



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



HOUSE BILL NO. 1342

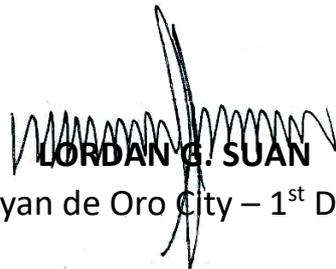
Introduced by Representative LORDAN G. SUAN

AN ACT
PENALIZING SMISHING OR SMS TEXT SCAMS AND IMPOSING DUTIES ON
PUBLIC TELECOMMUNICATIONS ENTITIES

EXPLANATORY NOTE

This proposed measure aims to deter smishing, a form of cybercrime that uses Short Message Service (SMS) to defraud victims. It penalizes individuals who send smishing messages and imposes duties on telecommunication companies or public telecommunication entities to help prevent smishing and report incidents.

In light of the preceding, this bill's approval is fervently sought.



LORDAN G. SUAN

Cagayan de Oro City – 1st District



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

Twentieth Congress
First Regular Session

HOUSE BILL NO. **1342**

Introduced by Representative LORDAN G. SUAN

AN ACT
PENALIZING SMISHING OR SMS TEXT SCAMS AND IMPOSING DUTIES ON
PUBLIC TELECOMMUNICATIONS ENTITIES

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 “*Anti-Smishing or*
2 *SMS Text Scam Act.*”

3 **SECTION 2. Definition of Terms.** — For the purposes of this Act:

4 (a) Smishing refers to the act of sending a deceptive SMS message to trick
5 a recipient into revealing personal information, clicking on malicious links, or
6 performing actions that could lead to financial loss.

7 (b) A Public Telecommunications Entity (PTE) is any person, natural or
8 juridical, government or private, engaged in providing telecommunications
9 services to the public for compensation, as defined under Republic Act No. 7925,
10 as amended, or the Public Telecommunications Policy Act of the Philippines.

11 **SECTION 3. Unlawful Acts.** — The following acts are declared unlawful:

12 (a) Sending a smishing message;

13 (b) Aiding or abetting in the commission of smishing;

14 (c) Knowingly providing any information or assistance that facilitates the
15 commission of smishing.

16 **SECTION 4. Penalties.** — (a) Any person who commits smishing shall be
17 punished by imprisonment of not less than three (3) years but not more than six

1 (6) years, and a fine of not less than Five Hundred Thousand Pesos (₱500,000.00)
2 but not more than One Million Pesos (₱1,000,000. 00).

3 (b) Any person who aids or abets in the commission of smishing shall be
4 penalized with imprisonment of not less than one (1) year but not more than
5 three (3) years, and a fine of not less than One Hundred Thousand Pesos
6 (₱100,000.00) but not more than Five Hundred Thousand Pesos (₱500,000.00).

7 (c) Any person who knowingly provides any information or assistance that
8 facilitates the commission of smishing shall be penalized with imprisonment of
9 not less than six (6) months but not more than one (1) year, or a fine of not less
10 than Fifty Thousand Pesos (₱50,000.00) but not more than One Hundred
11 Thousand Pesos (₱100,000.00), or both.

12 **SECTION 5. Duties of Public Telecommunications Entities.** — (a) Public
13 Telecommunication Entities shall implement technological solutions to identify
14 and block suspicious SMS messages.

15 (b) Public telecommunication entities shall establish a mechanism for
16 reporting smishing incidents to the authorities.

17 (c) Public telecommunication entities shall collaborate with law
18 enforcement agencies in investigating smishing activities.

19 (d) Public telecommunication entities shall conduct information campaigns
20 to raise public awareness about smishing.

21 (e) Public telecommunication entities shall block website links used in
22 smishing.

23 (f) Public telecommunication entities shall disable the subscriber identify
24 module (SIM) card used in smishing.

25 (g) Public telecommunication entities shall deactivate Uniform Resource
26 Locators (URLs), links, and quick response (QR) codes in text messages.

27 **SECTION 6. Administrative Fines for Public Telecommunication Entities.** —

28 (a) The National Telecommunications Commission (NTC) may impose
29 administrative fines on PTEs that fail to comply with the duties set forth in
30 Section 5 of this Act.

31 (b) The amount of the administrative fine shall be commensurate with the
32 severity of the violation, considering factors such as the number of smishing
33 incidents that passed through the PTE's network and the PTE's efforts to prevent
34 smishing.

35 **SECTION 7. Implementing Rules and Regulations.** — Within ninety (90) days
36 from the effectivity of this Act, The NTC, in consultation with relevant

1 government agencies, shall promulgate the necessary rules and regulations to
2 effectively implement the provisions of this Act.

3 **SECTION 8. *Effectivity Clause.*** — This Act shall take effect fifteen (15) days
4 after its publication in the Official Gazette, in a newspaper of general circulation,
5 or on a website provided for by law.

Approved,