



Association of Licensed Telecommunications Operators of Nigeria

**PRESENTATION AT THE
PUBLIC HEARING ON SIM/CALL TRACKING ISSUES**

**Submitted to the House Committee on Army
House of Representatives, National Assembly
Federal Republic of Nigeria**

ON

MONDAY, JULY 18, 2016



Association of Licensed Telecommunications Operators of Nigeria

Outline

1. Executive Summary
2. SIM Registration
3. APPLICATION OF SIM REGISTRATION TO LAW ENFORCEMENT
4. Conclusion



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1. Executive Summary

The Association of Licensed Telecoms Operators of Nigeria is a body corporate, duly registered under the laws of Federal Republic of Nigeria as an Incorporated Trustee, and officially recognized by the Government of the Federal Republic of Nigeria and the Nigerian Communications Commission as the official industry body for all licensed providers of telecommunications and subsidiary services in Nigeria.

The major objectives of the Association is to foster inter-network cooperation and industry harmony amongst all the operators and the regulator in the country, as well as provide a platform for industry/stakeholders interaction and collaboration for the advancement of the Nigerian telecommunications market. The Association is committed to enhancing growth in the Nigerian ICT sector, whilst ensuring a healthy balance between market growth/profitability for the operators and efficient/affordable service delivery to the subscribers.

2. OUR MEMBERS' COMMITMENT

- a) Mobile Network Operators (MNOs) are law abiding and recognize their role to facilitate social and security services which include assisting law enforcement agencies.
- b) MNOs provide requisite support functions to all law enforcement agencies as maybe required by relevant statutes in the discharge of their duties.



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- c) MNOs ensures that all SIM cards in Nigeria are restricted from making outgoing calls until the SIM card is duly registered by the buyer, after which we lift the restriction on outgoing calls.
- d) The Nigerian Communications Commission (NCC) maintains a database of all registered subscribers' information in a Central Database.
- e) MNOs could supply call data records of a subscriber, provided the request for such information is made by the relevant authority and duly signed by an officer of the Nigerian Police not below the substantive rank of Assistant Commissioner of Police (ACP) or its equivalent in any of the relevant authorities.

3. SIM Registration Regulations

- a) The Registration of Telephone Subscribers) Regulations, 2011 ("the Regulations") made by the Nigerian Communications Commission (NCC), is in the exercise of its powers under the Nigerian Communications Act 2003 (NCA).
- b) Section 12(3) of the Regulation provides that, upon the capturing and registration of the biometrics and the personal information of a new subscriber, the licensee shall activate the subscription medium on its network service and transmit the subscriber's information to the Central Database.



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- c) All SIM cards in Nigeria are thereby to be restricted from making outgoing calls until the SIM card is registered by the buyer, in which case the operators will lift the restrictions on outgoing calls.

3.1. Required Information for SIM Registration

The primary details collected during SIM Registration are;

- Fingerprint of the subscriber.
- Facial image of subscriber (captured by operators during registration).
- First name and surname of the subscriber.
- Age and occupation
- Residential address

3.2. APPLICATION OF SIM REGISTRATION TO LAW ENFORCEMENT

Mobile Network Operators are required by requisite Legislations and Regulations to supports Law enforcement agencies in the discharge of their duties as maybe required. Some of these include; the Cybercrime Act and the Nigerian Communications Commission Enforcement Regulations (2004).

- Section 38 (2) (a) of the Cybercrime Act mandate services providers to preserve, hold or retain the following data; traffic Data; subscriber Information; content Data; and non- content Information.



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- Section 38 (3) of the Cybercrime Act mandates service providers to release any information or subscriber's data (as provided under Section 38 (2)) upon request by a law enforcement agency
- Section 8(1) of the Nigerian Communications Commission Enforcement Regulations (2004) (the Regulations) made pursuant to Section 70 of the Nigerian Communications Act (2003) mandates telecom operators to supply call data records, where the request for such information is made by the relevant authority and duly signed by an officer of the Nigerian Police not below the substantive rank of Assistant Commissioner of Police (ACP) or its equivalent in any of the relevant authorities.
- Section 8 (2) of the Regulations also provides that other non-basic subscriber information may be supplied upon the presentation by the relevant authority of a sanction therefore by a Judge or Magistrate. A relevant authority is defined by the Regulations to mean the Nigerian Police or the National Intelligence Agency or the State Secret Services or the Economic and Financial Crimes Commission or the National Drug Law Enforcement Agency.
- In compliance with the aforementioned provisions, and upon receipt of formal request from law enforcement agency or the general public, we verify and ensure



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that the application comply with the requirement of the law and then provide the applicant with the following information:

- SIM Registration Details: This includes name, address, photograph and date of registration of the subscriber
- IMEI Details: This is the identity of the phone used and the previous numbers used on the phone if any
- Call Records: This includes date and time of calls, numbers called and received (and location data of calls made and received where application is from law enforcement or security agency)



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4. CONCLUSION

- MNOs provide requisite support functions to all law enforcement agencies as maybe required by relevant statutes in the discharge of their duties.
- The Nigerian Communications Commission (NCC) maintains a database of all registered subscribers' information in a Central Database.
- MNOs could supply call data records of a subscriber, provided the request for such information is made by the relevant authority and duly signed by an officer of the Nigerian Police not below the substantive rank of Assistant Commissioner of Police (ACP) or its equivalent in any of the relevant authorities
- This support function is provided to relevant authorities at no cost.

Thank you.

For: Association of Licensed Telecommunications Operators of Nigeria (ALTON)

A handwritten signature in blue ink, appearing to read "Gbenga Adebayo".

Engr. Gbenga Adebayo

Chairman

A handwritten signature in black ink, appearing to read "Kazeem Oladepo".

Kazeem Oladepo

Executive Secretary