

(Legislative Supplement No. 42

LEGAL NOTICE NO. 90

THE KENYA INFORMATION AND COMMUNICATIONS ACT

(Cap. 411A)

THE KENYA INFORMATION AND COMMUNICATIONS
(REGISTRATION OF TELECOMMUNICATIONS SERVICE
SUBSCRIBERS) REGULATIONS, 2025

ARRANGEMENT OF REGULATIONS

Regulation.

PART I — PRELIMINARY

- 1 — Citation.
- 2 — Interpretation.
- 3 — Objects of the Regulations.

PART II — REQUIREMENTS FOR REGISTRATION OF
TELECOMMUNICATIONS SERVICE SUBSCRIBERS

- 4 — Persons authorized to register.
- 5 — Registration of telecommunications subscribers.
- 6 — SIM-card registration requirements for a child.
- 7 — Verification.
- 8 — Registration process.
- 9 — Proxy registration.
- 10 — Transfer of telecommunication service.
- 11 — Update of records.
- 12 — Record keeping.
- 13 — Repository.
- 14 — Reporting.
- 15 — Access to systems.
- 16 — Notification of intent to suspend services.
- 17 — Deactivation.
- 18 — Reporting of false Registration.
- 19 — Data protection.

PART III—GENERAL PROVISIONS

20— General penalty or regulatory sanction.

21— Transition.

22— Revocation.

SCHEDULE

THE KENYA INFORMATION AND COMMUNICATIONS ACT

(Cap. 411A)

IN EXERCISE of the powers conferred by sections 27(2) (gg), 27(2)(h) and 27D of the Kenya Information and Communications Act, the Cabinet Secretary for Information, Communication and Digital Economy, in consultation with the Communications Authority of Kenya, makes the following Regulations—

THE KENYA INFORMATION AND COMMUNICATIONS
(REGISTRATION OF TELECOMMUNICATIONS SERVICE
SUBSCRIBERS) REGULATIONS, 2025

PART 1—PRELIMINARY

1. These Regulations may be cited as the Kenya Information and Communications (Registration of Telecommunication Service Subscribers) Regulations, 2025. Citation.

2. In these Regulations, unless the context otherwise requires— Interpretation.

“Act” means the Kenya Information and Communications Act; Cap. 411A.

“age of majority” means the age of eighteen years;

“Authority” means the Communications Authority of Kenya established under section 3 of the Act;

“biometric data” means personal data resulting from specific technical processing based on physical, physiological or behavioural characterisation including blood typing, fingerprinting, deoxyribonucleic acid analysis, earlobe geometry, retinal scanning and voice recognition;

“child” means a person under the age of eighteen years;

“deactivate” means an action by a telecommunications operator of withdrawing access of telecommunications services by a subscriber;

“identification particulars” means personal or corporate details given by a subscriber to a telecommunications operator or an agent for registration purposes;

“foreign national registration certificate” means a registration certificate issued under the Kenya Citizenship and Immigration Act ; Cap. 171.

“guardian” means an individual appointed under Part X of the Children Act, to exercise care and control of a child; Cap. 141.

“licensee” means the holder of a licence issued by the Authority under sections 24, 25 or 25A of the Act;

“person” includes a company or association or body of persons, corporate or incorporate;

“proxy registration” means registration undertaken on behalf of a subscriber by a person other than the subscriber being registered;

“registration” means the process of recording identification particulars of a person as a subscriber by a telecommunications operator or an agent;

“registration agent” means a person contracted or otherwise engaged by a telecommunications operator to carry out registration of SIM-cards;

“reactivate” means to enable a subscriber access a telecommunication service which had been deactivated;

“stateless person” means a person who is not recognized as a citizen by any state under the operation of the laws of any state;

“SIM-card” means the Subscriber Identity Module which is an independent electronically-activated device designed for use in conjunction with a telecommunication apparatus to enable the user of the telecommunication apparatus to transmit and receive indirect communications by providing access to telecommunication systems and enabling such telecommunication systems to identify the particular Subscriber Identity Module and its installed information;

“subscriber” means a person registered under these Regulations;

“suspend” means to temporarily disable access of a subscriber to telecommunications services provided by a telecommunications operator;

“telecommunications operator” means a telecommunication operator licensed pursuant to section 79 of the Act.

