

SUMMARY REPRESENTATIONS FROM THE PUBLIC CONSULTATION PROCESS ON THE PROPOSED PROCEDURAL AND TECHNICAL SAFEGUARDS FOR DEACTIVATION AND RECYCLING OF INACTIVE TELECOMMUNICATION NUMBERING RESOURCES HELD FROM SEPTEMBER 1ST TO 11TH 2026

No	Stakeholder	Section	Current Content	Comment	Proposed Content	Stakeholder Justification	CA Position	CA Justification	New text
1.	Paul Mweu	General	✓ None	✓ No need to deactivate without first of all knowing why the registered owner is not active in the first place. ✓ If it must be done, I think enough time like let's say one year and above should be provided for the alleged inactive numbers to become active. ✓ After that a warning of let's say three months should be given to the registered owner before an action is taken.	✓ None	✓ None	✓ This is covered under clause 4.2 where a service provider notifies the user of the intent to recycle the number. ✓ After three (3) months of inactivity, the Authority has given another three (3) months which acts as cool off period. This gives it a total of six (6) months before the number is recycled. ✓ The three (3) months warning period is catered for in the guidelines	✓ The service provider contacts the subscriber before the recycling process commences ✓ The period for triggering number recycling is as per Guiding Manual for the Collection of Supply-Side Data on Telecommunications /ICT 2019 under the definition of a mobile cellular telephone subscriptions indicator.	✓ None
2.	Emmanuel Kiprokir Komen	4.1	Number deactivation and recycling shall be triggered when a number records no revenue-generating activity, such as making/receiving a call, sending/receiving an SMS, using data, topping up airtime or using the number for value added service, for a period of three (3) months.	✓ Mobile line activity must not be judged solely by traditional voice calls, SMS, or airtime recharges. Mobile money transactions (e.g., M-Pesa, Airtel Money, T-Kash deposits, transfers, or merchant payments) must legally qualify as active line usage.	✓ Number deactivation and recycling shall be triggered when a number records no revenue-generating activity, such as making/receiving a call, sending/receiving an SMS, using data, topping up airtime, mobile money transaction or using the number for value added service, for a period of three (3) months.	✓ Millions of Kenyans utilize SIM cards primarily for digital financial management rather than standard cellular airtime. Categorizing mobile money activity as active status prevents the unfair deactivation of financially active accounts.	✓ This is covered in section 4.1 of the guidelines	✓ The value-added services include the use of mobile money	✓ None
				✓ The minimum threshold of complete inactivity before an operator can deactivate a line must be set to at least 6 months (180 days).	✓ Number deactivation and recycling shall be triggered when a number records no revenue-generating activity, such as making/receiving a call, sending/receiving an SMS, using data, topping up airtime or using the number for value added service, for a period of six (6) months.	✓ A shorter window disadvantages lower-income subscribers, rural populations, and individuals who lose their mobile devices and face financial delays replacing them. - A 6-month buffer provides a fair safety net for vulnerable consumer groups. This shall promote universal service access	✓ The proposed guidelines provide for a 90-day period after detection of inactivity and another 90-day to determine inactivity totaling 180 days	✓ This is to allow the operator to contact the subscriber using other contact details acquired during KYC process	✓ None

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			The generic notice of intention to deactivate and recycle inactive numbers shall be posted on the provider's website, publicized in other media, and published in the daily newspaper with nationwide circulation on a quarterly basis	✓ Carefull consideration should be done not to violate data privacy rights of the subscriber.	✓ The generic notice of intention to deactivate and recycle inactive numbers shall be posted on the provider's website, publicized in other media, and published in the daily newspaper with nationwide circulation on a quarterly newspaper with nationwide circulation on a quarterly basis. In line with data protection act, personal identifiable information should not be exposed without consent of the subscriber.	✓ In line with Kenya's Data Protection Act (DPA) of 2019 is the primary law that protects personal privacy and regulates how public and private organizations collect, use, store, and share personal data.	✓ The notice will not contain any personal identifiable information.	✓ This is in accordance with the Data Protection Act	✓ None
		6.7	New proposal	✓ There is need to notify contacts of the subscriber about the change through SMS when the mobile number changes, but people are still trying to call or text the former owner of the line.	✓ Upon the reassignment and activation of a recycled number, any incoming caller or sender contacting the new owner must receive an automated SMS notification stating that the number has undergone an ownership change. This shall be done for a period of three (3) months.	✓ This technical safeguard prevents social engineering, protects the previous owner's privacy, prevents accidental financial transfers to old contacts, and protects the new owner from unwanted communication meant for the previous holder.	✓ It is a violation of the Data Protection Act to access personal information without authorization	✓ This is in accordance with the Data Protection Act	✓ None
3.	Joshua Mokuu Nyantika	4.1	Number deactivation and recycling shall be triggered when a number records no revenue-generating activity, such as making/receiving a call, sending/receiving an SMS, using data, topping up airtime or using the number for value added service, for a period of three (3) months.	✓ Set a minimum 90-day aging period before any reassignment	✓ Require a minimum of 90 days of zero activity (calls, SMS, data, or payment app interactions) before a number is deactivated.	✓ TRAI's regulation defines non-usage as 90 days of zero activity. This is more conservative than the FCC's 45-day minimum and is better suited to a market where mobile money (for example M-Pesa) makes a number a financial identifier as well as a communications identifier.	✓ The guidelines provide for 90days after detection of inactivity and an additional 90 days of contacting the subscriber to utilize the number ✓ This is covered in section 4.1 and 4.4 of the guideline	✓ To align with the quarterly reporting of sector statistics data by service providers	✓ None
		General	None	✓ Add a mandatory 15-day grace and reactivation window after deactivation	✓ Give subscribers 15 days after the inactivity trigger to reactivate their number before it is permanently disconnected.	✓ TRAI grants a 15-day reactivation window after the inactivity trigger. This protects subscribers who are temporarily unreachable due to travel, illness, or a lost device from permanently losing their number.	✓ After three (3) months of inactivity, the Authority has given another three (3) months which acts as cool off period. ✓ This is covered in section 4.4 of the guideline	✓ This is to allow the service providers to contact the subscriber using the details collected during KYC	✓ None

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		General	None	✓ Require a public reassigned-numbers lookup database, modelled on the FCC's system	✓ Establish a CA-run or telco-shared database that lets any party query whether a number has been reassigned since a given date.	✓ The United States Reassigned Numbers Database allows queries of up to 50 individual numbers, or up to 250,000 numbers in bulk, and grants a legal safe harbour to callers who rely on it in good faith. A Kenyan equivalent would let banks, SACCOs, and fintech providers verify a number before trusting it for one-time passwords (OTP) or account recovery.	✓ The Authority will establish a centralized database that will contain a list of numbers that have been recycled within a given period of time This is contained in section 4.9 of the guidelines ✓ Third-party value-added services will be required to query the database to ascertain the recycling status of a number before forwarding subscription related messages	✓ Querying the database will ensure that third-party value-added service providers only send messages to the rightful owner	✓ None
		General	None	✓ Mandate monthly disconnection reporting by telcos to the regulator	✓ Require Safaricom, Airtel Kenya, and Telkom Kenya to report all permanently disconnected numbers to the CA (or the database administrator) by a fixed date each month, including nil returns.	✓ FCC-licensed carriers in the United States must submit these reports by the 15th of each month, even reporting a month with no disconnections. This keeps the underlying registry current.	✓ The service providers are required to submit the data to the centralized database quarterly ✓ Section 4.9 addresses this	✓ This is line with global quarterly submission of sector statistics	✓ None
		General	None	✓ Require confirmed unlinking from mobile-money and banking services before reassignment	✓ Before a number re-enters circulation, require the telco to confirm with partner mobile-money and banking platforms that the number has been de-registered from those services, in addition to obtaining the previous subscriber's consent.	✓ The March 2026 High Court ruling already identified mobile banking and messaging exposure as the central risk in Kenya. Consent to reassignment alone does not guarantee that financial-service links tied to the number have been removed.	✓ Telecommunications operators have no visibility over which value-added services numbers are subscribed to and it will therefore be difficult for them to know which value add service to liaise with for this confirmation ✓ These telecommunication operators are required to delink, archive personal data and cached data and submit the numbers to a centralized database in a quarterly period ✓ Value added service providers are required to then periodically query the central database	✓ To comply with Data Protection principles where telecommunication service provider do not access data that was not collected for non-telecommunication services ✓ To ensure data confidentiality where personal data meant for a previous owner is not sent to the new owner	✓ None
		General	None	✓ Set a statutory liability shield for parties who rely on the registry in good faith	✓ Provide legal protection for a bank, SACCO, or platform that checks the reassigned-numbers registry, receives an incorrect answer, and acts on it in good faith.	✓ The FCC's safe-harbour rule protects businesses that check its database, receive an incorrect response, and are found to have relied on it appropriately. A comparable Kenyan provision would encourage actual use of the registry rather than reliance on informal risk checks.	✓ The Authority shall ensure the confidentiality, integrity and availability of the database at all times by ensuring regular updates as soon the number is recycled and any other required measures in line with the data protection act.	✓ To ensure compliance with the data protection act.	✓ None

