



S E N A T E

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PREPARED AND SUBMITTED JOINTLY BY THE COMMITTEES
ON PUBLIC SERVICES; TRADE, COMMERCE AND
ENTREPRENEURSHIP; SCIENCE AND TECHNOLOGY; AND
BANKS, FINANCIAL INSTITUTIONS AND CURRENCIES
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AN ACT MANDATING THE REGISTRATION OF
SUBSCRIBER IDENTITY MODULE (SIM) FOR
ELECTRONIC DEVICES, REGULATING FOR THIS
PURPOSE ITS REGISTRATION AND USE

*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
2 the “Subscriber Identity Module (SIM) Registration Act”.

3 SEC. 2. *Declaration of Policy.* – The State recognizes
4 the vital role of information and communications

1 technology in nation-building and encourages its growth
2 and development.

3 It is equally cognizant that beneficial as modern
4 technology is, its illegal or malicious use endangers
5 people's lives, damages property, poses hazards to public
6 order, and even threatens the security of nations.

7 Towards this end, the State shall require the
8 registration of the Subscriber Identity Module (SIM) for
9 electronic devices by all end-users thereof to promote
10 responsibility in the use of the SIM, and to aid law
11 enforcement agencies to resolve crimes which involve its
12 utilization.

13 SEC. 3. *Definitions.* – For purposes of this Act:

14 (a) *End-user* – refers to any existing subscriber or any
15 individual or juridical entity which purchases a SIM from
16 the PTEs, its agents, authorized resellers or any entity;

17 (b) *Public Telecommunications Entity* or *PTE* – refers
18 to any person, firm, partnership or corporation,
19 government or private, engaged in the provision of
20 telecommunications services to the public for

1 compensation, as defined under Republic Act No. 7925, as
2 amended, or the Public Telecommunications Policy Act of
3 the Philippines;

4 (c) *SIM (Subscriber Identity Module or Subscriber*
5 *Identification Module)* – refers to an integrated circuit chip
6 that is intended to securely store the international mobile
7 subscriber identity or IMSI number and its related key or
8 an electronic equivalent thereof, which are used to identify
9 and authenticate subscribers on mobile telephony and
10 other electronic devices. For purposes of this Act, this shall
11 include e-SIM and other variations thereof; and

12 (d) *Spoofing* – refers to the act of transmitting
13 misleading or inaccurate information about the source of
14 the phone call or text message, with the intent to defraud,
15 cause harm, or wrongfully obtain anything of value.

16 SEC. 4. *SIM Registration.* – In order to regulate the
17 registration and use of SIMs, all end-users shall be
18 required to register their SIMs with PTEs as a pre-
19 requisite to the activation thereof, in accordance with the
20 guidelines set forth under this Act.

1 For purposes of this Act, all the SIMs to be sold by
2 the PTEs, its agents, authorized resellers, or any entity
3 shall be in a deactivated state. It shall only be activated
4 after the end-user completes the process of registration.

5 All existing SIM subscribers shall register the same
6 with their respective PTEs within one hundred eighty
7 (180) days from the effectivity of this Act. The Department
8 of Information and Communications Technology (DICT)
9 may extend registration for a period not exceeding one
10 hundred twenty (120) days.

11 Failure to register within the prescribed period shall
12 authorize the PTEs to automatically deactivate or retire
13 the SIM number and registration. The deactivated SIM
14 may only be reactivated after registration in accordance
15 with this Act.

