



GUIDELINES
ON
SIM REPLACEMENT

April 2022

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THE NIGERIAN COMMUNICATIONS COMMISSION

NIGERIAN COMMUNICATIONS ACT 2003

SIM REPLACEMENT GUIDELINES

1. Introduction

- 1.1. In exercise of the powers conferred upon it by Section 70 of the Nigerian Communications Act, 2003 and all other enabling powers in that behalf, the Commission hereby make these Guidelines.
- 1.2. These Guidelines are principally intended to prescribe a standard procedure for SIM Replacement to be used by Communications Service Providers.

2. Objectives

The Objectives of these Guidelines are to:

- 2.1. Prescribe a regulatory framework and provide a procedure for Communications Service Providers to effect SIM Replacement for subscribers.
- 2.2. To stipulate the minimum standard of care which Communications Service Providers shall exercise in order to prevent unauthorized replacements of SIMs.
- 2.3. Provide guidance on the standard and procedure which Communications Service Providers are expected to adhere to in the process of conducting a SIM Replacement.

3. Scope

- 3.1. These Guidelines shall apply to all Communications Service Providers that provide service using a Subscriber Identity Module (SIM).
- 3.2. These Guidelines apply to all subscribers including postpaid and prepaid subscribers.

4. Circumstances When a SIM can be Replaced

- 4.1. A SIM can be replaced if it is faulty, damaged, stolen, lost, obsolete, or in need of an upgrade and any other reasonable legitimate reason or condition necessitating a SIM replacement as outlined in the Business Rules for SIM Replacement. Provided that a Communications Service Provider may refuse a SIM Replacement request where there are reasonable grounds to believe that the replacement ought not to be carried out and the Commission is notified within 48 hours of such a decision.
- 4.2. The medium of reporting rejected SIM Replacements would be in the same data dump format utilized for submission of SIM registration details, subject to any modifications the Commission may make from time to time.

5. Persons Authorized to Carry Out a SIM Replacement

All SIM Replacements shall be undertaken by Communications Service Providers or their accredited agents/dealers licensed by the Commission.

6. Requirements for SIM Replacement

- 6.1. The request for SIM Replacement can be made by a Subscriber.
- 6.2. The SIM must have been registered in accordance with the Registration of Communications Subscribers Regulations issued by the Commission.
- 6.3. The subscriber requesting for the replacement shall provide the following, as applicable, under the relevant scenarios contained in the Business Rules:
 - a. Information about the three (3) most frequently called numbers from that SIM which must be verified by the Communications Service Provider. The frequently called numbers must have been dialed at least five times over a 30 days period.
 - b. Where the SIM to be replaced is a data SIM, the subscriber will be required to provide any two of the following:
 - i. Last recharge amount and date
 - ii. Name of internet bundle value activated and data allowance allocated
 - iii. Last three (3) sites visited.
 - c. An affidavit signed by the subscriber and a passport photograph of the subscriber where the replacement is to be done by a proxy.
 - d. Details of the last recharge on the SIM.
 - e. Details of the last paid invoice for post-paid subscribers.
 - f. NIN
- 6.3.1. The requirements in sub-paragraph 1 above will be verified and validated in line with the provisions of the Business Rules before the replacement/swap is effected.
- 6.4. Where the Subscriber requesting for the replacement is a Telecom Master, the following must be provided:
 - a. Details of the last recharge on the SIM
 - b. Details of the last paid invoice for post-paid subscribers
 - c. Letter of authorization from the organization
 - d. NIN of the authorised representative of the organisation

Provided that the process outlined in Paragraph 6.4 will be carried out in line with the provisions of the Business Rules.
- 6.5. The SIM must be active on the network of the Communications Service Provider.
- 6.6. A person requesting a replacement must fill a Standard Form as provided in the Schedule to these Guidelines for SIM Replacement.

- 6.7. The Communications Service Provider must capture a facial image of the Subscriber which must be stored in accordance with the provisions of the Cybercrime Act 2015.
- 6.8. All completed SIM Replacement Forms and other requirements as stated in these Guidelines must be verified and approved by the Communications Service Provider before carrying out the SIM Replacement.
- 6.9. Upon satisfactory receipt of validated information the Communications Service Provider may effect the replacement and provide the person requesting the replacement with a new SIM.

