

The Gazette  **of Pakistan**

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

ISLAMABAD, SATURDAY, DECEMBER 22, 2018

PART II

Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN

PAKISTAN TELECOMMUNICATION AUTHORITY

NOTIFICATION

Islamabad, the 6th December, 2018

S. R. O. 1527(I)/2018.—Pursuant to clause 9.6 of the Telecommunications Policy, 2015 read with sub-section (2) of section 29 of the Pakistan Telecommunication (Re-organization) Act, 1996, the Authority hereby makes the following regulations, namely:

1. **Short Title and Commencement.**—(1) These regulations shall be called the “Mobile Device Identification, Registration and Blocking (Amendment) Regulations, 2018”

(2) These regulations shall come into force with effect from 1st December, 2018.

2. **Amendment in regulation 2 in S.R.O 904(I)/2017.**—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2238 of S.R.O 904(I)/2017 of 2017, clause (b) of regulation 2 shall be substituted and read as follows:

(3225)

Price : Rs. 20.00

“(b) Authorized Distributor (s)” means an entity holding a valid type approval certificate issued by the Authority for distribution and commercial sale/market of mobile devices for connection to a public switched network”

3. Amendment in regulation 2 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2238 of S.R.O 904(I)/2017 of 2017, clause (e) of regulation 2 shall be substituted and read as follows:

“(e) “Compliant Mobile Device” means a device that fulfills the following requirements:

- i. Devices with valid IMEIs assigned by Global System Mobile Association (GSMA);*
- ii. Devices with unique IMEIs;*
- iii. Devices not in the stolen/lost lists (reported locally to the Authority and globally to GSMA); and*
- iv. Devices type approved or /having Certification of Compliance to Technical Standards in line with PTA Type Approval Standards Regulations for IMEI devices issued by the Authority”*

4. Amendment in regulation 2 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2238 of S.R.O 904(I)/2017 of 2017, clause (f) of regulation 2 shall be substituted and read as follows:

“(f) Device Verification System” means a web interface and application for stakeholders to verify mobile device status”.

5. Amendment in regulation 2 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2239 of S.R.O 904(I)/2017 of 2017, clause (h) of regulation 2 shall be substituted and read as follows:

“(h) Exception List” means a list containing specific IMEI and Subscription Pairings that are allowed to continue receiving Mobile Communication Services even if their IMEI(s) appears on the blacklist”.

6. Amendment in regulation 2 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2239 of S.R.O 904(I)/2017 of 2017, clause (n) of regulation 2 shall be substituted and read as follows:

“(n) ‘‘Mobile Device’’ a communicating device having SIM/IMEI functionality such as mobile phone, Tablet, Router, Dongle, Tracking Device etc.

7. Amendment in regulation 2 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2238 of S.R.O 904(I)/2017 of 2017, clause (p) of regulation 2 shall be substituted and read as follows:

“(p) ‘‘Mobile Device Registration System’’ means a registration for certification of compliance to technical standards’ for IMEI devices in the manner as prescribed by the Authority to the Persons/Distributors/OEMs/ODM(s)/Type Approval Holder(s) from time to time’’

8. Amendment in regulation 2 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2240 of S.R.O 904(I)/2017 of 2017, clause (t) of regulation 2 shall be substituted and read as follows:

“(t) ‘‘OEM/ODM’’ means an Original Equipment Manufacturer/ Original Design Manufacturer, who can be type approval holder, to market and sell devices in the territory of Pakistan’’.

9. Amendment in regulation 2 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2240 of S.R.O 904(I)/2017 of 2017, clause (y) of regulation 2 shall be substituted and read as follows:

“(y) ‘‘Type Approval Holder’’ means a person or an entity to whom type approval has been granted by the Authority’’

10. Amendment in regulation 2 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2240 regulation 2 shall be substituted and read as follows:

‘‘2.A. Scope and Applicability.—These Regulations shall apply to all Mobile Communications Service Licensee(s), Type Approval Holders, Persons and OEM/ODM for registration and maintenance of accurate data of mobile device(s) and IMEI(s), and to discourage sale/purchase/service(s) of non-compliant Mobile Device(s) through DIRBS in accordance with the procedure(s) provided in these Regulations’’

11. Amendment in regulation 3 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2241 sub-regulation (2) of regulation 3 shall be substituted and read as follows:

“(2) All type approval holders/certificate of compliance holders /OEM/ ODM shall co-operate with the Authority to ensure that non-compliant mobile devices are not imported, sold, marketed or connected with the mobile operators’ networks”

12. Amendment in regulation 4 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2241 of S.R.O 904(I)/2017 of 2017, sub regulations (2) of regulation 4 shall be substituted and read as follows:

“(2) The DIRBS System established under sub regulation (1) of Regulation 4 of these Regulations will be capable to support verification of IMEIs by stakeholders, to register IMEI paired exceptions, to import data from MNOs, GSMA device database, certificate of compliance holders Type Approval Holders, device , and stolen device list(s):

Provided that analysis will be performed to allow the identification and tracking of non-compliant devices in accordance within these Regulations using the DIRBS”

13. Amendment in regulation 5 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2241 of S.R.O 904(I)/2017 of 2017, sub-regulations (1), (2) and (3) of regulation 5 shall be substituted and read as follows:

“(1) A Mobile Device Verification System and its Registration System will be provided by Authority for identification / registration of IMEI displayed on the mobile device to verify whether the said device is a compliant mobile device”.