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		General	None	Require proactive, multi-channel subscriber notice before deactivation	✓ Require telcos to notify a subscriber by email, SMS, USSD prompt, and account portal at defined intervals, for example at 60, 75, and 89 days of inactivity, ahead of any 90-day deactivation trigger.	✓ Neither the FCC nor the TRAI materials reviewed for this submission specify a strict multi-channel notice standard. This is a gap Kenya's guidelines could close by requiring notice before deactivation rather than only after it.	✓ After 90 days of inactivity and before deactivation the service provider is required to utilize all other contact information collected during KYC to notify the subscriber of the detected inactivity of their number. ✓ This is contained in section 4.4 of the guidelines ✓ The guidelines have also given a provision of issuance of a general public notice 30 days before the lapse of the 180 days threshold for deactivation	✓ To provide for an opportunity for a subscriber to be contacted and notified before deactivation	✓ None
		General	None	✓ Permit limited exemptions for high-demand number ranges, with mandatory disclosure	✓ Where a number range faces genuine scarcity, allow a shorter aging period, but require the CA to publish which ranges are exempted and the reason for each exemption.	✓ United States carriers recycle numbers in high-demand area codes faster than the 45-day floor because of inventory constraints. Any similar exemption in Kenya should be publicly disclosed rather than left to unpublished carrier discretion.	✓ Currently in Kenya all numbers are considered to be of the same value and demand and its therefore not possible to grant exemption on the basis of demand	✓ There is no framework or guideline on classifying numbers based on demand	✓ None
		General	None	✓ Require a documented, evidence-based risk assessment in the final rule	✓ Require the CA's final guidelines to cite quantified evidence of harm from number recycling, rather than general language about residual information.	✓ A Princeton University study found that 66 percent of recycled numbers retained active links to the previous owner's accounts. The United States Federal Trade Commission (FTC) recorded a 70 percent increase in financial data exposure linked to recycled numbers between 2018 and 2020. Citing figures of this kind strengthens the regulatory record supporting the rule.	✓ The guidelines put in place safeguards to prevent exposure of residual data associated with previous owners of recycled numbers	✓ These procedures and technical safeguards provide for a unified process of recycling inactive numbers and therefore does not require explicit citation in its content.	✓ None
		General	None	✓ Address SIM-swap fraud controls within the same rulemaking	✓ Apply the same identity-verification standard, for example in-person identification plus a biometric or one-time code confirmation, both when reassigning a dormant number and when processing a SIM-swap request on an active number.	✓ The United States Federal Bureau of Investigation (FBI) recorded a 400 percent increase in SIM-swap attacks between 2020 and 2024, and recycled numbers are a recognised vector for this fraud. Treating number recycling and SIM-swap authentication as a single problem, rather than two separate ones, closes that gap.	✓ The guidelines are to address recycling and deactivation of inactive numbers.	✓ Details and requirements for SIM card registration are contained in the SIM card registration regulation	✓ None

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4.	Rodgers Onyango	1 & 4	The title covers telecommunication numbering resources, while the procedures mainly address mobile telephone numbers	✓ The scope is ambiguous. It does not clearly address fixed-line numbers, short codes, business numbers, machine-to-machine connections or numbers transferred between networks.	✓ State expressly whether the safeguards apply only to mobile telephone numbers. Define the responsibilities of the current operator, original range holder and centralized-system operator for ported numbers. Address other numbering resources separately.	✓ A precise scope is necessary for consistent implementation, regulatory certainty and clear allocation of responsibility.	✓ The guidelines are to cater for deactivation and recycling of all telecommunications numbering resources irrespective of whether they are ported or not. ✓ In Kenya, number portability does not exist and therefore the current guidelines cannot contain aspects of number portability.	✓ If number portability is implemented, the guidelines on number portability will address on the steps to be taken during recycling of inactive but ported numbers.	✓ None
		4.1	Deactivation is triggered by three months without revenue-generating activity, including specified calls, messages, data and services.	✓ The expression revenue-generating activity is unclear. Receiving calls or messages may not demonstrate intentional use, while mobile-money transactions, USSD use, authentication and other subscriber activity are not expressly addressed.	✓ Define meaningful subscriber activity as authenticated or substantive activity reasonably attributable to the subscriber, including calls, SMS, data, airtime top-ups, USSD, mobile-money use and authenticated service access. Automated or unsolicited incoming traffic should not by itself establish activity.	✓ A clear and technology-neutral definition will prevent arbitrary deactivation and manipulation of the activity test.	✓ The guidelines recognize value added services as activities that render a number to be deemed active. ✓ Value added services include mobile money, USSD, and authentication services. ✓ The is covered in section 4.1 of the guidelines	✓ Value-added services are revenue generating activities to telecommunications service providers	✓ None
		4.1	A number becomes susceptible to the process after three months of inactivity.	✓ The draft provides no evidence explaining the three-month threshold or its likely effect on rural, low-income and intermittently connected consumers.	✓ Publish the evidence and consumer-impact assessment supporting the threshold. Permit subscribers to preserve a number during anticipated long-term inactivity through a free, accessible and renewable protection request.	✓ Pastoralists, displaced persons, seasonal workers, Kenyans abroad and people in areas with prolonged network disruption may use numbers intermittently but still depend on them for essential services.	✓ Sectoral statistics both in ICT and other sectors are collected, analysed and published quarterly. ✓ The Authority also requires service providers to submit their statistics quarterly to be published in the ICT sector quarterly statistics report. ✓ The International Telecommunications Union has also developed a handbook to guide on what and when to collect ICT sector statistics	✓ To comply with International Telecommunications Union (ITU) Handbook for the Collection of Administrative Data on Telecommunications / ICT.	✓ None
		4.2 – 4.4	The service provider shall make efforts to notify the subscriber during an additional three-month period.	✓ Make efforts is subjective. The draft does not prescribe the number, timing, channels, accessibility or proof of notification attempts.	✓ Require notices at the start of the notification period and at least 60, 30 and 7 days before deactivation. Use SMS, voice, email and verified alternative contacts where available. Require accessible formats, clear preservation and	✓ Standardized notice requirements support procedural fairness and reduce wrongful loss of numbers.	✓ Given that the subscriber is not reachable in the primary number, the guidelines cannot prescribe other forms of contact noting that they can only use what they collected during KYC. ✓ This is contained in section 4.3 of the guidelines. ✓ There is also a requirement of a generic public notice in the	✓ Additional contact information provided during KYC is dependent on the subscriber and is not guaranteed.	✓ None

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					objection instructions, and auditable delivery records.		dailies by the telecommunications service providers as highlighted in section 4.6 of the guidelines.		
		4.5 – 4.7	Providers shall publish lists of numbers susceptible to deactivation and provide a *106# status-check option.	✓ Publishing identifiable telephone numbers may facilitate fraud, social engineering and unauthorized account-recovery attempts. A public list is unnecessary where secure individual status checking is available.	✓ Publish only a general notice of the deactivation exercise. Make the status of a specific number available only to the registered subscriber or an authorized party after secure verification through *106# or another protected channel.	✓ This achieves consumer notification while supporting privacy, purpose limitation and data minimisation under the Data Protection Act, 2019.	✓ The public notice by the service providers is generic and contains no Personal Identifying Information. ✓ This is contained in section 4.6 of the guidelines.	✓ To embrace the principles of data protection as envisioned in the Data Protection Act, 2019.	✓ None
		4.8	Providers shall delink and securely archive personal data, cached data and services associated with the previous owner.	✓ The provision does not identify the information and services covered, distinguish deletion from lawful retention, or require verification that delinking is complete.	✓ Cover subscriber information, SIM credentials, mobile-money associations, voicemail, call forwarding, marketing permissions, value-added services, authentication records and cached data. Define deletion and statutory-retention rules, restrict archived access and require auditable completion checks.	✓ Complete and verifiable separation is necessary to prevent the new subscriber from inheriting the former subscriber's identity, accounts or confidential communications.	✓ The guidelines require archiving all the data associated with the number whether derived from value added services or telecommunications services. ✓ Delink is to ensure the data is not inherited by the new owner of the number ✓ The guidelines address this in section 4.8	✓ Service providers are registered data processors and operate under the requirement of the Data Protection Act, 2019. Issues of auditing compliance with the requirement of data privacy are therefore covered under the Data Protection Act, 2019.	✓ None
		4.9 – 4.10	After quarterly reporting to the centralized system, the provider may initiate recycling and make the number available to a new subscriber.	✓ There is no mandatory quarantine period between deactivation and reassignment. Third parties may therefore continue associating the number with the former subscriber when it is issued to another person.	✓ Introduce a minimum 90-day quarantine after final deactivation. ✓ During quarantine, do not assign the number, redirect communications to a new subscriber or permit its use for authentication. Release it only after required updates, delinking and verification checks are complete.	✓ A quarantine period gives banks, government systems, digital platforms and the former subscriber time to act before reassignment, reducing fraud and identity-transfer risks.	✓ The numbers reported quarterly to the centralized database are after a 90days quarantine period in section 4.4 and are due for recycling to a new subscriber. ✓ Third parties are required to confirm the status of the number from the central database before initiating value added services / obligations associated with the number	✓ The number due for recycling will have been inactive for three (3) months, the service provider will have initiated contact via other KYC details for an additional three (3)months and placed a public notice in the Kenyan dailies.	✓ None
		4.9	Deactivated and recycled numbers shall be submitted to a centralized system for use by third parties.	✓ The operator, lawful users, data fields, access method, retention period, correction process, security controls and accountability arrangements are not defined.	✓ Establish the system owner, authorized-user categories, lawful purposes, minimal data fields, retention limits, access controls, encryption, search logs, correction procedures, security testing, breach response, independent audit and sanctions for misuse. Permit controlled	✓ The system will process numbering information at national scale. Clear governance and a Data Protection Impact Assessment are necessary before processing begins.	✓ The operational aspects of the centralized database and the need to comply with the Data Protection Act will be addressed during design, development and operationalization.	✓ To delink operational and design aspects of the database from the procedures and technical safeguards for deactivation	✓ None

