



CRANicles

Communications Regulatory Authority of Namibia



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EDITORIAL

DEAR VALUED ICT STAKEHOLDERS,

Thank you for taking time to read our special edition of our newsletter, the CRANicles. This edition gives an account and overview of the new Regulations prescribing the implementation of part 6 of the Communications Act (No. 8 of 2009) regarding SIM card registration in Namibia.

CRAN launched the National SIM Registration Consumer Awareness Campaign in June this year. The roadshows commenced during early July in Katima Mulilo, and we have thus far visited seven other towns across Namibia.

The campaign is designed to ensure that all SIM card users develop a well-informed understanding of the relevance and requirements of SIM card registration. In keeping with the execution of its duties and mandate, CRAN has engaged with the public through activities, including a nationwide roadshow and panel discussions with relevant stakeholders, to create awareness and inform them about SIM Card Registration Conditions, issued in terms of the Communications Act (No. 8 of 2009). Other channels of communication such as social media, radio, TV and print were also utilised to ensure that all potential SIM card users in Namibia are fully engaged.

Furthermore, the campaign is divided in four phases which is aimed at ensuring firstly, that people understand the requirement, the second phase will go in more detail what the campaign is about, and the last two phases will be aimed at reminding the consumers on what the requirements would be.

Some countries require cellphone users to register SIM cards because unregistered SIM cards are increasingly being used to carry out phone-based fraud, identity theft and other criminal activities. Therefore, SIM card registration gives citizens a digital identity which enables them to access technology enabled banking, financial and other services.

Equally, mobile operators are required to communicate to their existing customers about the registration modalities, which may in certain instances include registration through online platforms.

Lastly, to keep your number, visit your mobile service provider to register your number.

Esteemed readers, I trust that you find this special edition of the CRANicles informative and useful, and I encourage you to provide us with your views, comments and/or queries by sending an email, for the attention of the editor, to communications@cran.na.

‘Pushing ICT Forward in Namibia’!

Katrina Siken
Head: Corporate Communication



04

“The implementation of SIM card registration in Namibia will be mandatory as of 01 January to 31 December 2023”.

Greetings valued Stakeholder,

In June 2022, the Communications Regulatory Authority of Namibia (CRAN) officially launched the National SIM Registration Consumer Awareness Campaign, which aims to educate the public on the importance of SIM card registration in Namibia. The registration process is carried out in terms of Regulations and Licence Conditions made pursuant to Part 6 of Chapter V of the Communications Act (No. 8 of 2009).

The Authority is in the process of executing the national SIM registration awareness campaign which commenced in early July, and the Authority is positive that the consumer awareness campaign shall ensure that consumers have a better understanding of the SIM registration process and debunk misinformation.

As part of the campaign strategy, CRAN has invited the public to join and participate at panel discussions, nationwide roadshow, social media, visual prints, radio interviews, audio-visual sessions, email enquiries and other activation components during the campaign.

Namibia is now complying with international best practice as she joins 157 other countries in the World that have mandatory SIM card registration, and we are delighted to have finally reach this milestone. The six-months-long awareness campaign follows consultation between CRAN and all relevant stakeholders.

The mandatory SIM card registration is not a new concept. It is a form of legislation that applies in over 157 countries worldwide for the effective regulation of the use of telecommunication services and in the prevention of illicit



activities (through telecommunication services) that pose a threat to national security or individual safety. The implementation of the said legislation in Namibia is one step towards harmonising the local telecommunications industry with regional, continental, and international regulations for the sake of integration and protection of national security and individual safety.

All relevant stakeholders in the local telecommunications industry have been consulted and informed of the relevant regulations that will require them to obtain a certified copy of a SIM card user's identification such as ID or passport, a relevant address, and the full name of the user. The registration for the use of a SIM card on a local telecommunication network also applies to foreign nationals and all persons making use of such services. Juristic persons such as businesses must provide a full name, registration number, business address and a letter of authority to represent. Individuals or businesses subscribed to post-paid services are already registered.

In his opening speech at the 4th Industrial Revolution (4IR) Conference and Expo, His Excellency President Hage Geingob noted the importance of taking technology into remote areas for particularly the youth, and marginalised communities should not be excluded from the social, economic, and other developmental benefits of technology. Namibia needs to be ready for the radical change in production, management and governance following the exponential growth in the application of digital technology.

The implementation of SIM card registration in Namibia will be mandatory as of 01 January to 31 December 2023, and mobile operators are required to register all their customers' SIM cards and obtain all relevant information before the sale and activation of SIM cards. Furthermore, operators

will have a period of 12 months to conclude the registration of existing customers. The information of new customers must be registered within three months from date of sale and therefore, unregistered SIM cards will be deactivated.

