

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

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 2588



Introduced By: REPRESENTATIVE MAGNOLIA ROSA ANTONINO-NADRES

EXPLANATORY NOTE

The advent of prepaid services in the late 1990's soon made the Short Messaging System (SMS) or "texting" the communication method of choice amongst the young, a trend which spread across all ages. As the use of this prepaid SIM Card became more widespread, more people began to utilize mobile phones in their daily lives. This is because acquiring a prepaid mobile phone has distinct advantage compared to postpaid mobile phone since the subscriber will be saved from signing a contract that requires monthly fee thus you can determine how much you need in a month aside from keeping your privacy as the service provider will no longer do any background check.

However, the use of prepaid SIM Cards have become a security concern that many countries like Singapore, Uganda, Australia, Switzerland, etc. now require their registration. There are numerous cases particularly in the Philippines, when SIM Cards were used for criminal activities like in making ransom, money-making activities like e-raffle and random lottery, harassment, and even to detonate bombs and get away with such crimes as the identity of the user cannot be determined. Let us put a quietus to these criminal activities.

This bill therefore seeks to require the registration of the buyers of prepaid SIM Cards and to provide penalties for any violation thereof.

The rationale behind this measure is to improve efficiency of law enforcement and national security activities. In some countries, the rationale is extended to include support for emergency service response and the commercial provision of public directory services.

The foregoing reasons warrant the approval of this bill.

MAGNOLIA ROSA ANTONINO-NADRES

Representative
Fourth District, Nueva Ecija

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AN ACT
REQUIRING THE REGISTRATION OF BUYERS OF PREPAID SUBSCRIBER
IDENTITY MODULE (SIM) CARDS AND PROVIDING PENALTIES THEREFOR

*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 2013”.

SEC. 2. *Declaration of Policy.* – It is hereby declared a policy of the State to ensure the welfare of the people by providing effective mechanisms that will efficiently encourage the optimum utilization of modern communication technology as potent tool for economic development. Toward this end, the acquisition and utilization of post paid and prepaid Subscriber Identity Module (SIM) Card shall be limited only to persons who shall duly comply with requirements imposed herein.

SEC. 3. *Definition of Terms.* – As used in this Act, the following terms shall mean:

- a) *Post paid mobile phone* – is a mobile phone for which service is provided by a prior arrangement with a carriage service provider. The user in this situation is billed after the fact according to their use of mobile services at the end of each month;

- b) *Prepaid mobile phone* – is a mobile phone for which credit is purchased in advance of service use. The purchased credit is used to pay for mobile phone services at the point the service is accessed or consumed. If there is no available credit then access to the requested service is denied;
- c) *SIM Card* – refers to the Subscriber Identity Module, which is an integrated circuit that securely stores the international mobile subscriber identity and the related key used to identify and authenticate subscribers on mobile telephony devices, such as mobile phones and computers. A SIM circuit is embedded into a removable plastic card called “SIM Card” and can be transferred between different mobile devices;
- d) *SIM Card Registration* – is the process of recording and verifying mobile phone number and personal information of a subscriber, by a communications service provider, including but not limited to the subscriber’s photograph, name, date of birth, gender, address, etc.;
- e) *Telecommunications Companies (Telcos)* – refer to any telecommunication company mobile service provider, including but not limited to, Smart, Globe Communications, Sun Cellular, etc.

SEC. 4. SIM CARD Registration. – All telecommunication companies (telcos) are required to register their subscribers to the National Telecommunication Commission (NTC), both postpaid and prepaid mobile phone users, and maintain a list thereof containing information cited under SEC. 3. (d) of this Act.

Should there be any change in the information after the acquisition of the SIM Card, the subscriber must notify the NTC within thirty (30) days from such change.

Sec. 5. Sale of SIM Card. – No SIM Card shall be sold to any person unless a valid government issued identification card with photograph is presented and registration form containing personal information, job description and the like is accomplished by the buyer. The seller shall submit the duly accomplished registration form to the telecommunication company not later than fifteen (15) days from the date of sale.

Non compliance with the above requirement shall mean refusal on the part of the seller to sell the SIM Card.

SEC. 6. Confidentiality Clause. The information contained in the SIM Card Registration shall be treated with absolute confidentiality and can never be revealed except upon lawful order of the court or appropriate government body.

SEC. 7. Registration of Existing Prepaid Mobile Phone Subscribers. - All existing mobile phone subscribers with prepaid SIM Cards are required to register with their respective telecommunications company within sixty (60) days upon effectivity of this Act. Failure to register within the prescribed period mean lifetime deactivation of the subscription.

SEC. 8. Rules and Regulations. - The National Telecommunications Commission (NTC) shall issue the necessary rules and regulations to implement the provisions of this Act.

SEC. 9. Penal Clause. - Any person found guilty of violating this Act shall suffer the penalty of six (6) months imprisonment or a fine of Fifty thousand pesos (P50,000.00) or both at the discretion of the court.

SEC. 10. Repealing Clause. - All laws, decrees, executive orders, rules and regulations which are inconsistent with this Act are hereby amended, repealed or modified accordingly.

SEC. 11. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in any newspaper of general circulation.

Approved,