

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 0453



Introduced by **Representative Manuel Luis T. Lopez**

EXPLANATORY NOTE

The making of false bomb threats has been a convenient way for people to be able to avoid attending to their daily duties and responsibilities. Besides the usual motives and intent of terrorist groups, these pranksters, through these malicious acts, create widespread panic and sow fear and confusion among the people. We need to take note is that, these threats have been made in various establishments and industries, namely: schools, offices, malls, government buildings and other commercial establishments among others. Such threat is something that cannot be taken lightly and this often results to suspension of classes and work stoppage. More importantly, it creates panic, confusion, and sows an atmosphere of disorder which has a long and wide-ranging impact on the minds and hearts of Filipinos and in the eyes of the international community. This is considered a clear danger to the safety of the people as well as a hazard to public order.

In November 2016, a complainant in a theft case received a text message relaying that a bomb would explode at the Marikina City Prosecutor's Office.¹ However, this problem is not limited to establishments located in Metro Manila. In September 2016, classes at the Sta. Rosa Elementary School in Laguna were suspended after one of the teachers received a text message that a bomb would explode in the school compound.² Also in the same month, the Nueva Viscaya General Comprehensive High School received a text message that a bomb would explode in the school premises.³

¹ Jodee A. Agoncillo, Complainant gets bomb threat at Marikina City Prosecutor's Office, PHIL. DAILY INQ., Nov. 28, 2016, <http://newsinfo.inquirer.net/848759/complainant-gets-bomb-threat-at-marikina-prosecutors-office> (last accessed February 8, 2017).

² Maricar Cinco, Bomb threat cancels school in Laguna school, PHIL. DAILY INQ., Sept. 26, 2016, <http://newsinfo.inquirer.net/819049/bomb-threat-cancels-classes-in-laguna-school> (last accessed February 8, 2017).

³ Melvin Gascon, Nueva Viscaya suspends classes due to bomb threats, PHIL. DAILY INQ., Sept. 16, 2016, <http://newsinfo.inquirer.net/815912/nueva-vizcaya-school-suspends-classes-over-bomb-scare> (last accessed February 8, 2017).


The common denominator in all these false threats is essentially the anonymity of the person sending the text message to the aforementioned institutions. This is the major roadblock that oftentimes prevents the resolution of these crimes because the police authorities are not able to clearly attribute a particular prank to a known individual. They often hide behind a prepaid mobile number or a fake social media account so as to avoid any way of being traced.

These issues were certainly identified during a Technical Working Group (TWG) meeting for House Bills 421, 1393, 3699 and 4882 (Anti False Bomb Threat bills) conducted by the Committee on Public Order and Safety chaired by the undersigned. The representatives from the PNP, DOJ, and Ateneo De Manila University among others, echoed the same sentiments. All stakeholders clearly point to the lack of identification mechanism in both PREPAID SIM Cards and bogus social media accounts. The undersigned as the TWG Chair concluded by saying that "for this measure to be truly effective we need to include provisions identifying the culprit of these malicious acts."

With all these findings, it is of utmost concern that the necessary safeguards and identification mechanisms be established to enable the proper authorities to determine the identity of these pranksters. Only when the government authorities are able to pinpoint the root cause of this problem can they begin to hold certain individuals responsible for the commission of this crime. Without any means of identifying these anonymous *texters* and personalities behind the fake social media accounts, we will not be able to put a stop to this recurring criminal act. Thus, a more responsive and concrete solution must be adopted in order to really make an effective change regarding this problem.

This measure was first filed in the 17th Congress and it was substituted to House Bill 7233, entitled "*Subscriber Identity Module (SIM) Card Registration Act*". HB 7233 was approved on 3rd Reading in the House of Representatives and it was transmitted to the Senate on May 17, 2018 but it was not acted upon.

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


HON. MANUEL LUIS T. LOPEZ
Representative
1st District, City of Manila

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AN ACT
MANDATING THE COOPERATION OF ALL TELECOMMUNICATIONS CORPORATIONS,
INTERNET SERVICE PROVIDERS, AND SOCIAL MEDIA NETWORKS IN CREATING AN
EFFICIENT IDENTIFICATION MECHANISM FOR THE DETERRENCE OF THE
COMMISSION OF TERRORIST ACTIVITIES AND PROVIDING PENALTIES FOR A
VIOLATIONS THEREOF

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

1 **SECTION 1. Short Title.** – This Act shall be known as “Terrorism Threat
2 Deterrence Act of 2019.”
3

4 **SEC. 2. Declaration of Policy.** – The 1987 Constitution provides that “The
5 maintenance of peace and order, the protection of life, liberty, and property, and the
6 promotion of the general welfare are essential for the enjoyment by all the people of the
7 blessings of democracy.”
8

9 It is hereby declared the policy of the State to provide a proper identification
10 mechanism that would enable the government agencies to immediately determine the
11 person/s behind the commission of terrorist threats that continues to pose a danger to
12 the life and safety of the people.
13

14 **SEC. 3. Definition of Terms.** – As used in this Act, the following terms are defined
15 as follows:

16 a. *Telecommunications Network Corporation*- refers to any entity or
17 corporation engaged in the business of providing services for the
18 transmission of information, as words, sounds, or images, usually over
19 great distances, in the form of electromagnetic signals, as by telegraph,
20 telephone, radio, television, or computer network.
21

22 b. *Social Media Network*- refers to entities providing Internet-based software

1 and/or cellular/ smart phone applications that allow individuals to
2 interact with one another, exchanging details about their lives such as
3 biographical data, professional information, personal photos, and where
4 users can create online communities to share information, ideas, personal
5 messages, and other content.