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					status verification rather than downloadable lists.				
		4.9	Third parties are expected to update their records before communicating obligations associated with the number.	✓ Third parties are not defined and no update deadline or enforceable duty is established. The provision does not address authentication, account recovery or continued association with debts.	✓ In coordination with the Central Bank of Kenya, the Office of the Data Protection Commissioner and other regulators, define covered institutions and update deadlines. ✓ Require status checks before authentication, account access or debt recovery. Prohibit transfer of the former holder's obligations to the new subscriber.	✓ Telecommunications providers cannot independently remove numbers from every financial, government and digital account. Cross-sector obligations are required for effective protection.	✓ The third parties refers to all service providers other than telecommunication service providers who disseminate messages through telecommunication numbers. ✓ The periodicity of third-party messaging differs from provider to provider and it is their responsibility to ensure their records are up to date before disseminating any obligation related messages to any number	✓ The terminologies used in the guidelines are as used within the ICT sector ecosystem and therefore the guidelines are not introducing any new terminologies that require to be redefined.	✓ None
		New proposal	No dedicated objection, restoration, appeal or redress procedure is provided.	✓ Subscribers need a rapid process to challenge incorrect inactivity classification or wrongful deactivation before reassignment becomes irreversible.	✓ Create a free objection process; suspend deactivation during a properly lodged dispute; prescribe resolution timelines; allow emergency restoration before reassignment; provide escalation to the Authority; preserve audit records; and provide appropriate remedies for loss caused by provider error.	✓ A clear remedy protects consumers, supports fair administrative action and gives providers an accountable process for correcting mistakes.	✓ The guidelines have given conditions that will make a number susceptible to recycling and provided adequate time for service providers to contact the affected users using other contacts collected during registration using KYC. ✓ Service providers are required to strictly deactivate and recycle the numbers that meet the stated conditions.	✓ To prevent wrongful deactivation and recycling.	✓ None
		5.1 to 5.8	Whitelisting principally covers prisoners, certain remandees and inactive subscribers represented because of incapacity.	✓ The protection is useful but too narrow. Legitimate long-term inactivity may result from hospitalization, overseas residence, deployment, displacement, disaster or prolonged lack of network access.	✓ Allow any subscriber with a legitimate reason to request preservation directly through USSD, a secure platform or an outlet. ✓ Permit a duly authorized representative to apply where necessary. Limit collection of custodial, health and identification information to what is strictly necessary and lawful.	✓ A general preservation mechanism is more equitable and avoids treating only a limited set of circumstances as legitimate.	✓ Subscribers with overseas residence are able to roam to maintain their numbers active. Further, displaced or subscribers with prolonged network access are able to maintain their numbers active through any revenue generating activity. ✓ Section 5.5 of the guidelines caters for hospitalized subscribers who are not able to maintain their numbers active.	✓ This is to ensure subscribers keep their numbers active through any revenue generating activity within the six months period.	✓ None

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		5.6 & 5.8	The clauses refer to Clause 5.4 when describing representative requests and use the term foolproof.	✓ The cross-references appear inconsistent with the representative process in Clause 5.5. The term foolproof does not establish an objective verification standard.	✓ Correct the cross-references after legal review. ✓ Replace foolproof with verified through documented, proportionate and secure identity and authority checks prescribed by the Authority.	✓ Accurate cross-references and measurable requirements are necessary for enforceability and consistent application.	✓ The cross reference error has been edited ✓ For clarity, the term foolproof has been replaced and the clause (5.6) enhanced	✓ Cross reference error	✓ 5.6 The request in <i>Clause 5.5</i> shall be done in person at the service provider's office or outlet, presenting original identification documents of both the requesting party and the affected subscriber, and any other supporting documentation, or via any means established by the service provider and approved by the Authority, ✓ 5.8 The whitelisting pursuant to Clause 5.5 shall be done for a duration of one (1) year
		6.1 to 6.6	Business-to-consumer messaging requires business-specific USSD consent, with opt-out and removal of previous consent before recycling.	✓ The consent principle is strong, but the draft does not distinguish marketing from transaction confirmations, one-time passwords, fraud alerts, security notices, service notices and emergency communication. USSD should not be the only auditable consent channel.	✓ Define marketing separately from essential transactional, security, statutory and emergency messages. Keep explicit, business-specific consent for marketing, but permit secure and auditable consent through USSD, SMS, applications, websites or signed forms. Require free, simple and prompt opt-out.	✓ Consumers should be protected from unsolicited marketing without losing essential account, security or public-interest communications.	✓ The guidelines prohibit both the service provider and any third-party value-added service provider from sending any messages unless the subscriber has explicitly subscribed to those messages	✓ To protect consumers from unsolicited messages	✓ None
		6	The technical safeguards primarily address consent and business-to-consumer messages.	✓ The draft does not prescribe minimum security controls for deactivation, centralized reporting, status verification, quarantine or reassignment systems.	✓ Require encryption in transit and at rest, role-based access, multifactor authentication, tamper-resistant logs, data-integrity controls, secure interfaces, rate limiting, vulnerability assessments, penetration testing, incident response, backup, recovery and periodic independent audits.	✓ Technical controls must address unauthorized access, data harvesting, manipulation, system failure and breaches throughout the number-recycling lifecycle.	✓ The guidelines prescribe the procedures and technical safeguards for number deactivation, the technical aspects of enforcing data privacy through encryptions and other technologies are at the discretion of service providers in line with the Data Protection Act	✓ To delink the process for deactivation and recycling of inactive numbers from the technical implementation aspects of service provider systems which vary from provider to provider	✓ None
		7.1	The stated effective date is 19 September 2026, shortly after the consultation deadline of 11 September 2026.	✓ The period is insufficient to review submissions, revise the safeguards, complete privacy and security assessments, build systems, train staff and educate consumers.	✓ Provide at least six months from publication of the final safeguards for phased implementation. Before commencement, publish the response matrix, complete the Data Protection Impact Assessment, issue technical standards, pilot and audit the systems,	✓ A realistic transition period will reduce implementation errors and ensure that all consumer protections are operational before numbers are recycled under the new framework.	✓ The Authority has adequate resources and capacity to carry out its mandate as stipulated in the KICA. No 2 of 1998. ✓ Given that the guidelines are procedural and provide safeguards against unintended disclosures they do not meet the threshold	✓ To be in compliant with the High Court Constitutional Petition No. E290/2024 to develop and implement measures within six (6) months.	✓ None

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					establish complaints and quarantine processes, and conduct consumer education.		required for data protection impact assessment.		
		New proposal	The draft contains no specific compliance reporting or public accountability requirements.	✓ The Authority requires reliable information to identify wrongful deactivations, security incidents, complaint patterns and institutional non-compliance.	✓ Require periodic operator reports and Authority audits covering notifications, deactivations, objections, restorations, quarantined and recycled numbers, complaints, breaches and third-party update performance. Publish aggregate reports that do not identify subscribers.	✓ Ongoing oversight will enable evidence-based review, enforcement and continuous improvement while preserving subscriber privacy.	✓ The guidelines have set out conditions that will make a number susceptible for recycling and has provisioned for other contact mechanisms to an owner of an inactive number . ✓ All numbers due for recycling will be recorded in the central database as part of compliance reporting. Service provider license conditions require them to provide quarterly statistics as part of compliance reporting.	✓ To ensure no wrongful deactivations. ✓ Updating the central database of recycled numbers is part of compliance reporting.	✓ None
5.	Paul Otieno	General	None	✓ Inactive phone numbers should be allowed to remain to their original holders for atleast 18months. ✓ The mpsa balances or Airtel money balances should be transferred to their current lines including their phone contact numbers before migrating the line to a new owner.	✓ None	✓ None	✓ The ITU provides that a number may be considered inactive after a period of three (3) months. ✓ Further, service providers are required to submit their sector statistics data on a quarterly basis hence an inactive number reported in two quarterly returns (six months) will be due for recycling. ✓ Any financial resources in numbers due for recycling where the owner is untraceable are transferred to the Unclaimed Financial Asset Authority in line with Unclaimed Financial Assets Act No. 40 of 2011	✓ To comply with the ITU handbook for the Collection of Administrative Data on Telecommunications / ICT. ✓ To comply with the Unclaimed Financial Assets Act CAP.494	✓ None
6.	Thomas Wanyonyi	General	None	✓ A Complete Ban on Recycling: The CA should completely prohibit the reallocation of previously registered mobile numbers to new subscribers. Once a number is assigned and registered to a National ID, it should remain tied to that identity unless explicitly surrendered or	✓ None	✓ Irreversible Breach of Data Privacy and Security Even with a 6-month buffer, a phone number remains deeply tied to an individual's financial and personal life. New owners of recycled numbers inevitably gain access to OTPs (One-Time Passwords), bank notifications, KRA tax portals, and e-Citizen accounts.	✓ Telecommunications numbering resources are finite and require prudent usage. The numbers being recycled are the ones that are inactive and the owners are not traceable. ✓ The guidelines require delinking of third-party value-added services hence the new owner will not have any access to this data as contained in section 4.8	✓ This is in compliance with international principles of number management. ✓ To comply with the Data Protection Act	✓ None

