



HOUSE OF REPRESENTATIVES

H. No. 7233

BY REPRESENTATIVES VELARDE, ABAYA, LOYOLA, BIAZON, ANTONINO, GATCHALIAN, CASTELO, RODRIGUEZ (M.), SANDOVAL, LAZATIN, ALMARIO, LOPEZ (M.L.), TAMBUNTING, YAP (V.), TEVES, SY-ALVARADO, ALONTE, ARCILLAS, PANCHO, SARMIENTO (C.), PALMA, ABAYON, ANTONIO, BELARO, BRAVO (A.), CANAMA, CO, CORTUNA, DE VERA, GARBIN, GARIN (S.), GERON, LACSON, LOPEZ (B.), MANALO, MENDING, MONTORO, NOEL, NOGRALES (J.J.), PADUANO, ROMERO, SALO, SAMBAR, TY, UYBARRETA, VELASCO-CATERA, PANGANIBAN, DALIPE, NIETO, VIOLAGO, LIMKAICHONG, COJUANGCO, PRIMICIAS-AGABAS, SUANSING (H.), GARCIA (G.), LOPEZ (C.), OLIVAREZ, OCAMPO, MALAPITAN, EUSEBIO, BAGATSING, CRISOLOGO, MACEDA, SUAREZ, ARENAS, ROA-PUNO, MATUGAS, CATAMCO, CASTRO (F.L.), NUÑEZ-MALANYAON, BERTIZ, PICHAY, ROMUALDO, PINEDA AND ERICE, PER COMMITTEE REPORT NO. 621

AN ACT REQUIRING THE REGISTRATION OF ALL USERS OF
SUBSCRIBER IDENTITY MODULE CARDS

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

1 **SEC. 2. Declaration of Policy.** – The State recognizes the
2 vital role of information and communications technology in
3 nation building.

4 The introduction of modern telecommunications technology
5 with the view of providing the widest information dissemination is
6 greatly encouraged, but possession of the most modern technology
7 carries with it tremendous responsibility. Thus, a mechanism must
8 be installed to maximize the benefits of modern telecommunications
9 technology and to deter illegal or malicious utilization of the same
10 that benefit only a few.

11 Towards this end, the State shall require the registration of
12 all users of subscriber identity module (SIM) cards.

13 **SEC. 3. Definition of Terms.** – As used in this Act:

14 (a) *Direct seller* refers to a person, natural or juridical, who
15 directly dispenses or sells a SIM card to an end user;

16 (b) *End user* refers to any individual/subscriber who directly
17 purchases a SIM card from a direct seller;

18 (c) *Postpaid subscription* refers to the subscription wherein
19 service is provided by virtue of a prior arrangement with a public
20 telecommunications entity, and the end user thereof is billed at the
21 end of the monthly billing cycle according to the use of mobile
22 service;

23 (d) *Prepaid subscription* refers to the subscription wherein
24 credit is purchased in advance of service use. The purchased credit
25 is used to pay for mobile phone services at the point the service is
26 accessed or consumed. If there is no available credit, then access to
27 the requested service is denied;

1 (e) *Public Telecommunications Entity* or *PTE* refers to any
2 person, natural or juridical, government or private, engaged in the
3 provision of telecommunications services to the public for
4 compensation;

5 (f) *SIM* refers to the Subscriber Identity Module which is an
6 embedded circuit that securely stores international mobile
7 subscriber identity and related keys used to identify and
8 authenticate subscribers on mobile devices, such as mobile phones
9 and computers;

10 (g) *SIM card* refers to a removable card into which an
11 electronic integrated circuit is embedded and is transferrable
12 between different mobile devices; and

13 (h) *SIM card registration* refers to the process of recording
14 and verifying mobile phone number and personal information of a
15 subscriber, by a PTE or other direct seller, including the
16 subscriber's full name, date of birth, gender, and address.

