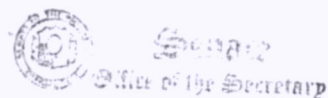


SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Second Regular Session )



'18 MAR 12 P3:21

**SENATE**

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**COMMITTEE REPORT NO. 277**

Prepared and submitted jointly by the Committees on Justice and Human Rights; Finance; and Public Information and Mass Media, as recommended by the **Subcommittee on National Identification System Act** on MAR 12 2018.

Re: Senate Bill No. 1738.

Recommending its approval in substitution of Senate Bill Nos. 15, 41, 69, 95, 917, 1500, 1510, 1577, 1579 and 1267 taking into consideration House Bill No. 6221.

Sponsor: Senator Lacson

**MR. PRESIDENT:**

The Committees on Justice and Human Rights; and Finance; and Public Information and Mass Media, to which was referred Senate Bill No. 15, introduced by Senators Drilon, Legarda, Ejercito, and Villar, entitled:

**"AN ACT  
ESTABLISHING THE PHILIPPINE IDENTIFICATION SYSTEM"**

Senate Bill No. 41, introduced by Senator Lacson, entitled:

**"AN ACT  
INSTITUTING A NATIONAL REFERENCE SYSTEM"**

Senate Bill No. 69, introduced by Senator Recto and Villanueva, entitled:

**"AN ACT  
ESTABLISHING THE FILIPINO IDENTIFICATION SYSTEM, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES"**

Senate Bill No. 95, introduced by Senator Trillanes IV, entitled:

**"AN ACT  
ESTABLISHING THE FILIPINO IDENTIFICATION SYSTEM, AND  
APPROPRIATING FUNDS THEREFOR"**

Senate Bill No. 917, introduced by Senator Aquino IV, entitled:

**"AN ACT  
ESTABLISHING THE FILIPINO IDENTIFICATION SYSTEM, PROVIDING FUNDS  
THEREFOR, AND FOR OTHER PURPOSES"**

Senate Bill No. 1500, introduced by Senator Zubiri, entitled:

**"AN ACT  
ESTABLISHING THE FILIPINO IDENTIFICATION SYSTEM, PROVIDING FUNDS  
THEREFOR, AND FOR OTHER PURPOSES"**

Senate Bill No. 1510, introduced by Senator Gordon, entitled:

**"AN ACT  
ESTABLISHING THE FILIPINO IDENTIFICATION SYSTEM, PROVIDING FUNDS  
THEREFOR, AND FOR OTHER PURPOSES"**

Senate Bill No. 1577, introduced by Senator Pacquiao, entitled:

**"AN ACT  
ESTABLISHING THE FILIPINO IDENTIFICATION SYSTEM"**

Senate Bill No. 1579, introduced by Senator Angara, entitled:

**"AN ACT  
ESTABLISHING THE FILIPINO IDENTIFICATION SYTEM"**

and Senate Bill No. 1267, introduced by Senator Gatchalian, entitled:

**"AN ACT  
ESTABLISHING A NATIONAL DATABASE SYSTEM AND THE NATIONAL  
DATABASE AUTHORITY, PROVIDING ITS POWERS AND FUNCTIONS, AND  
APPROPRIATING FUNDS THEREFOR"**

taking into consideration House Bill No. 6221, introduced by Representatives Belmonte F., Alejano, Nograles K.A., Nograles, J.J., et. al., entitled:

**"AN ACT  
ESTABLISHING THE FILIPINO IDENTIFICATION SYSTEM"**

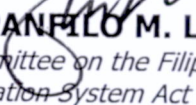
have considered the same and have the honor to report these bills back to the Senate with the recommendation that the attached bill, Senate Bill No. 1738, prepared by the Committees, entitled:

**"AN ACT  
ESTABLISHING THE PHILIPPINE IDENTIFICATION SYSTEM"**

be approved in substitution of Senate Bill Nos. Senate Bill Nos. 15, 41, 69, 95, 917, 1500, 1510, 1577, 1579 and 1267, taking into consideration House Bill No. 6221 with Senators Drilon, Ejercito, Legarda, Villar, Lacson, Recto, Villanueva, Trillanes IV, Aquino IV, Zubiri, Gordon, Pacquiao, Angara and Gatchalian as authors thereof.

