

DECISION No. 03/PC/ARPCE/2026 of 22 JANUARY 2026

LAYING DOWN THE CONDITIONS AND PROCEDURES FOR THE IDENTIFICATION OF SUBSCRIBERS TO PUBLIC ELECTRONIC COMMUNICATION SERVICES FALLING UNDER THE GENERAL AUTHORISATION REGIME

The Council of the Regulatory Authority of Post and Electronic Communications,

- Having regard to Law No.18-04 of 24 Chaâbane 1439 corresponding to 10 May 2018, laying down the general rules relating to post and electronic communications;
- Having regard to Law No. 18-07 of 25 Ramadhan 1439 corresponding to 10 June 2018, as amended and supplemented, relating to the protection of natural persons in the processing of personal data;
- Having regard to Law No. 09-04 of 14 Chaâbane 1430 corresponding to 5 August 2009 laying down specific rules relating to the prevention and combating of offences linked to information and communication technologies;
- Having regard to Law No. 08-11 of 21 Jomada Ethania 1429 corresponding 25 June 2008, relating to the conditions of entry, residence and movement of foreigners in Algeria;
- Having regard to Executive Decree No. 09-410 of 23 Dhou El Hidja 1430 corresponding to 10 December 2009, as amended and supplemented, laying down the security rules applicable to activities involving sensitive equipment;
- Having regard to Executive Decree No. 21-44 of 3 Jomada Ethania 1442 corresponding to 17 January 2021, as amended and supplemented, laying down the operation regime applicable to each type of networks open to the public and to the various electronic communications services;
- Having regard to Executive Decree No. 22-39 of 7 Jomada Ethania 1443 corresponding to 10 January 2022, as amended, laying down the conditions for the granting of the general authorisation for the establishment, operation and/or provision of electronic communications services to the public as well as the amounts of the financial consideration, fees and annual contribution relating thereto;
- Having regard to the Order of 28 Dhou El Hidja 1443 corresponding to 27 July 2022, establishing the standard specifications relating to public electronic communications services falling under the general authorisation regime;

- Having regard to the Presidential Decree of Aouel Safar 1443 corresponding to 8 September 2021, appointing a member to the Council of the Regulatory Authority of Post and Electronic Communications;
- Having regard to the Presidential Decree of 14 Dhou El Hidja 1443 corresponding to 13 July 2022, appointing a member to the Council of the Regulatory Authority of Post and Electronic Communications;
- Having regard to the Presidential Decree of 23 Moharram 1444 corresponding to 21 August 2022, appointing a member to the Council of the Regulatory Authority of Post and Electronic Communications;
- Having regard to the Presidential Decree of 23 Joumada Ethania 1444 corresponding to 16 January 2023, appointing the president of the Council of the Regulatory Authority of Post and Electronic Communications;
- Having regard to the Presidential Decree of 9 Dhou El Hidja 1444 corresponding to 27 June 2023, appointing a member to the Council of the Regulatory Authority of Post and Electronic Communications;
- Having regard to the Presidential Decree of 10 Rabie El Aouel 1445 corresponding to 26 September 2023, appointing a member to the Council of the Regulatory Authority of Post and Electronic Communications;
- Having regard to the Presidential Decree of 19 Chaâbane 1446 corresponding to 18 February 2025, appointing a member to the Council of the Regulatory Authority of Post and Electronic Communications;
- Having regard to Decision No.71/SP/PC/ARPT/2015 of 28 October 2015, as amended, laying down the terms and conditions for the identification of subscribers or holders of prepaid SIM/USIM cards;
- Having regard to the internal regulations of the Council of the Regulatory Authority of Post and Electronic Communications;
 - Considering Art. 161 of Law No. 18-04 of 10 May 2018, aforementioned, that stipulates: 'The establishment of the Subscriber's identity with the Operator shall be mandatory prior to the activation of their line and/or the provision of any other service.'
 - Considering the provisions of the specifications relating to the establishment, operation and /or provision of electronic communications services to the public falling under the general authorisation regime, relating to the identification and protection of personal data;
 - Considering the deliberation of the Council of the Regulatory Authority at its meeting held on 21 and 22 January 2026.

DECIDES

Article 1:

The purpose of this decision is to lay down the conditions and procedures for the identification of subscribers to electronic communications services provided to the public falling under the general authorisation regime.

Article 2:

For the purposes of this decision, the following definitions shall apply:

Subscriber: Any natural or legal person who has validly entered into a contract with an Operator of electronic communications services holding the general authorisation, in which they are duly identified, in accordance with the legislation and regulations in force, for the provision of electronic communications services.

Operator: Refers to the holder of a general authorisation for the establishment and operation and/or provision of electronic communications services to the public.

Point of presence: Refers to the various locations of the Operator that handle the marketing and subscription to the electronic communications services offered by that Operator.

