

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

Office of the Secretary

'22 JUL 12 P5 :28

SENATE

RECEIVED BY: 

S. No. 437

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" DELA ROSA

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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 "CCTV Act of 2022"

2

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

6

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

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

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

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

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

14
15 *Sec. 4. Notice of Surveillance.* – The fact that surveillance / CCTV cameras have
16 been installed in a business establishment shall be made known to the general public
17 through a written notice prominently displayed at the entrance of the establishment.

18
19 *Sec. 5. Prohibited Surveillance.* - The installation of surveillance / CCTV cameras
20 in any restroom, toilet, shower, bathroom, changing room, and other similar areas
21 shall be prohibited.

22
23 *Sec. 6. Confidentiality and Non-disclosure of Video Recordings.* – The owner
24 and/or manager of the business establishment shall maintain the privacy and
25 confidentiality of the video feeds and recordings obtained as a result of the
26 surveillance performed in accordance with this Act. Towards this end, the owner
27 and/or manager shall prohibit the use, viewing, copying, disclosure, or publication of
28 said video feeds and recordings for any purpose not allowed under this Act.

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

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

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

15
16 *Sec. 8. Penalties.* – Any act or omission causing the violation of duties ascribed
17 to business establishments under this Act shall be punishable with imprisonment not
18 exceeding six (6) months, or a fine not exceeding ten thousand pesos (P 10,000.00),
19 or both, without prejudice to other civil or criminal liabilities that may arise therefrom.

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

23
24 *Sec. 9. Implementing Agency.* – The Department of Interior and Local
25 Government (DILG) and the respective local government units (LGUs) with jurisdiction
26 over the area wherein a covered establishment is located shall ensure the
27 implementation and enforcement of this Act.

28
29 *Sec. 10. Implementing Rules and Regulations.* – Within sixty (60) days from
30 the effectivity of his Act, the Secretary of the DILG, in consultation with the appropriate
31 government agencies and other stakeholders, shall promulgate the necessary rules
32 and regulations to implement this Act.

1

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

5

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

9

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

Approved,