Respectfully submitted:

**Chairpersons:**

  
**SEN. PANFILO M. LACSON**  
*Subcommittee on the Filipino  
Identification System Act*

  
**SEN. RICHARD J. GORDON**  
*Committee on Justice and Human Rights*


**SEN. GRACE POE**  
*Committee on Public Information  
and Mass Media*

  
**SEN. LOREN B. LEGARDA**  
*Committee on Finance*

**Vice Chairpersons:**

  
**SEN. CYNTHIA A. VILLAR**  
*Committee on Finance*

**SEN. SONNY ANGARA**  
*Committee on Finance*

  
**SEN. PAOLO BENIGNO BAM"  
AQUINO IV**  
*Committee on Finance*

  
**SEN. JOSEPH VICTOR G. EJERCITO**  
*Committee on Finance*

*Members:*



**SEN. JUAN MIGUEL F. ZUBIRI**



**SEN. EMMANUEL "MANNY" D. PAQUIAO**



**SEN. GREGORIO B. HONASAN II**

**FRANCIS "CHIZ" G. ESCUDERO**



**SEN. WIN GATCHALIAN**



**SEN. MARIA LOURDES NANCY S. BINAY**

**SEN. JOEL VILLANUEVA**

**SEN. RISA HONTIVEROS**

**SEN. FRANCIS N. PANGILINAN**



**SEN. ANTONIO "SONNY" F. TRILLANES IV**

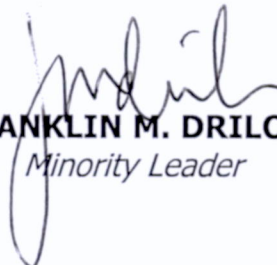
*Ex Officio Members:*



**RALPH G. RECTO**  
*President Pro Tempore*



**VICENTE C. SOTTO III**  
*Majority Leader*



**FRANKLIN M. DRILON**  
*Minority Leader*

**AQUILINO "KOKO" PIMENTEL III**  
*Senate President*

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



Senate

Office of the Secretary

'18 MAR 12 P 3:21

SENATE  
Senate Bill No. **1738**

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Prepared and submitted jointly by the Committees on Justice and Human Rights; Finance and Public Information and Mass Media, as recommended by the Subcommittee on National Identification System Act with Senators Drilon, Ejercito, Legarda, Villar, Lacson, Recto, Villanueva, Trillanes IV, Aquino IV, Zubiri, Gordon, Pacquiao, Angara, Gatchalian and 8 as authors thereof

**AN ACT**  
**ESTABLISHING THE PHILIPPINE IDENTIFICATION SYSTEM**

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

1           **Sec. 1. Short Title.** – This Act shall be known as the “Philippine Identification  
2 System Act of 2018”.

3           **Sec. 2. Declaration of Policies.** – It is hereby declared the policy of the State  
4 to establish a single national identification system referred to as the “Philippine  
5 Identification System” or the “PhilSys” for all citizens and resident aliens of the Republic  
6 of the Philippines to promote seamless delivery of service, to improve the efficiency,  
7 transparency, and targeted delivery of public and social services, to enhance  
8 administrative governance, to reduce corruption and curtail bureaucratic red tape, to  
9 avert fraudulent transactions and misrepresentations, to strengthen financial inclusion,  
10 and to promote ease of doing business. Towards this end, a resilient digital system shall  
11 be deployed to secure the data collected and ensure that the people’s right to privacy,  
12 confidentiality and other basic rights are at all times upheld and protected.

13           It is also the declared policy of the State to recognize the indispensable role of  
14 the private sector as the main engine of national growth and development, and to  
15 provide the most appropriate incentives to mobilize private resources for the purpose of

1 promoting the use and ensuring maximum efficiency of the PhilSys as envisioned in this  
2 Act.

3 **Sec. 3. Objectives.** – The PhilSys, a foundational identification system, shall  
4 primarily be established to provide a valid proof of identity for all citizens and resident  
5 aliens as a means of simplifying public and private transactions. The PhilSys aims to  
6 eliminate the need to present other forms of identification when transacting with the  
7 government and the private sector, subject to appropriate authentication measures  
8 based on a biometric identification system.