3. The object of these Regulations is to provide for the process of registration of subscribers of telecommunication services.

Object of the Regulations.

PART II — REQUIREMENTS FOR REGISTRATION OF TELECOMMUNICATIONS SERVICE SUBSCRIBERS

4. (1) A telecommunications operator or registration agent shall register a person as a subscriber in the manner provided for under these Regulations.

Persons authorized to register.

(2) A person other than a telecommunications operator or registration agent, who registers subscribers, commits an offence.

(3) This provision shall be implemented in accordance with the Data Protection Act and the Data Protection (Complaints Handling Procedure and Enforcement) Regulations, 2021.

Cap. 411C.
LN No. 264 of 2021.

5. A telecommunications operator or registration agent shall, prior to registration of a subscriber, seek the production of original identification documents which include—

Registration of telecommunication subscribers.

- (a) for Kenyan citizens who have attained the age of majority, any recognized identification documents issued by the Government of Kenya;
- (b) for a child, the birth certificate of the child and the identification documents of the parent or guardian;

- (c) for members of the Kenya Defence Forces, an original Service Card;
- (d) for a foreigner, a valid Passport or Foreign National Registration Certificate;
- (e) for a refugee, a valid Refugee Identity Card;
- (f) for a stateless person, a birth certificate or a valid identification document issued under the Kenya Citizenship and Immigration Act; and
- (g) for a company, the Certificate of incorporation of the company incorporated under the Companies Act.

Cap. 486.

6. (1) A parent or a guardian who intends to register a SIM-card on behalf of a child shall provide the documents specified under regulation 5 (b).

SIM-card registration requirements for a child.

(2) The parent or guardian shall be registered as the subscriber of that particular SIM-card until the child attains the age of majority.

(3) The child's birth certificate number, name and age, shall be indicated on the registration form.

(4) The telecommunications operator shall periodically inspect the list of SIM cards registered on behalf of children and issue a notification on the parent or guardian on the requirement to provide their personal identification details once they attain the age of majority.

(5) Upon the child attaining the age of majority, they shall be required to register their personal identification details within a period of ninety days in accordance with these Regulations.

(6) The telecommunications operator shall, upon the lapse of the ninety-day period, suspend SIM-cards registered on behalf of a child who has attained the age of majority but has not updated their registration details as required under these Regulations.

7. (1) A telecommunications operator or registration agent shall, when registering a person, verify the information provided for registration purposes.

Verification.

(2) The verification process by the telecommunication operator or agents shall involve authentication of the documents with the existing relevant Government database.

(3) A person who registers a subscriber without verifying the provided registration details commits an offence.

8. A telecommunications operator or registration agent shall —

Registration process.

- (a) enter the registration particulars provided by a person in electronic or print form as provided in Form 1 set out in the Schedule and may require the subscriber to appear in person for registration;
- (b) verify documents and identification information presented by a person seeking registration against the relevant Government database;

- (c) where necessary, update any information pursuant to regulation 11 into the telecommunications operator's database; and
- (d) maintain the registration particulars obtained in a secure and confidential manner.

9. There shall be no proxy registration of any SIM-card subscribers, except as otherwise permitted under regulation 6. Proxy registration.

10. (1) A subscriber may transfer a telecommunication service registered under the subscribers name by making an application to the relevant telecommunications operator. Transfer of telecommunication service.

(2) The application under sub regulation (1) shall specify the intention to discontinue the use of the telecommunication service and to transfer the benefits, use and liability of the subscription to a consenting transferee.

(3) When considering an application under paragraph (1), the telecommunications operator shall with necessary modifications require the production of the registration documents specified under regulation 5.

11. (1) Where there is a change in any of the details provided by a subscriber, the subscriber shall within thirty days of the change taking place inform the telecommunications operator or a registration agent of the change. Update of records.

(2) The telecommunications operator shall, upon receipt of the notice to update the records, rectify the relevant registration particulars of the subscriber within seven days.

