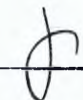


SENATE

Senate Bill No. 82

BY: 

Introduced by Senator Juan Miguel F. Zubiri

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

EXPLANATORY NOTE

This increasingly technological age has radically transformed our methods of communication—from letters, we moved to phone calls and fax messages, and now we have come to depend on the immediacy and practicality of e-mails, text messages, app-assisted instant messages, video conferences, and the like. With a click, we can begin real-time conversation with people across great distances. With a click, we can easily send documents that would otherwise have translated to reams and reams of paper. With a click, we can send and receive money and execute financial transactions without need of physically going to the bank. With a click, we can send a single message to a multitude of people at once.

With this ease, of course, comes a myriad opportunities for exploitation. Consider the power of Subscriber Identity Module (SIM) Cards. These cards not only enable text messaging and calls, but also make Internet access possible for smartphone users. The corresponding mobile numbers issued along with these SIM Cards are also used for social media registration. With just one unregistered SIM Card, then, comes a whole host of digital avenues for scams and other such illegal activities. Indeed there is a growing industry of social media bot farms in the Philippines, wherein companies buy up thousands of SIM Cards to aid in the creation of fake social media profiles.

In our race to find the next breakthrough in communications technology, there has been little time to pause and evaluate the attendant dangers of making these technologies easily accessible, with little to no regulation. It is time now to correct our course and set necessary limits to SIM Card availability by imposing a SIM Card registration system, thereby protecting our people from malicious entities looking to prey on vulnerable users.

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



JUAN MIGUEL F. ZUBIRI

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SENATE

RECEIVED BY: _____

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Introduced by Senator Juan Miguel F. Zubiri

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

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 and cited as the "SIM Card
2 Registration Act."

3
4 **SEC. 2. Policy.** - It is the policy of the State to regulate the ownership and use
5 of Subscriber Identity Module (SIM) Cards for legitimate purposes only to maintain peace
6 and order, promote the general welfare, and protect the public.

7
8 **SEC. 3. Definitions.** - For purposes of this Act,

9
10 (1) "SIM Card" refers to the Subscriber Identity Module (SIM) Card in a
11 mobile phone or similar gadgets;

12
13 (2) "Mobile Phone Company" refers to any mobile telecommunication
14 service provider, including but not limited to Globe, Smart PLDT and
15 Dito Tel.

16
17 (3) "NTC" refers to the National Telecommunications Commission.

18
19 **SEC. 4. SIM Card Registration.** - Every mobile phone company shall be
20 required to register its subscribers, both prepaid and postpaid, and maintain a directory

1 thereof, indicating therein the SIM Card serial number, mobile phone number, name, and
2 address of the subscriber.

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

6

7 **SEC. 5. *Data Privacy and Confidentiality.*** - Personal information in SIM Card
8 Registration shall be treated as private and confidential, unless otherwise specified by the
9 subscriber. It shall not be inquired or looked into, except upon probable cause to be
10 determined personally by the judge after examination under oath or affirmation of the
11 complainant and the witnesses, if any.

12

13 **SEC. 6. *Sale of SIM Cards.*** - Every seller shall require his or her buyer of a SIM
14 Card to present valid identification with picture to ascertain the identity of the buyer. The
15 seller shall further require the buyer to accomplish a registration form issued by the
16 mobile phone company of the SIM Card being purchased.

17

18 For this purpose, mobile phone companies shall issue SIM Card registration forms.
19 The seller shall then promptly submit the accomplished registration form to the concerned
20 mobile phone company not later than fifteen (15) days from the date of sale. Data privacy
21 and confidentiality in the SIM Card registration in Section 5 shall start to apply at the
22 point of sale.

23

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

27

28 **SEC. 7. *Implementing Rules and Regulations.*** - The NTC shall issue rules
29 and regulations to implement the provisions of this Act within sixty (60) days from the
30 effectivity of this Act.

31

32 **SEC. 8. *Penal Clause.*** - Any violation of the provisions of this Act shall be
33 punished with a fine ranging from five thousand pesos (P5,000.00) to fifty thousand pesos
34 (P50,000.00).

35

1 **SEC. 9. *Transitory Provision.*** - All existing subscribers who have no SIM Card
2 registration yet are required to register their SIM Cards with their respective mobile phone
3 companies within three (3) months from the effectivity of this Act.

4
5 Failure to register within the prescribed period shall result in the deactivation of
6 the SIM Card. The deactivated SIM Card may only be reactivated after registration in
7 accordance with this Act.

8
9 **SEC. 10. *Repealing Clause.*** - All laws, decrees, orders, rules and regulations or
10 other issuances or parts thereof inconsistent with the provisions of this Act are hereby
11 repealed or modified accordingly.

12
13 **SEC. 11. *Separability Clause.*** - If any portion or provision of this Act is declared
14 unconstitutional, the remainder of this Act or any provision not affected thereby shall
15 remain in force and effect.

16
17 **SEC. 12. *Effectivity.*** - This Act shall take effect fifteen (15) days following the
18 completion of its publication either in the Official Gazette or in a newspaper of general
19 circulation in the Philippines.

20
Approved,