9 Furthermore, the PhilSys shall be a social and economic platform through which  
10 all transactions including public and private services can be availed of and shall serve as  
11 the link in the promotion of seamless service delivery, enhancing administrative  
12 governance, reducing corruption, strengthening financial inclusion, and promoting ease  
13 of doing business.

14 **Sec. 4. Scope and Application.** – This Act shall apply to all persons or  
15 entities, natural or juridical, in all transactions where the PhilSys Number, Philippine ID  
16 (PhilID), or biometric information is required, presented, or used, whether legally or  
17 illegally, within or outside the Republic of the Philippines.

18 **Sec. 5. Definition of Terms.** – As used in this Act:

19 (a) *Authentication* refers to the process of verifying, whether online or offline,  
20 the identity of an individual against the registry information in the PhilSys  
21 or PhilID;

22 (b) *Biometric exceptions* refer to instances whereby a citizen or resident alien  
23 is not able to give complete set of biometrics as required by PhilSys but is  
24 nevertheless admitted into the PhilSys;

25 (c) *Biometric information* refers to facial image, fingerprint, iris scan and/or  
26 such other identifiable features of an individual;

- 1 (d) *Cardholder* refers to a citizen or resident alien who has been registered  
2 under the PhilSys and who has been issued and thus, in possession of the  
3 Philippine ID Card;
- 4 (e) *Citizen* refers to a Filipino citizen, as defined in the Constitution, including  
5 those with dual or multiple citizenships, in accordance with Republic Act  
6 No. 9225, otherwise known as the Citizenship Retention and Re-  
7 acquisition Act of 2003;
- 8 (f) *Foundational ID System* is one that has been created for general public  
9 administration and identification which may serve as the basis for a wide  
10 variety of public and private transactions, services, and derivative identity  
11 credentials;
- 12 (g) *Mobile Registration* refers to transportable registration centers;
- 13 (h) *Personal information* refers to any information whether recorded in a  
14 material form or not, from which the identity of an individual is apparent  
15 or can be reasonably and directly ascertained by the entity holding the  
16 information, or when put together with other information would directly  
17 and certainly identify an individual as defined in Republic Act No. 10173,  
18 otherwise known as the Data Privacy Act of 2012;
- 19 (i) *Philippine Embassy or Philippine Foreign Service post* refers to a  
20 diplomatic mission or consular office of the Republic of the Philippines in a  
21 foreign country, including the economic and cultural office of the  
22 Philippines, or the like, in a foreign territory.
- 23 (j) *Record history* refers to an entry in the PhilSys consisting of the  
24 information regarding a registered person in connection with his or her  
25 entries in the system and his or her PhilID, as follows:
- 26 (1) Date of filing of the application for registration and the particulars  
27 thereof;

- 1 (2) Date of filing of every application for modification and the  
2 particulars thereof;
- 3 (3) Modification of entry made, the date such modification was made,  
4 and the document/s or other proof submitted in support thereof;
- 5 (4) Reason for the omission of any entry;
- 6 (5) Dates of issuance, reissuance, and cancellation of the PhilID, and  
7 including the reasons therefor;
- 8 (6) Details of authentication requests processed by the Philippine  
9 Statistics Authority (PSA), including the date the request was made  
10 and processed, the requesting entity, and the response provided by  
11 PhilSys;
- 12 (7) Disclosure, conveyance, dissemination, publication and use of  
13 information by third parties; and,
- 14 (8). Other relevant information regarding the registration, modification,  
15 and authentication of personal information of a citizen or resident  
16 alien under this Act;
- 17 (k) *Registered information* refers to any personal information regarding a  
18 citizen or resident alien recorded in the PhilSys, including biometric  
19 information and information about a citizen or resident alien required  
20 under this Act to be recorded under the PhilSys.
- 21 (l) *Registered person* refers to a person who has been registered under the  
22 PhilSys.
- 23 (m) *Registration* refers to the process of entering demographic and biometric  
24 information of citizens or resident aliens in the Philippines to the system.
- 25 (n) *Registration centers* refer to necessary facilities to capture both  
26 demographic and biometrics information required for Philsys as  
27 enumerated in Section 9 of this Act;



1 (o) *Resident alien* refers to an individual who is not a citizen of the Philippines  
2 but has established residence in the Philippines for an aggregate period of  
3 more than 180 days.

