

# Proposed Guidelines on Implementation of Real-name Registration Programme for SIM Cards

Telecommunications Regulatory Affairs Advisory Committee

11 June 2021



# Background

## Public Consultation and Legislation

- The Government conducted a public consultation on real-name registration programme for SIM cards from 30 Jan to 20 Mar 2021, with 20+ stakeholders meetings held
- Having carefully considered the feedback received, the Government has decided to make the **Telecommunications (Registration of SIM Cards) Regulation** (“**Regulation**”) under s.37 of the Telecommunications Ordinance to implement the registration programme
- The Regulation was tabled at LegCo on 9 Jun 2021
- Subject to the negative vetting by LegCo, the **Regulation will come into operation on 1 Sep 2021**

# Background (2)

## Public Consultation and Legislation

- The Regulation has addressed the key concerns raised by stakeholders during the public consultation –
  - Increase the caps on pre-paid SIM cards registered with each licensee :
    - 10 for each individual user; and
    - 25 for each organisation user holding business/branch registration certificate
  - Extend Implementation lead time :
    - 181 days for licensees to set up the registration system; and
    - 360 days for existing pre-paid SIM card users to complete registration
  - No need for existing service plan SIM card users to “re-register”

# Background (3)

## Implementation Guidelines

- The **Communications Authority** will issue Guidelines under section 14 of the Regulation to provide practical and administrative guidance to licensees on implementation of the requirements imposed on them under the Regulation



# SIM Cards Subject to Registration

- Obligation on licensees supplying telecommunications services through SIM cards in Hong Kong to ensure that the SIM cards provided by them are not active unless the SIM cards are registered with them
- Applicable to **pre-paid SIM** and **service plan SIM** cards
  - provided by licensees **primarily for person-to-person communications in Hong Kong**
    - physical or non-physical SIM cards (e.g. e-SIM, SIM card with changeable SIM profiles which may be downloaded over-the-air, etc.)
  - supporting various kinds of telecommunications services, e.g. voice, data and/or SMS services

# Examples of SIM Cards Excluded from Registration Requirement

- Outbound travel SIM cards provided by licensees **for sole use outside Hong Kong**
  - \* While these SIM cards cannot be used in Hong Kong, a licensee may allow users to access the licensee's platform or communicate with the licensee for the sole purpose of testing the operability of the SIM cards*
- SIM cards provided by service providers licensed elsewhere for use in Hong Kong
  - SIM cards used by visitors in Hong Kong by means of inbound roaming;
  - SIM cards with multiple subscriber numbers including a Hong Kong subscriber number for use in Hong Kong as a local subscriber
- SIM cards which are for use **primarily for machine type connection**

# Implementation Schedule

**Date 1**  
**(1 September 2021)**

- Commencement of the Regulation

2021

2022

**Date 3**  
**(24 February 2023)**

- Unregistered pre-paid SIM cards are deactivated

2023

**Date 2**  
**(1 March 2022)**

- New pre-paid and service plan SIM cards have to be registered before use
- Registration starts for existing pre-paid SIM cards

**Phase 1**  
(181 days)

**Phase 2**  
(360 days)

# Registration for New Pre-paid SIM Cards

- With effect from **Date 2**, all new pre-paid SIM cards are required to be registered before service activation
- A licensee shall provide reasonable means to enable users to differentiate the **new pre-paid SIM cards** for sale on or after **Date 2** from the **existing pre-paid SIM cards** which are sold before that date.
  - clear instructions to enable registration by users
  - “Registration is required before use” on the product packaging
  - name of the licensee on the product packaging