7. SIM Replacement by Proxy and for Deceased

- 7.1. A SIM Replacement may be carried out by proxy subject to the following conditions:
 - a. A letter of Authorisation from the main Subscriber appointing the Proxy in that regard.
 - b. The Proxy shall provide his/her NIN and the NIN of the main Subscriber.
 - c. The Subscriber shall provide the Communications Service Provider with a letter of indemnity, indemnifying the relevant Communications Service Provider from any liability arising from the SIM Replacement process.
 - d. At all times, the Proxy shall be liable where it is discovered that such SIM Replacement was done without the consent of the main Subscriber or the consent of the main Subscriber was fraudulently or deceptively obtained.
 - e. Both the Proxy and the main Subscriber must be subscribers of the Communications Service Provider.
- 7.2. Where a replacement is done by a proxy, such proxy will be required to provide an affidavit sworn to by the owner of the SIM detailing reasons for the replacement, as well as the reasons for the Subscriber's inability to carry out the replacement; a copy of the Subscriber's means of identification and a valid photo identification of the proxy.
- 7.3. The proxy shall be required to fill the Form in accordance with Paragraph 6.6 above.
- 7.4. Where a SIM Replacement is carried out by proxy, the Communications Service Provider must capture a facial image of the proxy which must be kept for a minimum of two (2) years.
- 7.5. The Communications Service Provider shall keep all documents and information provided by the Proxy which shall be kept for a minimum of two (2) years
- 7.6. The SIM of a deceased can be replaced by an authorized individual subject to the following conditions:
 - a. The provision of a Certified True Copy of the death certificate of the deceased issued by the National Population Commission (NPC).
 - b. Provision of Letters of Administration of Estate issued by a superior Court of Record, where the deceased died intestate or with an unregistered Will.
 - c. Where the deceased died testate, the Executor of the registered Will must provide the requisite probate letters showing authority to act on behalf of the estate of the deceased.
 - d. The authorized individual must provide his/her NIN and the MSISDN of the deceased. The Communications Service Provider shall confirm the deceased ownership of the MSISDN and whether any NIN was linked to the MSISDN.

- e. The authorized individual must provide the Communications Service Provider with a letter of indemnity, indemnifying the relevant Communications Service Provider from any liability arising from the SIM Replacement process.
- f. At all times, such individual shall be liable where it is discovered that the SIM Replacement was done without the requisite authority.

7.7. The provision of a Certified True Copy of the death certificate of the deceased issued by the National Population Commission (NPC).

7.8. Where a Law Enforcement Agency intends to carry out a SIM Replacement of an individual for the purpose of conducting an investigation, such request shall be made to the Commission through the Office of the National Security Adviser (ONSA) or Heads of Security Agencies.

8. Register/ Auditing of SIM Replacement Transactions

8.1. The Communications Service Provider must carry out a quarterly audit of SIM Replacement transactions carried out by both its staff and agents to ensure the integrity of its Replacement processes.

8.2. A Report on the audit in Paragraph 8.1 must be forwarded to the Commission in Microsoft Excel format as provided in Schedule 2 of these Guidelines for SIM Replacement.

8.3. All Communications Service Providers must keep a register of all SIM Replacements undertaken by it for not less than two years.

9. Online SIM Replacement

9.1. Online SIM Replacement shall be carried out as outlined in the Business Rules.

10. Activation

10.1. A Communications Service Provider may provide Limited Service or Limited Access to the Subscriber (where applicable), pending the verification and validation of the Subscriber information in the SIM Replacement process as outlined in the Business Rules.

10.2. A replacement SIM shall be activated within two (2) hours once the verification of Subscriber information has been carried out.

11. Violations and Penalties

11.1. Any SIM Replacement done in violation of these Guidelines and its Business Rules shall be sanctioned in accordance with the Enforcement Process Regulations.

11.2. A Communications Service Provider shall be held liable for any SIM Replacement carried out in violation of these Guidelines or done fraudulently by its agent or dealer.

11.3. A Subscriber can pursue any other remedies against a Communications Service Provider for any SIM Replacement done fraudulently by such Communications Service Provider or its agent or dealer.