4 **Sec. 6. *The Philippine Identification System (PhilSys).*** – The PhilSys is the  
5 government’s central identification platform for all citizens and resident aliens of the  
6 Philippines. An individual’s record in the PhilSys shall be considered as an official and  
7 sufficient proof of identity.

8 **Sec. 7. *Philippine Identification System Components.*** – The Philippine  
9 Identification System shall have the following key components:

10 **a. *PhilSys Number (PSN).*** – The PSN is a randomly generated, unique, and  
11 permanent identification number that will be assigned to every citizen or resident  
12 alien upon birth or registration by the PSA. All government agencies, including  
13 government-owned or controlled corporations (GOCCs) shall incorporate in their  
14 identification systems and databases the PSN of covered individuals which shall  
15 be the standard number for the individual across all agencies of the government;  
16 The PSN, in print, electronic or any other form, subject to authentication, shall be  
17 accepted as sufficient proof of identity.

18 **b. *The PhilSys Registry.*** – The PSA, as repository and custodian of all data,  
19 shall create and maintain a PhilSys Registry that will contain the PSN, registered  
20 records, and information of all persons registered in the PhilSys. The information  
21 in the PhilSys Registry shall be classified in a manner that allows safeguards for  
22 data privacy and security, access controls, and change management.

23 **c. *The PhilID.*** – A non-transferable card shall preferably be issued to all citizens or  
24 resident aliens registered under the PhilSys subject to the guidelines to be issued  
25 by the PSA.

26 **1. *Features.*** The PhilID Card shall be the physical medium issued to convey  
27 essential information about the person’s identity containing on its face the

1 PSN, full name, facial image, date of birth, address and some fingerprint  
2 information of the individual in whose favor it was issued. All information  
3 appearing in the PhilID should match with the registered information in  
4 the PhilSys. The PhilID shall contain security features as safeguards for  
5 data privacy and security, and prevention against the proliferation of  
6 fraudulent or falsified identification cards. The PSA in consideration of  
7 advances in technology, utility, security and confidentiality may, subject to  
8 appropriate guidelines that shall be issued on the matter, provide citizens  
9 or resident aliens with mobile PhilID;

10 **2. Purpose.** The PhilID shall serve as the official government-issued  
11 identification document of cardholders in dealing with all national  
12 government agencies, local government units (LGUs), government-owned  
13 or controlled corporations (GOCCs), government financial institutions  
14 (GFIs), and all private sector entities;

15 **3. Fees.** The initial application and issuance as well as the renewal of the  
16 PhilID for citizens shall be free of charge. A standard fee shall be collected  
17 by the issuing agency from resident aliens and on the reissuance of a  
18 replacement card: Provided, That the PSA may identify instances wherein  
19 a replacement card may be issued free of charge.

20 **Sec. 8. PhilSys Registry Data.** –Information to be collected and stored under  
21 the PhilSys shall be limited to the following:

- 22 i. Demographic Data
  - 23 1. Full Name;
  - 24 2. Sex;
  - 25 3. Date of Birth;
  - 26 4. Place of Birth;

- 1           5. Address;
- 2           6. Filipino or Resident Alien;
- 3           7. Mobile Number (optional); and
- 4           8. E-mail address (optional)

5       ii. Biometrics Information

- 6           1. Facial image;
- 7           2. Full set of fingerprints;
- 8           3. Iris scan; and
- 9           4. If necessary, other identifiable features of an individual as may be
- 10           determined in the Implementing Rules and Regulations

11           In case of visual or physical impairment that renders the capturing of the  
12 biometric information of the person applying for registration impossible, biometric  
13 exceptions shall be employed and allowed by the PSA. The PSA shall issue guidelines  
14 for the appropriate age for capturing the biometrics information of minors.