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				written off by the owner or their estate.		A "digital scrub" by telcos cannot completely clear cached data from third-party global applications, leaving the original owner permanently vulnerable to identity theft and financial fraud.			
		General	None	✓ Permanent Dormancy Instead of Reassignment: In cases of prolonged inactivity, lines should be placed on a "permanent hold" or "dormant status" where they cannot send or receive traffic, but under no circumstances should they be sold to a third party.	✓ None	✓ Permanent Dormancy Instead of Reassignment: In cases of prolonged inactivity, lines should be placed on a "permanent hold" or "dormant status" where they cannot send or receive traffic, but under no circumstances should they be sold to a third party. ✓ Technological Alternatives Exist Instead of recycling finite MSISDN (phone number) strings, the CA and telecommunication operators should invest in expanding numbering prefixes (e.g., introducing new number series) to accommodate market growth, rather than taking away existing identities from Kenyan citizens.	✓ Telecommunications numbering resources are finite and require prudent usage. Where a subscriber wishes to retain their number, they should use the number in any revenue generating activity described in section 4.1. ✓ Introducing new prefixes yet the current prefixes are not fully exhausted and contain a large pool of dormant numbers impacts on the security and financial integrity of the country noting that criminals can take advantage of these dormant numbers	✓ This is in compliance with international principles of number management. ✓ To account for every number on the network and ensure that it is active and in use by the right owner and for the right purpose	✓ None
7.	James Ngugi	General	None	✓ I am against that number recycle because i am a victim. I bought recycled line from Safaricom but I receive endless calls from previous owner friends, other threatening me I owe them, others why i am misbehaving. I don't want to pick their disturbing calls,even late night it's like the previous owner was a criminal. ✓ I suggest everybody get his or her unique no that can't ever be recycled or assigned to someone else for the sake of peace. Phone no are supposed to be like ID no unique forever	✓ None	✓ None	✓ The Authority has developed these guidelines to address such challenges. The guidelines prohibit both service provider and any third-party value-added service provider from sending any messages unless the subscriber has explicitly subscribed to those messages. ✓ Numbers that are maintained as active by the owner will not be recycled	✓ To comply with the Data Protection Act. ✓ This is in compliance with international principles of number management.	✓ None

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8.	Wande Viola Kizigha	4.9	The service provider shall send a list of all deactivated/recycled numbers to the centralized system on a quarterly basis, which shall be used by third parties to update their records prior to calling, sending SMS with regards to obligations associated with that number	✓ The stated purpose of the centralised system is limited to communications hygiene, that is, preventing third parties from calling or sending SMS to a number now held by a different subscriber. ✓ It does not on its face extend to third parties for whom the number operates as an account identifier, an authentication factor or an account recovery channel. ✓ In Kenya the principal residual risk following reassignment is not misdirected communication but inherited access.	✓ The service provider shall send a list of all deactivated/recycled numbers to the centralized system on a quarterly basis, which shall be used by third parties to update their records <i>in respect of any obligation, service or relationship associated with that number, including where the number operates as an account identifier, an authentication factor or an account recovery channel.</i>	✓ Aligns clause 4.9 with limb (c) of Order 3 in Petition E290 of 2024, which requires technical barriers preventing unauthorized data transfer. - Misdirected communication is an inconvenience. - Inherited authentication is a financial and privacy harm.	✓ The Authority has incorporated the proposal to prevent unauthorized data transfer and inherited authentication	✓ This is to ensure no unauthorized data transfer to the new owner	✓ The service provider shall send a list of all deactivated/recycled numbers to the centralized system on a quarterly basis, which shall be used by third parties to update their records <i>in respect of any obligation, service or relationship associated with that number, including where the number operates as an account identifier, an authentication factor or an account recovery channel.</i>
				✓ The Guidelines do not identify who is to establish, operate, govern or fund the centralized system, nor the basis on which third parties may access it. ✓ A shared facility holding lists of reassigned numbers is itself a processing operation under the Data Protection Act, 2019, and requires an identified controller.	✓ Insert a new clause: "The centralized system shall be established and operated by the Authority, or by a person designated by the Authority, in consultation with the Office of the Data Protection Commissioner and the Central Bank of Kenya. ✓ The Authority shall publish the governance, access and data protection arrangements applicable to the centralized system."	✓ Provides an identified controller for data protection purposes and brings the financial sector regulator into the design of a facility on which financial institutions are expected to rely.	✓ The Authority will establish and run centralized database. ✓ The centralized database will also be operated with compliance to Office of the Data Protection Commission.	✓ For clarity on who establishes and owns the database.	✓ 4.9 Service providers shall send a list of deactivated/recycled numbers to a centralized database established by the Authority.
		7.1	All service providers shall be required to implement the provisions...effective September 19th, 2026, save for the provisions that require a centralized database, which shall become effective once the database is established.	✓ The transition provision brings the deactivation and recycling permissions into force on a fixed date, while suspending the only cross sector safeguard indefinitely and without a longstop. ✓ The framework will therefore operate from 19 September 2026 with recycling live and clause 4.9 dormant.	✓ "...save for the provisions that require a centralized database, which shall become effective on the earlier of (a) the date on which the database is established and (b) [twelve] months from the commencement date. ✓ The Authority shall report publicly on progress toward establishment at six monthly intervals."	✓ Bounds the deferral, creates an accountability mechanism, and avoids an indefinite gap between the permission and the safeguard.	✓ Acquisition and establishment of the database will be done in line with the public procurement process. - This entails budgeting and requisition which has been scheduled for FY 2027/28	✓ This is to comply with Public Procurement and Asset Disposal Act	✓ None
		6	Technical safeguards	✓ Pending establishment of the centralized system there is no channel by which a licensed financial institution	Insert: ✓ "Pending the establishment of the centralized system under	✓ A low-cost interim bridge using data the service provider already compiles.	✓ To provide a means for third parties to have access to deactivated numbers before the database is established,	✓ To ensure third parties have visibility of the numbers deactivated	New Clause ✓ 6.7 Pending the establishment of the centralized database

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				or public body can reconcile reassigned numbers against its own customer records. ✓ The quarterly newspaper and website notices required elsewhere in the Guidelines are not in a form an institution can process against a customer master file.	clause 4.9, a service provider shall make the quarterly list of deactivated and recycled numbers available in a structured, machine readable format to institutions licensed by the Central Bank of Kenya and to public bodies, on request, subject to the Data Protection Act, 2019 and to such conditions as the Authority may specify."	✓ It converts a publication duty that already exists into one that relying institutions can act upon, without waiting for the centralized system.	the proposal has been adopted		under clause 4.9, service provider shall make the quarterly list of deactivated and recycled numbers available in a structured, machine readable format to third party value added service providers subject to the Data Protection Act, 2019 and to such conditions as the Authority may specify.
		4.8	...the service provider shall delink and securely archive the personal data, cached data, and services associated with the previous owner such that they are not accessible to or inherited by any new subscriber, while retaining records required by law."	✓ The obligation is well framed but binds only the service provider and can reach only data and services within the service provider's own systems. ✓ Where the number is registered with a bank, payment service provider, digital credit provider or public body, the binding persists in that party's records irrespective of the service provider's compliance. ✓ Full compliance with clause 4.8 is therefore consistent with continuing inheritance risk.	Add a proviso: ✓ "For the avoidance of doubt, the obligation under this clause does not extend to records held by third parties. The service provider shall, in the notification required under Section 4, inform the subscriber of the need to update any third-party service for which the number is registered as an identifier, authentication factor or recovery channel."	✓ Makes the limits of the operator obligation explicit rather than leaving them implied and places a low-cost consumer facing warning inside a notification the service provider is already required to send.	✓ The guidelines prohibit both the service provider and any third-party value-added service provider from sending any messages unless the subscriber has explicitly subscribed to those messages. ✓ The number is being recycled noting that the subscriber is unreachable thus it is impossible for the service provider to notify the subscriber to update their third party details	✓ To protect the new owner from unsolicited messages	✓ None
		1	(the Guidelines contain no separate definitions section and no definition of the third parties referred to in clauses 4.8 and 4.9)	✓ Clauses 4.8 and 4.9 both turn on the position of parties other than the service provider and the subscriber, but the Guidelines do not define that class. Without a definition the widened purpose proposed at item 1 has no defined subject.	Insert a definition: ✓ "relying party' means a person, institution or public body for which a telephone number operates as an account identifier, an authentication factor, a channel for account recovery, or a means of authorizing a transaction."	✓ Gives clauses 4.8 and 4.9 a defined subject, and makes the amendments proposed at items 1 and 5 operative.	✓ The third party refers to all service providers other than telecommunication service providers who disseminate messages or calls through telecommunication numbers. ✓	✓ The terminologies used in the guidelines are as used within the ICT sector ecosystem and therefore the guidelines are not introducing any new terminologies that require to be redefined.	✓ None
9.	Wananchi Group	1	Scope and application	✓ The draft Guidelines provide procedures and technical safeguards for the deactivation and recycling of inactive telecommunication numbering resources.	✓ Clarify the categories of numbering resources to which the Guidelines apply, including mobile, fixed, enterprise, IoT/M2M and other specialized numbering resources, and provide differentiated requirements where necessary.	✓ Different numbering resources have different usage patterns. A uniform inactivity threshold may not be appropriate for consumer, fixed, enterprise and specialized services.	✓ The guidelines are for all numbering resources as assigned by the Authority	✓ The principles for prudent administration of numbering resources as defined by the international telecommunications union (ITU), apply to all categories of numbers	✓ None