**β-Brand SIM**  
**XYZ Mobile Ltd**

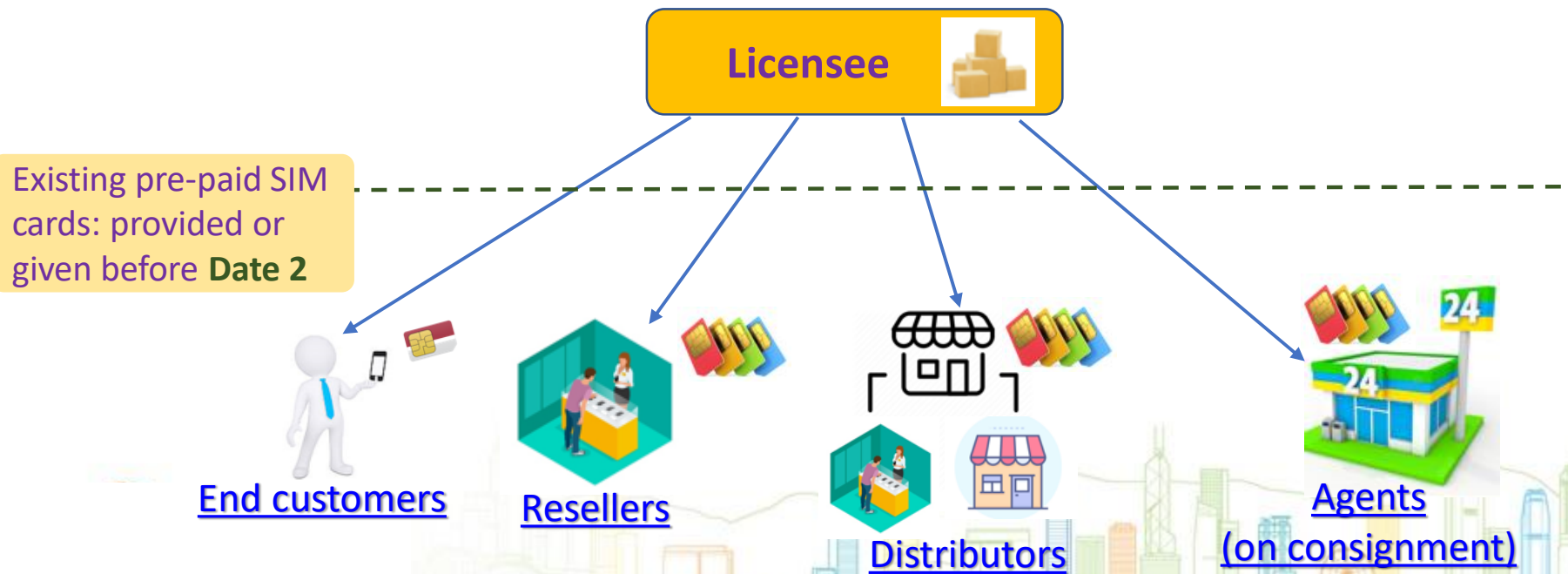


**Registration is Required before Use**  
**使用前須登記**



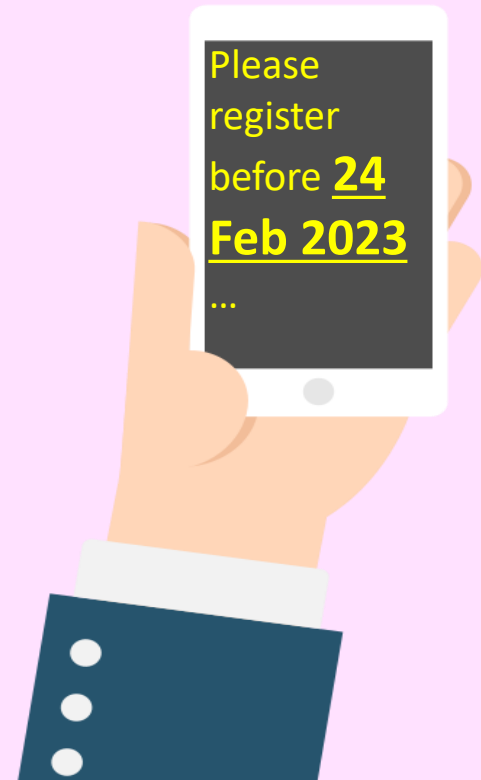
# Registration for Existing Pre-paid SIM Cards