16 SEC. 5. *Registration Guidelines.* – The National
17 Telecommunications Commission (NTC), in close
18 consultation with PTEs, concerned agencies of government
19 including, but not limited to, the Department of Trade and
20 Industry (DTI), DICT, National Privacy Commission

1 (NPC), and with major consumer groups, shall formulate
2 the necessary guidelines in the proper implementation of
3 the real-name registration program through a SIM
4 registration process based on the following parameters:

5 (a) Submission of duly accomplished control-
6 numbered owner's registration form with full name, date of
7 birth, and address. The registration form shall be
8 accomplished electronically through a platform or website
9 to be provided by the PTEs. The same shall include an
10 attestation by the end-user that the identification
11 documents presented are true and correct, and that said
12 person is the one who accomplished the registration form;

13 (b) Presentation of valid government-issued
14 identification cards or other similar forms of documents
15 that will verify the identity of the end-user, or a valid
16 passport in the case of aliens. For juridical entities, the
17 certificate of registration, as well as the duly-adopted
18 resolution designating the authorized representative, in
19 case of corporations, and a special power of attorney, in
20 case of other entities, shall be presented;

1 (c) A buyer who fails to comply with the requirements
2 for registration shall result in their SIM not being
3 activated;

4 (d) The registration of a SIM by a minor shall be
5 under the name of the minor's parent or guardian:
6 *Provided*, That the minor's parent or guardian shall give
7 their consent and register the SIM.

8 (e) The registration of local SIM by foreign nationals
9 shall be allowed provided that:

10 (i) Those visiting as tourists for not more than thirty
11 (30) days shall register their full name, passport number,
12 and address in the SIM registration form and present their
13 passport and proof of address in the Philippines; and

14 (ii) Those staying for more than thirty (30) days
15 either as workers or students shall register their full name,
16 passport number, and address in the SIM registration form
17 and present their passport, proof of address in the
18 Philippines, Alien Certificate of Registration Identification
19 Card or ACRI-Card issued by the Bureau of Immigration
20 (BI), and Alien Employment Permit issued by the

1 Department of Labor and Employment (DOLE) or school
2 registration and identification card, whichever is
3 applicable.

4 SIMs that are registered under subsection e(i) shall
5 only be valid temporarily in increments of seven (7),
6 fourteen (14), thirty (30), sixty (60), or ninety (90) days, as
7 the case may be, and shall automatically be deactivated
8 upon expiration of the validity of the SIM.

9 The relevant government agencies and concerned
10 PTEs shall facilitate all SIM registrations in remote areas
11 with limited telecommunication or internet access.

12 SEC. 6. *SIM Register*. – The electronic registration
13 form shall be kept by the concerned PTE in its database.
14 The database shall strictly serve as a SIM Register to be
15 used by PTEs to process, activate or deactivate a SIM or
16 subscription and shall not be used for any other purpose.
17 The successful submission and acceptance of the required
18 registration form shall serve as the certification of
19 registration by the end-user.

1 The registration required under this Act shall be
2 implemented at no cost to the end-users.

3 In the recordkeeping of information, PTEs shall
4 ensure that the end-users' data are secured and protected
5 at all times. The PTEs shall comply with the minimum
6 information security standards prescribed by the DICT
7 consistent with internationally accepted cybersecurity
8 standards and relevant laws, rules and regulations.

9 The DICT shall establish and perform an annual
10 audit on PTEs' compliance with information security
11 standards.

12 In case of any change in the information after the
13 registration, or loss of the SIM, death of the end-user, or
14 any request for deactivation, the end-user shall inform the
15 PTE through its facility established for such purpose:
16 *Provided*, That in the case of death of an end-user, such
17 fact shall be reported to the concerned PTE by the
18 immediate family, relatives, or guardian.

1 In case of any change in the information after
2 registration, the concerned PTE shall clearly note such
3 change in its database.

4 In case of loss of the SIM, death of the end-user, or
5 request for deactivation, the concerned PTE shall
6 deactivate said SIM within twenty-four (24) hours from the
7 report of the end-user, immediate family, relatives or
8 guardian.

9 *Provided,* That regardless of any deactivation, the
10 relevant data and information shall be retained by the PTE
11 pursuant to the pertinent provisions of this Act, which is
12 ten (10) years.

13 In case of a cyber-attack on the SIM Register, the
14 incident shall be reported to the DICT within twenty-four
15 (24) hours of detection.

