

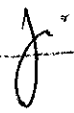
SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

Senate
Office of the Secretary

14 DEC -9 P 4 :01

SENATE

Senate Bill No. 2500

RECEIVED BY: 

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

**AN ACT
TO CREATE OFFENSES IN RESPECT OF UNIQUE ELECTRONIC
EQUIPMENT IDENTIFIERS OF MOBILE WIRELESS COMMUNICATIONS
DEVICES**

EXPLANATORY NOTE

There are several kinds of unique electronic equipment identifiers of mobile wireless communications devices – there is the Mobile Equipment Identifier (MEID) which is a “globally unique number identifying a physical piece of CDMA mobile station equipment” similar to IMEI; the Electronic Serial Numbers (ESNs) which uniquely identifies mobile devices mainly CDMA phones and is also similar to IMEI; and, there is also the Personal Identification Number (PIN) which is used to identify the equipment model and is required when swapping or switching to a Blackberry device.

International Mobile Equipment Identity (IMEI) is a set of numbers used by Global System for Mobile Communications (GSM) which is unique to each valid mobile wireless communications device. It is used to identify a device and can be used for disabling it from accessing network/s. Hence, this is useful in deactivating stolen devices. In fact, the National Telecommunications Commission (NTC), upon the request of the owner, can block a specific phone unit that was lost or stolen by requiring several details including the phone's IMEI.

Such identifiers are not only useful in identifying devices. They also serve as protection of the owners and deterrent for those who intend to steal such devices because thru these identifiers, the devices that they stole can be rendered useless.

However, there are procedures and gadgets that are being done and used to alter or interfere with such unique electronic equipment identifiers. To preserve the purpose for which these identifiers were created, this measure proposes to penalize those who re-program mobile telephones and those who possesses or supplies anything which can be used to re-program mobile telephones.

This measure was authored by Senator Manny Villar in the 15th Congress but was not passed into law.

The immediate passage of this bill is earnestly sought.




JINGGOY EJERCITO ESTRADA
Senator

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

- 1 **SECTION 1.** *Re-programming mobile telephone.* – A person commits an offense
2 if –
3
4 (a) he changes a unique device identifier; or
5 (b) he interferes with the operation of a unique device identifier.
6
7 A unique device identifier is an electronic equipment identifier which is unique to
8 a mobile wireless communications device.
9
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11 **SEC. 2.** *Possession of anything for re-programming purposes.* – A person
12 commits an offense if –
13
14 (a) he has in his custody or under his control anything which may be used for
15 the purpose of changing or interfering with the operation of a unique
16 device identifier; and,
17 (b) he intends to use the thing unlawfully for that purpose or to allow it to be
18 used unlawfully for that purpose
19
20
21 **SEC. 3.** *Supply of anything for re-programming purposes.* – A person commits
22 an offense if –
23
24 (a) he supplies anything which may be used for the purpose of changing or
25 interfering with the operation of a unique device identifier; and,
26 (b) he knows or believes that the person to whom the thing is supplied intends
27 to use it unlawfully for that purpose.
28
29
30 **SEC. 4.** A person commits an offense if –
31

- 1 (a) he offers to supply anything which may be used for the purpose of
2 changing or interfering with the operation of a unique device identifier;
3 and,
4 (b) he knows or believes that the person to whom the thing is offered intends
5 if it is supplied to him to use it unlawfully for that purpose or to allow it to
6 be used unlawfully for that purpose.

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9 **SEC. 5. Penalties.** – A person guilty of an offense under this Act is liable to
10 imprisonment for a term not exceeding five (5) years and / or to a fine not
11 exceeding Twenty Thousand Pesos (P20,000.00).

12
13
14 **SEC. 6. Exemptions.** – A person does not commit an offense under this Act if –

- 15
16 (a) he is the manufacturer of the device; or,
17 (b) he does the act with the written consent of the manufacturer of the device.

18
19
20 **SEC. 7. Separability Clause.** – If for any reason, any provision of this Act is
21 declared invalid or unconstitutional, the remaining provisions not affected thereby
22 shall continue to be in full force and effect.

23
24
25 **SEC. 8. Repealing Clause.** – Any law, presidential decree, executive order, or
26 issuance, rules and regulations inconsistent with this Act is hereby repealed or
27 modified accordingly.

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30 **SEC. 9. Effectivity Clause.** – This Act shall take effect after fifteen (15) days
31 following its complete publication in the Official Gazette or in two (2) newspapers
32 of general circulation.

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38 *Approved,*