

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Congressional Hills, Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3602



Introduced by **Representative Marlyn L. Primicias-Agabas**

EXPLANATORY NOTE

According to the 1987 Constitution, "The State recognizes the vital role of communication and information in nation-building." Indeed, communication is vital in our country's development. Families are being united through recent innovations like voice calls, short messaging services, electronic mails, and chats. Businesses also utilize these technology, bridging long distanced-gaps of employers and employees, competitors and co-operators. Scientific progress is also acknowledged and disseminated at a faster pace thanks to these innovations.

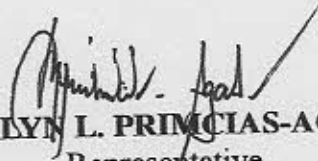
One such innovation is the Subscriber Identification Module (SIM) card. It contains the user's personal information and phone settings and is used to subscribe to basic services for cellular phones, smart phones and tablets. No registration is necessary especially in a pre-paid SIM account, so subscription to these services are convenient.

However, some individuals make use of the anonymity of the SIM user in committing crimes. For example, ransom demands in kidnapping, fraudulent messages in estafa, and similar crimes are now utilizing text messaging services. Because SIM cards are not registered,

lawless elements may not be traced through the texts they had sent, and they can easily throw away the card to forever conceal the evidence.

To prevent crime and develop peace and order in our country, there is a need to require the registration of SIM Cards in mobile phones. This will encourage responsibility and accountability in the use of SIM Cards as well as provide improved law enforcement competency in protecting the public.

Thus, the early passage of this bill is earnestly requested.


MARILYN L. PRINCIAS-AGABAS
Representative
Sixth District, Pangasinan

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AN ACT
REQUIRING THE REGISTRATION OF THE BUYERS OF PREPAID SIM
CARDS, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

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

SECTION 1. It is hereby mandated that all sellers of Prepaid SIM Cards shall verify the identity of the buyer by checking any of his government-issued Ids

SEC. 2. The seller is also required to record all pertinent information from buyer's ID and submit, through online means, a daily record to the telecommunication company of the sim cards.

SEC. 3. The telecommunication company shall only activate the sim card upon recording of the information to its database.

SEC. 4. *Administrative Sanctions* – Telecommunication companies violating the provisions of this Act shall be given suspension until full compliance to this Act.

SEC. 5 *Penal Provision* – Any person, whether juridical or natural, caught violating this Act shall be fined not less than One Hundred Thousand Pesos (P100,000) and not more than One Million Pesos (P1,000,000) and imprisonment of not less than one year but not more than two years. If the violation is committed by a company, the President or the Chief Executive Officer shall be the one liable and shall be the one given punishments.

SEC. 7. *Implementing Agency* – The National Telecommunications Commission shall ensure implementation of this Act.

SEC. 8. *Implementing Rules and Regulations* – The Head of the National Telecommunications Commissions shall promulgate the rules and regulations necessary to implement the provisions of this Act within sixty (60) days after approval of this Act.

SEC. 9. *Repealing Clause* – All laws, presidential decrees, executive orders, and rules and regulations or part thereof, inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 10. *Separability Clause* – Should any provision of this Act be found unconstitutional by any court of law, the pertinent provision shall be severed from the remainder of this Act.

SEC. 11. *Effectivity* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,