16 PTEs shall provide user-friendly reporting
17 mechanisms for their respective end-users upon the latter's
18 receipt of any potentially fraudulent text or call, and shall,
19 upon due investigation, deactivate, either temporarily or
20 permanently, the SIM used for the fraudulent text or call.

1 SEC. 7. *Subsequent Sale of a Registered SIM.* – A
2 registered SIM shall not be sold or transferred without
3 complying with the registration requirements under
4 Section 6 of this Act.

5 SEC. 8. *Sale of a Stolen SIM.* – Any PTE, its agents,
6 authorized resellers or entity that shall engage in the sale
7 of stolen SIMs shall be criminally liable under this Act.

8 SEC. 9. *Confidentiality Clause.* – Any information and
9 data obtained in the registration process described under
10 this Act shall be treated as absolutely confidential and
11 shall not be disclosed to any person.

12 Notwithstanding this provision, disclosure shall be
13 made:

14 (a) In compliance with any law obligating the PTE to
15 disclose such information in accordance with the provisions
16 of Republic Act No. 10173 or the Data Privacy Act of 2012;

17 (b) In compliance with a court order or legal process;

18 (c) In compliance with Section 10 hereof; or

19 (d) With the written consent of the subscriber:

20 *Provided, That, the waiver of absolute confidentiality shall*

1 not be made as a condition for the approval of subscription
2 agreements with the PTEs.

3 SEC. 10. *Disclosure of Information.* – Notwithstanding
4 the provisions on confidentiality, the PTEs shall be
5 required to provide information obtained in the
6 registration process only upon the issuance of a subpoena
7 by a competent authority pursuant to an investigation
8 based on a sworn complaint that a specific mobile number
9 was or is being used in the commission of a crime or that it
10 was utilized as a means to commit a malicious, fraudulent
11 or unlawful act, and that the complainant is unable to
12 ascertain the identity of the perpetrator.

13 *Provided, however,* That no PTE shall be held
14 administratively, civilly, or criminally liable on account of
15 any disclosure done in compliance with this Act.

16 For this purpose, the relevant data and information
17 shall be kept by the PTEs for ten (10) years from the time
18 the end-user deactivates his or her mobile number.

19 SEC. 11. *Penalties.* – The following penalties shall be
20 imposed for violation of any provision of this Act:

1 (a) *For failure or refusal to register a SIM.* – The
2 following fines shall be imposed upon the PTEs who shall
3 fail or refuse to register a SIM, without a valid reason,
4 despite compliance by the end-user with the requirements
5 for SIM registration under this Act:

6 (1) First offense: a fine of not less than One hundred
7 thousand pesos (P100,000.00) but not more than Three
8 hundred thousand pesos (P300,000.00);

9 (2) Second offense: a fine of not less than Three
10 hundred thousand pesos (P300,000.00) but not more than
11 Five hundred thousand pesos (P500,000.00); and

12 (3) Third and subsequent offenses: a fine of not less
13 than Five hundred thousand pesos (P500,000.00) but not
14 more than One million pesos (P1,000,000.00) for every
15 offense thereof;

16 (b) *For breach of confidentiality.* – The penalty of a
17 fine of not less than Five hundred thousand pesos
18 (P500,000.00) but not more than Four million pesos
19 (P4,000,000.00) shall be imposed upon PTEs, its agents or
20 its employees who shall directly or indirectly reveal or

1 disclose any information or data of an end-user obtained
2 during the registration requirement under this Act, unless
3 otherwise permitted by this Act, or other laws.

4 (c) *For breach of confidentiality due to negligence.* – The
5 penalty of a fine of not less than Five hundred thousand
6 pesos (P500,000.00) but not more than Four million pesos
7 (P4,000,000.00) shall be imposed upon PTEs, its agents or
8 its employees who, due to negligence, shall reveal or
9 disclose any information or data of an end-user obtained
10 during the registration requirement under this Act.

