

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

**EIGHTEENTH CONGRESS**  
1st Regular Session

House Bill No. 658



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**Introduced by Hon. Francis Gerald Aguinaldo Abaya**

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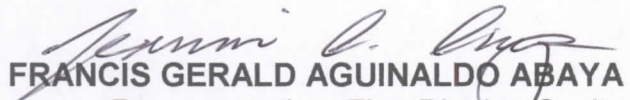
### **EXPLANATORY NOTE**

Our world has indeed become a knowledge-based society brought by mass production and widespread use of so-called digital logic circuits, and their derive technologies that allow individuals to explore their personalized needs even with just a click of their hand. The rise and continuous usage of cellular phones entail the use of a certain smart card that carries not only necessary information transmitted back and forth to the network but also the subscriber's personal data which includes phone contacts, text messages and history of calls.

This smart card is what we call the Subscriber Identity Module (SIM) Card which is accessible from direct sellers without any form of identity documentation procedure. While it is undoubtedly convenient to consumers, the unregulated system for the sale of SIM cards paved the way for the commission of various nefarious activities such as kidnapping for ransom, extortion of money and other mischiefs, harassment, and even petty crimes like theft. It is high time that we establish a registration mechanism or platform that will regulate the sale of SIM Cards to prevent the above-mentioned illegal acts.

This bill seeks to establish a system of sale and registration of SIM Cards through mandatory recording of pertinent data of the SIM Card buyer in a registration form and to require Public Telecommunications Entities (PTEs) and direct sellers to maintain a registry that shall serve as the repository of all their subscribers' information. The said system will be of great help to law enforcement agencies in tracking down and identifying lawless criminals.

For the foregoing reasons, the approval of this bill is earnestly sought.

  
**FRANCIS GERALD AGUINALDO ABAYA**  
Representative, First District, Cavite

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**HOUSE OF REPRESENTATIVES**  
Quezon City

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

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

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

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

13      **SECTION 3. *Definition of Terms.*** – As used on this Act:

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

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

18      c.) *Postpaid subscription* refers to subscription wherein service is provided by  
19      virtue of a prior arrangement with a public telecommunications entity, and



1 the end user thereof is billed at the end of the monthly billing cycle according  
2 to the use of mobile service;

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

7 e.) *Public Telecommunication Entity or PTE* refers to any person, natural or  
8 juridical, government or private, engaged in the provision of  
9 telecommunications services to the public for compensation;

10 f.) *SIM* refers to the Subscriber Identity Module which is an embedded circuit  
11 that securely stores international mobile subscriber identity and related keys  
12 used to identify and authenticate subscribers on mobile devices, such as  
13 mobile phones and computers;

14 g.) *SIM card* refers to a removable card into which an electronic integrated  
15 circuit is embedded and is transferrable between different mobile devices;

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

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

30 Except in cases where the PTE is the direct seller, the accomplished  
31 registration form must be submitted by the direct seller to the concerned PTE within  
32 fifteen (15) days from the date of sale. Failure on the part of the direct seller to comply  
33 under this Section shall constitute a violation of this Act.

1       **SECTION 5. Coverage of Registration.** – All direct sellers are hereby  
2 mandated to register the following information in the SIM card registration form:

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

- 7           1) Passport;
- 8           2) Digitized Social Security Service (SSS) ID;
- 9           3) Government Service Insurance System (GSIS) e-Card;
- 10          4) Driver's license;
- 11          5) Firearms' License to Own and Possess (LTOP) ID;
- 12          6) Professional Regulation Commission (PRC) ID;
- 13          7) Integrated Bar of the Philippines (IBP) ID;
- 14          8) Overseas Worker's Welfare Administration (OWWA) ID;
- 15          9) Digitized Bureau of Internal Revenue (BIR) ID;
- 16          10) Voter's ID;
- 17          11) Senior Citizen's Card;
- 18          12) Person with Disabilities Card; or
- 19          13) Other government issued ID.
- 20          14) National Bureau of Investigation (NBI) Clearance
- 21          15) Police Clearance
- 22          16) Firearms Clearance
- 23          17) Voter's Identification Card
- 24          18) Taxpayer's Identification Number
- 25          19) Professional Regulation Commission (PRC) Identification Card
- 26          20) Government Office Identification Card
- 27          21) School Identification Card (in case of a minor)
- 28          22) Other Government-issued Identification Cards

29       In the absence of any of the above IDs, a National Bureau of  
30 Investigation (NBI) clearance, Police Clearance, or a Philippine Statistics  
31 Authority (PSA) Certified Birth Certificate with an ID picture taken within the last  
32 six (6) months prior to the purchase of a SIM card shall suffice. The direct seller  
33 may make further inquiries or require the submission of additional identification,



1 if necessary. The purchase of a SIM card may be withheld pending submission  
2 of the additional requirements.