“(2) the format of the system specified in sub-regulation (1) of regulation 5 of the Regulations shall be in accordance with an SOP to be issued by Authority”.

“(3) certificate of compliance holders / Type Approval Holders / ODMs / OEMs having type approval certificate will be required to apply for certification of compliance to technical standards for IMEI devices to Authority before import or shipment to market respectively as per the prescribed format by Authority as well as Type Approval Standards Regulations,2018(as amended from time to time)”

14. Amendment in regulation 5 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2242 of S.R.O 904(I)/2017 of 2017, sub-regulations (5) and (6) of regulation 5 shall be substituted and read as follows:

“(5) Individual(s) importing / carrying device(s) for personal use will be required to apply for certification of compliance to technical standards for IMEI device(s) issued by Authority from time to time as well as Type Approval Regulations, 2018 (as amended from time to time) to become eligible for registration of the device(s)”

“(6) All non-compliant Mobile Device(s) will be included in the black list by DIRBS. Updated Black List(s), Exception List(s) and Notification List(s) will be provided by DIRBS to MNO(s) at regular intervals”.

15. Amendment in regulation 6 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2243 of S.R.O 904(I)/2017 of 2017, sub regulations (3) of regulation 6 shall be substituted and read as follows:

“(3) Any blacklisted mobile device by Authority will be not being activated except for lost/stolen and type approved devices which are verified by DIRBS in accordance with the SOP approved by the Authority”.

16. Amendment in regulation 8 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2243 of S.R.O 904(I)/2017 of 2017, proviso of regulation 8 shall be substituted and read as follows:

“Provided that in case of roamers stay in Pakistan prescribed time limit as set out in the SOP, then such roamer shall be required to apply to Authority for issuance of certification of compliance to technical standards for IMEI mobile devices”

17. Amendment in regulation 9 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2243 of S.R.O 904(I)/2017 of 2017, sub regulations (3) of regulation 9 shall be substituted and read as follows:

“(3) Through information provided by Authority, MNOs shall not install or permit the installation or connection of any terminal equipment unless the terminal equipment is type approved by the Authority, or otherwise permitted by the Authority”

18. Amendment in regulation 9 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2244 of S.R.O 904(I)/2017 of 2017, sub regulations (7) of regulation 9 shall be substituted and read as follows:

"(7) MNO(s) will actively help in identifying stolen phones, blocked phones and phones with duplicate or non-standard identifiers on their networks and will maintain and report to DIRBS and update database with information about such phones for the benefit of the mobile services sector worldwide"

19. Amendment in regulation 9 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2244 of S.R.O 904(I)/2017 of 2017, sub regulations (11) of regulation 9 shall be substituted and read as follows:

"(11) As per cellular mobile license conditions, it is an obligation of the MNO(s) to allow only type approved Mobile Devices to be connected to their network(s)"

20. Amendment in regulation 9 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2244 of S.R.O 904(I)/2017 of 2017, following sub-regulations (12), (13), (14) & (15) shall be inserted after sub-regulations (11) of regulations 9 and read as follows:

"(12) For all international roamers brining mobile devices having IMEI which is to be used for the first time within Pakistan shall be required to register the IMEI for incorporation within DIRBS. As per policy an international passenger may bring upto five (5) mobile devices in a year for personal usage

(13). For IMEI which have already been registered on DIRBS are exempted from registration process

(14) International roamers using device as a roamer on mobile networks within Pakistan are exempted from registration process

(15) All international roamers may use their device for up to 30 days i.e. duration of stay in Pakistan is less than thirty (30) days from arrival date without registration"

21. Amendment in Regulation 10 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2244 of S.R.O 904(I)/2017 of 2017, regulations 10 shall be substituted and read as follows:

"10. Rights of MNOs.—Each MNO shall be provided analysis report generated by DIRBS specific to it in the standard operating procedures prescribed by the Authority from time to time"

22. Amendment in regulation 11 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2244 of S.R.O 904(I)/2017 of 2017, regulation 11 shall be substituted and read as follows:

“11. Obligations of Type Approval Holder/Authorized Distributor/OEM/ODM.—All Type Approval Holders/ certificate of compliance holders / OEMs/ODM(s) shall provide accurate information of type approved Mobile Devices for issuance of certification of compliance to technical standards for IMEI devices by Authority in order to maintain the updated list of IMEI numbers of Mobile Devices in the DIRBS as per Regulation 5 of these Regulations”

23. Amendment in regulation 12 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2244 of S.R.O 904(I)/2017 of 2017, regulation 12 shall be substituted and read as follows:

“12. Rights of Type Approval/Authorized Distributor/OEM/ODM.—Type Approval Holders /OEM/ODM will be allowed to get their blacklisted devices registered by submitting valid documents as per these Regulations and SOP etc.”