In conclusion, I wish to command our operators who have commenced with the voluntary SIM registration.

"Pushing ICT Forward!"

Emilia Nghikembua
Chief Executive Officer



ABOUT SIM REGISTRATION

The mandatory SIM card Registration to be implemented by mobile service providers in Namibia is made in preparation for protecting digital identities from cybercrimes, and to ensure the effective regulation of a technological landscape that offers great benefits to the society, economy and Namibia's governance.

Following the recent conference and expo regarding Namibia's preparation for the Fourth Industrial Revolution (4IR), the effective regulation of technologies is on par with international best practices and in the interest of national safety and has never been more important. The protection of individuals from cybercrimes is just as important. SIM registration is a component of a larger scheme for Namibia's application of digital technology to various matters including defense, finance, agriculture, education, and governance.

On 07 June 2022, CRAN officially launched the National SIM Registration Awareness Campaign, which aims to educate the public on the importance of registration of SIM cards in Namibia. Received with some hesitance, CRAN is on a mission to have the public and all stakeholders understand the relevance of SIM card registration, to debunk misinformation, and to encourage compliance hereto.

With about 2.2 million mobile network subscribers in Namibia by April 2022, we are part of a global village that brings individuals closer to one another using digital technologies. A person is now more than a physical citizen of a country alone and an individual's digital presence has become more prominent through the integration and application of digital technologies to the way in which we live, work, and relate to one another. Namibia is one of two African countries who have not yet fully implemented SIM card registration, while more than 157 countries around the world have already done so. According to Interpol's African Cyberthreat Assessment Report 2021, Africa has over 500 million internet users and the fastest growing internet and telephone networks in the world.

This poses great benefits for Namibia. At the same time, Namibia must be prepared for cyber threats such as scammed text messages, protection of the nation and individual users must be implemented through SIM registration, amongst other.

This makes SIM Registration a big step in the right direction for citizens to access electronic financial services, social services of governance and other potential platforms of resources. It is a fact that Africans make the widest use of mobile banking services and independent organisations have raised concerns of how particularly women and girls are at a great risk of cybercrimes due to a lack of legislation in protection of the individual user legitimately and safely.

In terms of Part 6 of Chapter V of the Communications Act (No. 8 of 2009), the Conditions imposed in terms of Section 72(4) of the Communications Act obligates users to register their SIM cards at the mobile service provider(s) they subscribe to, by providing their full name, address, and identity number in the form of a copy of an Identity Document (ID) or Passport. As of 01 January 2023, to 31 December 2023, it will be mandatory for mobile service providers to register all their customers' SIM cards and obtain all relevant information before the sale and activation of SIM cards. Mobile service providers will have a period of 12 months to conclude the registration of existing customers. The information of new customers must be registered within three (3) months from date of sale and unregistered SIM cards will be deactivated.

Registering your SIM card is integral to your digital identity, which already exists through other systems such as banking and social media. SIM card registration is complementary to already in-place legislation and enables Law Enforcement and National Security Agencies to verify digital identities and the use of a mobile phone number during investigations that serve to protect users from cybercrimes and have evidence to prosecute culprits. For Namibia to grasp the 4IR safely, SIM card Registration must be implemented. Furthermore, the data to be retained by mobile service providers, (the information to create an itemised bill), is already in existence and can be obtained by users. The drive for SIM card registration awareness targets pre-paid users who have had the opportunity to purchase and use a SIM card without providing any form of identification.

Digital technologies have become integral in the administration of governance, commercial and financial services that are becoming more accessible.

Growth in the digital landscape and an increase in the vulnerability of individuals to cybercrimes prompts both the government and the private sector to adopt strategies that are protective of the individual's digital identity and is inclusive of all levels of income, business sizes and sectors of the economy.

SIM card registration enables the enhancement of some digital services already available and allows technological growth through the development of new services. After SIM card registration, growth in e-commerce will enable users to manage their businesses and lives better within a safe environment, while knowing that the interception of their data will not be allowed without execution of the relevant procedures as per the legislation.

The implementation of this legislation is in line with Namibia's Harambee Prosperity Plan II (HPP II) and its pillars of Effective Governance, Economic Advancement, Social Progression, and Infrastructure Development. These pillars respectively complement the Sustainable Development Goals (SDG) including those of Peace Justice and Strong Institutions;

- Decent Work and Economic Growth; and
- Industry Innovation and Infrastructure.

For Namibia to progress and achieve development goals, and for users to safely access the technological developments available to them, SIM card registration must be implemented. SIM card registration will also make number portability possible. Number portability will give SIM card users the freedom of switching between networks while keeping the same number.

