



Seventeenth Congress  
First Regular Session  
HOUSE BILL NO. **4646**



**Introduced by Representative Joel Mayo Z. Almario**

**EXPLANATORY NOTE**

Wireless communications is a real tool that provides convenience in the transmission of opinions and exchange of ideas. It facilitates the sharing of information that encourages collaboration and cooperation, and makes transactions swift and speedy, thereby promoting productivity.

There are, however, devious individuals or groups who have found ways to abuse this innovation for illegal purposes. Syndicates engaged in illegal drugs, kidnapping, carjacking, extortion, smuggling and other heinous crimes have increasingly used cellular or mobile phones to further their criminal activities. They are able to do this with minimal or without risk of being caught because the identities of cellular phone users cannot be ascertained. Mobile phones have become a standard tool for criminals.

Complaints against irresponsible use of mobile phones are also on the rise. Law enforcement authorities have complained of pranksters dropping calls made to emergency numbers and of numerous hoax calls received by their offices. There is likewise an increase in the incidence of "stalking" and harassment with the use of unregistered mobile phones that allow the perpetrator invisibility and protection.

The registration of prepaid subscriber identity module (SIM) cards will remove that invisibility and unmask the perpetrator, thereby making them criminally liable. Similarly, the bill will provide law enforcement agencies the proper means necessary to crack down and track criminals.

While the 1987 Constitution recognizes the vital role of information and communication in nation building as stated in Section 24, Article II thereof, it is also incumbent upon the State to protect its citizens from criminality.

The regulation and registration of the use of prepaid SIM cards as a measure to curb unlawful activities is one such move towards the protection of the citizens.

A bill of similar import, House Bill No. 5231, which was a substitute bill submitted by the Committee of Information and Communications Technology under Committee Report No. 497, was approved by the House of Representatives on Third Reading during the Sixteenth Congress. However, the same was not acted upon timely by the Senate.

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



**J. MAYO Z. ALMARIO**  
*Representative*  
2<sup>nd</sup> District, Davao Oriental



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HOUSE BILL NO. **4646**

**Introduced by Honorable Joel Mayo Z. Almario**

**AN ACT**

**REQUIRING THE REGISTRATION OF ALL USERS OF PRE-PAID  
SUBSCRIBER IDENTITY MODULE CARDS AND PROVIDING  
PENALTIES FOR VIOLATION THEREOF**

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

**SECTION 1.      *Short Title.*** – This Act shall be known as the  
“*Pre-Paid SIM Card Registration Act.*”

**SEC. 2.      *Declaration of Policy.*** – The State recognizes the  
technological advancement in information and communication especially in  
wireless communication. The State likewise recognizes that the use of such  
modern technologies must be regulated to promote the general welfare and  
protect public safety and national security. Towards this end, the State shall  
regulate the use of SIM cards by requiring end-users to comply with the  
registration requirements for the purchase and use of prepaid subscriber  
identity module (SIM) cards.

**SEC. 3.      *Definition of Terms.*** – As used in this Act:

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

b) *End user* refers to any individual or subscriber who directly purchases a postpaid or prepaid SIM card from a public telecommunications entity or direct seller for personal use;

c) *Postpaid mobile phone* refers to services provided by a public telecommunications entity where the users are billed after the fact or at the end of the monthly billing cycle according to their use of the mobile services;

d) *Prepaid mobile phone* refers to services provided by a public telecommunications entity where credit is purchased in advance to pay for mobile phone services at the point the services is accessed or consumed;

e) *Public telecommunications entity* refers to any duly enfranchised entity that offers voice, short messaging system (SMS), mobile data, value added services or any other telecommunications services to the public for a fee;

f) *SIM card registration* refers to the process of recording and verifying the mobile phone number and personal information of the subscriber which include the name, date of birth, gender, complete home address, the date of sale and photograph of the end user by the public telecommunications entity or other direct seller; and

g) *Subscriber identification module (SIM) card* refers to an integrated circuit inside a mobile phone, usually a removable plastic card,

1 which encrypts voice and data transmissions and stores data about the  
2 specific user so that the user can be identified and authenticated to the  
3 network supplying the phone service.

4 SEC. 4. ***SIM Card Registration.*** – The public  
5 telecommunications entity, or the direct sellers distributing their SIM  
6 cards, shall require the end user of the SIM card to duly accomplish,  
7 before the purchase and release of a SIM card, a registration form with a  
8 corresponding control number in triplicate, and an attestation that the  
9 person purchasing and the person registering the SIM card are one and  
10 the same as shown by the presentation of a valid government-issued  
11 identification card pursuant to Section 5 hereof.

12 The registration form shall contain the following information:

- 13 a) Full name of the purchaser;
- 14 b) Complete home address;
- 15 c) Date of birth of the purchaser
- 16 d) Assigned mobile phone number of SIM card and serial  
17 number; and
- 18 e) Date of purchase.