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		4.1	A number may be considered inactive where it has recorded no revenue-generating activity for a period of three (3) months.	✓	✓ Amend the inactivity threshold to a minimum of six (6) months, with longer periods applicable to fixed, enterprise, business and specialized numbering resources where appropriate.	✓ Three months may result in legitimate numbers being deactivated despite continued operational or commercial relevance. ✓ A longer period provides a more proportionate balance between efficient utilization and consumer protection.	✓ The provided duration after which recycling begins is 6 months . ✓ The guidelines apply equally to all numbering resources given that detected inactivity is first notified to the owner to utilize the number after which continued inactivity past 6 months the number is recycled	✓ There is ample time and notification using other information collected during KYC for the owner of the number to make use of the number	✓ None
			Activity is determined based on revenue-generating activities, including calls, SMS, data usage, airtime top-up and VAS usage.	✓	✓ Expand the definition of activity to include reasonable evidence of continued use or legitimate retention of the numbering resource and provide category-specific activity criteria.	✓ Some numbers, particularly fixed and enterprise numbers, may legitimately have periods of limited revenue- generating activity while remaining operationally important to the subscriber.	✓ As per the Authority's reporting cycle of quarterly reporting and the ITU determination metrics for active subscriber , which is set as three months , a number reported as inactive for 2 consecutive reporting is deemed not in use and thus due for recycling	✓ To ensure effective use of assigned numbering resources ,	✓ None
		4.2 to 4.4	Subscribers are to be notified following the identification of a number as inactive.	✓	✓ Require notification through all reasonably available and verified customer communication channels, including SMS, email, customer portals, applications and other registered contact details, where available.	✓ Public disclosure of individual telephone numbers may create privacy, fraud, social-engineering and security risks, while a generic notice can achieve the consumer- protection objective without unnecessary disclosure.	✓ The notification of inactive numbers is via a generic public notice, and no personally identifiable information is placed in the notice	✓ To comply with the provisions of Data protection Act 2019	✓ None
		4.5	The draft provides for publication of numbers that are susceptible to deactivation and recycling.	✓	✓ Remove the requirement to publicly publish individual telephone numbers and instead require publication of a generic notice explaining the deactivation and recycling process and the means through which subscribers may verify the status of their numbers.	✓ Public disclosure of individual telephone numbers may create privacy, fraud, social-engineering and security risks, while a generic notice can achieve the consumer- protection objective without unnecessary disclosure.	✓ The notification of inactive numbers is via a generic public notice, and no personally identifiable information is placed in the notice	✓ To comply with the provisions of Data protection Act 2019	✓ None
		4.6	The draft provides for publication of a generic notice in a nationwide daily newspaper.	✓	✓ Permit publication through appropriate digital and electronic channels, including the service provider's website, customer communication channels and other appropriate media, with newspaper publication where considered necessary by the Authority.	✓ Digital communication provides a more targeted, accessible and cost-effective means of reaching affected customers.	✓ The court ruling on number recycling requires that a public notice be issued by service providers	✓ To comply with the court ruling on the issue of number recycling and deactivation while complying with data protection framework	✓ None

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		4.7	✓ The draft provides for a USSD mechanism through which the public may check the status of a number. (*106#	✓	✓ Provide for multiple status- verification mechanisms, including USSD, web-based platforms, mobile applications and customer-care channels, as applicable to the relevant numbering resource.	✓ A technology-neutral approach ensures accessibility across different customer categories and numbering resources.	✓ Service providers shall avail to their subscribers mechanisms to check the status of their numbers	✓ To ensure technology neutral solutions	✓ 4.7 the public notice shall include a technological means for each subscriber verifying the status of their numbers , including but limited to USSD, mobile app, web app , among other means.
		4.8	✓ Providers are required to delink and securely archive personal data, cached data and services associated with the previous subscriber.	✓	✓ Clarify the scope of data to be delinked, archived or deleted and provide that such processing shall be undertaken subject to applicable data-protection and legal retention requirements.	✓ Provides clarity on operators' data-management obligations while ensuring consistency with applicable data-protection requirements.	✓ The delinking and archiving is for all data associated with the numbers as contained in all databases of the service provider	✓ To ensure the new subscriber of a recycled number does not receive any information associated with the previous owner	✓ None
		4.9	✓ The draft proposes a centralized system to which providers will submit information on deactivated and recycled numbers, for use by third parties.	✓	✓ Establish a detailed governance, technical, security and data-protection framework for the centralized system before implementation, developed in consultation with licensed operators and relevant stakeholders.	✓ A centralized database involving numbering and potentially subscriber-related information raises significant issues concerning governance, security, access controls, data retention and accountability.	✓ The implementation details and governance framework will be addressed during the data base establishment process	✓ The current guidelines provide the process for number recycling , implementation details for systems required by the guidelines will be handled at the project level,	✓ None
		4.9	✓ Third parties may use the centralised system to update their records before sending communications relating to obligations associated with a number.	✓	✓ Clarify that the centralised database shall serve as an information-sharing mechanism and that third parties shall remain responsible for their own validation, lawful processing and compliance obligations.	✓ A centralised database may not always contain the most current information. Clear allocation of responsibility will minimise consumer harm and disputes arising from inaccurate or outdated records.	✓ All persons accessing the centralised database are first licensed by data commissioner as data processors and are therefore under the conditions of their data processing license	✓ To comply with the provisions of the data protection act 2019	✓ None
		4.10	✓ Following completion of the prescribed process, the number may be made available for provisioning to a new subscriber.	✓	✓ Introduce a defined quarantine period between deactivation and reallocation of a number.	✓ A quarantine period reduces the risk of residual association of the number with the previous subscriber's financial, digital, social-media, authentication and other services.	✓ The delinking and archiving process of all data before recycling eliminates residual association	✓ The quarantine period is covered in the extra 3 months beyond the initial 3 months of inactivity	✓ None
			✓ Deactivated numbers may subsequently be allocated to new subscribers.	✓	✓ Permit providers to undertake appropriate technical, security and fraud-risk checks before provisioning a recycled number.	✓ Provides an additional safeguard against residual services, fraudulent activity and unintended access to services previously associated with the number.	✓ The delinking and archiving process of all data before recycling eliminates residual association ✓ The archived information can facilitate fraud investigation by security agencies if need be.	✓ To limit the responsibility of service providers to providing telecommunication services and not assessing numbers for fraud	✓ None