In conclusion, SIM card registration will create a comprehensive database of information, which will enable CRAN to effectively regulate the industry in a manner that promotes transparency, encourages competition, implements fair pricing regimes, and ensure a quality of service in the interest of the user. It is one step towards harmonising regulations for Namibia to experience regional and international integration. Without the implementation of legislation such as SIM card registration, Namibia's people and the country's FINTECH are vulnerable and at a high risk.



REGISTER YOUR SIM TO KEEP YOUR NUMBER

From **January 2023** registration of all SIM cards **will be mandatory**.

WHY?

New laws published in terms of the Communications Act (No. 8 of 2009) require that all SIM cards in Namibia must be registered. SIM card registration will help to prevent phone-based fraud and identity theft.

WHAT HAPPENS IF I DON'T REGISTER?

Failure to register your SIM card will lead to the **disconnection of your mobile number**. This means that you will no longer be able to make or receive calls, or use other services linked to your SIM card.

WHERE DO I REGISTER?

To register your SIM card, **please visit your mobile service provider**.



CONTACT US



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Communications Regulatory
Authority of Namibia (**CRAN**)



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SIM REGISTRATION KEEPS YOU SAFE

SIM card registration **prevents phone-based fraud and identity theft.** It does not enable mobile service providers or law enforcement agencies to listen to your conversations or read your messages.

Visit your mobile service provider to register your SIM card.
Registration will be mandatory from January 2023.



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SIM CARD REGISTRATION FREQUENTLY ASKED QUESTIONS (FAQs)

1. What prompted the move to SIM card registration?

On 15 March 2021, the Minister of Information and Communication Technology in terms of Part 6 of the Communications Act (No. 8 of 2009) published Regulations, which authorised CRAN to impose additional conditions on mobile service providers to enable the registration of SIM cards in Namibia. These conditions were imposed by CRAN on 28 April 2022. The new conditions and Regulations were drafted in consultation with all relevant stakeholders to ensure the successful implementation of part 6 of the Communications Act (No. 8 of 2009), which has been in existence for more than 10 years.



2. Is SIM card registration required in other countries around the world?

Mandatory registration and identification of cellphone users when purchasing SIM cards is in line with international practices. As of January 2021, 157 countries around the world have already implemented mandatory SIM card registration. 'Mandatory' means that SIM card registration is required by law in these countries. Namibia is one of two African Countries that has not yet implemented SIM card registration.

Countries require cellphone users to register SIM cards, because unregistered SIM cards are increasingly being used to carry out phone-based fraud, identity theft and other criminal activities. SIM card registration gives citizens a digital identity which enables them to access technology enabled banking, financial and other services.

3. What is done to ensure that SIM card registration does not lead to spying?

The Communications Act (No. 8 of 2009) and its new Regulations regarding SIM card registration are not about interception – or so-called 'spying' – and do not authorise or introduce interception. Instead, lawful interception is provided for in the Criminal Procedure Act of 1977 and the Namibia Central Intelligence Service Act of 1997. Therefore, interception has been taking place in Namibia for many years, as guided by these laws.

SIM card registration requires customers to register a SIM card in their name to access cellphone services and other related products. It is also an important tool for preventing phone-based fraud, identity theft and other criminal activity. This is not the same thing as 'spying' or 'government surveillance.' Law enforcement agencies can only access a customer's call data if a crime has been reported and a warrant has been issued by a judge.

4. Is it true that CRAN prescribed new conditions to mobile service providers on 28 April?

Yes. On 28 April 2022, the CRAN imposed additional conditions on mobile service providers to coordinate the registration of SIM cards in Namibia and to store call data of all customers for five years. This was done to comply with the new Regulations of the Communications Act (No. 8 of 2009). The Additional Licence Conditions were approved by the CRAN Board of Directors and signed off by the Board Chairperson.

The new conditions are part of implementing Part 6 of the Communications Act (No. 8 of 2009), which has been in existence for more than 10 years. The conditions were published as General Notice No. 180, in Government Gazette No. 7797, on 28 April 2022.

5. Do mobile service providers have the capacity to store the communication history of all their SIM card clients for five years?

Mobile service providers such as Paratus, MTN, MTC and TN Mobile, were consulted during the drafting of the additional licence conditions required in terms of the Communications Act (No. 8 of 2009). These additional licence conditions include the storage of call data for five years and SIM card registration.

Therefore, mobile service providers are fully aware of their legal obligation to store call data and register SIM cards and will make the necessary operational and technical arrangements to ensure compliance with the law.

6. Does SIM card registration enable mobile service providers to listen to their clients' cellphone conversations and to give third parties access to these conversations?