24. Amendment in regulation 15 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2245 of S.R.O 904(I)/2017 of 2017, regulation 15 shall be omitted,

25. Amendment in regulation 16 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2245 of S.R.O 904(I)/2017 of 2017, regulation 16 shall be substituted and read as follows:

“16. Public Education & Awareness Campaigns.—(1) The Authority/ Type Approval Holders/Authorized Distributor(s)/ /OEM/ODM/Persons shall carry out extensive media/public campaigns at their own cost and include information pasted/visible on their sold mobile devices to educate consumers for the requirement to verify the validity of the Mobile Devices in their use and the procedure for verification of Mobile Devices available for sale/ purchase, using the device verification system of DIRBS.

(2) The SMS broadcast shall encompass the following:

- (a) Subscribers desirous of getting Mobile Communication Services shall ensure that they are using compliant Mobile Device(s) by checking through “Device Verification System” which could be web based, mobile app or SMS short code.**
- (b) Respond and take necessary actions as requested through any message delivered to them through any means regarding their device(s).**

- (c) *All information and knowledge about DIRBS to avoid inconvenience caused due to their devices getting blocked.*
- (d) *Any other notifications/information required to be sent to the customers by the Authority from time to time.*

(3) *MNOs/Type Approval Holders/ OEM(s)/ODM/Persons will train their Customers Service and Call Centers staff to guide the customers on DIRBS. They will also design and display posters in their Customer Service Centers and provide them to their dealers for awareness of general public.*

(4) *MNOs/Type Approval Holders/Persons/ OEM(s)/ODM/ CoC holders shall train their customer service representatives for facilitation to their consumers educating them on how to check authenticity of a mobile device by means device verification interface”*

26. Amendment in regulation 17 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2246 of S.R.O 904(I)/2017 of 2017, regulation 17 shall be substituted and read as follows:

“17. Inspection.—(1) In order to ensure compliance of these Regulations, the Authority may through its authorized officer(s) inspect the premises and records maintained by the Type Approval Holders/ OEM(s)/ODM/ Persons for the mobile devices already type approved and having certification of compliance to technical standards for such devices issued by the Authority at any time at their customer services outlets or registered and authorized agents for inspection as and when required by Authority.

(2) All Type Approval Holders/ OEM(s)/ODM/Persons must have copy of Type Approval certificate, authorization distribution certificate from the Type Approval holders along with certification of compliance to technical standards issued by the Authority”

27. Amendment in Regulation 18 of S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2246 of S.R.O 904(I)/2017 of 2017, sub- regulation (1) of regulation. 18 shall be substituted and read as follows:

“(1) The MNOs, Persons /OEM(s)/ODM(s) and Type Approval Holders shall establish an efficient methodology to promptly receive, process and respond to complaints, by subscribers regarding their devices”

28. Amendment in Regulations 19 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2246 of S.R.O 904(I)/2017 of 2017, sub regulation (1) of regulation 19 shall be substituted and read as follows:

“(1) MNO(s) shall not disclose the contents of any data being transmitted or received from DIRBS. It must remain under their control except to the extent permitted by Authority in writing or through any regulation/instruction/directive”

29. Amendment in Regulation 20 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2247 of S.R.O 904(I)/2017 of 2017, regulation 20 shall be substituted and read as follows:

“20. Directions of the Authority.—All directives, notifications, Standard Operating Procedures and orders issued by the Authority from time to time on or before notification of these Regulations shall be binding and applicable on the MNOs, Persons /OEM(s)/ODM(s) and Type Approval Holders”

30. Amendment in Regulations 21 in S.R.O 904(I)/2017.—In the Mobile Device Identification, Registration and Blocking Regulations, 2017, at page 2247 of S.R.O 904(I)/2017 of 2017, regulation 21 shall be substituted and read as follows:

“21. Confidentiality of Information.—Without prejudice to the provisions of any law for the time being in force, all stakeholders shall ensure the confidentiality of all information disclosed by the Consumers under the provisions of these Regulations.”

ERUM LATIF,
Deputy Director(Law & Regulations).