

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

**15th Congress
First Regular Session**

House Bill No. 1991

Introduced by Honorable Sergio A. F. Apostol

EXPLANATORY NOTE

Mobile phones are useful and convenient tools of modern life. While mobile phones have brought us speed and efficiency in our transactions, there are individuals who take advantage of this modern technology to commit crimes faster and with greater facility.

Numerous complaints have been made against the irresponsible and sometimes illegal use of the mobile phone. Our police and firefighters have complained of pranksters making hoax emergency calls that resulted in wasted efforts. Also, criminals who commit crimes especially kidnapping are easily able to consummate their unlawful activities with the use of prepaid Subscriber Identity Module (SIM) Cards in mobile phones that presently provide law enforcers with no recourse as to their identities for investigation. Thus registration of SIM Cards will reduce kidnapping and other petty crimes and make it easier for the law enforcement to tackle.

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


HON. SERGIO A. F. APOSTOL
Representative
Second District, Leyte

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**AN ACT REQUIRING THE REGISTRATION OF ALL BUYERS OF PREPAID
SUBSCRIBER IDENTITY MODULE (SIM) CARDS**

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

SECTION 1. Short Title. This Act shall be known as the "Subscriber Identity Module (SIM) Cards Registration Act of 2010".

SECTION 2. Declaration of Policy. The State recognizes the vital role of communication and information in nation building. The introduction of modern telecommunications technology with the view of providing the widest information dissemination is greatly encouraged. The possession of the most modern technology though, carries with it tremendous responsibility. Mechanism for its effective use for the good of all and not for an illegal or malicious purpose to benefit a few must be installed. Towards this end, the State shall regulate the use and sale of pre-paid subscriber identity module (SIM) card for mobile phone users only to persons who shall comply with the requirements herein set forth.

SECTION 3. Definitions. For the purposes of this Act,

- 1) "SIM Card" refers to the Subscriber Identity Module (SIM) Card in a mobile phone;
- 2) "Mobile Phone Company" refers to any mobile telecommunication service provider, including, but not limited to, Globe, Smart, or Sun Cellular.
- 3) "NTC" refers to the National Telecommunications Commission.

SECTION 4. SIM Card Registration. Every mobile phone company shall be required to register its subscribers, both prepaid and postpaid, and maintain a directory thereof, indicating therein the SIM Card serial number, mobile phone number, name and address of the subscriber.

Any change in the information required in the SIM Card Registration must be registered with the mobile phone company within fifteen (15) days from the concurrence of such change.

SECTION 5. Confidentiality Clause. Information in SIM Card Registration shall be treated as absolutely confidential, unless otherwise specified by the subscriber. It shall not be inquired or looked into, except upon probable cause to be determined personally by the judge after examination under oath or affirmation of the complainant and the witnesses he or she may produce.

SECTION 6. Sale of SIM Cards. Every seller shall require his or her buyer of a SIM Card to present valid identification with photograph to ascertain the identity of the buyer. The seller shall further require the buyer to accomplish a registration form issued by the mobile company of the SIM Card being purchased. For this purpose, mobile phone companies shall issue registration forms. The seller shall then promptly submit the accomplished registration form to the concerned mobile phone company not later than fifteen (15) days from the date of sale. The confidentiality clause in the SIM Card registration in Section 5 shall start to apply at the point of sale.

A buyer who does not produce valid identification with picture and accomplish a registration form in accordance with the preceding paragraph shall be refused the sale of a SIM Card by the seller.

SECTION 7. Implementing Rules and Regulations. The NTC Shall issue rules and regulations to implement the provisions of this Act within one (1) month from the effectivity of this Act.

SECTION 8. Penal Clause. Any violation of the above provisions of this Act shall be punished with a fine ranging from five thousand pesos (P5,000.00) to fifty thousand pesos (P50,000.00).

SECTION 9. Transitory Provision. All existing prepaid subscribers are required to register with their respective mobile phone companies within three (3) months from the effectivity of this Act. Failure to register within this period shall result in deactivation of the prepaid subscription. The deactivated prepaid subscription may only be reactivated after registration in accordance with this Act.

SECTION 10. Repealing Clause. All laws, decrees, orders, rules and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 11. Separability Clause. If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SECTION 12. Effectivity. This Act shall take effect fifteen (15) days following the completion of its publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.