(3) A person, who knowingly provides false information to a telecommunications operator or registration agent for registration as a subscriber, commits an offence.

12. (1) A telecommunications operator shall keep a record of— Record keeping.

- (a) all its registration agents; and
- (b) the registered subscribers made by the telecommunications operator or the registration agents and any changes made thereto.

(2) A telecommunication operator issuing SIM-cards shall, in addition to records contemplated in paragraph (1), keep and maintain an up-to-date record of—

- (a) all SIM-cards sold to the registration agents; and
- (b) information on every registered SIM-card to ensure that each registered SIM-card can be traced to the registration agent.

13. A telecommunication operator shall maintain a repository of registration details obtained for registration purposes pursuant to these Regulations including copies of the identification documents or any other relevant document. Repository.

14. (1) A telecommunications operator shall— Reporting.
- (a) submit to the Authority, on a quarterly basis, the records maintained pursuant to regulation 12; and
 - (b) submit to the Authority, on an annual basis or upon request by the Authority, a report of its operations on the maintenance of records under regulation 12 and 13.
- (2) The Authority shall publish administrative procedures specifying the manner in which the reports specified under regulation 12 shall be submitted to the Authority.
- (3) A telecommunications operator or registration agent who contravenes the provisions of this regulation commits an offence.
15. A telecommunications operator shall grant the Authority's officers access to its systems, premises, facilities, files, records and other data to enable the Authority inspect such systems, premises, facilities, files, records and other data for purposes of ensuring compliance with the provisions of the Act and these Regulations. Access to systems.
16. (1) A telecommunication operator shall, where a subscriber has not complied with any provisions of these Regulations, issue a notice to suspend telecommunication services. Notification of intent to suspend services.
- (2) A subscriber who has not complied with the provisions of these Regulations shall be required to comply within fourteen days after issuance of the notice to suspend telecommunication services.
- (3) A notice to suspend shall be in the form of a personal notification from the telecommunications operator to the subscriber and subsequent further notices may be in the form of—
- (a) an advertisement of nationwide circulation;
 - (b) an advertisement in an electronic medium that broadcasts throughout the country; or
 - (c) any other form as may be permitted in writing by the Authority.
- (4) Subject to regulation 17, a telecommunications operator shall, within ninety days, deactivate a SIM card upon failure of a subscriber to respond to a notice of suspension.
17. A telecommunications operator shall deactivate a telecommunications service— Deactivation.
- (a) where telecommunications services to the subscriber have been suspended for a period of ninety days;
 - (b) upon request by a subscriber; or
 - (c) where the telecommunications operator or the Authority establishes that the subscriber has provided false information for registration.
18. (1) A person who establishes that a subscriber has provided false information for registration of a telecommunication service shall Reporting of false Registration.

lodge a complaint with the Authority and request the Authority to deactivate the telecommunication service.

(2) A complaint lodged under paragraph (1) shall be lodged in Form 2 set out in the schedule

(3) Upon receiving the complaint, the Authority shall investigate the complaint within thirty days.

(4) Where the complaint is substantiated, the Authority shall notify the telecommunications operator of the complaint and the intended deactivation of the telecommunication service.

(5) A telecommunications operator shall provide the subscriber against whom a complaint has been lodged an opportunity to be heard and to respond to the complaint before deactivating the telecommunication service.

(6) Where a telecommunication service has been deactivated, the telecommunications operator shall retain the records of the relevant subscriber in accordance with the existing license conditions.

19. (1) A telecommunications operator shall take all reasonable steps to ensure the security and confidentiality of its subscribers' registration particulars in accordance with the Act and the Data Protection Act.

Data protection.

Cap. 411C.

(2) A telecommunications operator shall report to the Authority of the strategies put in place to ensure the security and confidentiality of its subscribers' registration particulars within sixty days of the commencement of these Regulations.

(3) A telecommunications operator shall verify the accuracy of the information contained in its database of subscribers' particulars, as required by the Authority from time to time.

PART III—GENERAL PROVISIONS

20. (1) A licensee who contravenes any provision of these Regulations shall be notified in writing of the contravention.

