



Code of Practice on Registration of Subscriber Identity Module (SIM) Card

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**Bhutan InfoComm and Media Authority
Royal Government of Bhutan**

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1. Legal basis

This Code is issued as per section 58 of the Information, Communications and Media Act of Bhutan 2018 to regulate the ownership and the use of SIM cards for legitimate purposes including safety, security and the general welfare of the citizens of Bhutan.

2. Title and Commencement

This Code shall be called as the Code of Practice on Registration of Subscriber Identity Module (SIM) Cards and shall come into force on the 1st day of July, 2019 corresponding to the 29th day of the fourth month of the Bhutanese Earth Female Pig Year.

3. Scope of application

This Code shall apply to the Mobile Service Providers licensed by the Authority.

4. Repeal

With the commencement of this Code, the Code of Practice on Registration of Subscriber Identity Module (SIM) Card 2014 is repealed

5. Amendments

This Code is subject to amendment and changes in accordance with the needs and changes in national priorities, Government policies and industrial and technological trends. Amendment of this Code by way of addition, variation or repeal may be effected by the Authority as and when required.

6. Interpretation

The power to interpret this Code shall vest with the Authority who may issue such instructions as may be necessary to give effect to and implement the provisions of this Code.

7. Rules of construction

In this Code, unless the context indicates otherwise, the masculine gender shall include the feminine gender and the singular shall include the plural and vice versa.

8. Definitions

For the purpose of this Code, unless the context otherwise requires, the following words and terms shall have the following meanings:

Authority means the Bhutan InfoComm and Media Authority established as per the provisions of the Information, Communications and Media Act of Bhutan 2018.

Competent authority means any person or organization that has been legally authorized to perform a designated function.

Guarantor means a Bhutanese citizen holding valid citizenship Identity card that provides a guarantee and is legally bound to accept the liabilities on behalf of the subscriber.

Mobile Subscriber Integrated Service Digital Network (MSISDN) is a number uniquely identifying a subscription in a Global System for Mobile Communications (GSM) or Universal Mobile Telecommunications System (UMTS) mobile network.

Sales Agent means any authorized agent appointed by the Service Provider to sell their SIM Card, on their behalf.

SIM Card means the Subscriber Identification Module (SIM) card to be inserted inside the mobile cellular phone.

Service Provider means any licensed mobile telecommunications service provider.

Subscribers mean any individual who subscribes to the service of the mobile cellular service providers.

9. Obligations of the Service Providers

9.1 Issuance of SIM Card

The following documents shall be obtained for issuance of the SIM card:

- (a) The completed registration/application form for SIM card including signed agreements as well as SIM Card usage terms and conditions.
- (b) Copy of the identity proof of the subscriber as specified below:
 - i. **For Bhutanese Nationals:**
 - a) Citizen ID card number.
 - b) Copy of identity proof of the parent/guarantor in case of minors.
 - ii. **Resident of Bhutan:** Resident permit number.
 - iii. **For Foreigners, other than India:** Passport number.
 - iv. **Indian Residents in border areas:** Voter card with authenticated address of the local business establishment.
 - v. **Indian Workers:** Immigration permit number along with the undertaking of the Bhutanese employer.

- vi. **Indian Tourists:** Either passport number or Immigration Permit number issued by the Department of Immigration, Royal Government of Bhutan.

9.2 Maintenance of record

The Service Provider shall maintain a record/register of its subscribers, both post-paid and pre-paid, and also maintain a computerized data-base containing:

- a) The SIM Card serial number,
- b) Mobile phone number.
- c) Identification document number.
- d) Name and address of the subscriber.
- e) Name and identification document number of the guarantor (for non-Bhutanese/ minor), and
- f) Date of issuance of the SIM card.

9.3 Submission of the record to the Authority

The Service providers shall submit the details on the SIM card registration of its customers on a quarterly basis to the Authority.

9.4 Agreement between the Service Provider and the Subscriber

The Service Provider shall stipulate the liabilities of the subscribers in the Registration Form and Terms and Conditions as endorsed by the Authority. Such liabilities shall include the responsibilities of the subscriber to ensure that the SIM Card is not misused for any unlawful or criminal purpose.

9.5 Sale of SIM Card

The Service Provider shall:

- a) Sell SIM Card to an applicant subscriber only upon submission of the completed registration form along with identity proof and such other documents specified under sub-section 9.1 of this Code.
- b) Issue SIM card to tourist limited to one month validity based on their travel document issued by the competent authority and submission of the registration form completed by the tour agent or the applicant.
- c) Ensure its sales agents to abide by the requirements specified in this code.

- d) Integrate the information required in the sub-section 9.1 into the computerized system within 7 days of the issuance of the SIM card.

9.6 Change of Information and Ownership of SIM Card

The Service Provider shall:

- a) Update the information of a subscriber as and when a request is made by the subscriber subject to a proper verification of the changes to be made.
- b) Change the ownership of a SIM card only when both the parties provide a written agreement to effect the transfer.

10. Confidentiality

The Service Provider shall maintain confidentiality of all the information of the subscriber, except:

- a) When the information is sought by a law enforcement agency with an order issued by Royal Court of Justice, or
- b) Sought by the Authority, or
- c) Under extraordinary circumstances or during an emergency in sharing the use of its facilities and such other information in accordance with the provision of the Civil and Criminal Procedure Code,

in all the above cases, the request for information shall be sought in writing.

11. Penalty

Breach of any provision of this Code shall be liable for penalties as per the provisions of Information, Communications and Media Act of Bhutan 2018, the Licensing terms and conditions and such other laws in force.