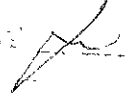


11 JAN 20 25:06

SENATE

S.B. No. 2644



Introduce by SENATOR MANNY VILLAR

EXPLANATORY NOTE

The Subscriber Identification Module or Subscriber Identity Module (SIM) card holds all of a subscriber's personal information and phone settings. In essence, it is the subscriber's authorization to use the network. It also holds the phone number, personal security key and other data necessary for the handset to function. The subscriber can then choose either a post-paid account or a prepaid account. The main difference is that in a post paid account, the SIM card is registered under the subscriber's name including all the details necessary to identify said subscriber, while in a prepaid account, no registration is necessary, and anyone can simply buy a prepaid SIM card and start using it.


No one disputes the convenience of a "contract free", "commitment free" prepaid cellular service and all the advantages it brings. However, one cannot also discount the fact that there are many disadvantages with using a prepaid SIM card, the main one being the fact that the user cannot be identified. This makes it easier to commit mischief and crimes.

It cannot be denied that prepaid SIM cards are used by criminals in making ransom demands used by different syndicates in committing fraudulent money-making activities like e-raffle and random lottery, by "dugo-dugo gang" in committing robbery, used by individuals for harassments and it is even used by unscrupulous individuals to impersonate personalities and solicit donations. Basically, anyone with a prepaid SIM card can do anything and not be caught because he cannot be traced, his identity cannot be determined and he can simply throw away the SIM card after use.

It is therefore about time that we follow the example of other countries like Kenya and Singapore and start requiring registration of prepaid SIM cards. Since 2006, the Singapore government has made the prepaid SIM registration a mandatory requirement. This means that the card must be registered under the name of the person who will be using it and the person will be required to produce his/her passport or Singapore ID at the time of buying the prepaid mobile card.

With this, it would be easier to track down the owner or user of the prepaid SIM card. While it may not guarantee that the criminal user of the SIM card would be caught, at least there is an increase in the chances that they will be unlike the zero chance of identification when there is no registration required.

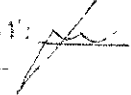
In view foregoing, immediate passage of this bill is immediately requested.


MANNY VILLAR

11 JAN 20 75:06

SENATE

S.B. No. 2644

RECEIVED BY: 

Introduce by SENATOR MANNY VILLAR

AN ACT
REQUIRING THE REGISTRATION OF THE BUYERS OF PREPAID SIM CARDS, AND
PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF

Be it enacted by the Senate and House of the Representatives of the Philippines in Congress assembled:

SECTION 1. It is hereby mandated that all sellers of prepaid SIM cards require buyers of prepaid SIM cards to present government issued ID's with picture before selling them to the buyers

SEC. 2. The sellers are also mandated to record all the personal information of the buyer and register the same with the telecommunications company of the SIM card bought

SEC. 3. The telecommunications companies shall only activate the SIM cards after registering all the information of the buyer in their database.

SEC. 4. Administrative Sanctions. - Telecommunications companies violating this Act shall be suspended from selling the SIM cards until full compliance of this Act.

SEC. 5. Massive Information or Campaign - A massive information campaign must be introduced by the National Telecommunications Commission in cooperation with the Philippine Information Agency to inform the public of the need for mandatory registration of pre-paid SIM Cards.

SEC. 6. Penal Provisions - Any person, whether juridical or natural caught violating any of the provisions of this Act shall be held liable to pay a fine of not less than One hundred Thousand Pesos (P100,000) nor more than One Million Pesos (P1,000,000) and imprisonment of not less than one (1) year nor more than two (2) years

If the offense is committed by a corporate entity the President and other executive officers shall be held liable for the above penalties.

SEC. 8. *Separability Clause* -- If for any reason, any part of or provision of this Act is declared unconstitutional or invalid, such parts not affected thereby shall remain in full force and effect.

SEC. 9. *Repealing Clause* -- Any law, executive order, letter of instruction, rules and regulations, circulars, issuances or any part thereof inconsistent with any of the provisions of this Act is hereby repealed, modified or amended accordingly.

SEC. 10. *Effectivity* -- This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.