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

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

7 a) For foreign nationals visiting as tourists for not more than thirty (30) days:

- 8 1. Passport;
- 9 2. Proof of address in the Philippines;
- 10 3. Return Ticket to own country of the tourist or any other ticket showing  
11 the date and time of departure from the Philippines; and
- 12 4. Any other information as may be required by the Department of  
13 Information and Communications Technology (DICT).

14 b) For foreign nationals staying for more than thirty (30) days either as workers  
15 or students:

- 16 1. Passport;
- 17 2. Full name as indicated in the passport;
- 18 3. Proof of address in the Philippines;
- 19 4. Alien Employment Permit issued by the Department of Labor and  
20 Employment (DOLE); school registration and ID for students; and
- 21 5. Any other information as may be required by the DICT.

22 **SECTION 6. Submission of Registration Form.** – The registration form shall  
23 be accomplished in triplicate, and forwarded by the direct seller to the concerned PTE.  
24 The concerned PTE shall submit a copy of the duly accomplished registration form to  
25 the DICT within fifteen (15) days from the date of sale or receipt of such form from  
26 their respective direct sellers. The required registration form and copies thereof shall  
27 be certified by the direct seller or any other duly appointed officer of the PTE.

28 **SECTION 7. Submission of Verified List of Dealers or Agents.** – The PTE  
29 shall submit to the DICT, within thirty (30) days from the date of the effectivity of this  
30 Act, a verified list of their current authorized dealers/agents nationwide. The PTEs  
31 shall submit to the NTC, every quarter of each year an updated list of the same.

32 **SECTION 8. Confidentiality Clause.** – Any information in SIM card registration  
33 shall be treated as absolutely confidential, unless access to information has been  
34 granted upon written consent of the subscriber: *Provided*, that the waiver of absolute

1 confidentiality shall not be made as a condition for the approval of subscription  
2 agreements. The confidentiality clause in the SIM card registration shall take effect at  
3 the point of sale.

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

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

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

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

22 **SECTION 11. *Registration of Existing Prepaid Mobile Phone Subscribers.***  
23 – All existing mobile phone subscribers with prepaid SIM cards are required to register  
24 with their respective PTE within one hundred eighty (180) days from effectivity of this  
25 Act. An extension period of not longer than one hundred twenty (120) days shall be  
26 allowed upon a valid written request to the DICT.

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

29 **SECTION 12. *Penalties.*** – The following penalties shall be imposed for failure  
30 to comply with any of the provisions of this Act:

31 a.) If the offense is committed by a PTE, the President and other executive  
32 officers shall be held liable and the following penalties shall be imposed:

33 1) First offense: A fine of Three hundred thousand pesos (P300, 000.00);



1           2) Second offense: A fine of Five hundred thousand pesos (P500, 000.00);  
2           and

3           3) Third and subsequent offenses: A fine of One million pesos (P1,  
4           000,000.00) for every offense.

5           b.) If the offense is committed by a direct seller, a penalty of suspension of its  
6           operation and a fine of Five thousand pesos (P5, 000.00) to Fifty thousand  
7           pesos (P50, 000.00) shall be imposed.

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

12          **SECTION 13. *Implementing Rules and Regulations (IRR).*** – Within ninety  
13          (90) days from the effectivity of this Act, the DICT, in coordination with other concerned  
14          agencies, shall promulgate the rules and regulations and other issuances as may be  
15          necessary, to ensure the effective implementation of this Act.

16          **SECTION 14. *Transitory Provision.*** – Only direct sellers who have been duly  
17          authorized by the PTEs and the NTC, shall be allowed to sell prepaid SIM cards. Upon  
18          the effectivity of this Act, all PTEs are mandated to recall all prepaid SIM cards for sale  
19          to the public by those establishments not authorized by it. Otherwise, they shall be  
20          imposed the penalties prescribed in this Act.

21          **SECTION 15. *Separability Clause.*** – Should any part of this Act be declared  
22          unconstitutional or invalid, other provisions hereof that are not affected thereby shall  
23          continue to be in full force and effect.

24          **SECTION 16. *Repealing Clause.*** – All laws, decrees, executive orders,  
25          proclamation, rules and regulations, and issuances, or parts thereof which are  
26          inconsistent with the provisions of this Act, are hereby repealed, amended or modified  
27          accordingly.

28          **SECTION 17. *Effectivity.*** – This Act shall take effect fifteen (15) days after its  
29          complete publication in the Official Gazette or in a newspaper of general circulation.

30  
31          Approved,