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Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

1 The Philippine National Police (PNP) acknowledges the usefulness of closed circuit
2 television (CCTV) cameras in the premises of commercial establishments to deter crime and
3 assist them in their crime investigations. According to the PNP, their efficiency rating in solving
4 crimes has improved with the use of CCTV cameras.

5 The case of model Julie Ann Rodelas, whose body was found last 6 November 2012,
6 shows how CCTV cameras can help the police solve crimes and identify perpetrators. Footage
7 from a CCTV camera installed inside a fast-food restaurant where the victim reportedly bought
8 food before she was killed was used by the police to find the killers.

9 The Quezon City local government recently passed an ordinance requiring business
10 establishments to install CCTV cameras within their premises before they can secure business
11 permits starting January 2013. The ordinance was reportedly met with support and approval
12 from business owners and the general public, who recognize the usefulness of CCTV cameras in
13 increasing the safety and security of the public.

14 This bill mandates business establishments to install and maintain CCTV cameras in their
15 premises to discourage crime and assist the police in law enforcement. This is the counterpart
16 Senate Bill of House Bill No. 6672, filed by Reps. Rufus Rodriguez and Maximo Rodriguez Jr.

mir. *Miriam Defensor Santiago*
MIRIAM DEFENSOR SANTIAGO



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

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

5 SECTION 1. *Short Title.* – This Act shall be known as the "CCTV Cameras for Security
6 Act of 2012."

7 SECTION 2. *Declaration of Policy.* – It is the policy of the State to serve and protect the
8 people, to maintain peace and order, to protect life, liberty, and property, and to promote the
9 general welfare.

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

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

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

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

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

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

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

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

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

4 (a) Use, viewing, copying, or disclosure to a member or officer of a law enforcement
5 agency in connection with and limited to the investigation or prosecution of an offense
6 punishable by law or regulation;

7 (b) Use, viewing, copying, or disclosure in connection with any pending criminal or
8 civil proceeding; or

9 (c) Use, viewing, copying, or disclosure that may be necessary for persons to
10 determine whether or not an offense was committed against their person or property, to ascertain
11 the identity of a criminal perpetrator, and to determine the manner by which the offense was
12 perpetrated.

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

18 SECTION 8. *Penalties.* – Any act or omission causing the violation of duties ascribed
19 to business establishments under this Act shall be punishable with imprisonment not exceeding
20 six (6) months, or a fine not exceeding one thousand pesos (PhP 1,000.00), or both, without
21 prejudice to other civil or criminal liabilities that may arise therefrom.

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

1 SECTION 9. *Implementing Agency.* – The Department of Interior and Local Government
2 and the respective local government units with jurisdiction over the area wherein a covered
3 establishment is located shall ensure the implementation and enforcement of this Act.

4 SECTION 10. *Implementing Rules and Regulations.* – Within thirty (30) days from the
5 effectivity of this Act, the Secretary of Interior and Local Government, in consultation with
6 appropriate government agencies and other stakeholders, shall promulgate the necessary rules
7 and regulations to implement this Act.

8 SECTION 11. *Repealing Clause.* – All laws, presidential decrees, executive orders and
9 rules and regulations or part thereof, contrary to, or inconsistent with the provisions of this Act,
10 are hereby repealed or modified accordingly.

11 SECTION 12. *Separability Clause.* – Should any provision of this Act be found
12 unconstitutional by a court of law, such provision shall be severed from the remainder of this
13 Act, and such action shall not affect the enforceability of the remaining provisions of this Act.

14 SECTION 13. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
15 complete publication in any two (2) national newspapers of general circulation

Approved,