

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 SEP -8 A9 :06

SENATE

S. No. 1297

RECEIVED BY

Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
REQUIRING THE REGISTRATION OF SUBSCRIBER IDENTITY MODULE
(SIM) CARDS IN MOBILE PHONES**

EXPLANATORY NOTE

Mobile phones have been one of the leading communication mediums for its efficiency and convenience.

The Philippines has the distinction of being the text-messaging capital of the world due to the large volume of Short Messaging System (SMS) traffic exchange in the country. We are also called the social media capital of the world because most of the social media users have an extraordinarily high usage time of about four hours per day. It has been estimated that the number of cellular phone subscribers in the country reached over twenty-three million and is still growing at a rapid rate.¹ Many of these mobile phone users are prepaid subscribers.

Prepaid Subscriber Identity Module (SIM) cards are easily accessible i.e. it can be bought almost everywhere. It's affordable, fairly easy to use and no documentary requirements are needed in order to avail of it thus the owners can likewise easily evade detection since prepaid SIM cards are virtually undetectable. Due to this, unscrupulous individuals almost always take advantage of the same in the pursuit of their criminal activities.

¹ <https://aseanow.com/topic/1240038-why-is-philippines-the-text%20messaging-capital-of-the-world/>

Modern-day criminals have been using mobile phones as a means to commit unlawful activities due to the untraceable features of owning a SIM card. Through the years, there have been instances of *budol-budol* and other types of scams. Recently, the proliferation of spam and phishing text messages have risen into epidemic proportions. At the minimum it is just an unwelcome nuisance to our mobile phone users but for some unfortunate individuals it has resulted to stolen personal information and property.

It therefore becomes imperative for lawmakers to ensure that the benefits we derive from this technology should be used properly and not be abused to proliferate the evils in our society.

The proposed bill seeks to establish a system wherein users are required to register their SIM cards and confirm their identity not only to prevent crimes but to make the perpetrators liable.

In view of the foregoing, the passage of this bill is earnestly sought.



RAMON BONG REVILLA, JR.

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

1 Section 1. *Short Title.* - This Act shall be known as the "*Mandatory SIM Card*
2 *Registration*".

3
4 Sec. 2. *Declaration of Policy.* - The State recognizes the vital role of
5 communication and information in nation building. The introduction of modern
6 telecommunications technology with the view of providing the widest information
7 dissemination is greatly encouraged. However, possession of the most modern
8 technology comes with tremendous responsibility. A mechanism must be put in place
9 to ensure its effective use for the good of all while preventing its illegal or malicious
10 use to benefit a few. Towards this end, the State shall require the registration of all
11 users of prepaid subscriber identity module (SIM) cards.

12
13 Sec. 3. *Definitions.* - For purposes of this Act,

- 14 1. "SIM Card" refers to the Subscriber Identity Module (SIM) Card in a
15 mobile phone;
16 2. "Mobile Phone Company" refers to any mobile telecommunication
17 service provider, including but not limited to Globe and Smart PLDT;
18 3. "NTC" refers to the National Telecommunications Commission.

- 1 4. Public Telecommunications Entity or PTE refers to any duly enfranchised
2 and authorized public telecommunications entity that offers voice, short
3 messaging system (SMS/text), mobile data, value-added services (VAS)
4 or any other telecommunications services to the public for a fee;
- 5 5. SIM Card Register - shall mean a database of the Service Provider's
6 prepaid and postpaid subscribers containing the information required
7 under Section 4 of this Act;
- 8 6. Service Provider - shall mean a telecommunications entity providing
9 telecommunications services to its subscribers;
- 10 7. Third Party Reseller - shall mean any entity who sells Prepaid SIM Cards,
11 other than Service Providers

12
13 *Sec. 4. SIM Card Registration.* - Every direct seller shall require the end user of
14 a SIM card to present valid identification with a photo to ascertain the latter's identity.
15 Every mobile phone company shall be required to register its subscribers, both prepaid
16 and postpaid, and maintain a directory thereof, indicating therein the SIM Card serial
17 number, mobile phone number, name, and address of the subscriber. Any change in
18 the information required in the SIM Card Registration must be registered with the
19 mobile phone company within fifteen (15) days from the occurrence of such change.
20

21 *Sec 5. Data Privacy and Confidentiality.* - Personal information in SIM Card
22 Registration shall be treated as private and confidential, unless otherwise specified by
23 the subscriber. It shall not be inquired or looked into, except upon probable cause to
24 be determined personally by the judge after examination under oath or affirmation of
25 the complainant and the witnesses, if any.
26

27 *Sec. 6. Sale of SIM Cards.* - Every seller shall require his or her buyer of a SIM
28 Card to present valid identification with a picture to ascertain the identity of the buyer.
29 The seller shall further require the buyer to accomplish a registration form issued by
30 the mobile phone company of the SIM Card being purchased. For this purpose, mobile
31 phone companies shall issue SIM Card registration forms. The seller shall then
32 promptly submit the accomplished registration form to the concerned mobile phone

1 company not later than fifteen (15) days from the date of sale. Data privacy and
2 confidentiality in the SIM Card registration in Section 5 shall start to apply at the point
3 of sale. A buyer who does not produce valid identification with a picture and
4 accomplishes a SIM Card registration form shall, in accordance with the preceding
5 paragraph, be refused the sale of a SIM Card by the seller.

6
7 *Sec. 7. Integration with the Philippine Identification System Act.* - The
8 implementation of this act shall aim to be integrated with the implementation of
9 Republic Act No. 11055, otherwise known as the Philippine Identification System Act.

10
11 *Sec. 8. Implementing Rules and Regulations.* - Within ninety (90) days from
12 the effectivity of this Act, the NTC, in coordination with Department of Information
13 and Communication Technology, concerned agencies and Public Telecommunications
14 Entity, shall promulgate the rules and regulations and other issuances as may be
15 necessary, to ensure the effective implementation of this Act.

16
17 *Sec. 9. Penalty Provision.* - Any violation of the provisions of this Act shall be
18 punished with a fine ranging from five thousand pesos (P5,000.00) to fifty thousand
19 pesos (P50,000.00).

20
21 *Sec. 10. Transitory Provision.* - All existing subscribers who have no SIM Card
22 registration yet are required to register their SIM Cards with their respective mobile
23 phone companies within three (3) months from the effectivity of this Act. Failure to
24 register within the prescribed period shall result in the deactivation of the SIM Card.
25 The deactivated SIM Card may only be reactivated after registration in accordance
26 with this Act.

27
28 *Sec. 11. Repealing Clause.* - All laws, decrees, orders, rules and regulations or
29 other issuances or parts thereof inconsistent with the provisions of this Act are hereby
30 repealed or modified accordingly.

31
32 *Sec. 12. Separability Clause.* - If any portion or provision of this Act is declared

1 unconstitutional, the remainder of this Act or any provision not affected thereby shall
2 remain in force and effect.

3
4 Sec. 13. *Effectivity.* - This Act shall take effect fifteen (15) days following the
5 completion of its publication either in the Official Gazette or in two (2) newspapers of
6 general circulation in the Philippines.

Approved,