15           **Sec. 9. Registration.** – One (1) year after the effectivity of this Act, every  
16 citizen or resident alien shall register personally with the following registration centers  
17 that have the necessary facilities to capture the information required to be contained in  
18 the Registry:

- 19           1) PSA Regional and Provincial Offices;
- 20           2) Local Civil Registry Offices (LCROs);
- 21           3) Government Service Insurance System (GSIS);
- 22           4) Social Security System (SSS);
- 23           5) Philippine Health Insurance Corporation (PhilHealth);
- 24           6) Home Development Mutual Fund (HDMF);

- 1 7) Commission on Elections (COMELEC);
- 2 8) Philippine Postal Corporation (PhilPost); and
- 3 9) Other government agencies and government-owned and controlled
- 4 corporations (GOCCs) as may be assigned by the PSA.

5 In the case of Filipino citizens residing abroad, the registration shall be made in  
6 the nearest Philippine Embassy or Philippine Foreign Service post, or other registration  
7 centers that may be designated by the DFA in coordination with the PSA.

8 Special arrangements shall be made for the registration of the following:

- 9 1) Minors;
- 10 2) Senior Citizens;
- 11 3) Persons with disability;
- 12 4) Indigenous Persons; and,
- 13 5) Persons in Institutional Households.

14 The PSA shall also initiate mobile registrations to cater to citizens and resident  
15 aliens in remote areas.

16 Registration in the PhilSys is deemed successful and complete upon the issuance  
17 of the PSN and confirmation of registration by the PSA.

18 **Sec. 10. Basic Documentary Requirements.** – The registration centers shall  
19 require the presentation of the applicant’s birth certificate as a basic documentary  
20 requirement for identification of citizens seeking to register with the PhilSys: Provided,  
21 That for resident aliens, proof of his/her residence in the Philippines shall be required:  
22 Provided, further, That in order to ensure easier verification, citizens and resident aliens  
23 may be allowed to submit an alternative or additional document/s to prove his/her  
24 identity. Notwithstanding the foregoing, appropriate guidelines shall be issued to ensure  
25 that the registration is not prohibitive and restrictive as to unduly defeat the purpose of  
26 this Act.

1           **Sec. 11. *Change of Entries.*** - In case of change in any of the entries in the  
2 information collected and stored under the PhilSys, citizens or resident aliens shall  
3 update their registration information in the manner to be specified by the PSA:  
4 Provided, That every ten (10) years after registration, citizens and when applicable,  
5 resident aliens, shall renew his/her registration to ensure continued accuracy of the  
6 registrant information.

7           **Sec. 12. *Authentication.*** – For purposes of establishing proof of identity for  
8 transacting business with any government agency, the presentation of the PhilID or  
9 PSN shall constitute sufficient proof thereof, subject to proper authentication. Private  
10 entities are likewise mandated to accept the PhilID or PSN as valid proof of identity  
11 under the same terms and conditions as above: Provided, That when authentication  
12 cannot be performed, without any fault on the part the cardholder or holder of a PSN,  
13 the PSA shall ensure that he/she will not be disadvantaged or prejudiced thereby.

14           The PSA shall perform authentication of the PSN of an individual submitted by  
15 any requesting entity, in relation to his biometric information or demographic  
16 information, subject to such conditions and upon payment of such fees and in such  
17 manner as may be specified by regulations. The PSA may charge reasonable fees for  
18 authentication services as it may deem necessary.

19           Any requesting entity shall obtain the consent of an individual before collecting  
20 his/her identity information for the purposes of authentication. It shall inform the  
21 individual submitting his/her identity information the following details, namely, (a) the  
22 nature of the information that may be shared upon authentication, and (b) the uses to  
23 which the information received during authentication may be put by the requesting  
24 entity. Provided, That the information requested shall only be used for the purpose for  
25 which it was requested.

