



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Nineteenth Congress
First Regular Session

HOUSE BILL NO. 3327



Introduced by Representative Jefferson F. Khonghun

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

EXPLANATORY NOTE

About 5.2 billion people worldwide have mobile phones, accounting for almost 70 percent of the entire global population. In the Philippines alone, the data gathered by Statista as of 2019 showed that we have around 169 million mobile subscribers.

There are already about 160 countries that require mandatory SIM-card registration, requiring real name and personal details to sign up for phone service. And over 30 of these countries also require biometrics, e.g. fingerprints or a facial scan.

The rapid digitalization since the global COVID-19 pandemic began resulted in the Filipinos' unprecedented participation in e-commerce business, financial technology transactions, and other online services utilizing different digital platforms. The data is overwhelming. It is a fact that one of the purposes of the said breakthrough is for the easement of a burden in the field of telecommunication and web access.

However, an advantage always comes with a disadvantage. Innovations are susceptible to abuse and exploitation by people who give in to the temptation, and these actions affect the greater good of society which the State endeavors to protect. Regulation is therefore imperative, taking into consideration factors

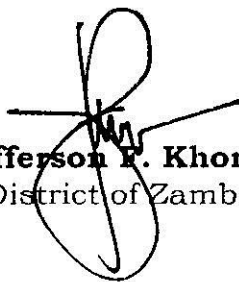
such as identity and accountability; prevention of crimes, and prosecution thereof when committed.

In times like these, the need to “know-your-customer” or “know your caller” becomes imperative not only to protect the purchasing public from online scams and frauds, but more importantly, to build consumer and business confidence to engage productively in the digital economy.

Senate Bill (SB) 2911, introduced by Senator Loren Legarda in 2020, is a welcome legislation regarding this matter, but it was vetoed by Former President Rodrigo Duterte due to the inclusion of mandatory social media registration in the measure.

In refiling the said measure, this proposed act known as “Subscriber Identity Module (SIM) Card Registration Act”, likewise aims for proper accountability of mobile phone users, without touching on social media registration. The proposed measure mandates every Public Telecommunications Entity (PTE) or direct seller of SIM cards to require all individual or subscriber who will buy a SIM card from a direct seller to present a government-issued identification card with photo upon purchase. End users will likewise be required to accomplish and sign a control-numbered registration issued by the PTE of the purchased SIM card.

Given the need to adapt to the changing times , the passage of this bill is urgently sought.



Hon. Jefferson E. Khonghun
1st District of Zambales

1 **AN ACT REQUIRING THE REGISTRATION OF ALL**
2 **PRE-PAID SUBSCRIBER IDENTITY MODULE (SIM) CARDS**

3
4 *Be it enacted by the Senate and the House of Representatives of the*
5 *Philippines in Congress assembled:*
6

7 **SECTION 1. Short Title.** – This Act shall be known as the “SIM Card
8 Registration Act.”
9

10 **SECTION 2. Declaration of Policy.** – While the State recognizes the
11 vital role of information and communications technology in nation building,
12 there is also a duty to ensure a safer space online and combat crimes
13 facilitated by automated and mobile devices.
14

15 Technology is embraced by the State such that the same is encouraged
16 to be utilized in order to alleviate the current living conditions of its citizens.
17 Despite such encouragement, it must remain checked by the State as it is
18 also its responsibility to protect its citizens from the abuses and exploits
19 arising therefrom.
20

21 **SECTION 3. Definition of Terms.** – This Act defines the following:
22

23 a. *Registration Form* refers to a control-numbered instrument, issued by
24 the National Telecommunications Commission (NTC), requiring the SIM
25 Card purchaser to fill the same with the information necessarily for the
26 process of SIM Card Registration.
27

28 b. *Direct seller* refers to a person or entity, whether natural or juridical,
29 who directly dispenses or sells a SIM card to an end user and included
30 in the verified list of dealers or agents by the NTC.
31

