



HOUSE OF REPRESENTATIVES

H. No. 5231

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ROMUALDO, BATOCABE, CO, UNGAB, VILLAR, ABAYON AND VIOLAGO,  
PER COMMITTEE REPORT NO. 497

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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  
2 Identity Module (SIM) Card Registration Act”.

3           SEC. 2. *Declaration of Policy.* – The State recognizes the vital role of  
4 information and communications technology in nation building.

5           The introduction of modern telecommunications technology with the  
6 view of providing the widest information dissemination is greatly encouraged  
7 but possession of the most modern technology carries with it tremendous  
8 responsibility. Thus, mechanism for its effective use for the good of all and  
9 not for an illegal or malicious purpose to benefit a few must be installed.

1           Towards this end, the State shall require the registration of all users of  
2 prepaid subscriber identity module (SIM) cards.

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

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

6           (b) *End user* refers to any individual/subscriber who directly purchases  
7 a SIM card from a direct seller for personal use;

8           (c) *Postpaid mobile phone* refers to a mobile phone, the service of  
9 which is provided by a prior arrangement with a public telecommunications  
10 entity and the user thereof is billed at the end of the monthly billing cycle  
11 according to the use of mobile services;

12           (d) *Prepaid mobile phone* refers to a mobile phone for which credit is  
13 purchased in advance of service use. The purchased credit is used to pay for  
14 mobile phone services at the point the service is accessed or consumed. If  
15 there is no available credit then access to the requested service is denied;

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

20           (f) *SIM card* refers to the SIM which is an integrated circuit that  
21 securely stores the international mobile subscriber identity and the related key  
22 used to identify and authenticate subscribers on mobile telephony devices, such  
23 as mobile phones and computers. A SIM card is a removable plastic card into  
24 which a SIM circuit is embedded, and can be transferred between different  
25 mobile devices; and

26           (g) *SIM card registration* refers to the process of recording and  
27 verifying mobile phone number and personal information of a subscriber, by a

1 PTE or other direct seller, including the subscriber's photograph, name, date of  
2 birth, gender and address.

3 SEC. 4. *Sale and Registration of SIM cards.* -- Every direct seller shall  
4 require the end user of a SIM card to present valid identification with photo to  
5 ascertain the latter's identity. The direct seller shall further require the end  
6 user to accomplish and sign a control numbered registration form issued by the  
7 respective PTE of the SIM card being purchased. The registration form shall  
8 include an attestation by the end user that the person personally appearing  
9 before the direct seller and the identification documents presented are true and  
10 correct and that the person is one and the same who has accomplished and  
11 signed the registration form.

12 Except in cases where the PTE is the direct seller, the accomplished  
13 registration form must be submitted to the concerned PTE within fifteen (15)  
14 days from the date of sale. The confidentiality clause in the SIM card  
15 registration under Section 9 hercof shall start to apply at the point of sale.

16 An end user who does not produce valid identification with photo, and  
17 fails to accomplish a registration form in accordance with the preceding  
18 paragraph shall be refused the sale of a SIM card by the direct seller. The  
19 direct seller shall only issue the SIM card to the end user after compliance with  
20 the requirements mentioned above and in the succeeding sections.

21 SEC. 5. *Representative Registration of SIM Cards.* -- A person who  
22 wants to purchase a SIM card but cannot personally register with the direct  
23 seller may, for valid reason, authorize another to register on that person's  
24 behalf, subject to the following conditions: (a) the representative is authorized  
25 through a duly notarized Special Power of Attorney; and (b) the principal and  
26 the representative should present an original and a true and clear copy of any  
27 of the valid identification cards with photo listed in Section 6(a) hereof.

1           In case the person intending to purchase a SIM card is a minor, the  
2 parents or guardian shall be required to give their express consent in writing,  
3 and submit the same with the registration form and valid identification cards  
4 with photo of both the minor and the parents or guardian.

5           The direct seller may deny the request for representative registration  
6 after an assessment that the reason given therefor is not valid or that the  
7 identification cards or their true copies are *not authentic or sufficient*.

8           SEC. 6. *Coverage of Registration.* – All direct sellers are hereby  
9 mandated to register pertinent data in a registration form devised for the  
10 purpose, to include the following information and requirements:

11           (a) Full name and complete address of the end user appearing in a valid  
12 government-issued identification document with photo. In view thereof, SIM  
13 card end users shall be required to present the original and submit a true and  
14 faithful reproduction or photocopy of any of the following government  
15 identification documents with photo:

- 16           (1) Driver's License;
- 17           (2) Social Security Service/Government Service Insurance System  
18 (SSS/GSIS) Card;
- 19           (3) Passport;
- 20           (4) Senior Citizen's Card;
- 21           (5) Person with Disabilities Card;
- 22           (6) National Bureau of Investigation (NBI) Clearance;
- 23           (7) Police Clearance;
- 24           (8) Firearms License;
- 25           (9) Voter's Identification Card;
- 26           (10) Taxpayer's Identification Number (TIN);
- 27           (11) Professional Regulation Commission (PRC) Identification Card;
- 28           (12) Government Office Identification Card;

1 (13) School Identification Card (in case of a minor); and

2 (14) Other Government-issued Identification Cards

3 The direct seller may make further inquiries or require the submission of  
4 additional identification if necessary, and withhold the sale of the SIM card  
5 pending compliance with the additional requirements.