11 (d) *For using fictitious identities or fraudulent*
12 *identification documents to register a SIM.* – The penalty of
13 imprisonment ranging from six (6) months to two (2) years,
14 or a fine of not less than One hundred thousand pesos
15 (P100,000.00) but not more than Three hundred thousand
16 pesos (P300,000.00), or both, shall be imposed upon anyone
17 who uses a fictitious identity or fraudulent identification
18 documents to register a SIM.

19 (e) *For spoofing a registered SIM.* – The penalty of
20 imprisonment of no less than six (6) years, or a fine of Two

1 hundred thousand pesos (P200,000.00), or both, shall be
2 imposed upon anyone who causes to transmit misleading
3 or inaccurate information about the source of the phone
4 call or text message, with the intent to defraud, cause
5 harm, or wrongfully obtain anything of value, unless such
6 transmission is exempted in connection with: (1)
7 authorized activities of law enforcement agencies; or (2) a
8 court order specifically authorizing the use of caller ID
9 manipulation.

10 (f) *For sale of a stolen SIM.* – The penalty of
11 imprisonment ranging from six (6) months to two (2) years,
12 or a fine of not less than One hundred thousand pesos
13 (P100,000.00) but not more than Three hundred thousand
14 pesos (P300,000.00), or both, shall be imposed upon the
15 PTEs, its agents, authorized reseller, or any entity that
16 will engage in the sale of stolen SIM as provided under this
17 Act.

18 If the offender is a corporation, partnership or any
19 juridical person, the penalty shall be imposed upon the
20 responsible officers, as the case may be, who participated

1 in, or by their gross negligence, allowed the commission of
2 the crime.

3 (g) *For sale or transfer of a registered SIM without*
4 *complying with the required registration.* – The penalty of
5 imprisonment ranging from six (6) months to six (6) years
6 or a fine of One hundred thousand pesos (P100,000.00) to
7 Three hundred thousand pesos (P300,000.00), or both,
8 shall be imposed upon anyone who sells or transfers a
9 registered SIM without complying with the required
10 registration under this Act.

11 Any person who abets or aids in the commission of
12 any of the offenses enumerated in this Act shall be held
13 liable as a co-principal.

14 A prosecution under this Act shall be without
15 prejudice to any liability or violation of any provision of the
16 Revised Penal Code, as amended, or special laws.

17 SEC. 12. *Implementing Rules and Regulations and*
18 *Reportorial Requirement.* – The NTC, in close coordination
19 with the DICT, DTI, NPC, PTEs, and major consumer
20 groups, shall set the guidelines for the monitoring and

1 proper implementation of this Act and shall issue the
2 necessary implementing rules and regulations within sixty
3 (60) days upon the effectivity of this Act.

4 All PTEs are required to submit to the NTC, DICT,
5 and to both Houses of Congress an annual report on the
6 implementation of the provisions of this Act.

7 SEC. 13. *Interpretation.* – Any doubt in the
8 interpretation of any provision of this Act and its
9 implementing rules and regulations shall be construed in a
10 manner that accords the highest respect for privacy, and
11 liberally interpreted in a manner mindful of the rights and
12 interests of SIM subscribers.

13 SEC. 14. *Repealing Clause.* – All laws, decrees,
14 executive orders, proclamations, rules and regulations, and
15 issuances, or parts thereof which are inconsistent with the
16 provisions of this Act are hereby repealed, amended or
17 modified accordingly.

18 SEC. 15. *Separability Clause.* – Should any part of
19 this Act be declared unconstitutional or invalid, the other

1 provisions hereof that are not affected thereby shall
2 continue to be in full force and effect.

3 SEC. 16. *Effectivity.* – This Act shall take effect fifteen
4 (15) days after its publication in the *Official Gazette* or in a
5 newspaper of general circulation.

Approved,