1           **Sec. 13. Use of the PhilID/PSN.** –The PhilID shall be honored and accepted,  
2 subject to authentication, in all transactions requiring proof or verification of citizens or  
3 residents’ alien identity, such as, but not limited to:

- 4           (a) Application for eligibility and access to social welfare and benefits granted  
5                 by the government;
- 6           (b) Application for services and benefits offered by Government Service  
7                 Insurance System (GSIS), Social Security Service (SSS), PhilHealth, Home  
8                 Development Mutual Fund (HDMF), and other government agencies;
- 9           (c) Applications for passports and driver’s license;
- 10          (d) Tax-related transactions;
- 11          (e) Registration and voting identification purposes;
- 12          (f) Admission to any government hospital, health center or similar institution;
- 13          (g) All other government transactions;
- 14          (h) Application for admission in schools, colleges, learning institutions and  
15                 universities, whether public or private;
- 16          (i) Application and transaction for employment purposes;
- 17          (j) Opening of bank accounts and other transactions with banks and other  
18                 financial institutions;
- 19          (k) Such other transactions, uses or purposes, as may be defined in the  
20                 implementing rules and regulations.

21           The PSN and biometrics of an individual, as authenticated through the PhilSys,  
22 shall be honored and accepted, notwithstanding the absence or non-presentation of a  
23 PhilID.

24           **Sec. 14. Limitations.** – Proof of identity shall not necessarily be construed as  
25 proof of eligibility to avail of certain benefits and services which shall be determined  
26 based on applicable rules and regulations of the government authorities/agencies

1 concerned. Issuance of the PSN and/or PhilID shall not likewise be construed as  
2 incontrovertible proof of citizenship.

3 **Sec. 15. *Philippine Statistics Authority.*** – The PSA shall be the primary  
4 implementing agency to carry out the provisions of this Act. Overall planning,  
5 management, and administration of the PhilSys shall be the responsibility of the PSA. It  
6 shall issue rules in the implementation and enhancement of the PhilSys, including, but  
7 not limited to, registration, authentication and data governance. It shall ensure the  
8 integrity and security of the same, in accordance with the provisions of this Act,  
9 including all other applicable laws and policies. The PSA shall issue guidelines and  
10 undertake measures to ensure secure, reliable and efficient authentication of PhilSys  
11 record upon the request of authorized government and private entities. Pursuant  
12 thereto, the State shall provide for the installation of state-of-the-art biometric  
13 machines in all relevant agencies for authentication of data and identity holders.

14 The PSA shall collaborate with local government units (LGUs), other government  
15 agencies, and GOCCs in order to ensure the registration and enrolment of all citizens  
16 and resident aliens into the PhilSys including the Indigenous Cultural  
17 Communities/Indigenous Peoples (ICCs/IPs) and those located in remote localities.

18 The PhilSys shall be managed, maintained, and administered by the PSA with the  
19 technical assistance of the Department of Information and Communications Technology  
20 (DICT). Nothing in this Act prevents the PSA from adopting new but more effective  
21 technology, including for registration, authentication and data security, taking into  
22 consideration the declared principles and objectives of this Act.

23 For the above-mentioned purposes, there shall be established within the PSA and  
24 directly under the Office of the National Statistician, a separate office to be headed by a  
25 Deputy National Statistician, which shall perform the functions provided for under this  
26 Act.

1           **Sec. 16. Creation of the PhilSys Policy and Coordination Council**

2           **(PSPCC).** The PhilSys Policy and Coordination Council (PSPCC) is organized to  
3           formulate policies and guidelines to ensure effective coordination and implementation of  
4           the PhilSys. The PSPCC shall be composed of the following:

- 5           1. Secretary, National Economic and Development Authority (NEDA) --  
6           Chairperson
- 7           2. National Statistician and Civil Registrar General, Philippine Statistics  
8           Authority (PSA) -- Co-Chairperson
- 9           3. Undersecretary, Department of Budget and Management (DBM) --  
10           Vice-Chairperson

11           **Members:**

- 12           4. Undersecretary, Department of Foreign Affairs (DFA)
- 13           5. Undersecretary, Department Information and Communications Technology  
14           (DICT)
- 15           6. Undersecretary, Department of Finance (DOF)
- 16           7. Undersecretary, Department of Social Welfare and Development (DSWD)
- 17           8. Undersecretary, Department of Interior and Local Government (DILG)
- 18           9. Chairman, National Privacy Commission (NPC)
- 19           10. Deputy Governor, Bangko Sentral ng Pilipinas (BSP)
- 20           11. President and General Manager, Government Service Insurance System  
21           (GSIS)
- 22           12. President and Chief Executive Officer, Philippine Health Insurance  
23           Corporation (PHIC)
- 24           13. President and Chief Executive Officer, Social Security System (SSS)
- 25           14. Postmaster General, PhilPost



1 The PSPCC shall ensure the compatibility of the respective technology  
2 infrastructure of different government agencies in order to comply with the  
3 requirements of PhilSys.