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		5	✓ The draft provides for special arrangements for certain subscribers who are unable to use their numbers for extended periods.	✓	✓ Establish a general prolonged-inactivity exemption mechanism allowing subscribers to request retention of a number where there is a legitimate reason for extended inactivity, subject to reasonable verification.	✓ Legitimate prolonged inactivity may arise from travel, business interruption, temporary relocation, extended absence or other circumstances beyond the subscriber's control.	✓ During travel, subscribers can roam and thus. The number remains active . ✓ The guidelines have provided a period of 6 months and notification means , and thus those affected can liaise with service providers to ensure the number is categorized as active in the service provider's systems	✓ To ensure effective use of numbering resources	✓ None
		5.5 to 5.8	✓ The draft prescribes specific verification requirements for applications for whitelisting.	✓	✓ Permit secure remote verification and other appropriate KYC mechanisms approved by the service provider, in addition to physical verification where necessary.	✓ Provides flexibility while maintaining appropriate customer authentication and reducing unnecessary customer burden.	✓ The verification mechanism section is enhanced to allow for service providers to initiate and seek approval for various verification means before whitelisting	✓ To provide room for technologically innovate verification mechanisms	✓ 5.6 The request in <i>Clause 5.5</i> shall be done in person at the service provider's office or outlet, presenting original identification documents of both the requesting party and the affected subscriber, and any other supporting documentation, or via any means established by the service provider and approved by the Authority
		6.1	✓ Newly issued and recycled numbers are subject to restrictions on receipt of marketing messages.	✓	✓ Clarify that a new subscriber shall not inherit any marketing consent, subscription or communication preference associated with the previous subscriber, but may independently provide consent in accordance with applicable law.	✓ Ensures that marketing consent is not transferred with a recycled number while preserving the ability of a new subscriber to provide fresh consent.	✓ This is covered by section 6 technical safeguards section of the guidelines and the delinking and archiving section 4.8 .	✓ To ensure no subscriber receives unsolicited messages	✓ None
		6.2 to 6.3	✓ The draft requires subscribers to use a prescribed USSD mechanism to provide consent for B2C communications.	✓	✓ Amend the requirement to permit consent through any lawful, clear, verifiable and auditable mechanism approved by the Authority, including USSD and other appropriate electronic mechanisms.	✓ A technology-neutral approach avoids prescribing one technical channel while maintaining the requirement for valid and demonstrable consent.	✓ USSD have been chosen because dialing and subscribing ensure the subscriber is conscious of what they are engaging into as opposed to other forms which are normally printed in fine prints and not read by subscribers, yet they constitute consent	✓ To avoid unintended subscription and provide for ease verification in case of a dispute	✓ None
		6.4	✓ Consent records are required to be retained for the period during which the number remains active.	✓	✓ Provide that consent records shall be retained for as long as reasonably necessary to demonstrate compliance, subject to applicable data-protection and legal retention requirements.	✓ Avoids creating potentially indefinite retention obligations and aligns record retention with the applicable legal framework.	✓ The consent records are to be retained for as long as the number is active since a dispute can arise only when the number is active	✓ To be used in dispute resolution	✓ None

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		6.5	✓ Previously opted-in B2C messages are required to be delinked before recycling.	✓	✓ Expand the requirement to cover all marketing consents, subscriptions and communication preferences associated with the previous subscriber.	✓ Ensures that the incoming subscriber does not inherit legacy marketing subscriptions or communication preferences associated with the previous subscriber.	✓ The guidelines require all information associated with the number be de linked , and therefore this is inclusive of marketing and communication preferences	✓ To prevent the new owner of a recycled number from receiving unsolicited messages	✓ None
		7.1	✓ The draft proposes commencement of the Guidelines shortly after the consultation process.	✓	✓ Provide for a minimum six (6) month implementation period following publication of the final Guidelines, with appropriate transitional arrangements for technical requirements.	✓ Operators require adequate time to review affected numbers, modify billing and CRM systems, establish notification processes, develop customer communications, integrate technical systems and test compliance controls.	✓ The current guidelines are derived from the procedures currently used by service providers in recycling numbers . ✓ The guidelines have only reinforced the delink and archiving and the six month period	✓ To be in compliance with the court ruling on the deactivation and recycling of inactive numbers.	✓ None
		7.1	✓ Requirements relating to the centralised system are to apply once the system is established.	✓	✓ Develop and publish, through stakeholder consultation, detailed technical specifications, governance arrangements, security requirements, data-protection safeguards, access controls and implementation timelines before the system becomes operational.	✓ Ensures that operators have certainty on their obligations and sufficient time to undertake the required technical and operational integration.	✓ The technical modalities of the centralized database will be provided in detail during implementation of the database and in line with the data protection act.	✓ For transparency and compliance with the data protection act	✓
		New proposal	✓ The draft applies a generally uniform framework for inactive numbering resources.	✓	✓ Introduce differentiated inactivity thresholds and procedures based on the nature and use of the numbering resource, including mobile, fixed, enterprise, IoT/M2M and other specialised resources.	✓ Promotes proportionate regulation and recognises the different operational and commercial characteristics of different numbering resources.	✓ The guidelines are for all numbering resources as assigned by the Authority	✓ The principles for prudent administration of numbering resources as defined by the international telecommunications union (ITU), apply to all categories of numbers	✓ None
			✓ The draft seeks to protect consumers during number deactivation and recycling.	✓	✓ Introduce specific safeguards addressing residual links between recycled numbers and financial services, authentication services, digital platforms and other accounts associated with previous subscribers.	✓ Number recycling can create significant consumer-protection and digital-identity risks even after a number has been technically deactivated.	✓ The guidelines require delinking and archiving data associated with a recycled number and deliberate subscription by the new owner to any value added service and marketing messages	✓ To protect the new owner from receiving unsolicited messages	✓ None

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			✓ The draft establishes new operational and technical obligations for providers.	✓	✓ Require structured industry consultation and appropriate regulatory impact assessment before implementation of material technical requirements, including the centralised numbering database.	✓ Promotes evidence-based regulation, regulatory certainty and technically feasible implementation while minimizing unintended operational and compliance costs.	✓ The guidelines require no new collection of data and measures beyond what the service providers currently collect and hold and therefore does not meet the threshold to undertake a regulatory impact assessment ✓ The centralized database will provide a platform for value added service providers to update their records on the status of numbers that have subscribed to their services	✓ The guidelines utilize existing processes and data currently collected by service providers.	✓ None
10	Safaricom PLC	4.3	✓ The means of notification may include SMS to the number and other contact information associated with the subscriber as collected during the KYC process.	✓	Amend as below ✓ The means of notification may include SMS to the number and other contact details expressly provided by the subscriber during registration of the SIM Card and may include email or in-app notification.	✓ Use of the words "...other numbers associated with the subscriber.." is ambiguous and could include numbers frequently contacted by the subscriber. ✓ The amendment targets communication through the means communicated by the subscriber. This ensures compliance with the Data Protection Act.	✓ The numbers and means to be used by the service providers to contact the subscriber are those collected during the KYC process .	✓ The guidelines are not for SIM cards only and the clause uses the term "as collected during KYC "	✓ None
		4.5	✓ Thirty (30) days before the lapse of the three (3) months in clause 4.4, and with the number still inactive, the service provider shall publish the list of numbers susceptible to deactivation and recycling if they are not activated within 30 days from the date of publication.	✓	Amend as below ✓ Thirty (30) days before deactivation and recycling of an inactive number, the service provider shall take reasonable steps to notify the affected subscriber directly through available communication channels, including SMS, email, in-app notification or any other appropriate means available to the service provider. The notice shall clearly inform the subscriber of the impending deactivation and recycling, the period within which the subscriber may reactivate the number, and the action required to avoid deactivation.	✓ The requirement to publish numbers proposed for deactivation presents several challenges: ✓ Creates privacy and cybersecurity risks by publicly displaying inactive numbers. ✓ Provides limited practical value to subscribers given the potentially large volume of numbers involved making it tedious to wade through, for example, the number series 0722540XXX has 1,000 lines. ✓ Increased visits/calls to the service providers call centre and retail centres, is likely to have a negative impact on quality-of-service/experience assessments; this equally compounds the administrative burden on service providers.	✓ The public notice issued shall be generic in nature and shall not contain the list of numbers ✓ The notice shall also contain means e.g. USSD or any other , that subscribers can check the status of their numbers without visiting outlets physically.	✓ To adhere to the court directive of issuing a public notice	✓ Thirty (30) days before the lapse of the three (3) months in clause 4.4, and with the number still inactive, the service provider shall issue a generic public notice of intention to deactivate and recycle numbers that have been inactive for 6 months, if they are not activated within 30 days from the date of notice

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						✓ Creates uncertainty for service providers on how such numbers should be treated in quarterly subscriber reporting. ✓ Imposes excessive publication costs increasing the cost of regulatory compliance with limited subscriber benefit. For example, Safaricom recycles 200k-300k numbers a month, such a publication would require over 20 full pages of a newspaper monthly. ✓ Direct notification to the affected subscriber remains the most effective and proportionate consumer protection measure.			
		4.6	✓ The generic notice of intention to deactivate and recycle inactive numbers shall be posted on the provider's website, publicized in other media, and published in the daily newspaper with nationwide circulation on a quarterly basis.	✓	✓ Propose Clarification of generic notice or delete	✓ Safaricom supports subscriber awareness on number recycling. However, operators should be allowed flexibility to use the most effective communication channels and self-service tools. ✓ The requirement should remain technology-neutral to accommodate evolving subscriber engagement channels while avoiding excessive compliance costs and impractical media (see example above). ✓ Also, we propose deletion of publishing in the newspaper or publication on the website. ✓ Direct notification to the affected subscriber remains the most effective and proportionate consumer protection measure.	✓ Noting that the subscriber is not retrievable by means and contacts in the service providers database, a generic public notice is the only viable means of complying with the court directive ✓ A generic public notice will not include the details of the numbers to be deactivated and recycled but will inform the public of impending deactivation and recycling of numbers that have been inactive for six months. ✓ The notice will also contain means by which members of the public will check the status of their numbers.	✓ To comply with the court directive of issuing a public notice	✓ None