No. The nature of the network configurations makes it impossible for mobile service providers to listen to the conversations of their customers or to store these conversations. SIM card registration does not change this.

The new Regulations required in terms of the Communications Act (No. 8 of 2009) state that mobile service providers must store call data records. Call data records DO NOT contain the actual conversations between SIM card holders. Instead, they include information about the date, time and duration of calls, similar to information given on an itemised bill. This type of information is already being stored by mobile service providers. The only new requirement is that information must now be stored for five years.

The other new requirement is that each pre-paid SIM card must be registered to a customer's name to give them access to mobile services and related products. Registration of post-paid SIM cards is not a new requirement – these are automatically registered when customers enter into subscription contracts.

In addition, the new Regulations – or any other part of the Communications Act (No. 8 of 2009) for that matter – do not give mobile service providers or the government the power to intercept communications or to 'spy' on customers. The only laws that authorise and set the parameters for interception are the Criminal Procedure Act of 1977 and Namibia Central Intelligence Service Act of 1997. Interception has thus been taking place in Namibia for many years and was not introduced by the Communications Act (No. 8 of 2009).

Finally, the Namibia Central Intelligence Service Act of 1997 states that interception can only take place once a crime is reported to law enforcement agency and a warrant is issued by a judge. Even in terms of this law, it is not mobile service providers that intercept communication, but rather law enforcement agencies.

7. How does SIM card registration impact free speech and privacy in Namibia?

SIM card registration does not negatively impact the free speech or privacy of Namibians. It does not give mobile service providers or the government the power to 'spy' on cellphone users or intercept communications without reasonable cause.

Communication can only be intercepted when a crime is reported and a warrant is issued by a judge, as authorised in the Criminal Procedure Act of 1977 and the Namibia Central Intelligence Service Act of 1997. In other words, this interception does not fall under the new Regulations of the Communications Act of 2009 and is not carried out by the mobile service providers.

It is also important to remember that the Namibian Constitution permits limitations on constitutional freedoms, including the freedom of speech and the right to privacy, if national security and public safety are threatened, for example when a crime is committed. Even in such instances, there are laws that prescribe what law enforcement can and cannot do to protect Namibians against any unlawful infringement of their rights.

8. What information is required for SIM card registration?

The name of the customer, his/her address of ordinary residence, and his/her Namibian ID, passport or any other official identity document issued by the government of any other country are required for SIM card registration.

9. What is the process for the registration of SIM cards for minors?

A mobile service provider may not conclude a contract allowing a minor or a person under legal guardianship to obtain a SIM card, unless the minor or person under legal guardianship is accompanied by his/her parent or legal guardian with authentic proof of such parenthood or guardianship.

Where the minor does not have a parent or legal guardian, the minor can obtain a SIM card if accompanied by a teacher from the school the minor attends, a community leader from the area where the minor resides, a religious leader from a church the minor attends or a caretaker of the minor, provided that such teacher, community leader, religious leader or caretaker has made a sworn statement declaring that the minor does not have a parent or legal guardian and stating the capacity in which he/she accompanies the minor.

10. What is the process for the registration of SIM cards for individuals who reside in informal settlements and do not have a physical address?

Where a person resides in an informal settlement and cannot provide an address, the mobile service provider may accept any other address, including that of a school, church or retail store, where a person usually receives his/her post, for the purposes of SIM card registration.

11. In which instances may an individual not be registered or remain registered as a customer of a mobile service provider?

A person may not be registered or remain registered as a customer of a mobile service provider if that person:

- a) is deceased;
- b) is fictional;
- c) does not intend to use telecommunications services;
- d) did not consent to be registered as a customer; or
- e) is a minor or a person under legal guardianship and the applicable requirements of these conditions have not been met.

12. From when is SIM card registration applicable?

SIM card registration will be required by law from 1 January 2023 onwards.

13. What is the deadline for SIM card registration?

Customers must register their existing pre-paid SIM card within 12 months from 1 January 2023. All new SIM cards must also be registered from 1 January 2023 onwards.

14. What happens to SIM cards that are not registered by the deadline?

If a customer fails to register his/her SIM card within 12 months from 1 January 2023, his/her cellphone service will be suspended for a period of three months. If the customer attempts to use the service during this time, he/she will receive a warning in so far as this is technically feasible.

If the customer provides the necessary information for SIM card registration during the three-month period of suspension, his/her service will be reinstated, and the customer will be able to keep the cellphone number linked to his/her SIM. If the period of suspension has expired and the customer has not registered his/her SIM card, the mobile service provider will cancel the service and number. The customer must then purchase and register a new SIM card. In this case, the customer will not be able to keep his/her previous cellphone number.

SCENES FROM SIM REGISTRATION ROADSHOWS







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