4 **Sec. 17. Protection Against Unlawful Disclosure of**  
5 **Information/Records.** – No person may disclose, collect, record, convey,  
6 disseminate, publish, or use any information of registered persons with the PhilSys, give  
7 access thereto or give copies thereof to third parties or entities, including law  
8 enforcement agencies, national security agencies, or units of the Armed Forces of the  
9 Philippines (AFP), except in the following circumstances:

- 10 (a) When the registered person has given his or her consent, specific to the  
11 purpose prior to the processing;
- 12 (b) When the compelling interest of public health or safety so requires,  
13 relevant information may be disclosed provided that the risk of significant  
14 harm to the public is established and the owner of the information is  
15 notified within seventy two (72) hours of the fact of such disclosure; and,
- 16 (c) Upon the order of any competent court.

17 Information disclosed shall not be used except for the specific purpose for which  
18 it was authorized and shall not be divulged by any person to any third party other than  
19 the person so authorized.

20 PSA must ensure that information in the PhilSys is used only in accordance with  
21 its intended purpose as set forth in this Act.

22 Any information obtained as a result of unlawful disclosure under this Act shall  
23 be inadmissible in any judicial, quasi-judicial or administrative proceedings.

24 Registered persons may request the PSA to provide access to his or her  
25 registered information and record history subject to the guidelines and regulations to be  
26 issued by the PSA.

1 **Sec. 18. Safeguards on the Philippine Identification System (PhilSys).** – The  
2 PSA with the technical assistance of the DICT shall implement reasonable and  
3 appropriate organizational, technical, and physical security measures to ensure that the  
4 information gathered for the PhilSys, including information stored in the PhilSys  
5 Registry, is protected from unauthorized access, use, disclosure, and against accidental  
6 or intentional loss, destruction, or damage. Moreover, PSA shall ensure that individuals  
7 are adequately informed upon registration for PhilSys on how their data will be used  
8 and how they can access their registered information and record history.

9 While upholding the confidentiality provisions under RA No. 10625, otherwise  
10 known as the Philippine Statistical Act of 2013, all data collated by the Authority under  
11 the PhilSys may be used to generate aggregate data or statistical summaries without  
12 reference to or identification of any specific individual. Provided, that nothing in this Act  
13 shall be construed as prohibiting or limiting the sharing or transfer of any personal data  
14 that is already authorized or required by law.

15 **Sec. 19. Penal Provision.** Any person or entity who, without just and sufficient  
16 cause, shall refuse to accept, acknowledge and/or recognize the PhilID or PSN, subject  
17 to authentication, as the only official identification of the holder/possessor thereof shall  
18 be fined in the amount of Five Hundred Thousand Pesos (P500,000.00).

19 Any person who utilizes the PhilID or PSN in an unlawful manner or use the  
20 same to commit any fraudulent act or for other unlawful purpose/s shall be punished  
21 with imprisonment of not less than six (6) months but not more than two (2) years or a  
22 fine of not less than Fifty Thousand Pesos (P50,000.00) but not more than Five  
23 Hundred Thousand Pesos (P500,000.00), or both, at the discretion of the court.

24 The penalty of three (3) years to six (6) years imprisonment and a fine of One  
25 Million Pesos (P1,000,000.00) to Three Million Pesos (P3,000,000.00) shall be imposed  
26 upon any offender found guilty of any of the following acts or omissions:

- 1 a) The willful submission of or causing to be submitted a fictitious name or false  
2 information in the application, renewal, or updating in the PhilSys by any  
3 person;
- 4 b) The unauthorized printing, preparation, or issuance of a PhilID by any  
5 person;
- 6 c) Willful falsification, mutilation, alteration, or tampering of the PhilID by any  
7 person;
- 8 d) The use or of the PhilID/PSN or unauthorized possession of a PhilID, without  
9 any reasonable excuse by any person other than the one to whom it was  
10 issued or the possession of a fake, falsified, or altered PhilID; or
- 11 e) The willful transfer of the PhilID or the PSN to any other person.