6 (b) Assigned cell phone number of SIM card(s) and serial number/s.

7 SEC. 7. *Submission of Registration Form.* – The registration form  
8 required under Section 6 of this Act shall be accomplished in triplicate, and  
9 shall be forwarded by the direct seller to the concerned PTE. The concerned  
10 PTE shall submit a copy of the duly accomplished registration form to the  
11 National Telecommunications Commission (NTC) within fifteen (15) days  
12 from the date of sale or receipt of such form from their respective direct  
13 sellers. The required registration form and the copies thereof shall be certified  
14 by either the President, General Manager, Treasurer, Secretary or any other  
15 duly appointed officer of the PTE or direct seller, as the case may be.

16 SEC. 8. *Submission of Verified List of Dealers or Agents.* – The PTEs  
17 shall submit to the NTC, within thirty (30) days from the date of effectivity of  
18 this Act, a verified list of their current authorized dealers or agents nationwide.  
19 Thereafter, the PTEs shall submit to the NTC every quarter of each year an  
20 updated list of the same.

21 SEC. 9. *Confidentiality Clause.* – Any information in the SIM card  
22 registration shall be treated as absolutely confidential, unless upon written  
23 consent of the subscriber: *Provided,* That the waiver of absolute  
24 confidentiality shall not be made as a condition for the approval of subscription  
25 agreements with the PTEs.

26 SEC. 10. *Disclosure of Information.* – Notwithstanding the provisions  
27 of Section 9 hereof, the PTEs shall be required to provide information  
28 contained in the SIM card registration only upon order of a competent court

1 upon finding of probable cause that a particular number is used in the  
2 commission of a crime or that it was utilized as a means to commit an unlawful  
3 act.

4       SEC. 11. *SIM Card Register.* – All PTEs are required to submit an  
5 updated SIM Card Register of their subscribers to the NTC every six (6)  
6 months of both postpaid and prepaid mobile phone users, and maintain a  
7 record containing information required under Section 6 of this Act.

8       In case of loss or any change in the information after the acquisition of  
9 the SIM card, the subscriber must notify the PTEs within thirty (30) days from  
10 such loss or change. The concerned PTE in return must notify the NTC of  
11 such loss or change in the information within fifteen (15) days from receipt of  
12 notification from the subscriber.

13       All PTEs are required to keep the data of their subscribers and the NTC  
14 shall see to it that these data be kept with utmost confidentiality as provided for  
15 under Section 9 of this Act and in accordance with existing laws.

16       SEC. 12. *Registration of Existing Prepaid Mobile Phone Subscribers.*  
17 – All existing mobile phone subscribers with prepaid SIM cards are required  
18 to register with their respective PTE within one hundred eighty (180) days  
19 from the effectivity of this Act. Such deadline may be extended by the NTC  
20 but shall not be longer than one hundred twenty (120) days, upon a valid  
21 written request.

22       Failure to register within the prescribed period shall authorize the PTE  
23 to automatically deactivate its services to the specific existing prepaid SIM  
24 card subscriber.

25       SEC. 13. *Penalties.* – The following penalties shall be imposed for  
26 violation of any provision of this Act: (a) If the offense is committed by a PTE,  
27 the President and other executive officers shall be held liable and the following  
28 penalties shall be imposed:

1 (1) First offense: A fine of three hundred thousand pesos  
2 (P300,000.00);

3 (2) Second offense: A fine of five hundred thousand pesos  
4 (P500,000.00); and

5 (3) Third and subsequent offenses: A fine of one million pesos  
6 (P1,000,000.00) for every offense.

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

11 SEC. 14. *Implementing Rules and Regulations (IRR)*. – Within ninety  
12 (90) days from the effectivity of this Act, the NTC, in coordination with  
13 concerned agencies, shall promulgate the rules and regulations and other  
14 issuances as may be necessary to ensure the effective implementation of this  
15 Act.

16 SEC. 15. *Separability Clause*. – Should any part of this Act be  
17 declared unconstitutional or invalid, other provisions hereof not affected  
18 thereby shall continue to be in full force and effect.

19 SEC. 16. *Repealing Clause*. – All laws, decrees, executive orders,  
20 proclamations, rules and regulations, and issuances or parts thereof which are  
21 inconsistent with the provisions of this Act, are hereby repealed, amended or  
22 modified accordingly.

23 SEC. 17. *Effectivity*. – This Act shall take effect fifteen (15) days after  
24 its complete publication in the *Official Gazette* or in a newspaper of general  
25 circulation.

Approved,

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