
Technology, Media & Telecommunications

Sub-Decree on Telecommunications Equipment Identity Registration

Introduction

On 3 February 2023, the Royal Government of Cambodia issued Sub-Decree No. 41 on the Registration of Identity of Telecommunications Equipment using SIM Modules ("**Sub-Decree**") that aims to: (i) prevent and restrain the use of equipment using fake SIM modules, stolen goods, and illegally imported equipment; (ii) protect the health, safety and rights of consumers; (iii) improve the quality of telecommunication services; (iv) encourage honest and transparent competition in the market; and (v) enhance national revenues collection.

This Update highlights key features of the Sub-Decree.

Key Features

I. General Principles

The Sub-Decree contains 15 chapters and 43 articles. It provides that telecommunications equipment with SIM modules ("**Telecoms Equipment**") is required to be registered with the Equipment Identity Registration System ("**EIRS**") which is governed by the Ministry of Post and Telecommunications ("**MPTC**"). This registration is mandatory with an exception for the Telecoms Equipment of tourists or travellers residing in Cambodia for no more than 60 days.

Mobile operators are required to prepare, manage, and operate an Equipment Identity Register ("**EIR**") which is connected with EIRS in order to enable or disable Telecoms Equipment from accessing the mobile operator's network. Mobile operators shall also verify the international mobile equipment identity ("**IMEI**") of Telecoms Equipment with its EIR before connecting such equipment into its network. Any falsification of IMEI is prohibited.

MPTC and mobile operators must safekeep data in the EIRS and the EIR respectively and establish cybersecurity systems to protect such systems in accordance with applicable regulations.

Any individually imported Telecoms Equipment for personal use shall also be required to be registered with the EIRS in order to connect with the mobile operator's network.

Formalities and procedures for registration of the Telecoms Equipment will be determined by MPTC.

Technology, Media & Telecommunications

II. Types of Telecoms Equipment to be Registered with EIRS

Below are types of Telecoms Equipment that are required to be registered with the EIRS:

- a. Smartphones with SIM modules or E-SIM;
- b. Basic phones with SIM modules;
- c. Cordless telephones with SIM module;
- d. Tablets with SIM module;
- e. Computers PDA;
- f. Computers, and laptops with SIM module;
- g. Dongle with SIM modules;
- h. Modem with SIM module;
- i. WLAN routers with SIM module;
- j. E-books with SIM module;
- k. Internet tool of a thing with SIM module;
- l. GPS tool with SIM module;
- m. Wearing tools with SIM module;
- n. Vehicles with SIM module;
- o. Other gadgets or equipment determined by the MPTC.

Only Telecoms Equipment that have already obtained type approvals are eligible to be registered with EIRS.

III. List of Telecoms Equipment Identity

The Sub-Decree provides for three lists of identity of Telecoms Equipment as follows:

- a. **Authorised list** is a list of IMEI or data relating to identity of the Telecoms Equipment that is allowed to connect to a mobile network, such as Telecoms Equipment that has been registered in accordance with Chapter 6 of the Sub-Decree.
- b. **Conditional authorised list** is a list of IMEI or data relating to identity of the Telecoms Equipment that is allowed to connect to a mobile network, but is subject to conditions of usage, such as Telecoms Equipment used by tourists or travellers from abroad that are staying in Cambodia for no more than 60 days.
- c. **Suspension list** is a list of IMEI or data relating to identity of the Telecoms Equipment that is not allowed to be connected to a mobile network, such as stolen Telecoms Equipment.

Technology, Media & Telecommunications

IV. Penalties

Penalties for breach of the relevant requirements stipulated in the Sub-Decree include administrative and pecuniary fines. Such administrative penalties include the imposition of restrictions, suspensions, and revocation of licence, permit, and certificate. The pecuniary fines range from KHR1,000,000 to KHR500,000,000 (approximately US\$250 – US\$125,000). The fines will be double in cases of repeated offences.

V. Transition Provisions

For Telecoms Equipment that is connected to a mobile network by the date of the launch of the EIRS, which subject to future implementing regulation, the IMEI will be automatically registered in accordance with the procedures set out in Article 12 of the Sub-Decree.

An owner of existing Telecoms Equipment that is not connected to any mobile network by the date of the launch of the EIRS shall request to register the IMEI for free within one year from the date of the launch of the EIRS.

If you have any queries on the above, please feel free to contact our team members below who will be happy to assist. Please click [here](#) to access the Client Update in Chinese.

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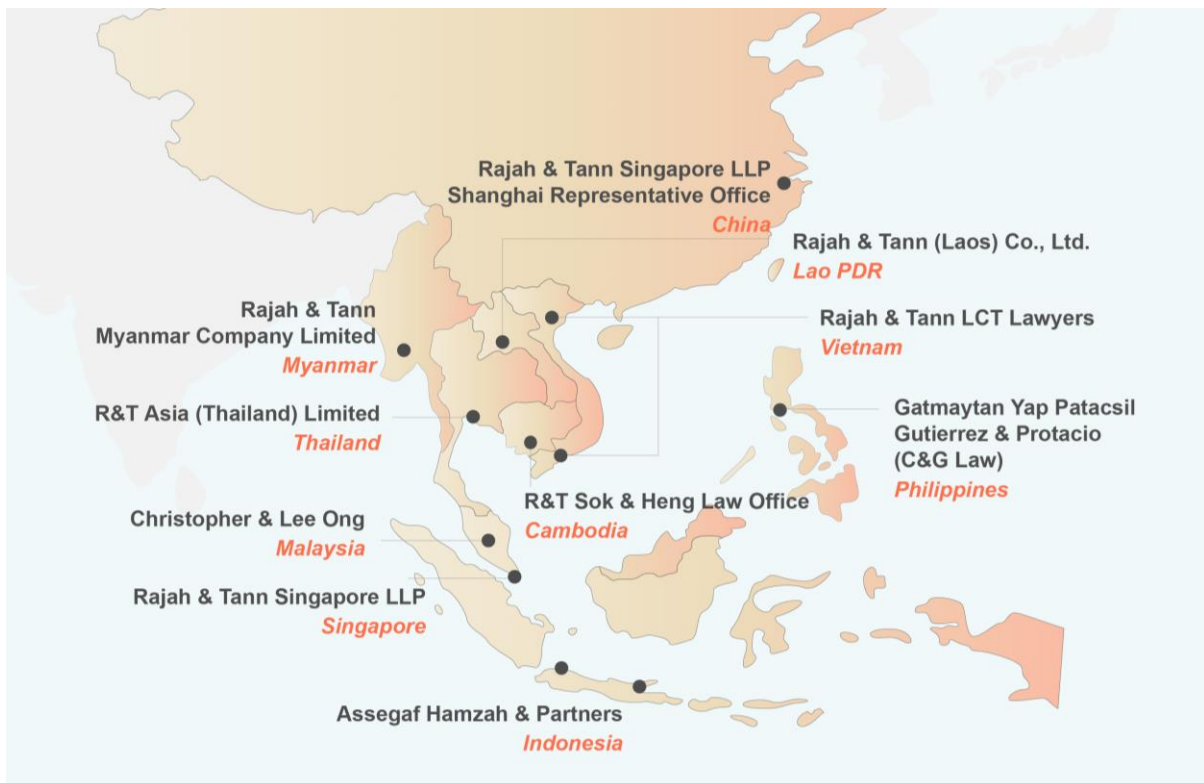
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