17 SEC. 4. *Sale and Registration of SIM Cards.* – Every PTE or
18 direct seller shall require the end user of a SIM card to present
19 valid identification with photo to ascertain the latter's identity.
20 The PTE or direct seller shall further require the end user to
21 accomplish and sign a control-numbered registration form issued by
22 the respective PTE of the SIM card purchased. The registration
23 form shall include an attestation by the end user that the person
24 appearing before the direct seller is the same person who
25 accomplished and signed the registration form and that the
26 identification documents presented are valid and correct. Failure of
27 an end user to comply with the requirements under this section

1 shall be a ground for the PTE or direct seller to refuse the sale and
2 issuance of a SIM card.

3 Except in cases where the PTE is the direct seller, the
4 accomplished registration form must be submitted by the direct
5 seller to the concerned PTE within fifteen (15) days from the date of
6 sale. Failure on the part of the direct seller to comply under
7 this section shall constitute a violation of this Act.

8 SEC. 5. *Coverage of Registration.* – All direct sellers are
9 hereby mandated to register the following information in the SIM
10 card registration form:

11 (a) Full name, date of birth, gender, and address of the end
12 user appearing in a valid government-issued identification
13 document with photo. SIM card end users shall be required to
14 present the original copy of any of the following valid government
15 identification documents (ID) with photo:

- 16 (1) Passport;
- 17 (2) Digitized Social Security Service (SSS) ID;
- 18 (3) Government Service Insurance System (GSIS) e-Card;
- 19 (4) Driver's license;
- 20 (5) Firearms' License to Own and Possess (LTOP) ID;
- 21 (6) Professional Regulation Commission (PRC) ID;
- 22 (7) Integrated Bar of the Philippines (IBP) ID;
- 23 (8) Overseas Workers Welfare Administration (OWWA) ID;
- 24 (9) Digitized Bureau of Internal Revenue (BIR) ID;
- 25 (10) Voter's ID;
- 26 (11) Senior Citizen's card;
- 27 (12) Person with Disabilities (PWDs) card; or

1 (13) Other government issued ID.

2 In the absence of any of the above IDs, a National Bureau of
3 Investigation (NBI) clearance, police clearance, or a Philippine
4 Statistics Authority (PSA) certified birth certificate with an ID
5 picture taken within the last six (6) months prior to the purchase of
6 a SIM card shall suffice. The direct seller may make further
7 inquiries or require the submission of additional identification, if
8 necessary. The purchase of a SIM card may be withheld pending
9 submission of the additional requirements;

10 (b) Assigned cell phone number of SIM card(s) and its serial
11 number.

12 In the case of end users who are foreign nationals, they shall
13 register their full name, passport number, and address in the SIM
14 card registration form upon presentation of the following:

15 (1) For foreign nationals visiting as tourists for not more
16 than thirty (30) days:

17 (i) Passport;

18 (ii) Proof of address in the Philippines;

19 (iii) Return ticket to own country of the tourist or any other
20 ticket showing the date and time of departure from the Philippines;
21 and

22 (iv) Any other information as may be required by the
23 Department of Information and Communications Technology
24 (DICT); and

25 (2) For foreign nationals staying for more than thirty (30)
26 days either as workers or students:

27 (i) Passport;

1 (ii) Full name as indicated in the passport;

2 (iii) Proof of address in the Philippines;

3 (iv) Alien Employment Permit issued by the Department of
4 Labor and Employment (DOLE), school registration and ID for
5 students; and

6 (v) Any other information as may be required by the DICT.

7 SEC. 6. *Submission of Registration Form.* – The registration
8 form shall be accomplished in triplicate, and forwarded by the direct
9 seller to the concerned PTE. The concerned PTE shall submit a
10 copy of the duly accomplished registration form to the DICT within
11 fifteen (15) days from the date of sale or receipt of such form from
12 their respective direct sellers. The required registration form and
13 copies thereof shall be certified by the direct seller or any other duly
14 appointed officer of the PTE.

15 SEC. 7. *Submission of Verified List of Dealers or Agents.* –
16 The PTE shall submit to the DICT, within thirty (30) days from the
17 date of effectivity of this Act, a verified list of their current
18 authorized dealers/agents nationwide. The PTE shall submit to
19 the DICT and National Telecommunications Commission (NTC)
20 every quarter of each year an updated list of the same.

