



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS

First Regular Session
HOUSE BILL NO. 4299



Introduced by **REPRESENTATIVE CHEENO MIGUEL D. ALMARIO**

EXPLANATORY NOTE

The mobile communication system has been instrumental in providing people convenience with a constant connection to family and friends, reaching a wider audience for businesses, saving time and effort, and generally making life better. It enables easier access to news, information, and entertainment.

At the onset of the pandemic due to the COVID-19 virus, wireless communication systems have become pivotal in combating the rapid spread of the disease through the dissemination of critical information, enabling quick response to emergency cases, and even helping in the delivery of essential goods such as food and life-saving medical supplies, among others. Technology aided in the continuity of socio-economic activities as the world shifted to virtual education, while governments and businesses maintain their operations with audio and video conferencing. It is expected to remain crucial in the post-pandemic era as we continue to recover from the impacts of the global health and socioeconomic crises.

Conversely, the increasing reliance of people on wireless communication poses several security issues that put them at risk. Individuals and groups have taken advantage of the technology to further their crimes including illegal drugs, extortion, kidnapping, smuggling, and other various nefarious activities. With widely available unregistered prepaid SIM or Subscriber Identity Module cards, users' identities are practically protected from being discovered in connection to their crimes.

The prevalence of fraud in prepaid cards is also on the rise as hackers have found ways to access devices. SIM cards contain unique numbers that can be used to access important information such as bank accounts, email addresses, digital wallets, social media accounts, and details of online purchases, which hackers use to cause financial detriment.

An estimated 82.3 million Filipinos used mobile phones in 2021 according to Statista, the German company specializing in market and consumer data. Globe reported that in the same year about 7,000 mobile numbers were linked to scammers. While in June 2022, a monthly average of 15,000 SIM cards were involved in fraudulent activity according to the PLDT Group.

This proposed measure seeks to eliminate the anonymity of perpetrators by providing for the registry of validated information of authorized SIM card users. This will assist law enforcement agencies track down criminals and criminal syndicates to hold them accountable. Additionally, it will discourage would-be fraudsters, scammers, and felons since mobile SIM numbers will now be associated with their names.

Meanwhile, the SIM registry system can help boost the fast-growing digital economy. With validated information linked to each mobile number, legitimate users will gain confidence using various e-commerce platforms and ICT-enabled banking and financial services. It will provide consumers with easy and more efficient means to do business and digital transactions.

While the vital role of information and communication in nation-building is articulated in Article II, Section 24 of the Constitution, it is also the prime duty of the Government to serve and protect the people under Section 4. In pursuit of these, the bill aims to foster a safe environment for people by discouraging unlawful activities perpetrated through unregistered SIM cards.

The 18th Congress approved and passed a similar bill but the same was vetoed by the sitting President then.

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


CHEENO MIGUEL D. ALMARIO
Representative
2nd District, Davao Oriental



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 4299

Introduced by **REPRESENTATIVE CHEENO MIGUEL D. ALMARIO**

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

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

- 1 **SECTION 1. Short Title.** – This Act shall be known as the “Subscriber Identity Module
2 (SIM) Card Registration Act”.
- 3 **SEC. 2. Declaration of Policy.** – The State recognizes the vital role of information and
4 communications technology in nation-building and encourages its growth and
5 development.
- 6 It is equally cognizant that as beneficial as modern technology is, its illegal or
7 malicious use endangers people’s lives, damages property, poses hazards to public
8 order, and even threatens the security of nations.
- 9 Thus, there is a need to promote accountability in the use of the Subscriber Identity
10 Module (SIM) card and other similar technology to provide law enforcement agencies
11 the tools to resolve crimes that involve its utilization and the platform to deter the
12 commission of wrongdoings.
- 13 Towards this end, the State shall require the registration of subscriber identity
14 module (SIM) cards and embedded SIMs by all users.
- 15 **SEC. 3. Definition of Terms.** – As used in this Act:
- 16 (a) *Direct seller* refers to a person, natural or juridical, who directly
17 dispenses or sells a SIM card or a mobile device with eSIM to an end user;
- 18 (b) *End user* refers to any individual/subscriber who directly purchases a
19 SIM card or a mobile device with eSIM from a direct seller;
- 20 (c) *Embedded SIM or eSIM* refers to a programmable chip that is integrated
21 directly into the structure of the cellular or mobile device. It consists of
22 an embedded universal integrated circuit card (eUICC), a software
23 component that allows the remote SIM provisioning of multiple network
24 operators;