General penalty or regulatory sanction.

(2) A person who commits an offence under these Regulations shall be liable upon conviction to a fine not exceeding one million shillings or imprisonment for a term not exceeding six months, or both.

21. (1) A telecommunications operator shall ensure that all existing subscribers, who are registered prior to the coming into operation of these Regulations, fulfill the requirements of these Regulations within six months of the commencement of these Regulations.

Transition.

(2) A telecommunications operator shall notify all its subscribers found to be non-compliant with the provisions of these Regulations of its intention to suspend the telecommunication services if they do not comply within the required period.

(3) A telecommunications operator shall suspend services to a subscriber who fails to comply with the provisions of these Regulations.

(4) A telecommunications operator shall reactivate a suspended telecommunication service where a subscriber complies with these Regulations.

(5) A subscriber whose telecommunication services have been suspended under paragraph (3) shall have the right to request a review of the suspension by the telecommunication operator.

(6) Where the review is upheld, the telecommunications operator shall reactivate the subscriber's service within forty-eight hours of communicating the decision to the subscriber.

(7) Where the review under paragraph (5) is rejected, the telecommunications operator shall inform the subscriber with reasons for the decision.

(8) The subscriber may appeal the decision of the telecommunications operator to the Authority, within thirty days from the date of receipt of the decision.

(9) The telecommunications operator shall maintain a record of all reviews and the actions taken for a period of not less than two years and shall make such records available for inspection to the Authority upon request.

22. The Kenya Information and Communications (Registration of SIM Cards) Regulations, 2015, is hereby revoked.

Revocation.
L. No. 163 of
2015.

SCHEDULE

FORM 1

(r.8(a))

REGISTRATION OF TELECOMMUNICATIONS SERVICE SUBSCRIBER FORM

1. Type of Registration: (Tick as appropriate)			
(a) Self			
(b) For Child			
(c) For Corporate			
2. Type of Original Registration Document Produced and Document Number: (Tick as appropriate) r. 5			
(a) National ID card			
.....			
(b) Waiting Card			
.....			
(c) Birth Certificate			
			

(d) Passport			
			
(e) Foreign National Registration Certificate			
(f) Refugee Card			
			
(g) Other Valid Identification Document			
(h) CR12 (For corporates)			
			
(i) Company Letter Signed by Authorized Person	☐		
			

3. Identification Details (To be Filled by Registering person using original documents ONLY)

a) Full Name/Company Name:

.....

..

b) Child's Name and age (For Child Registration ONLY)

.....

c) Gender

.....

d) Postal address (if available)

.....

4. Alternative contact information

a)

b)

c)

d)

5. Verifications Done For: (Tick as appropriate)

a) Identification Document

b) Biometric data

6. Registration Officer's Details

a) Full Names:

.....

b) National ID Number:

.....

c) Telephone Number:

.....

7. Registration Officer's Declaration

I confirm that I have seen the original identification documents, verified the documents, as well as the biometric data captured using the national databases, and I have entered correct information as per the documents provided and kept copies of the original documents presented as required.

Signature:

Date:

FORM 2**(r18(2))****COMPLIANT FORM FOR FALSE REGISTRATION INFORMATION BY
SUBSCRIBERS****Section 1 – Complainant Details**

Full Name

Identification Number

Contact Information

(Email Address/ Postal Address/ Mobile
Number)Relationship to the Subscriber (If
applicable)**Section 2 – Alleged Subscriber Information**

Name of the subscriber

Mobile/ Service Number

Telecommunication Operator

National ID/ Passport Number (if
known)**Section 3 – Nature of Compliant**

Please provide details of the alleged
false information submitted during
registration (* attach supporting
documents if available).

Section 4 – Declaration and Request

I hereby declare that the information provided above is true and accurate to the best of my knowledge and belief. I request the Authority to investigate this complaint and if the allegation is verified, deactivate the telecommunication service in question, in accordance with these Regulations.

Signature

Made on the 27th May, 2025.

WILLIAM KABOGO,
*Cabinet Secretary for Information,
Communication & Digital Economy.*