

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2809

HOUSE OF REPRESENTATIVES

RECEIVED

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BY: [Signature]

REGISTRATION UNIT
BILLS AND INDEX SERVICE

Introduced by Rep. Winston "Winnie" Castelo

EXPLANATORY NOTE

This bill contemplates on enabling law enforcement agencies to go after lawless users of cellular phone numbers with unregistered SIM that allow them to consummate their nefarious schemes undetected. By taking advantage of the facility of cellular phones with unregistered SIM, criminals practically go invisible in carrying out their malevolent plots of communicating their evil designs to co-conspirators, communicating threats or sending SMS messages of ransom demands, or sending hoax winning-from-commercial-promos messages to dupe unsuspecting victims of their hard earned money.

Law enforcement agencies should be equipped with the tool necessary to track down such criminals by enabling them to trace users of cellular phone numbers. By recording the identity of all buyers of prepaid subscriber identity module (SIM) packs for cellular telephones and requiring public telecommunications companies to keep record of these buyers of aiding law enforcement agencies in the investigation of an illegal activity engendered by such tools of communication, law enforcement agencies shall be able to hunt down crime perpetrators who take refuge in anonymity.

The swift passage of this bill is thus earnestly sought.


WINNIE CASTELO
(4)

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HOUSE BILL NO. _____

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AN ACT

REQUIRING THE RECORDING OF THE IDENTITY OF ALL BUYERS OF PREPAID SUBSCRIBER IDENTITY MODULE (SIM) CARDS FOR CELLULAR TELEPHONE UNITS AND FOR OTHER PURPOSES

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

SECTION 1. Public Telecommunications Entities (PTE's) are hereby required to ensure that the identity of buyers of their prepaid SIM cards are properly recorded and their addresses verified through the presentation of valid identification cards. If the sale of said SIM cards is done through agents, PTE's shall ensure that said agents submit to them the verified names and addresses of the buyers within fifteen (15) days from date of sale.

SECTION 2. Public Telecommunications Entities shall submit to the National Telecommunications Commission (NTC), within thirty (30) days from the date of effectivity of this Act, a verified list of their current authorized dealers/agents nationwide. Thereafter, PTE's shall submit to the NTC on a quarterly basis an updated list of the same.

SECTION 3. Upon the issuance of a proper court order or a valid request from a government law enforcement agency showing proof that a particular cellular phone number was used in the commission of a crime or for an illegal purpose, the Telecommunications Service Provider shall be mandated to reveal the identity and personal circumstances of the user of such number.

SECTION 4. The following penalties shall be imposed on any Public Telecommunications Entity found guilty of violating any provision of this Act:

For the first offense: A fine of Fifty Thousand Pesos (P50,000.00);

For the second offense: A fine of One Hundred Thousand Pesos (P100,000.00);

For the third offense: A fine of Three Hundred Thousand Pesos (P300,000.00) and Imprisonment ranging from one month to six months

If a PTE continues to violate any of the provisions of this Act two years after its effectivity, the PTE's franchise shall be immediately revoked.

SECTION 5. Within six (6) months from the approval of this Act, The National Telecommunications Commission shall issue the necessary rules and regulations for the effective implementation of this Act.

SECTION 6. All laws, decrees, executive orders, rules and regulations inconsistent with the provisions of this Act are hereby repealed accordingly.

SECTION 7. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation which comes earlier.

Approved,