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		4.8	✓ Upon the lapse of the notice period and with the number still inactive, the service provider shall de-link and securely archive the personal data, cached data, and services associated with the previous owner such that they are not accessible to or inherited by any new subscriber, while retaining records required by law.	✓	Amend as below ✓ "Upon the lapse of the notice period and with the number still inactive, the service provider shall ensure that information and service history associated with the previous subscriber are not accessible to any subsequent user of the recycled number, while retaining records required by law, regulation, security, audit and dispute resolution requirements.	✓ The current drafting is too broad and may conflict with legal record-retention obligations. ✓ Service providers have no visibility that a subscriber may have of all third parties and therefore cannot practically identify or de-link all third-party services associated with a mobile number, including banking, social media, messaging and authentication services. ✓ The obligation should therefore be limited to systems and services within the Service provider's control. ✓ Finally, cached data is not stored on the SIM card.	✓ The term required by law is all encompassing and breaking down and listing use cases of retained data , like audit , dispute resolution adds no value	✓ To develop a concise and flexible guideline	✓ None
		4.9	✓ The service provider shall send a list of all deactivated/recycled numbers to the centralized system on a quarterly basis, which shall be used by third parties to update their records prior to calling, sending SMS with regards to obligations associated with that number.	✓	✓ Notably, the proposed system is currently not in place, before operationalization, we propose that clarity be offered around the governance framework, access controls, legal basis and operation of the centralized system. ✓ Include within the guidelines that once accurate information has been submitted to the centralized platform, liability for record maintenance should rest with the third party using the information.	✓ The current provision could expose service providers to disputes arising from a third party's failure to update its records despite having access to the centralized database. Liability should rest with the party responsible for maintaining and acting upon those records.	✓ The current document addresses inactive number deactivation and recycling . ✓ The modalities , liabilities and operationalization of the centralized database will be addressed during solutioning stage of the said database in a separate document .	✓ To separate between a procedural document of deactivation and recycling of numbers and a technical document for solutioning the central database.	✓ None
		5.5	✓ Notwithstanding Clause 5.1, any person, including caregivers of persons who may be indisposed and unable to use their numbers for a potential period of more than six (6) months, can notify the respective service provider of the need to whitelist a subscriber's number.	✓	Amend as below ✓ "Notwithstanding Clause 5.1, a subscriber, or a person legally authorized to act on behalf of a subscriber who, due to legal or medical incapacity or a comparable legally recognized circumstance, is unable to use or manage their number for a period exceeding six (6) months, may request the service provider to whitelist the subscriber's	✓ The proposed wording avoids the ambiguity of "indisposed", focuses on the actual issue (inability of the subscriber to use/manage the number), and is less susceptible to interpretation disputes. ✓ Safaricom supports the intention of protecting subscribers who are genuinely unable to manage their numbers for extended periods. However, to ensure the provision is practical	✓ Noting the different interpretation of the word indisposed its usage has been dropped.	✓ Avoid ambiguity in interpretation of the term indisposed	✓ 5.5 "Notwithstanding Clause 5.1, a subscriber, or a person legally authorized to act on behalf of a subscriber who, due to legal or medical incapacity or a comparable legally recognized circumstance, is unable to use or manage their number for a period exceeding six (6) months, may request

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					number, provided that satisfactory documentary evidence of such incapacity or circumstance and authority to represent is submitted to the service provider."	and resistant to abuse, eligibility should be subject to the submission of satisfactory documentary evidence of the subscriber's legal incapacity or other legally recognized circumstance. This will provide an objective basis for approving requests, promote consistent implementation across providers, and			the service provider to whitelist the subscriber's number, provided that satisfactory documentary evidence of such incapacity or circumstance and authority to represent is submitted to the service provider."
		6.1	✓ By default, newly issued, as well as recycled numbers, shall not receive any marketing messages from either the number issuing service provider or third parties.	✓	Amend as below ✓ A service provider shall not send its own marketing or promotional messages to a newly issued or recycled number unless the current subscriber has consented. Third parties are responsible for getting valid consent for the marketing messages they send.	✓ Service providers can control only communications they originate and cannot guarantee compliance by independent third parties to whose platforms they have no access. ✓ The obligation should therefore apply to communications within the service provider's control while preserving the requirement for third parties to comply with consent and data protection requirements. ✓ Subscribers equally have a right to consent to whom they choose to receive messages from, outside the control of service providers. ✓ Subscribers are responsible for updating or cancelling any third-party accounts, subscriptions or preferences linked to their numbers. The proposed clause does not prevent a service provider from sending necessary service-related messages, such as messages on activation, security, support, billing, fraud prevention or network management, as long as they do not include unrelated marketing content.	✓ USSD have been chosen because dialing and subscribing ensure the subscriber is conscious of what they are engaging into as opposed to other forms which are normally printed in fine prints and not read by subscribers, yet they constitute consent	✓ To avoid unintended subscription and provide for ease verification in case of a dispute	✓ None

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		6.4	✓ Service providers shall maintain and retain a record of the subscribers' USSD dials consenting to receiving B2C messages for the entire period during which the number remains active.	✓	Amend as below ✓ The sender of B2C messages shall be responsible for maintaining records of subscriber consent and shall demonstrate the existence of valid consent upon request by the Authority. ✓ Service providers shall maintain records necessary to identify the sender of B2C messages and support regulatory compliance and enforcement activities.	✓ The obligation to manage and retain consent records should rest with the sender, as the sender is responsible for obtaining and relying on the consent. ✓ Requiring service providers to retain such records throughout the lifecycle of a subscriber number places a disproportionate compliance burden on entities that neither collect nor control the consent process.	✓ During dispute resolution , and where B2C sender records are disputed , service providers records corroborate or other wise provide the needed proof or lack thereof ✓ Further the subscription information passes through the service providers network and hence the need to retain it	✓ To enable cross validation during dispute resolution	✓ None
		6.5	✓ Before deactivating and recycling any number, the service provider shall delink the number from any previously opted-in B2C messages.	✓	Amend as below ✓ Before recycling a number, the service provider shall take reasonable measures to remove the number from marketing and messaging databases under its control. ✓ Businesses that send B2C communications shall be responsible for maintaining accurate subscriber records and ensuring that messaging consents remain valid and compliant with applicable law.	✓ Service providers do not have visibility into or control over all third-party messaging subscriptions linked to a number. The responsibility for maintaining subscriber records and consent should rest with the business that collected and uses the consent.	✓ The intention of the clause is for the service provider to delink the number from any subscription and KYC related information as contained in its databases. ✓ The responsibility of third party service providers not sending B2C messages of previous owner to the new owner of the recycled number are contained in a separate clause	✓ Both service providers and third party B2C messaging entities have a role to play in ensuring information linked to the previous owner is not accessible or used to send information meant for the previous owner.	✓ None
11.	Airtel Networks Kenya Ltd	4.1	✓ Number deactivation and recycling shall be triggered when a number records no revenue-generating activity, such as making/receiving a call, sending/receiving an SMS, using data, topping up airtime or using the number for value added service, for a period of three (3) months.	✓ Expand the list of qualifying activities	✓ "Number deactivation and recycling shall be triggered when a number records no revenue-generating activity, such as making/receiving a call, sending/receiving SMS, using data services, topping up airtime, conducting mobile money transactions or using value-added services, for a period of three (3) months."	✓ Mobile money services constitute one of the most important forms of subscriber activity and should be considered when determining whether a number is active. Failure to include mobile money may inadvertently expose actively used financial-service customers to number recycling	✓ Mobile money services are part of value added services and constitute revenue generation for service providers	✓ The intent is to avoid listing the value added services	✓ None