12 The penalty of six (6) years to ten (10) years imprisonment and a fine of Three  
13 Million Pesos (P3,000,000.00) to Five Million Pesos (P5,000,000.00) shall be imposed  
14 upon any offender found guilty of any of the following acts or omissions:

- 15 a) Any person who shall collect or use personal data in violation of Section 12 of  
16 this Act;
- 17 b) Any person who shall willfully use or disclose data or information in violation  
18 of Section 17 of this Act; or
- 19 c) Any person, not covered by the succeeding paragraphs, who shall access the  
20 PhilSys or process data or information contained therein without any  
21 authority.

22 If financial profit resulted from accessing, disclosing, or using the data or  
23 information, the guilty person shall, in addition, pay twice the amount gained from such  
24 act.

25 Malicious disclosure of data or information by officials, employees or agents who  
26 have the custody or responsibility of maintaining the PhilSys shall be penalized with ten  
27 (10) years to fifteen (15) years imprisonment and a fine of Five Million Pesos

1 (P5,000,000.00) to Ten Million Pesos (P10,000,000.00). If financial profit resulted from  
2 such disclosure or processing of the data or information, the guilty person shall, in  
3 addition, pay twice the amount gained from such act.

4 Officials, employees or agents who have the custody or responsibility of  
5 managing or maintaining the PhilSys shall be penalized with three (3) years to six (6)  
6 years imprisonment and a fine of One Million Pesos (1,000,000.00) to Three Million  
7 Pesos (P3,000,000.00) if by their own negligence, the PhilSys is accessed by  
8 unauthorized persons, or the data or information contained therein is processed without  
9 any authority from this Act or any existing law.

10 In all instances, if the violation was committed by a government official or  
11 employee, the penalty shall include perpetual absolute disqualification from holding any  
12 public office or employment in the government, including any government-owned and  
13 controlled corporations (GOCCs), and their subsidiaries.

14 The penalties imposed in this section shall be in addition to those imposed on  
15 acts or omissions punishable by existing penal and other laws.

16 **Sec. 20. *Transitory Provisions.*** – The PSA shall carry out the implementation  
17 of the PhilSys in such manner that the operations of card-issuing government agencies  
18 shall not be impeded so as not to unduly delay delivery of public service: Provided, That  
19 the PSA shall gradually synchronize and consolidate all existing government-initiated  
20 identification systems into one integrated and interconnected identification system that  
21 will ensure an easier, faster, more reliable and more secure access to information and  
22 services.

23 **Sec. 21. *Funding.*** – The amount necessary to implement the provisions of this  
24 Act shall be included in the General Appropriations Act.

25 **Sec. 22. *Information Campaign*** – Within three (3) months from the  
26 effectivity of this Act, the PSA together with the DFA and other government agencies,

1 shall undertake an extensive information campaign to promote the PhilSys to all citizens  
2 and resident aliens.

3 **Sec. 23. *Implementing Rules and Regulations (IRR)*.** – Within sixty (60)  
4 days upon approval of this Act, the PSA, in coordination with the members of PSPCC,  
5 shall promulgate rules and regulations and exchange existing technologies and best  
6 practices on the issuance of the PhilID/PSN, authentication and data security to  
7 effectively implement the provisions of this Act.

8 **Sec. 24. *Separability Clause*.** - If any provision, section, or part of this Act shall be  
9 declared unconstitutional or invalid, such judgment shall not affect, invalidate, or impair  
10 any other provisions, sections, or parts hereof.

11 **Sec. 25. *Repealing Clause*.** – All laws, except RA No. 10173, decrees, orders,  
12 rules, and regulations, which are inconsistent with the provisions of this Act, are hereby  
13 repealed or modified accordingly.

14 **Sec. 26. *Effectivity*.** – This Act shall take effect fifteen (15) days after its  
15 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,