM, the SIM of that subscriber shall be deactivated unless the public body, corporate body, company, Diplomatic Mission or any other organisation has, within 30 days after being notified by the operator, made a change of information under regulation 10.

10. Change of information

(1) A subscriber shall notify his operator of any change of information submitted for the purpose 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) (a) Where a subscriber provides his written consent 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.

(b) Where a registration has been recorded under regulation 7, the public body, corporate body, company, Diplomatic Mission or any other Organisation may transfer the ownership of the SIM or M2M SIM to a new owner or authorise another subscriber to register in accordance with these regulations.

11. Lost or stolen SIM or M2M SIM

(1) Where a subscriber's SIM or M2M SIM is lost or stolen, the subscriber shall, within 48 hours of the SIM or M2M SIM being 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.

12. 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) the verification of the original registration and ownership of the SIM or M2M SIM;
- (b) the submission of the destroyed or damaged detachable SIM or M2M SIM, where applicable; and

- (c) the presentation of the memo from the Police in case of lost or stolen SIM or M2M SIM.

13. 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.

14. Numbering plan

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

15. IT Security Audit report

(1) Every operator shall submit to the Authority, by 31 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 and deactivation of its subscribers;
- (b) the process for registration at the sales point of the operator are in accordance with these regulations or any guidelines made thereunder;
- (c) the data recorded in the subscriber database of the operator are in accordance with these regulations or any guidelines made thereunder; and
- (d) any other requirements as may be defined from time to time in the guidelines or directives issued by the Authority are being complied with.

(2) Where an operator activates a SIM card under regulation 8(4), he shall submit to the Authority, on a quarterly basis a report containing –

- (a) the temporary identification code;

- (b) the date of activation;
- (c) the date of online verification;
- (d) the confirmation identification code.

(3) Where an operator deactivates the SIM card under regulation 8(5), he shall submit to the Authority, on a quarterly basis a report containing –

- (a) the temporary identification code;
- (b) the date of activation;
- (c) the date of online verification;
- (d) the date of deactivation;
- (e) the date on which the subscriber is informed.

(4) Notwithstanding paragraphs (1), (2) and (3), an operator may be requested to provide additional information, audit logs or reports as may be defined from time to time in the guidelines or directives issued by the Authority.

(5) 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.

16. 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.

17. Revocation

The Information and Communication Technologies (Registration of SIM) Regulations 2021 are revoked.

18. Transitional provision

(1) Any person who, prior to 31 October 2023, is the holder of a SIM or an M2M SIM shall, not later than 30 April 2024, register the SIM or M2M SIM in accordance with these regulations.

(2) Any SIM or M2M SIM which is not registered by 30 April 2024 shall be deactivated.

19. Commencement

These regulations shall come into operation on 31 October 2023.

Made by the Minister, after consultation with the Information and Communication Technologies Board, on 28 June 2023.

FIRST SCHEDULE

[Regulation 5(a)]

LIST OF DETAILS FOR MAURITIAN CITIZEN

Coloured photograph

Title Mr/Mrs/Miss*

Surname

First name

Other name(s) (if applicable)

Maiden name (where applicable)

Copy of National Identity Card/Passport details (as applicable)

.....

Address (submit a copy of a recent utility bill/proof of address)

.....

Contact no. (where applicable)

Email Address (where applicable)

No. of SIM, other than M2M SIM, registered

Mobile Station International Subscriber Directory Number(s)

(MSISDN)

No. of M2M SIM registered

Mobile Station International Subscriber Directory Number(s)

(MSISDN)

Confirmation identification code

Temporary identification code (where applicable)

Date of sale

Date of activation

Customer declaration

Name of shop/retailer

Name of sale person

National Identity Card no. of sale person

SECOND SCHEDULE

[Regulation 5(b)]

**LIST OF DETAILS FOR NON-CITIZEN RESIDENT
OF MAURITIUS**

Coloured photograph

Title Mr/Mrs/Miss*

Surname

First name

Other name(s) (if applicable)

Maiden name (where applicable)

Copy of passport details (as applicable)

Unique Identification Number

Type of permit

Address (submit a copy of a recent utility bill/proof of address)

.....

Contact no. (where applicable)

Email Address (where applicable)

No. of SIM, other than M2M SIM, registered

Mobile Station International Subscriber Directory Number(s)
(MSISDN)

No. of M2M SIM registered

Mobile Station International Subscriber Directory Number(s)
(MSISDN)

Confirmation identification code

Temporary identification code (where applicable)

Date of sale

Date of activation

Customer declaration

Name of shop/retailer

Name of sale person

National Identity Card no. of sale person

THIRD SCHEDULE

[Regulation 5(c)]

LIST OF DETAILS FOR TOURIST

Coloured photograph

Title Mr/Mrs/Miss*

Surname

First name.....

Other name(s) (if applicable)

Maiden name (where applicable)

Copy of Passport details/valid travel documents details (as applicable)

.....

Address (submit a copy of a recent utility bill/proof of address)

.....

