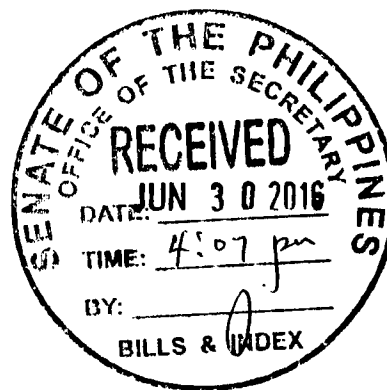


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

SENATE
S. No. 105



Introduced by **Senator Richard "Dick" J. Gordon**

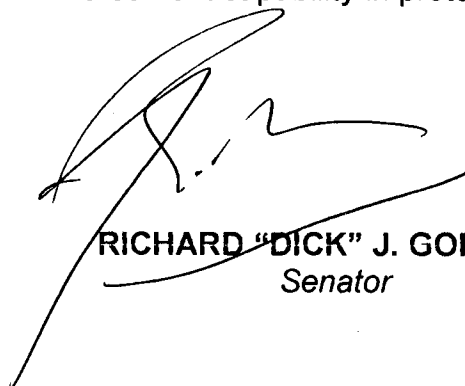
**AN ACT REQUIRING THE REGISTRATION OF SUBSCRIBER IDENTITY MODULE
(SIM) CARDS IN MOBILE PHONES**

EXPLANATORY NOTE

Mobile phones are useful and convenient tools of modern life. While mobile phones have brought us speed and efficiency in our transactions, there are individuals who take advantage of this modern technology to commit crimes faster and with greater facility. When used maliciously, these become dangerous tools of crime.

For example, criminals who commit kidnapping, estafa, and other crimes are easily able to consummate their unlawful activities with the use of prepaid Subscriber Identity Module (SIM) Cards in mobile phones that presently provide law enforcers with no recourse as to their identities for investigation. Lawless elements must not be granted the privilege of using mobile phones with relative anonymity to achieve their crimes.

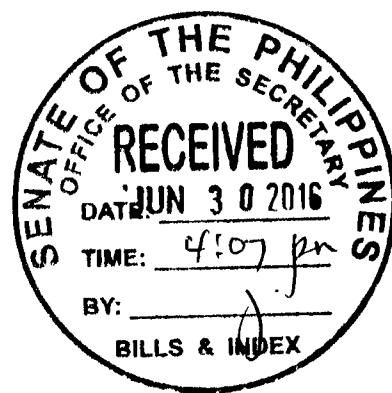
To deter crime and enhance peace and order in the Philippines, there is a need to require the registration of all SIM Cards in mobile phones both prepaid and postpaid. This will promote responsibility and accountability in the use of SIM Cards in mobile phones as well as provide better law enforcement capability in protecting the public.



RICHARD "DICK" J. GORDON
Senator

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

SENATE
S. No. 105



Introduced by **Senator Richard "Dick" J. Gordon**

AN ACT REQUIRING THE REGISTRATION OF SUBSCRIBER IDENTITY MODULE (SIM) CARDS IN MOBILE PHONES

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

1 SECTION 1. *Short Title.* – This Act shall be known as the SIM Card Registration
2 Act.

3 Sec. 2. *Policy.* – It is the policy of the State to regulate the ownership and use of
4 SIM Cards for legitimate purposes only to maintain peace and order, promote the
5 general welfare, and protect the public.

6 Sec. 3. *Definitions.* – For purposes of this Act,

7 (1) "SIM Card" refers to the Subscriber Identity Module (SIM) Card in a mobile
8 phone

9 (2) "Mobile Phone Company" refers to any mobile telecommunication service
10 provider, including but not limited to Globe and Smart PLDT.

11 (3) "NTC" refers to the National Telecommunications Commission.

12 Sec. 4. *SIM Card Registration.* – Every mobile phone company shall be required
13 to register its subscribers, both prepaid and postpaid, and maintain a directory thereof,
14 indicating therein the SIM Card serial number, mobile phone number, name, and
15 address of the subscriber.

16 Any change in the information required in the SIM Card Registration must be
17 registered with the mobile phone company within fifteen (15) days from the occurrence
18 of such change.

19 Sec. 5. *Data Privacy and Confidentiality.* – Personal information in SIM Card
20 Registration shall be treated as private and confidential, unless otherwise specified by
21 the subscriber. It shall not be inquired or looked into, except upon probable cause to be
22 determined personally by the judge after examination under oath or affirmation of the
23 complainant and the witnesses, if any.

24 Sec. 6. *Sale of SIM Cards.* – Every seller shall require his or her buyer of a SIM
25 Card to present valid identification with picture to ascertain the identity of the buyer.
26 The seller shall further require the buyer to accomplish a registration form issued by the
27 mobile phone company of the SIM Card being purchased. For this purpose, mobile

1 phone companies shall issue SIM Card registration forms. The seller shall then promptly
2 submit the accomplished registration form to the concerned mobile phone company not
3 later than fifteen (15) days from the date of sale. Data privacy and confidentiality in the
4 SIM Card registration in Section 5 shall start to apply at the point of sale.

5 A buyer who does not produce valid identification with picture and accomplish a
6 SIM Card registration form in accordance with the preceding paragraph shall be refused
7 the sale of a SIM Card by the seller.

8 *Sec. 7. Implementing Rules and Regulations.* – The NTC shall issue rules and
9 regulations to implement the provisions of this Act within one (1) month from the
10 effectivity of this Act.

11 *Sec. 8. Penal Clause.* – Any violation of the provisions of this Act shall be
12 punished with a fine ranging from five thousand pesos (P5,000.00) to fifty thousand
13 pesos (P50,000.00).

14 *Sec. 9. Transitory Provision.* – All existing subscribers who have no SIM Card
15 registration yet are required to register their SIM Cards with their respective mobile
16 phone companies within three (3) months from the effectivity of this Act. Failure to
17 register within this period shall result in the deactivation of the SIM Card. The
18 deactivated SIM Card may only be reactivated after registration in accordance with this
19 Act.

20 *Sec. 10. Repealing Clause.* – All laws, decrees, orders, rules and regulations or
21 other issuances or parts thereof inconsistent with the provisions of this Act are hereby
22 repealed or modified accordingly.

23 *Sec. 11. Separability Clause.* – If any portion or provision of this Act is declared
24 unconstitutional, the remainder of this Act or any provision not affected thereby shall
25 remain in force and effect.

26 *Sec. 12. Effectivity.* – This Act shall take effect fifteen (15) days following the
27 completion of its publication either in the Official Gazette or in a newspaper of general
28 circulation in the Philippines.

29 Approved,