6
7 c. *Internet Service Provider (ISP's)*- refers to a company that provides
8 customers with Internet access wherein the data may be transmitted using
9 several technologies, including dial-up, DSL, cable modem, wireless or
10 dedicated high-speed interconnections. ISPs also provide their customers
11 with the ability to communicate with one another by providing Internet
12 email accounts, usually with numerous email addresses at the customer's
13 discretion. Other services, such as telephone and television services may
14 be provided as well.

15
16 d. *Terrorist Threat*- refers to any act involving a threat to commit violence
17 whether communicated verbally, or through telephone, cellular phone, text
18 message, or social media network with or without the intent to terrorize
19 another, to cause evacuation of a building, or to cause serious public
20 inconvenience, in reckless disregard of the risk of causing such terror or
21 inconvenience. It may mean an offense against property or involving
22 danger to another person that may include but is not limited to recklessly
23 endangering another person, harassment, stalking, ethnic intimidation,
24 and criminal mischief.

25
26 **SEC. 4. Coverage. – Mandatory Registration of PREPAID SIM CARDS.** - All
27 authorized dealers and direct sellers of PREPAID SIM CARDS are mandated to register
28 the name and other pertinent information of the purchasers by requiring 2 valid
29 government issued Identification Cards and a certification from the Barangay where they
30 reside that they are indeed a resident of the said place. If the authorized dealers and direct
31 sellers of these Telecommunications Network Corporations are not capable of complying
32 with the logistical and registration requirements, they are hereby prohibited from further
33 engaging in selling pre-paid mobile SIM cards.

34
35 For tourists and other foreign nationals who seek to purchase and use a PREPAID
36 SIM Card in the Philippines, they are required to submit a photocopy of their passport or
37 travel document and must state their place of temporary residence, contact information
38 and expected length of stay in the country.

39
40 **SEC. 5. Submission of Documents.** - A certified true copy of these requirements
41 must be reproduced in triplicate, which shall be sent to the Telecommunications Network
42 Corporation involved, the National Telecommunications Commission (NTC), and the
43 authorized dealer or direct seller for their filing and registration.

1
2 **SEC. 6. Mandatory Identity Registration for Social Media Subscribers.** - All
3 Social Media Network Providers, whether local or foreign, are hereby required to obtain
4 any proof of identity authentication or validation from all its users, potential registrants,
5 and subscribers. The manner this is to be accomplished is by requiring each registrant
6 and subscriber to send an electronic copy of any government issued ID. All
7 communications made under this Act shall be considered of a privileged nature.

8
9 **SEC. 7. Penalties.** - Failure of the Telecommunications Network Corporation
10 and/or its authorized representative to comply with the provisions of this Act without
11 any sufficient and valid justification shall be punished by imprisonment of not less than
12 5 years but not more than 10 years or a fine of not less than Five Million Pesos
13 (P5,000,000) but not more than Fifty Million Pesos (P50,000,000) or both.

14
15 Failure of the Social Media Network or ISP's to comply with the provisions of this
16 Act without any sufficient and valid justification shall be punished with imprisonment of
17 not less than 3 years but not more than 6 years or a fine of not less than One Million Pesos
18 (P1,000,000) but not more than Twenty Million Pesos (P 20,000,000).

19
20 In case of any other violation of this Act, if the person/s or entity involved is found
21 liable, they shall suffer the penalties of imprisonment of not less than 1 year but not more
22 than 3 years or a fine of not less than One Hundred Thousand Pesos (P100,000) but not
23 more than One Million Pesos (P 1,000,000).

24
25 **SEC. 8. Transitory Provision.** - All Telecommunications Network Corporations
26 are given a grace period of 180 days to mandatorily register all existing Prepaid SIM cards
27 while all ISP's and Social Media Networks are given 120 days from the effectivity of the
28 IRR to comply with the registration requirements as provided in this Act. After the lapse
29 of the said period, all covered institutions must have complied and executed the
30 necessary registration requirements as laid out in this Act.

31
32 **SEC. 9. Implementing Rules and Regulations and Standard Forms.** - Within sixty
33 (60) days from the promulgation of this Act, the necessary rules and regulations for the
34 proper implementation of its provisions shall be formulated by the appropriate
35 government office or agency, subject to the approval of the President of the Philippines.
36 For a period not later than thirty (30) days upon the approval of the implementing rules
37 and regulations, the standard forms for the checklist shall be formulated and approved.

38
39 **SEC. 10. Repealing Clause.** - All laws, ordinances, executive orders,
40 administrative orders, rules, regulations, decrees, and other issuances or parts thereof,
41 which are inconsistent with the provisions of this Act are hereby revoked, repealed, or
42 modified accordingly.

43

1 **SEC. 11. Separability Clause.** - If any provision of this Act is held unconstitutional
2 or invalid, the other provisions not affected thereby shall continue in operation and
3 remain in full force and effect.

4
5 **SEC. 12. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its
6 publication in a newspaper of general circulation or the Official Gazette.

7
8 Approved,