32 c. *Registered SIM Card Owner* refers to any person who has successfully

1 accomplished the registration of his/her SIM Card as his/her own;
2

3 d. *SIM Card* refers to is a removable plastic card where an embedded
4 integrated circuit securely stores the mobile subscriber identity and the
5 related key used to identify and authenticate subscribers on mobile
6 phones and computers;

7
8 e. *End user* refers to any person or entity who directly purchases a
9 prepaid SIM card from a direct seller;
10

11 f. *SIM Card Registration* refers to the entire process by which the end
12 user must undergo in order for him/her to be considered by law as a
13 Register SIM Card Owner;
14

15 g. *Public Telecommunications Entity or PTE* refers to any duly
16 enfranchised and authorized public telecommunications entity that
17 offers voice, short messaging system (SMS/text), mobile data, value-
18 added services (VAS) or any other telecommunications services to the
19 public for a fee;
20

21 h. *Post paid mobile phone* refers to a mobile phone the service of which
22 is provided by a prior arrangement with a Public Telecommunications
23 Entity (PTE);
24

25 i. *Prepaid mobile phone* refers to a mobile phone for which credit is
26 purchased in advance of service use.
27

28 **SECTION 4. Contents of the Registration Form.** All direct sellers shall
29 register pertinent data in a control-numbered registration form devised for

1 the purpose, and must include the following information and requirements:

- 2
- 3 a. Full name and complete address of the end user as appearing in any
- 4 of the government-issued identification document under Section 8
- 5 of this Act;
- 6 b. Assigned cell phone number of SIM card(s) and serial number/s.

7

8 **SECTION 5. *Process of Registration of SIM Cards.*** – PTEs are required

9 to print control-numbered registration forms, each of which should be

10 inserted in the folded material encasing the SIM Card, prior to their shipment

11 or delivery to the official place of business of the direct sellers.

12

13 Direct Sellers are required by this Act to: (a) craft a Drop-Box stamped

14 or stickered with an emblem of the National Telecommunications

15 Commission, where the end users may submit their form, signifying the

16 commencement of their SIM Card Registration; and whenever a sale of a SIM

17 Card is made, to (b) request the assistance of an employee of the PTE issuing

18 the purchased SIM Cards to collect the said forms for preparation and

19 submission of the same to the NTC.

20

21 Prior to the sale, the end user must provide to the direct seller any of

22 the competent evidence of identity as enumerated under Section 8 of this Act.

23 The direct seller is allowed by this Act to examine the ID handed over by the

24 end user and has the discretion to determine whether the ID presented is

25 legitimate. After careful examination, a SIM Card of a PTE of his/her choosing

26 shall be given to the end user.

27

28 Thereafter, the registration form attached to the SIM Card must be

29 filled-up and duly accomplished by the end user in the presence of the direct

30 seller. After which, the Form, together with a photocopy of the ID examined

31 by the direct seller, shall be inserted in the Drop-Box.

32

1 The registration form required under this Section shall be accomplished
2 in triplicate, and shall be forwarded by the direct seller to the concerned PTE.
3

4 The concerned PTE shall submit a copy of the duly accomplished
5 registration form to the NTC within fifteen (15) days from the date of sale or
6 receipt of such form from their respective direct sellers.
7

8 **SECTION 6. Representative Registration of SIM Cards.** - A person
9 intending to purchase a SIM card but cannot personally do so with the direct
10 seller, may, for valid reason, authorize another to register in that person's
11 behalf, subject to the following conditions: (a) that the representative is
12 authorized through a duly notarized Special Power of Attorney; and (b) that
13 the principal and the representative should present an original copy of any of
14 the valid identification cards listed in Section 8 hereof.
15

16 In case the person intending to purchase a SIM card is a minor, the parents
17 or guardian shall be required to give their express consent in writing, and
18 submit the same with the registration form and valid identification cards of
19 both the minor and the parents or guardian.
20