19 SEC. 5. ***Identification and Verification.*** – The public  
20 telecommunications entity, and the direct sellers distributing SIM cards to  
21 end users, shall verify the veracity of the information given by the end  
22 user under Section 4 by requiring the end user to present the original and

1 submit a true and faithful reproduction or photocopy of a valid  
2 government-issued photographic identification card, which may be any of  
3 the following:

- 4 a) Passport
- 5 b) Driver's license
- 6 c) Unified multi-purpose identification card
- 7 d) Senior citizen's card
- 8 e) Person with disabilities card
- 9 f) Voter's identification card
- 10 g) Postal identification card
- 11 h) Taxpayer's identification number (TIN) card
- 12 i) Professional Regulation Commission (PRC) card
- 13 j) Integrated Bar of the Philippines membership card
- 14 k) Government office identification card
- 15 l) School identification card (for minors)
- 16 m) National Bureau of Investigation clearance
- 17 n) Police clearance
- 18 o) Firearms license
- 19 p) Other government-issued identification cards

20 SEC. 6. ***Submission of the Registration Form.*** – The direct  
21 sellers shall submit the registration form accomplished by the end user to

1 the public telecommunications entity within ten (10) days after the close  
2 of the month when the sale of the SIM card was made.

3 The public telecommunications entity shall submit a copy of the  
4 registration form accomplished by the end user, including those submitted  
5 by the direct sellers, to the National Telecommunications Commission  
6 (NTC) within thirty (30) days after the close of the month when the sale of  
7 the SIM card was made.

8 SEC. 7. *Verified List of Dealers and Sellers.* – The public  
9 telecommunications entity shall submit to the NTC, within six (6) months  
10 from the date of effectivity of this Act the verified list of all its dealers and  
11 sellers. Thereafter, the public telecommunications entity shall submit to the  
12 NTC, every quarter of each year, an updated list of the same.

13 SEC. 8. *Limitation on SIM Card Ownership* – No end user shall  
14 be allowed to register more than five (5) active prepaid SIM cards under his  
15 name. In the event that a previously registered prepaid SIM card is rendered  
16 obsolete due to expiration, deactivation, destruction, or lost, the end user  
17 shall be authorized to obtain a new SIM card, provided proof of the  
18 inoperability of the previously registered SIM card is shown.

19 The public telecommunications entity, or the direct sellers distributing  
20 the SIM cards shall then put an annotation on the registration form declaring  
21 the inoperability of the previously registered SIM card.

1        SEC. 9.     ***Confidentiality of the Information.*** – All information  
2 gathered from the SIM card registration shall be absolutely confidential,  
3 unless by reason of public safety and national security disclosure of such is  
4 required, or upon written consent of the subscriber.

5        SEC. 10.   ***Registration of Existing Prepaid Mobile Phone.*** –  
6 Existing mobile phone subscribers are given a period of six (6) months from  
7 the time of the effectivity of this Act within which to register their SIM card  
8 with their respective public telecommunications entity. Failure to register  
9 will authorize the public telecommunications entity to automatically  
10 deactivate the subject SIM card.

11       SEC. 11.   ***Loss or Change of SIM Card.*** – In case of loss of the  
12 SIM card or change in the information of the end user, the end user must  
13 duly notify the public telecommunications entity within thirty (30) days  
14 from such loss of SIM card or change in information. The public  
15 telecommunications entity must notify the NTC within a period of thirty (30)  
16 days from receipt of such notification from the subscriber.

17       SEC. 12.   ***Public Telecommunications Entity.*** – The public  
18 telecommunications entity shall submit a quarterly update of its SIM card  
19 registry of all subscribers to the NTC, whether postpaid or prepaid,  
20 containing all the information as mandated under Section 4 of this Act. The  
21 NTC likewise, shall ensure that such data is kept with outmost  
22 confidentiality.

1        SEC. 13.    **Penalties.** – The following penalties shall be imposed on  
2 any public telecommunications entity found guilty of violating any of the  
3 provisions of this Act:

4        a)    First Offense - A fine of Three hundred thousand pesos  
5 (P300,000.00);

6        b)    Second Offense - A fine of Five hundred thousand pesos  
7 (P500,000.00);

8        c)    Third and subsequent Offense - A fine of One million pesos  
9 (P1,000,000.00); and

10       d)    If a public telecommunications entity has been found to have  
11 been continuously violating any of the provisions of this Act, the NTC shall  
12 recommend to Congress the immediate revocation of its franchise.

13       The following penalties shall be imposed on any direct seller found  
14 guilty of violating any of the provisions of this Act:

15       a)    First Offense – A fine of Ten Thousand First Offense ;

16       b)    Second Offense - A fine of Twenty Thousand pesos  
17 (P20,000.00);

18       c)    Third and subsequent Offense - A fine of Thirty Thousand  
19 pesos (P30,000.00).

20       SEC. 14.    **Criminal Liability.** – Any end user who knowingly  
21 provides false or misleading information as mandated by Section 4 of this

1 Act shall be subject to criminal prosecution under Article 171 or Article 172  
2 of the Revised Penal Code.

3 SEC. 15. ***Implementing Rules and Regulation.*** – The NTC shall  
4 issue such orders, rules and regulations and other issuances as may be  
5 necessary to ensure the enforcement and immediate implementation of this  
6 Act.

7 SEC. 16. ***Separability Clause.*** – If any provision or part of this Act  
8 is declared unconstitutional or invalid, the remaining parts or provisions not  
9 affected shall remain in full force and effect.

10 SEC. 17. ***Repealing Clause.*** – All laws, decrees, orders, rules and  
11 regulations, and other issuances, or parts thereof which are inconsistent with  
12 the provisions of this Act are hereby repealed, amended or modified  
13 accordingly.

14 SEC. 18. ***Effectivity.*** – This Act shall take effect fifteen (15) days  
15 after its publication in the *Official Gazette* or in a newspaper of general  
16 circulation.

17 Approved,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned to the right of the word 'Approved,'.