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		4.5	✓ Thirty (30) days before the lapse of the three (3) months in clause 4.4, and with the number still inactive, the service provider shall publish the list of numbers susceptible to deactivation and recycling if they are not activated within 30 days from the date of publication. ✓ 4.6 The generic notice of intention to deactivate and recycle inactive numbers shall be posted on the provider's website, publicized in other media, and published in the daily newspaper with nationwide circulation on a quarterly basis.	✓ Airtel recommends replacing the requirement to publicly publish numbers susceptible to deactivation and recycling with direct notifications to affected subscribers through available customer contact channels	We propose to merge clauses 4.5 and 4.6 to read as follows. ✓ "Service Providers shall make reasonable efforts to notify affected subscribers through available contact channels and provide self-service mechanisms through USSD, mobile applications, websites or other approved channels for subscribers to verify the status of their numbers."	✓ Publishing actual telephone numbers raises significant privacy and security concerns. ✓ Public disclosure may facilitate phishing, identity theft, social engineering and fraud. ✓ Direct notification through KYC contact channels is more effective. ✓ Clause 4.7 already proposes the *106# verification option. ✓ The objective of subscriber awareness can be achieved without public disclosure of specific numbers.	✓ The public notice issued shall be generic in nature and shall not contain the list of numbers ✓ The notice shall also contain means e.g. USSD or any other, that subscribers can check the status of their numbers without visiting outlets physically.	✓ To adhere to the court directive of issuing a public notice	✓ Thirty (30) days before the lapse of the three (3) months in clause 4.4, and with the number still inactive, the service provider shall issue a generic public notice of intention to deactivate and recycle numbers that have been inactive for 6 months, if they are not activated within 30 days from the date of notice
		4.9	✓ The service provider shall send a list of all deactivated/recycler numbers to the centralized system on a quarterly basis, which shall be used by third parties to update their records prior to calling, sending SMS with regards to obligations associated with that number.	✓ Airtel proposes that the Authority defines the centralized system.	✓ "The Authority shall establish, govern and administer a centralized repository of deactivated and recycled numbers and define the categories of authorized users, access controls, update frequencies and cybersecurity requirements applicable to the repository." ✓ The service provider shall send a list of all deactivated/recycled numbers to the centralized system on a quarterly basis, which shall be used by third parties to update their records prior to calling, sending SMS with regards to obligations associated with that number.	✓ The current draft does not define the centralized system. ✓ Governance responsibilities are unclear. ✓ A regulator-administered repository creates a trusted and consistent source of information for all stakeholders	✓ The current document addresses inactive number deactivation and recycling. ✓ The modalities, liabilities and operationalization of the centralized database will be addressed during solutioning stage of the said database in a separate document.	✓ To separate between a procedural document of deactivation and recycling of numbers and a technical document for solutioning the central database.	✓ None
		5.2	✓ In the case where a suspect is denied bail and likely to be in remand for more than six (6) months, the Commissioner General of Prisons shall also facilitate whitelisting	Airtel requests clarification that service Providers shall only verify: • Subscriber identity. • KYC information; and • Ownership of the telephone number.	✓ In the case where a suspect is denied bail and likely to be in remand for more than six (6) months, the Commissioner General of Prisons shall also facilitate whitelisting of their telephone numbers. Service	Determination of: • Prison status. • Sentence duration. • Remission eligibility; and • Authorized caregiver status ✓ falls within the mandate of correctional institutions and	✓ Service providers are responsible for confirming that the number and associated KYC information correspond to what is in their databases. ✓ The commissioner of prisons is responsible for forwarding	✓ Clear separation of responsibilities is clear in the clauses as stated.	✓ None

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			of their telephone numbers.		Providers shall validate the identity and ownership details of the subscriber in accordance with KYC requirements, while prison-related eligibility information shall be verified by the responsible correctional institution."	government agencies rather than telecommunications operators. ✓ Without such clarification, operators may be exposed to compliance risks arising from information they cannot independently verify.	the names , numbers and duration of possible conviction and remand period.		
		6.1	✓ By default, newly issued, as well as recycled numbers, shall not receive any marketing messages from either the number issuing service provider or third parties.	✓ Limit operator obligations to marketing platforms and databases directly controlled by the Service Provider. ✓ The current wording imposes obligations beyond the operator's control.	✓ "Service Providers shall ensure that newly issued numbers as well as recycled numbers are removed from marketing databases and communication platforms under their direct control."	Operators do not maintain operational control over: • Banks. • Mobile applications. • OTT providers. • E-commerce platforms. • Content providers; and • Independent marketing entities. ✓ Holding operators responsible for third-party systems creates obligations that are operationally impossible to fulfil.	✓ The intention of the statement is that both service providers and third party service providers do not send any message to any number without consent.	✓ To prevent new owners of recycled number from receiving unsolicited messages and information associated with the previous owner.	✓ None
		6.2	✓ For avoidance of doubt, for any business-to-customer (B2C) message, the subscriber MUST have explicitly dialed an unstructured supplementary service data (USSD) consenting to receiving messages from that specific business.	✓ Expand acceptable consent channels beyond USSD. ✓ The draft is overly restrictive because it only recognizes USSD consent. Modern customer journeys rely on multiple digital channels	✓ "For avoidance of doubt, for any business-to-customer (B2C) message, the subscriber MUST have explicitly dialed an unstructured supplementary service data (USSD) consenting to receiving messages from that specific business. Explicit consent may be obtained through USSD, mobile applications, web portals, signed agreements, SMS confirmations or any other auditable mechanism approved by the Service Provider."	Current customer journeys increasingly utilize: • Mobile applications. • Web portals. • Electronic contracts. • SMS confirmations. • Customer care channels; and • Digital onboarding platforms. ✓ Restricting consent to USSD only may limit innovation and customer convenience.	✓ The intention of the statement is that both service providers and third party service providers do not send any message to any number without consent.	✓ Section 6.2 addresses the issue of explicit consent	✓
		6.4	✓ Service providers shall maintain and retain a record of the subscribers' USSD dials consenting to receiving B2C messages for the entire period during which the number remains active.	✓ Responsibility for maintaining consent records should rest with the entity that collected the consent.	✓ "The entity obtaining subscriber consent shall maintain auditable records of such consent and make them available upon request by the Authority."	✓ Service providers may not possess records where consent is collected by: • Banks • OTT providers • Content providers • Aggregators • Responsibility should follow the party collecting the consent.	✓ During dispute resolution , and where B2C sender records are disputed , service providers records corroborate or otherwise provide the needed proof or lack thereof ✓ Further the subscription information passes through the service providers network and hence the need to retain it	✓ To enable cross validation during dispute resolution	✓ None

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		6.5	✓ Before deactivating and recycling any number, the service provider shall delink the number from any previously opted-in B2C messages.	✓ Replace mandatory delinking obligations with a reasonable-efforts obligation.	✓ "Service Providers shall make reasonable efforts to notify authorized third parties of recycled numbers through approved mechanisms, including centralized databases established for that purpose."	✓ Operators cannot directly modify third-party systems or databases. A notification obligation is practical and enforceable; a mandatory delinking requirement is not. ✓ A more practical approach would require: • Notification through the centralized recycled number database. • Publication of API interfaces where applicable; and • Reasonable efforts to facilitate updates by third parties.	✓ The intention of the clause is for the service provider to delink the number from any subscription and KYC related information as contained in its databases. ✓ The responsibility of third party service providers not sending B2C messages of previous owner to the new owner of the recycled number are contained in a separate clause	✓ Both service providers and third party B2C messaging entities have a role to play in ensuring information linked to the previous owner is not accessible or used to send information meant for the previous owner.	✓ None
		7.1	✓ All service providers shall be required to implement the provisions of the procedural and technical safeguards for deactivation and recycling of inactive telecommunication numbering resources, 2026, effective September 19th, 2026, save for the provisions that require a centralized database , which shall become effective once the database is established.	✓ Adequate lead time is required for systems development and customer education	✓ The provisions requiring a centralized repository shall become effective only upon establishment and operationalization of the repository by the Authority. Service providers shall further be granted a minimum implementation period of six (6) months from publication of the final guidelines to complete system development, integration, testing and consumer awareness activities.	✓ The provisions requiring a centralized repository shall become effective only upon establishment and operationalization of the repository by the Authority. Service providers shall further be granted a minimum implementation period of six (6) months from publication of the final guidelines to complete system development, integration, testing and consumer awareness activities.	✓ The court ruling on deactivation and recycling of inactive numbers provided a timeline within which to have the safeguards in place	✓ To comply with the court ruling	✓ None
12.	Liquid Telecommunications Kenya Ltd	1	✓ NNAI resources are telecommunication resources used for differentiation of services, systems, and subscribers. They include fixed numbers used in public switched telephone network (PSTN), mobile numbers used in public land mobile network (PLMN).	✓ While Section 1 text is as indicated in the column on "Current text", the rest of the Guidelines' text appears primarily focused on mobile subscriber numbers.	✓ Provide appropriate distinction between treatment of a) mobile subscriber numbers requirement and b)fixed and enterprise numbering services.	✓ This will enable clarity on and appropriate treatment that is alive to difference between mobile subscriber numbers, and fixed and enterprise numbering resources. Proposal 2 below is one such area where there would be distinction.	✓ The guidelines are for all numbering resources as assigned by the Authority and therefore	✓ The principles for prudent administration of numbering resources as defined by the international telecommunications union (ITU), apply to all categories of numbers	✓ None

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		4.1	✓ Number deactivation and recycling shall be triggered when a number records no revenue-generating activity, such as making/receiving a call, sending/receiving an SMS, using data, topping up airtime or using the number for value added service, for a period of three (3) months.	✓ Definition of inactivity in the case of enterprise and fixed numbering resources – The Current text triggers deactivation and recycling after 3 months of no revenue-generating activity. For enterprise and fixed voice services, however, a number may remain legitimately assigned and operational despite showing little or no traffic for extended periods. Examples include DR numbers, Standby Business lines and reserved DDI ranges.	✓ Add the following However, enterprise and fixed numbering resources which remain contractually assigned to customers shall not be considered inactive solely based on traffic levels.	✓ For enterprise and fixed voice services, a number may remain legitimately assigned and operational despite showing little or no traffic for extended periods. Examples include DR numbers, Standby Business lines and reserved DDI ranges.	✓ The guidelines are for all numbering resources as assigned by the Authority	✓ The principles for prudent administration of numbering resources as defined by the international telecommunications union (ITU), apply to all categories of numbers	✓ None