- An **existing pre-paid SIM card** means a pre-paid SIM card where the licensee has provided or given (whether or not by way of sale) the SIM card, or the right to use the SIM card, to another person before **Date 2**
- All existing pre-paid SIM cards are required **to be registered before Date 3** if the cards are intended for continuous use thereafter



# Registration for Existing Pre-paid SIM Cards (2)

- A licensee shall send notifications (e.g. by SMS) to each of its existing pre-paid SIM card users **before Date 3** to remind them to complete the registration on time



# Registration for Service Plan SIM Cards

- A licensee shall ensure that **new service plan SIM cards** effective from **Date 2** are not activated for use in Hong Kong unless they are registered with it
- For an **existing service plan SIM card**, a licensee is not required to register its users again or contact them to update their information. This also applies to renewal or new service agreement so long as such agreement will not result in an increase in the number of SIM cards registered with the same licensee
- Existing service plan SIM card
  - means a service plan SIM card provided by a licensee where the relevant service agreement was in force immediately before **Date 2**; and
  - includes a replacement service plan SIM card, e.g.
    - ✓ replacement of a lost, stolen or malfunctioned SIM card;
    - ✓ replacement of a SIM card due to change of mobile device or mobile subscriber number or replacement of a service plan by another service plan due to service upgrade

# Information to be Collected from Individual

## (A) Individual Aged 16 or Above

- Number of Identity Document\*
- Name in Chinese (if applicable) and in English
- Date of Birth
- Copy of Identity Document



## (B) Individual Aged Below 16

- List of information as in (A) of the applicant
- Additional information of an adult aged 18 or above –
  - List of information as in (A) for the adult
  - a statement of the relationship between the adult and the applicant



*\* For an applicant not holding a HKID card for registration, he/she will also need to provide statements to the effect that he/she (i) does not hold a HKID card; and (ii) has not used other identity documents for registration*

# Information to be Collected from Organisation

## (C) Organisation with Business/ Branch Registration Certificate

- Number of the Certificate
- (if applicable) Name of the business or corporation in English and in Chinese
- (if applicable) Business / Branch name in English and in Chinese
- Copy of the Certificate
- List of information as in **(A)** for an adult aged 18 or above as the responsible person for the organisation

## (D) Organisation without Business/ Branch Registration Certificate

- Name of the organisation in English or Chinese (or both)
- List of information as in **(A)** for an adult aged 18 or above as the responsible person for the organisation

*Note: Organisation not holding business / branch registration certificate can **only register for service plan SIM cards**, but not pre-paid SIM card*

# Registration Records

- A licensee shall keep the following records in its database –
  - list of information collected from individual and organisation users (*see the previous two slides*)
  - unique identifiers of the SIM card (ICCID and mobile subscriber number);
  - type of SIM card registered (i.e. pre-paid SIM card or service plan SIM card);
  - date of registration of the SIM card; and
  - date of deregistration of the SIM card (if applicable)
- For those SIM cards which are deregistered, a licensee shall continue to keep the registration records for a period of **1 year**



# Registration Channels

- A licensee shall provide its customers with one or more of the following registration channels –
  - online registration via a mobile phone **using the pre-paid SIM card to be registered\***;
  - online registration via a mobile app;
  - online registration via a computer by accessing the thematic website of the licensee; and
  - in-person registration at retail shops of the licensee
- \* *Limited telecommunications service may be provided solely for accessing the licensees' platform for registration before activation for full-fledged telecommunications services upon successful completion of the registration*
- For pre-paid SIM cards, a licensee must provide for online registration by users as one of the registration channels



# Verification of the Registered Information

- A licensee shall adopt one or more of the following verification methods to verify the information provided by the users for SIM card registration –
  - face-to-face verification against the original identity document
  - verification with a scanned copy of the identity document :