- 25 (d) *Postpaid subscription* refers to the subscription wherein service is
26 provided by virtue of a prior arrangement with a public
27 telecommunications entity, and the end user thereof is billed at the end
28 of the monthly billing cycle according to the use of mobile service;
- 29 (e) *Prepaid subscription* refers to the subscription wherein credit is
30 purchased in advance of service use. The purchase is used to pay for
31 mobile phone services at the point the service is accessed or consumed.
32 If there is no available credit, then access to the requested service is
33 denied;
- 34 (f) *Public Telecommunications Entity or PTE* refers to any person, natural or
35 juridical, government or private, who engages in the provision of
36 telecommunications services to the public for compensation;
- 37 (g) *SIM* refers to the Subscriber Identity Module which is an embedded
38 circuit that securely stores international mobile subscriber identity and
39 related keys used to identify and authenticate subscribers on mobile
40 devices, such as mobile phones and computers;
- 41 (h) *SIM card* refers to a removable card into which an electronic integrated
42 circuit is embedded and is transferrable between different mobile
43 devices; and
- 44 (i) *SIM card or eSIM registration* refers to the process of recording and
45 verifying the mobile phone number and personal information of a
46 subscriber, by a PTE or other direct seller, including the subscriber's full
47 name, date of birth, gender, and address.

48 **SEC. 4. Sale and Registration of SIM Cards and Mobile Devices with eSIM.** – Every PTE
49 or direct seller shall require the end user of a SIM card or a mobile device with eSIM
50 to present valid identification with a photo to ascertain the latter's identity. The PTE
51 or direct seller shall further require the end user to accomplish and sign a control-
52 numbered registration form issued by the respective PTE of the SIM card or mobile
53 device with eSIM purchase. The registration form shall include an attestation by the
54 end user that the person appearing before the direct seller is the same person who
55 accomplished and signed the registration form and that the identification documents
56 presented are valid and correct. Failure of an end user to comply with the
57 requirements under this section shall be a ground for the PTE or direct seller to refuse
58 the sale and issuance of a SIM card or a mobile device with eSIM.

59 Except in cases where the PTE is the direct seller, the accomplished registration form
60 must be submitted by the direct seller to the concerned PTE within fifteen (15) days
61 from the date of sale. Failure on the part of the direct seller to comply under this
62 section shall constitute a violation of this Act.

63 **SEC. 5. Coverage of Registration.** – All direct sellers are hereby mandated to register
64 the following information in the SIM card or mobile device with eSIM registration
65 form:

66 (a) Full name, date of birth, gender, and address of the end user appearing in a
67 valid government-issued identification document with a photo. SIM card or mobile
68 device with eSIM end users shall be required to present the original copy of any of the
69 following valid government identification documents (ID) with a photo:

70 (1) Passport;

71 (2) National ID;

72 (3) Digitized Social Security Service (SSS) ID;

- 73 (4) Government Service Insurance System (GSIS) e-Card;
- 74 (5) Driver's license;
- 75 (6) Firearms' License to Own and Possess (LTOP) ID;
- 76 (7) Professional Regulation Commission (PRC) ID;
- 77 (8) Integrated Bar of the Philippines (IBP) ID;
- 78 (9) Overseas Workers Welfare Administration (OWWA) ID;
- 79 (10) Digitized Bureau of Internal Revenue (BIR) ID;
- 80 (11) Voter's ID;
- 81 (12) Senior Citizen's card;
- 82 (13) Person with Disabilities (PWDs) card; or
- 83 (14) Other government-issued ID.

84 In the absence of any of the above IDs, a National Bureau of Investigation (NBI)
85 clearance, police clearance, or a Philippine Statistics Authority (PSA) certified birth
86 certificate with an ID picture taken within the last six (6) months prior to the purchase
87 of a SIM card or a mobile device with eSIM shall suffice. The direct seller may make
88 further inquiries or require the submission of additional identification, if necessary.
89 The purchase of a SIM card or a mobile device with eSIM may be withheld pending
90 submission of the additional requirements;

91 (b) Assigned cell phone number of SIM card(s) or mobile device(s) with eSIM
92 and its serial number.

93 In the case of end users who are foreign nationals, they shall register their full
94 name, passport number, and address in the SIM card or mobile device with eSIM
95 registration form upon presentation of the following;

96 (1) For foreign nationals visiting as tourists for not more than thirty
97 (30) days:

98 (i) Passport;

99 (ii) Proof of address in the Philippines;

100 (iii) A return ticket to the country of origin or ticket to any other
101 country showing the date and time of departure of the tourist
102 from the Philippines.

103 (2) For foreign nationals staying for more than thirty (30) days either
104 as workers or students;

105 (i) Passport;

106 (ii) Full name as indicated in the passport;

107 (iii) Proof of address in the Philippines;

108 (iv) Alien Employment Permit issued by the Department of Labor
109 and Employment (DOLE);

110 (v) Alien Certificate of Registration Identification Card or ACRI-
111 Card issued by the Bureau of Immigration (BI); or

112 (vi) School registration and ID for students.

113 **SEC. 6. *Submission of Registration Form.*** – The registration form shall be
114 accomplished in triplicate, and forwarded by the direct seller to the concerned PTE.
115 The required registration form and copies thereof shall be certified by the direct
116 seller or any other duly appointed officer of the PTE.