12. Interpretation

The terms and expressions used in these Guidelines shall have the same meaning as defined in the Act unless the context otherwise requires.

“Act” means the Nigerian Communications Act 2003 as may be amended from time to time.

“Activation Window” is as defined in the Registration of Communications Subscribers Regulations.

“An Agent or Dealer” refers to a licensee of the Commission engaged by an Communications Service Provider to represent it in customer subscription activities.

“Commission” shall have the same meaning as in the Nigerian Communications Act 2003.

“Communications Service Provider” means an entity licensed by the Commission to provide communications services in whole or in part within Nigeria or on a ship or aircraft registered in Nigeria.

“Court of Superior Records” means the Federal High Court, the High Court of the Federal Capital Territory, the High Courts of States and Courts of coordinate jurisdiction as outlined by the 1999 Constitution (as amended).

“Enforcement Process Regulations” means the Nigerian Communications (Enforcement Process; etc) Regulations 2019, as may be amended from time to time.

“Limited Access” is as defined by the Registration of Communications Subscribers Regulations

“Limited Service” is as defined in the Registration of Communications Subscribers Regulations

“MSISDN” means Mobile Station International Subscriber Directory Number and is the telephone number assigned to a SIM.

“NIN” means the National Identity Number.

“Online SIM Replacement” means the process by which a Subscriber can replace its SIM online.

“Photo Identification” This includes an International Passport, Drivers Licence or National Identity card or Permanent Voter’s Card.

“PIN” means Personal Identification Number.

“Registration of Communications Subscribers Regulations” means the Registration of Communications Subscribers Regulations 2021 as may be amended from time to time.

“SIM” means a Subscriber Identity Module, Subscriber Identity Module (SIM) smart card, and embedded SIM card and Electronic SIM, a Removable User Identity Module (R-UIM) smart card, a CDMA Subscriber Identity Module (CSIM) smart card, a Universal Subscriber Identity Module (USIM) smart card or any other subscription medium marketed from time to time by licensees, containing the telephone number of a Subscriber, encoded network identification details, the personal identification number and other user data normally provided by a licensee for the provision of Communication Services.

“SIM Replacement” means the process by which a SIM is replaced by a Communications Service Provider enabling the Subscriber keep the same phone number being used on the faulty, damaged, stolen, or lost SIM.

“Subscriber” means a person who subscribes to data or Mobile Communications Services by purchasing a subscription medium or entering into a subscription contract with a Communications Service Provider.

Subscriber Information” means Biometrics and other Personal Information of a Subscriber recorded and stored by licensees;

“Telecom Master” means a minimum Executive Management level staff who shall bear the authorized responsibility for the MSISDNs for corporate use and provide the operational primary NIN representation.

Issued: 25 day of April, 2022

SCHEDULE

SIM REPLACEMENT FORM 1
(This form may be filled in a digital format)

1. APPLICANT'S INFORMATION

- a. Full Names:
- b. Mother's Maiden Name:
- c. Gender:
- d. Date of Birth:
- e. Residential Address:
- f. Nationality:
- g. State of Origin:
- h. Occupation:
- i. Phone number
- j. NIN:

NAME

SIGNATURE

DATE

2. PARTICULARS OF SIM TO BE REPLACED

- a. Three (3) most frequently called numbers:
- b. Details of the last recharge:

3. PARTICULARS OF DATA SIM TO BE REPLACED (subscriber must provide two (2) of the following)

- a. Last recharge amount and date:
- b. Name of internet bundle value activated and data allowance allocated:
- c. Last three (3) sites visited:

4. PROXY'S INFORMATION (WHERE REPLACEMENT IS TO BE DONE BY PROXY)

- a. Name:
- b. Address:
- c. Phone number:

NAME

SIGNATURE

DATE

SCHEDULE 2

DATE/TIME OF NIN AUTHENTICATION	AGENT ID	CENTER ID/STATE	NEW SIM SERIAL	SECONDARY SUBSCRIBER IDENTITY (FOR CORPORATE SIMs ONLY)				
				First Name	Surname	Middle Name	Mothers Maiden Name	NIN