

Government to enact new regulation to implement Real-name Registration Programme for SIM Cards

The Government announced today (June 1) that the Chief Executive in Council has approved the enactment of the Telecommunications (Registration of SIM Cards) Regulation (the Regulation) to implement the Real-name Registration Programme for Subscriber Identity Module (SIM) Cards (Registration Programme). The Regulation seeks to facilitate the prevention and detection of crimes related to the use of pre-paid SIM (PPS) cards, thereby safeguarding the integrity of telecommunications services and the security of communications network.

"We conducted a seven-week public consultation in January this year to gauge the public's views on the implementation of the Registration Programme for SIM cards to be used for person-to-person communications. Among the submissions received during the consultation period, over 70 per cent of the stakeholders expressed support for the Registration Programme. Some provided useful comments on the detailed implementation arrangements. Having considered all feedback received, we have proposed some refinements, including relaxation of the cap on the number of registrable PPS cards and extension of the transitional periods for the Registration Programme. Such measures are to address stakeholders' feedback, to cater for corporate operational needs, and to ensure an effective and smooth implementation of the Registration Programme," the Secretary for Commerce and Economic Development, Mr Edward Yau, said.

The key refinements of the Registration Programme are as follows:

1. relaxation of the cap on the number of registrable PPS cards and different caps for individual and corporate users. For individual users, the cap has been lifted from three PPS cards, as originally proposed, to 10 PPS cards for each user. Each corporate user registered under the Business Registration Ordinance (Cap. 310) can register up to 25 PPS cards; and
2. extension of the implementation timeframe of the programme. The Registration Programme will be implemented in phases for longer transitional periods for various parties. For phase one, telecommunications operators will have around 180 days (rather than 120 days as originally proposed) to put in place the registration system, allowing them more time for preparation. For phase two, existing PPS card users will have 360 days (rather than 240 days as originally proposed), providing more time to complete real-name registration with telecommunications operators.

Mr Yau remarked that after the commencement of the Regulation on September 1 this year, telecommunications operators will put in place a registration system within phase one in accordance with the Regulation. During this period, the public can continue with the existing use of SIM card services and there is no imminent need for real-name registration.

Phase two will begin on March 1, 2022. The public will have to register with their operators starting from that date. Real-name registration is needed for all new SIM cards to be used for person-to-person communications, including new PPS cards and new SIM service plan (SSP) services, before activation. Existing PPS card users will have to complete real-name registration with their operators within the 360-day grace period, i.e. on or before February 23, 2023. Existing SSP users are not required to "re-register" their personal particulars with their operators. They only need to register in accordance with the Regulation if they change to another operator or subscribe to a new phone number. For details of the Registration Programme, please visit the website:
www.cedb.gov.hk/ccib/en/legco-business/document/LegCo%20Brief%20SIM_EN.pdf.

The Communications Authority (CA) has been in touch with telecommunication operators to ensure the smooth implementation of the Regulation. In order to let telecommunications operators better understand the requirements imposed by the Regulation, the CA is working on guidelines to explain and illustrate the requirements specified in the Regulation. The guidelines will take effect upon commencement of the Regulation.

The Regulation will be gazetted on Friday (June 4) and tabled at the Legislative Council for negative vetting on June 9 for commencement on September 1 this year.