21 SEC. 8. *Confidentiality Clause.* – Any information in the
22 SIM card registration shall be treated as absolutely confidential,
23 unless access to information has been granted upon written consent
24 of the subscriber: *Provided*, That the waiver of absolute
25 confidentiality shall not be made a condition for the approval of
26 subscription agreements. The confidentiality clause in the SIM
27 card registration shall take effect at the point of sale.

1 SEC. 9. *Disclosure of Information.* – Notwithstanding the
2 provisions of Section 8 hereof and in accordance with Section 12(e)
3 of Republic Act No. 10173, otherwise known as the “Data Privacy
4 Act of 2012”, the PTE or the DICT shall be required to disclose the
5 full name and address contained in the SIM card registration, upon
6 a duly issued subpoena or order of a court upon finding of probable
7 cause, or upon written request from a law enforcement agency in
8 relation to an ongoing investigation, that a particular number is
9 used in the commission of a crime or that it was used as a means to
10 commit an unlawful act.

11 SEC. 10. *SIM Card Register.* – All PTEs are required to
12 maintain a SIM Card Register of their subscribers containing
13 information required under Section 5 of this Act and to submit the
14 same to the DICT every six (6) months.

15 In case of loss of a SIM card or any change in information
16 contained in the registration form after purchase of the SIM card,
17 the subscriber shall notify the PTE within forty-eight (48) hours
18 from such loss or change in information. Within fifteen (15) days
19 from receipt of notification from the subscriber, the concerned PTE
20 must notify the DICT of such loss or change in information.

21 All PTEs are required to keep the data of their subscribers
22 and the DICT shall ensure that this data is kept with utmost
23 confidentiality.

24 SEC. 11. *Registration of Existing Prepaid Mobile Phone*
25 *Subscribers.* – All existing mobile phone subscribers with
26 prepaid SIM cards are required to register with their respective
27 PTE within one hundred eighty (180) days from the effectivity of

1 this Act. An extension period of not longer than one hundred
2 twenty (120) days shall be allowed upon a valid written request to
3 the DICT.

4 Failure to register within the prescribed period shall
5 authorize the PTE to automatically deactivate its services to the
6 concerned prepaid SIM card subscriber.

7 SEC. 12. *Penalties.* - The following penalties shall be
8 imposed for failure to comply with any of the provisions of this
9 Act:

10 (a) If the offense is committed by a PTE, the President and
11 other executive officers shall be held liable, and the following
12 penalties shall be imposed:

13 (1) First offense: a fine of Three hundred thousand pesos
14 (₱300,000.00);

15 (2) Second offense: a fine of Five hundred thousand pesos
16 (₱500,000.00); and

17 (3) Third and subsequent offenses: a fine of One million
18 pesos (₱1,000,000.00) for every offense;

19 (b) If the offense is committed by a direct seller, a penalty
20 of suspension of its operation and a fine of Five thousand
21 pesos (₱5,000.00) to Fifty thousand pesos (₱50,000.00) shall
22 be imposed; and

23 (c) If the offense is committed by an officer or employee of an
24 implementing agency under this Act, a penalty of suspension or
25 dismissal from service and a fine to be determined by the court shall
26 be imposed without prejudice to the filing of an appropriate
27 criminal, civil and administrative case.

1 SEC. 13. *Implementing Rules and Regulations (IRR).* –
2 Within ninety (90) days from the effectivity of this Act, the DICT
3 shall, in coordination with the NTC and other concerned agencies,
4 promulgate the rules and regulations and other issuances as may be
5 necessary to ensure the effective implementation of this Act.

6 SEC. 14. *Transitory Provision.* – Only direct sellers who
7 have been duly authorized by the PTEs and the NTC shall be
8 allowed to sell prepaid SIM cards. Upon the effectivity of this Act,
9 all PTEs are mandated to recall all prepaid SIM cards for sale to the
10 public by those establishments not authorized by it. Otherwise,
11 they shall be imposed the penalties prescribed in this Act.

12 SEC. 15. *Separability Clause.* – Should any part of this Act
13 be declared unconstitutional or invalid, the other provisions hereof
14 that are not affected thereby shall continue to be in full force and
15 effect.

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

20 SEC. 17. *Effectivity.* – This Act shall take effect fifteen (15)
21 days after its publication in the *Official Gazette* or in any newspaper
22 of general circulation.

 Approved,