117 **SEC. 7. *Submission of Verified List of Dealers or Agents.*** – The PTE shall submit
118 to the National Telecommunications Commission (NTC), within thirty (30) days from
119 the date of effectivity of this Act, a verified list of their current authorized
120 dealers/agents nationwide. The PTE shall submit to the NTC every quarter of each
121 year an updated list of the same.

122 **SEC. 8. *Confidentiality Clause.*** – Any information in the SIM card or mobile
123 device with eSIM registration shall be treated as absolutely confidential unless access
124 to information has been granted upon written consent of the subscriber: *Provided,*
125 That the waiver of absolute confidentiality shall not be made a condition for the
126 approval of subscription agreements. The confidentiality clause in the SIM card
127 registration shall take effect at the point of sale.

128 **SEC. 9. *Disclosure of Information.*** – Notwithstanding the provisions of Section
129 8 hereof and in accordance with Section 12(e) of Republic Act No. 10173, otherwise
130 known as the “Data Privacy Act of 2012”, the PTE shall be required to disclose the full
131 name and address contained in the SIM card or mobile device with eSIM registration,
132 upon a duly issued subpoena or order of a court upon finding of probable cause, or
133 upon written request from a law enforcement agency in relation to an ongoing
134 investigation, that a particular number is used in the commission of a crime or that it
135 was used as a means to commit an unlawful act.

136 **SEC. 10. *SIM Card and eSIM Register.*** – All PTEs are required to maintain a SIM
137 Card and eSIM Register of their subscribers containing the information required
138 under Section 5 of this Act.

139 In case of loss of a SIM card or mobile device with eSIM, or any change in the
140 information contained in the registration form after purchase of the SIM card or
141 mobile device with eSIM, the subscriber shall notify the PTE within forty-eight (48)
142 hours from such loss or change in information. All PTEs are required to keep the data
143 of their subscribers and shall ensure that this data is kept with the utmost
144 confidentiality.

145 **SEC. 11. *Registration of Subscribers Using Existing Prepaid SIM Cards and***
146 ***Mobile Device with eSIM.*** – All existing subscribers using prepaid SIM cards or mobile
147 devices with eSIM are required to register with their respective PTE within one
148 hundred eighty (180) days from the effectivity of this Act. An extension period of no
149 longer than one hundred twenty (120) days shall be allowed upon a valid written
150 request to the DICT.

151 Failure to register within the prescribed period shall authorize the PTE to
152 automatically deactivate its services to the concerned subscribers using prepaid SIM
153 cards or mobile devices with eSIM.

154 **SEC. 12. *Penalties.*** – The following penalties shall be imposed for failure to
155 comply with any of the provisions of this Act:

156 (a) If the offense is committed by a PTE, the President and other responsible
157 officers of the PTE shall be held liable, and the following penalties shall be imposed:

158 (1) First offense: a fine not exceeding Three hundred thousand pesos
159 (P300,000.00);

160 (2) Second offense: a fine not exceeding Five hundred thousand pesos
161 (P500,000.00); and

162 (3) Third and subsequent offenses: a fine not exceeding One million
163 pesos (P1,000,000.00) for every offense;

164 (b) If the offense is committed by a direct seller, a penalty of suspension of its
165 operation and a fine of Five thousand pesos (P5,000.00) to Fifty thousand pesos
166 (P50,000.00) shall be imposed; and

167 (c) If the offense is committed by an officer or employee of an implementing
168 agency under this Act, a penalty of suspension or dismissal from service and a fine to
169 be determined by the court shall be imposed without prejudice to the filing of an
170 appropriate criminal, civil and administrative case.

171 **SEC. 13. *Implementing Rules and Regulations (IRR).*** - Within ninety (90) days
172 from the effectivity of this Act, the NTC, in coordination with the Department of
173 Information and Communications Technology (DICT) and other concerned agencies,
174 promulgate the rules and regulations and other issuances as may be necessary to
175 ensure the effective implementation of this Act.

176 **SEC. 14. *Transitory Provision.*** - Only direct sellers who have been duly
177 authorized by the PTEs and the NTC shall be allowed to sell prepaid SIM cards. Upon
178 the effectivity of this Act, all PTEs are mandated to recall all prepaid SIM cards for sale
179 to the public by those establishments not authorized by it. Otherwise, they shall be
180 liable for the penalties prescribed in this Act.

181 **SEC. 15. *Separability Clause.*** - Should any part of this Act be declared
182 unconstitutional or invalid, the other provisions hereof that are not affected thereby
183 shall continue to be in full force and effect.

184 **SEC. 16. *Repealing Clause.*** - All laws, decrees, executive orders, proclamations,
185 rules and regulations, and issuances, or parts thereof which are inconsistent with the
186 provisions of this Act are hereby repealed, amended, or modified accordingly.

187 **SEC. 17. *Effectivity.*** - This Act shall take effect fifteen (15) days after its
188 publication in the Official Gazette or a newspaper of general circulation.

189 *Approved,*