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SENATE

S.B. No. 388

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INTRODUCED BY: SENATOR EMMANUEL D. PACQUIAO

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

EXPLANATORY NOTE


Upon entering the Digital Age, mobile phones have been one of the leading sources of communication in the Philippines due to its efficiency and convenience. Sim cards are being used as a digital footprint for each user.

Unfortunately, crimes have developed parallel to the improvement of technology. 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.

Without any confirmation to determine the identity of a sim card holder, our constituents may be at risk.

The proposed bill seeks to establish a system wherein users are required to register their sim cards and confirm their identity to prevent crimes that may occur.

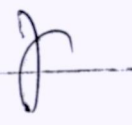
In view of this foregoing, the immediate passage of this bill is earnestly sought.


EMMANUEL D. PACQUIAO

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

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 SIM Card Registration.
2

3 **SEC. 2. Policy.** – It is the policy of the State to regulate the ownership and use of SIM cards
4 for legitimate purposes only to maintain peace and order, promote the general welfare, and
5 protect the public.

6 **SEC. 3. Definitions.** - For purposes of this Act,

7 (1) "SIM Card" refers to the Subscriber Identity Module (SIM) Card in a mobile phone;

8 (2) "Mobile Phone Company" refers to any mobile telecommunication service provider,
9 including but not limited to Globe and Smart PLDT;

10 (3) "NTC" refers to the National Telecommunications Commission.

11 **SEC. 4. SIM Card Registration.** Every mobile phone company shall be required to register its
12 subscribers, both prepaid and postpaid, and maintain a directory thereof, indicating therein
13 the SIM Card serial number, mobile phone number, name, and address of the subscriber.

14 Any change in the information required in the SIM Card Registration must be registered with
15 the mobile phone company within fifteen (15) days from the occurrence of such change.

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

1 **SEC. 6. Sale of SIM Cards.** - Every seller shall require his or her buyer of a SIM Card to present
2 valid identification with picture to ascertain the identity of the buyer. The seller shall further
3 require the buyer to accomplish a registration form issued by the mobile phone company of the
4 SIM Card being purchased.

5 For this purpose, mobile phone companies shall issue SIM Card registration forms. The seller
6 shall then promptly submit the accomplished registration form to the concerned mobile phone
7 company not later than fifteen (15) days from the date of sale. Data privacy and confidentiality
8 in the SIM Card registration in Section 5 shall start to apply at the point of sale.

9 A buyer who does not produce valid identification with picture and accomplishes a SIM Card
10 registration form shall, in accordance with the preceding paragraph, be refused the sale of a
11 SIM Card by the seller.

12 **SEC. 7. Implementing Rules and Regulations.** - The NTC shall issue rules and regulations to
13 implement the provisions of this Act within sixty (60) days from the effectivity of this Act.

14 **SEC. 8. Penal Clause.** - Any violation of the provisions of this Act shall be punished with a
15 fine ranging from five thousand pesos (P5,000.00) to fifty thousand pesos (P50,000.00).

16 **SEC. 9. Transitory Provision.** - All existing subscribers who have no SIM Card registration
17 yet are required to register their SIM Cards with their respective mobile phone companies
18 within three (3) months from the effectivity of this Act.

19 Failure to register within the prescribed period shall result in the deactivation of the SIM Card.
20 The deactivated SIM Card may only be reactivated after registration in accordance with this
21 Act.

22 **SEC. 10. Repealing Clause.** - All laws, decrees, orders, rules and regulations or other issuances
23 or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified
24 accordingly.

25 **SEC. 11. Separability Clause.** - If any portion or provision of this Act is declared
26 unconstitutional, the remainder of this Act or any provision not affected thereby shall remain
27 in force and effect.

28 **SEC. 12. Effectivity.** - This Act shall take effect fifteen (15) days following the completion of
29 its publication either in the Official Gazette or in a newspaper of general circulation in the
30 Philippines.

31

32 *Approved,*