21 **SECTION 7. End User is a tourist on a short-term stay in the Philippines.**
22 - In case the end user is a tourist on a short and temporary stay in the
23 Philippines, he/she must bring with him/her a Passport duly issued by the
24 concerned government agency from his/her country of origin.
25

26 **SECTION 8. Competent Evidence of Identity.** - The following are
27 competent evidence of identity:

- 28 (a) Driver's License;
- 29 (b) Passport;
- 30 (c) Professional Regulation Commission Identification Card;
- 31 (d) Social Security Service (SSS) / Government Service Insurance
32 System (GSIS) / Unified Multi-purpose ID (UMID);

- (e) Senior Citizen's Card;
- (f) Person with Disability Card;
- (g) Firearms License;
- (h) Voter's Identification Card;
- (i) National Bureau of Investigation (NBI) / Philippine National Police (PNP) Clearance taken within the last six (6) months prior to the sale/purchase
- (j) Taxpayer's Identification Number;
- (k) Any other government-issued ID;
- (l) School ID with photo (in case of a minor);
- (m) Alien Employment Permit issued by the Department of Labor and Employment (DOLE) / Alien Certificate of Registration Identification Card (ACRI-Card) issued by the Bureau of Immigration (BI) (for non-tourist foreigners)

SECTION 9. *Submission of Verified List of Dealers or Agents.* - The PTEs shall submit to the NTC, within thirty (30) days from the date of effectivity of this Act, a verified list of their current authorized dealers or agents nationwide. Thereafter, the PTEs shall submit to the NTC every quarter of each year an updated list of the same.

SECTION 10. *Confidentiality and Disclosure.* - Any information or data collected in the SIM card registration shall be treated as absolutely confidential.

Disclosure of any such information/data shall be prohibited, unless upon subpoena or order from a court or written request from a law enforcement agency about an investigation that a particular number is used in the commission of a crime.

SECTION 11. *Unregistered SIM Card purchasers.* - All persons who have acquired and are using their SIM Cards prior to the effectivity of this Act are required within ninety (90) days from the effectivity hereof, to register their SIM Cards *via* a link that shall be provided by the NTC through their website

(ntc.gov.ph). PTCs are requested to guide their pre-existing subscribers in through the process of registration as provided in this section by any means lawful, especially subscribers who are not computer literate.

SECTION 12. Penalties. – Any person found guilty of violating any of the provisions of this Act shall be met with the following penalties:

A. If the offense is committed by a PTE, the President and other executive officers shall be held liable and the following penalties shall be imposed:

1. First offense: A fine of one hundred thousand pesos (P100,000.00);

2. Second offense: A fine of three hundred thousand pesos (P300,000.00); and

3. Third and subsequent offenses, a fine of five hundred thousand (P500,000.00) for every offense.

B. A penalty of suspension of operations and a fine ranging from five thousand pesos (P5,000.00) to fifty thousand pesos (P50,000.00) shall be imposed on any direct seller who fails to comply with the provisions of this Act.

C. Any officer or employee of an implementing agency found to be in violation of the provisions of this Act shall suffer a penalty of suspension or dismissal or service, without prejudice to the filing of appropriate civil or criminal case/s.

SECTION 13. Implementing Rules and Regulations (IRR). – Within ninety (90) days from the effectivity of this Act, the NTC together with the concerned government agencies and instrumentalities, shall promulgate rules and regulations as well as other issuances to effectively carry out the provisions of this Act.

SECTION 14. Separability Clause. – Should any part of this Act be declared unconstitutional or invalid, other provisions hereof that are not

1 affected thereby shall continue to be in full force and effect.

2
3 **SECTION 15. *Repealing Clause.*** – All laws, decrees, executive orders,
4 proclamations, rules and regulations, and issuances, or parts thereof which
5 are inconsistent with the provisions of this Act, are hereby repealed, amended
6 or modified accordingly.

7
8 **SECTION 16. *Effectivity.*** – This Act shall take effect fifteen (15) days
9 following the completion of its publication in the *Official Gazette* or in
10 newspaper of general circulation.

11
12 Approved,
13