REPUBLIC OF THE PHILIPPINES	NINETEENTH CONGRESS OF THE	
First Regular Session	First Regular Session	

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22 JUL 12 P5:28

SENATE

S. No. <u>437</u>

RECEIVED BY:

Introduced by SENATOR RONALD "BATO" DELA ROSA

AN ACT REQUIRING BUSINESS ESTABLISHMENTS TO INSTALL CLOSED CIRCUIT TELEVISION (CCTV) CAMERAS IN THEIR PLACE OF BUSINESS AS A MEANS TO DETER CRIME

EXPLANATORY NOTE

Installation of a closed-circuit television (CCTV) system is an effective measure to increase the security of any business site and to enhance the efficiency and performance of a business operation.¹ The Philippine National Police (PNP) acknowledges the importance of these CCTV cameras in deterring crimes because they believe that having them installed, will deter unacceptable behavior, ensure security and safety of individuals transacting within any organization² or businesses.

Article II, Section 4 and 5 of the Philippine Constitution states that: "The prime duty of the Government is to serve and protect the people; and (2) The maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy."

Through the investigations led by the Senate Committee of Public Order and Dangerous Drugs, it was revealed that on the case of the missing sabungeros, one of

¹ https://www.businesswatchgroup.co.uk/the-benefits-of-cctv-for-businesses/

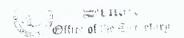
² http://ces.pnp.gov.ph/menu_policies/policies_images/pnp-cctv-system-enhanced.pdf

the challenges of the investigation was the absence of CCTV cameras on the last place these missing persons were seen despite the cockpit arenas being already in operation. Similar situations of criminal actions or attempts could have been prevented or solved if there are CCTV cameras installed within and outside the place of business.

As such, to address this gap, this Bill mandates business establishments to install and maintain CCTV cameras in their premises to discourage crime and assist the law enforcement in their investigations.

For the above reasons, the passage of this bill is earnestly sought.

RONALD "BATO" PELA ROSA



NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
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AN ACT

REQUIRING BUSINESS ESTABLISHMENTS TO INSTALL CLOSED CIRCUIT TELEVISION (CCTV) CAMERAS IN THEIR PLACE OF BUSINESS AS A MEANS TO DETER CRIME

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

SECTION 1. Short Title. - This Act shall be known as the "CCTV Act of 2022"

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Sec. 2. *Declaration of Policy.* - It is the policy of the State to serve and protect the people, to maintain peace and order, to protect life, liberty, and property, and to promote the general welfare. To this end, the State

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SEC. 3. *Installation of CCTV Cameras* – All business establishments employing more than twenty (20) employees and with work premises of not less than fifty (50) meters are hereby mandated to install and maintain in good working condition closed circuit television (CCTV) cameras in all their entrances and exits, within the premises of their work area, the perimeter of their work areas, and other areas in their business premises to protect their patrons and employees and to deter crime.

Business establishments employing less than twenty (20) people or whose work premises is less than fifty (50) meters, but whose transactions amount to not less than fifty thousand pesos (P 50,000.00) each day, shall also install and maintain CCTV cameras.

These business establishments shall ensure that their surveillance / CCTV cameras are turned on and recording for twenty-four (24) hours each day and for seven (7) days each week. They shall keep a deposit of video recordings from their surveillance / CCTV cameras for a period of not less than sixty (60) days from the date of recording.

The installation of surveillance / CCTV cameras shall be a mandatory requirement before business permits or permits to operate are issued.

For purposes of this Act, business establishments refer to any establishment used for commercial purposes and operating for, selling products to, or providing services to the general public. They shall include but shall not be limited to restaurants, hospitals, malls, shopping centers, movie houses, theaters, supermarkets, groceries, entertainment centers, office buildings, warehouses, *cockpit arenas*, and other similar establishments.

Sec. 4. *Notice of Surveillance.* – The fact that surveillance / CCTV cameras have been installed in a business establishment shall be made known to the general public through a written notice prominently displayed at the entrance of the establishment.

Sec. 5. *Prohibited Surveillance*. - The installation of surveillance / CCTV cameras in any restroom, toilet, shower, bathroom, changing room, and other similar areas shall be prohibited.

Sec. 6. Confidentiality and Non-disclosure of Video Recordings. – The owner and/or manager of the business establishment shall maintain the privacy and confidentiality of the video feeds and recordings obtained as a result of the surveillance performed in accordance with this Act. Towards this end, the owner and/or manager shall prohibit the use, viewing, copying, disclosure, or publication of said video feeds and recordings for any purpose not allowed under this Act.

Sec. 7. *Allowed Use and Disclosure.* – The use, viewing, copying, or disclosure of video feeds and recordings obtained pursuant to the surveillance performed in accordance with this Act shall only be allowed in the following instances:

- a. Use, viewing, copying or disclosure to a member or officer of a law enforcement agency in connection with and limited to the investigation or prosecution of an offense punishable by law or regulation;
- b. Use, viewing, copying or disclosure in connection with any pending criminal or civil proceeding; or
- c. Use, viewing, copying, or disclosure that may be necessary for persons to determine whether or not an offense was committed against their person or property, to ascertain the identity of a criminal perpetrator, and to determine the manner by which the offense was perpetrated.

It shall be the responsibility of the owner and/or manager to ensure that the conditions for the use, viewing, copying or disclosure of video feeds and recordings are reasonably established before giving access to requesting parties. The extent of video feeds and recordings to be used, viewed, copied, or disclosed shall be limited to images pertaining to the above-mentioned instances.

Sec. 8. *Penalties,* – Any act or omission causing the violation of duties ascribed to business establishments under this Act shall be punishable with imprisonment not exceeding six (6) months, or a fine not exceeding ten thousand pesos (P 10,000.00), or both, without prejudice to other civil or criminal liabilities that may arise therefrom.

The owner and / or manager of the establishment shall likewise be answerable for violations of this Act; provided that it is shown that the violation was due to their direct participation, lack of supervision, or negligence.

Sec. 9. *Implementing Agency.* – The Department of Interior and Local Government (DILG) and the respective local government units (LGUs) with jurisdiction over the area wherein a covered establishment is located shall ensure the implementation and enforcement of this Act.

Sec. 10. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of his Act, the Secretary of the DILG, in consultation with the appropriate government agencies and other stakeholders, shall promulgate the necessary rules and regulations to implement this Act.

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Sec. 11. Separability Clause. – If for any reason, any provision of this Act is declared unconstitutional or invalid, parts of provisions of this Act that are not affected shall continue to be in full force and effect.

Sec. 12. *Repealing Clause.* - All laws, executive orders, presidential decrees, Implementing Rules and Regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 13. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,