Contact no. (where applicable)

Email Address (where applicable)

No. of SIM, other than M2M SIM, registered

Mobile Station International Subscriber Directory Number(s)

(MSISDN)

Confirmation identification code

Temporary identification code (where applicable).....

Copy of visa (where applicable)

Date of sale

Date of activation

Customer declaration

Name of shop/retailer

Name of sale person

National Identity Card no. of sale person

FOURTH SCHEDULE

[Regulation 5(d)]

**LIST OF DETAILS FOR PUBLIC BODY/ CORPORATE
BODY/COMPANY/DIPLOMATIC MISSION/OTHER
ORGANISATION – M2M SIM****Applicant details**

Business customer/Company name (submit a copy of Certificate of Incorporation as applicable)

Registered address (submit a copy of a recent utility bill/proof of address, if applicable)

Contact no. (where applicable)

Email Address (where applicable)

Representative details

Coloured photograph

Title Mr/Mrs/Miss*

Surname

First name

Other name(s) (if applicable)

Maiden name (where applicable)

Copy of National Identity Card/Passport details (as applicable)
.....

Copy of authorisation letter

Contact no. (where applicable)

Email Address (where applicable)

No. of M2M SIM registered

Mobile Station International Subscriber Directory Number(s)
(MSISDN)

Confirmation identification code

Temporary identification code (where applicable)

Copy of visa (where applicable)

Date of sale

Date of activation

Customer declaration

Name of shop/retailer

Name of salesperson

National Identity Card no. of salesperson

FIFTH SCHEDULE

[Regulation 6]

**LIST OF DETAILS FOR APPLICATION ON BEHALF
OF TOURIST****Applicant details**

Coloured photograph

Title Mr/Mrs/Miss*

Surname

First name

Other name(s) (if applicable)

Maiden name (where applicable)

Copy of National Identity Card no./Passport details (as applicable)

.....

Copy of authorisation letter.....

Copy of tourist enterprise licence / tourist accommodation
certificate / please craft licence for commercial useBusiness customer/Company name (submit a copy of Certificate of
Incorporation as applicable)Registered address (submit a copy of a recent utility bill/proof of
address, if applicable)

Contact no. (where applicable)

Email Address (where applicable)

No. of SIM, other than M2M SIM, registered

Mobile Station International Subscriber Directory Number(s)
(MSISDN)

Confirmation identification code

Temporary identification code (where applicable)

Date of sale

Date of activation

Customer declaration

Name of shop/retailer

Name of salesperson

National Identity Card no. of salesperson

Tourist details

Coloured photograph

Title Mr/Mrs/Miss*

Surname

First name

Other name(s) (if applicable)

Maiden name (where applicable)

Copy of Passport details / valid travel documents details
(as applicable)

Address (submit a copy of a recent utility bill/proof of address)
.....

Contact no. (where applicable)

- Email Address (where applicable)
- No. of SIM, other than M2M SIM, registered
- Mobile Station International Subscriber Directory Number(s) (MSISDN)
- Confirmation identification code
- Temporary identification code (where applicable)
- Copy of visa (where applicable)
- Date of sale
- Date of activation
- Customer declaration
- Name of shop/retailer
- Name of salesperson
- National Identity Card no. of salesperson

SIXTH SCHEDULE

[Regulation 7]

**LIST OF DETAILS FOR APPLICATION ON BEHALF
PUBLIC BODY, CORPORATE BODY, COMPANY,
DIPLOMATIC MISSION OR ANY OTHER
ORGANIZATION – SIM, OTHER
THAN M2M SIM**

Applicant details

Business Customer/Company Name- (submit a copy of Certificate of Incorporation as applicable)

Registered Address (*submit a copy of a recent utility bill/proof of address, if applicable*)

Contact no. (*where applicable*)

Email address (*where applicable*)

Representative details (where applicable)

Coloured photograph

Title

Surname

First name

Other name(s) (*if applicable*)

Maiden name (*where applicable*)

Copy of National Identity Card No/ Passport Details (*as applicable*)
.....

Copy of authorisation letter

Contact no. (*where applicable*)

Email Address (*where applicable*)

No. of SIM other than M2M SIM registered:

Mobile Station International Subscriber Directory Number(s)
(MSISDN)

Confirmation identification code

Temporary identification code (*where applicable*)

Copy of visa (*where applicable*)

Date of sale

Customer declaration

Name of shop/retailer

Name of salesperson

NIC no. of salesperson

Subscriber/User details

Coloured photograph

Title

Surname

First name

Other name(s) (*if applicable*)

Maiden name (*where applicable*)

-
- Copy of National Identity Card no./ Passport Details (*as applicable*)
 - Copy of authorisation letter
 - Contact No (*where applicable*)
 - Email Address (*where applicable*)
 - No. of SIM other than M2M SIM registered:
 - Mobile Station International Subscriber Directory Number(s) (MSISDN)
 - Confirmation identification code
 - Temporary identification code (*where applicable*)
 - Copy of visa (*where applicable*)
 - Date of sale
 - Date of activation
 - Customer declaration
 - Name of shop/retailer
 - Name of salesperson
 - NIC No of salesperson
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