Article 3:

The subscription to services falling under the general authorisation regime must be formalised by a bilaterally signed contract comprising, in particular, the precise identification of the parties, the full address of the Subscriber, the general conditions of sale and as well as the specific conditions and pricing applicable to the service.

The Operator is required to ensure the physical presence of the Subscriber or their authorised representative, where applicable, at the time of subscription, and to allow the latter to verify the information appearing on the contract before affixing their signature, with the exception of the subscription to Internet access services (ISP) which may be carried out on the Operator's website, as defined in Article 4 below..

The signature may be affixed either directly on the contract or through a process enabling handwritten signature or electronic signature.

The Operator is required to provide the Subscriber, by any means, with a legible and clear copy of the said bilaterally signed contract, bearing the nominative electronic or wet stamp of the Operator or its Point of presence.

The identification of the Subscriber with the Operator must be required prior to the provision of any service, in accordance with the legislative and regulatory provisions in force.

For Subscribers that are legal persons, the subscription shall be carried out by the natural person authorised to represent the said legal person.

Article 4:

The subscription to Internet access services, via Wi-Fi technology, may also be carried out on the Operator's website through a direct link to the authentication page of the captive portal, where the Subscriber must provide their first name, surname and mobile phone number, the latter enables the receipt of identification particulars through the short messaging service (SMS)..

Article 5:

Prior to the provision of any electronic communications service, the Operator is required to demand the exact and genuine identification of the Subscriber, and where applicable of their authorised representative, and to verify the authenticity and accuracy of the identity data, in accordance with the legislation and regulations in force.

This identification shall be carried out through the submission, by the Subscriber, and where applicable by their authorised representative, of a valid official identity document..

The list of recognised official identity documents shall be communicated to the Operators by the Regulatory Authority.

The Operator shall implement all appropriate technical and organisational measures in order to guarantee the confidentiality and security of the personal data of Subscribers and their authorised representatives, which it holds, processes or records on the identification modules, in compliance with the legislative and regulatory provisions in force regarding the protection of personal data.

Article 6:

The Operator must verify the regularity of the stay of foreign nationals on the national territory, in accordance with the legislation and regulations in force, prior to the subscription to services.

Article 7:

The Operator must require the following upon subscription to a service:

a. For natural persons:

- A valid official identity document of the Subscriber;
- A valid official identity document of the authorised representative, if applicable;
- A duly executed power of attorney by which the Subscriber expressly authorises the representative to subscribe, in their name and on their behalf, to the services offered by the Operator.

The Operator must distinctly record on the subscription contract the full identities of the Subscriber and of the authorised representative, where applicable.

b. For legal persons:

- Copy of the document establishing the legal person (articles of association, trade register, approval, legislative or regulatory text, etc.);
- Copy of the document certifying that the representative is duly authorised to subscribe to the services in the name and on behalf of the legal person;

- A valid official identity document of the duly authorised representative of the legal person, responsible for subscribing to the services on behalf of the latter;

The Operator must clearly indicate on the subscription contract the full identities of the Subscriber and their duly authorised representative.

Article 8:

The database relating to the identification of subscribers, maintained separately by the Operator for each service offered, must be constituted, in addition to the information required by its specifications, of the following information elements:

a. For natural persons:

- Surname and names of the Subscriber;
- Date and place of birth of the Subscriber;
- Address of the Subscriber;
- National identification number, date and place of issue of the official identity document;
- Date of subscription.
- Identification of the Point of presence of subscription.

When the subscription to a service is carried out on behalf of a Subscriber by an authorised representative, in addition to the aforementioned information of the Subscriber, the same information elements of the authorised representative must appear in the database relating to the identification of Subscribers.

b. For legal persons:

- Legal denomination of the Subscriber;
- Status of the subscriber (public administration, diplomatic representation or consular services, economic operator, association, etc.);
- Exact address of the subscriber's registered office;
- Surname and first names of the authorised representative of the legal person;
- Date and place of birth of the authorised representative of the legal person;
- Residential address of the authorised representative of the legal person;
- National identification number or official identity document number of the authorised representative of the legal person;
- Date of subscription;
- Identification of the Point of presence of subscription;

Article 9:

In order to enable the Regulatory Authority to carry out the tasks assigned to it by the legislation and regulations in force, the Operator is required to provide the Regulatory Authority with the information elements referred to in Article 8 above, in accordance with the format and deadlines set by the Regulatory Authority.

Article 10:

This decision repeals all contrary provisions, in particular Decision No. 71/SP/PC/ARPCE/2015 of 28 October 2015.

Article 11:

This decision shall enter into force on the date of its notification to the Operators and shall be published on the website of the Regulatory Authority.

Article 12:

The Director General is responsible for monitoring and implementing this decision.

For the Council

The President