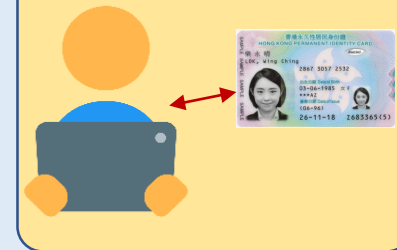


## By optical character recognition (OCR)



OR

## By visual checking



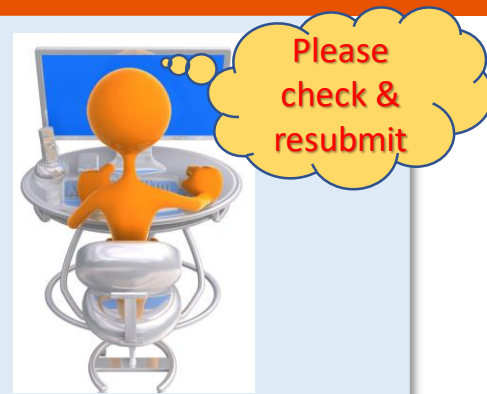
- verification via the “iAM Smart” platform
- other acceptable methods





# Verification of the Registered Information (2)

- In case of mismatch between the user's entry and the OCR/visual checking result –
  - prompt the user to re-submit the corrected information for online OCR verification /visual checking again ; or
  - require the user to visit a retail outlet of the licensee for face-to-face verification
- For successfully verified and registered SIM cards, a licensee shall activate the SIM card as soon as practicable after completion of registration



# Deregistration of Registered SIM Cards

## Initiated by Licensee

- In case of any registered information identified to be incomplete or contradictory, or false or misleading in a material respect, a licensee shall notify the customer for clarification or rectification
  - The licensee shall give the user **5 calendar days** to clarify and/or take remedial action, failing which the SIM card will be deregistered
- A licensee shall also deregister a SIM card when
  - the SIM card has reached the end of its validity period or the service plan concerned is terminated, expired or not renewed
  - the SIM card is reported as lost, stolen or malfunctioned by a user

## Initiated by User

- Upon receipt of request by a user for deregistration of a registered SIM card, a licensee shall as soon as practicable, and in any case no more than **one calendar day** after receiving the request, deregister it

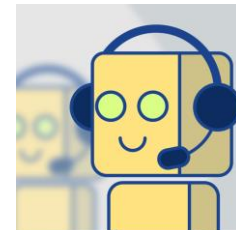


# Machine Type Connections



- SIM cards primarily used for **machine type connections** are not subject to the registration requirements under the Regulation

- Machine type connections refer to automated transmission of data and text messages with minimal or no human interaction or control in both machine-to-machine or machine-to-person communications
- Such SIM cards are usually embedded in machines and cannot be readily extracted for insertion into typical mobile devices for consumers



# Handling of SIM Cards Primarily Used for Machine Type Connections

- A licensee shall receive and handle directly any application of SIM cards primarily used for machine type connections
- The licensee shall request the customer to make a written application, with confirmation on using the SIM cards primarily for machine type connections
- The licensee shall keep following information –
  - the name and contact information of the customer applying for the SIM cards
  - the written application including the description of the machine type connections
  - the quantity of SIM cards and the range of ICCIDs assigned for machine type connections

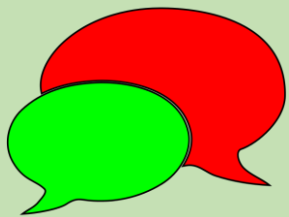


# Provision of SIM Registration Records

- For **requests under warrant**: A licensee shall make the best endeavours to provide registration records to the relevant law enforcement officer within **3 working days** from the date of receipt of the request
- For **urgent requests not under warrant**: A licensee shall make the best endeavours to provide the registration records to the relevant law enforcement officer as soon as practicable, preferably within **24 hours**, upon receipt of the request
- A licensee shall make available to law enforcement agencies the up-to-date and round-the-clock contact information of the responsible persons that the agencies may approach for SIM registration records



# Way Forward



Comments  
from TRAAC  
Members and  
relevant  
licensees by  
**25 Jun 2021**

Finalisation  
of the  
Guidelines  
by OFCA



Approval  
of the  
Guidelines  
by the CA

Effective  
date of the  
Guidelines

**1 Sep 2021**





# Thank You

