

Republic of the Philippines
Congress of the Philippines
Metro Manila
Nineteenth Congress
First Regular session

**AMENDMENT TO THE LAW ON SIM CARD REGISTRATION DATA STORAGE
IN THE PHILIPPINES**

Preamble:

Storing Subscriber Identity Module (SIM) card data is an effective measure to combat illegal activities. However, it is also important to protect the privacy and personal information of individuals. Thus, this amendment seeks to modify the existing law on SIM card registration data storage in the Philippines. The aim is to strike a balance between ensuring national security and safeguarding the fundamental rights and freedoms of citizens.

Section 1: *Short Title*

This amendment shall be known as the “**Amendment to the Subscriber Identity Module (SIM) Registration Act**”.

Section 2: *Definition of Terms*

2.1 *Privacy*: Privacy refers to the right of every individual to control and protect their personal information, activities, and communications from unauthorized access or intrusion.

2.2 *Personal Information*: Personal information refers to any data or details that can be used to identify an individual, which include their name, address, contact information, financial records, or any other information that relates to their personal identity.

2.3 *Sim Card*: A SIM (Subscriber Identity Module) card is a small, removable smart card used in mobile devices, such as cell phones and tablets. It stores information that identifies the user to the mobile network, allowing them to make calls, send messages, and access mobile data.

2.4 *Illegal Activities*: Illegal activities refer to actions or behaviors that are prohibited by law. These can include criminal acts such as theft, fraud, drug trafficking, terrorism, or any other activity that violates local, national, or international laws.

2.5 *National Security*: National security refers to the protection and defense of a nation's interests, sovereignty, and citizens from internal and external threats. It encompasses measures taken to safeguard the country against potential risks, including terrorism, espionage, cyberattacks, and other threats to its stability and well-being.

2.6 *Fundamental Rights and Freedoms*: Fundamental rights and freedoms are the basic rights and liberties that every individual is entitled to, regardless of their race, gender, religion, or nationality. These can include rights such as freedom of speech, freedom of assembly, freedom of religion, the right to privacy, and the right to a fair trial, among others. These rights are typically protected by national and international laws and constitutions.

Section 3: Data Retention Period

3.1 The maximum period for which sim card registration data shall be stored by the telecommunication service providers (TSPs) shall be reduced from the current requirement of two years to one year.

3.2 After the expiration of the one-year retention period, TSPs shall be required to permanently erase all sim card registration data from their systems, ensuring that no copies or backups remain.

Section 4: Data Security Measures

4.1 TSPs shall implement robust security measures to protect the stored sim card registration data from unauthorized access, use, or disclosure.

4.2 Encryption techniques shall be employed to ensure the confidentiality and integrity of the data during storage and transmission.

4.3 Regular audits and assessments of the data security measures shall be conducted to identify and address any vulnerabilities or weaknesses in the system.

Section 5: Consent and Transparency

5.1 TSPs shall obtain explicit and informed consent from individuals before collecting and storing their sim card registration data.

5.2 TSPs shall provide clear and accessible information to individuals regarding the purpose and scope of data collection, storage, and usage.

5.3 Individuals shall have the right to access, correct, or delete their sim card registration data held by TSPs, subject to reasonable limitations and safeguards to prevent misuse or abuse.

Section 6: Data Breach Notification

6.1 TSPs shall establish a robust incident response plan to promptly detect, respond to, and mitigate any data breaches or unauthorized access to sim card registration data.

6.2 In the event of a data breach, TSPs shall notify affected individuals and the relevant authorities within a reasonable timeframe, taking into account the severity and scope of the breach.

Section 7: Oversight and Accountability

7.1 An independent regulatory body shall be established or designated to oversee the implementation and enforcement of this amendment.

7.2 The regulatory body shall have the authority to conduct regular audits, impose penalties for non-compliance, and ensure that TSPs adhere to the provisions outlined in this amendment.

7.3 TSPs shall maintain records of their compliance efforts, which shall be made available for inspection by the regulatory body upon request.

Section 8: Severability

If any provision or part of this amendment is declared invalid or unenforceable, the remaining provisions shall remain in full force and effect.

Conclusion:

By amending the law on sim card registration data storage in the Philippines, this amendment aims to strike a balance between national security concerns and the protection of individuals' privacy rights. It emphasizes the importance of data security, consent, transparency, and accountability, while ensuring that sim card registration data is not retained for longer than necessary. This amendment seeks to create a framework that respects the rights of individuals while enabling effective measures to combat illegal activities.