

SIXTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session




Senate
Office of the Secretary

'13 JUL 18 P 3:10

SENATE

S.B. No. 923

RECEIVED BY: 

Introduced By Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

The 1987 Constitution declares that it is the policy of the State to maintain peace and order and to protect the life and property of the general public. It is noted that the occurrence of theft, harassment, vandalism, and other such crimes is becoming increasingly common-place in many private commercial establishments. This is particularly alarming taking into consideration the need to ensure the safety of private establishments such as banks, financial establishments, schools, gas stations, and the like.

The rising crime incidence shows that there is an inadequacy in the security systems currently being implemented by private establishments. The installation of surveillance cameras or closed circuit televisions ("CCTVs") would address any lack in security personnel. CCTVs would also supplement existing security systems of establishments since it would empower security and victims to review a record of events that transpired. CCTVs would help victims identify perpetrators and would provide evidence of the crime. CCTVs would also allow owners of commercial establishments to monitor a greater area with fewer personnel requirement. The real-time video feed would also better prepare security personnel to monitor particularly suspicious individuals and to prevent the commencement of any planned criminal activity.

The proposed legislation aims to protect and empower the general public against criminal elements that would threaten the State's peace and order. The passage of this measure would uphold the State's worthy ideals to protect life and property.


MANUEL "LITO" M. LAPID
Senator 



'13 JUL 18 P3:10

SENATE
S.B. No. 923

RECEIVED BY: *[Signature]*

Introduced By Senator Manuel "Lito" M. Lapid

AN ACT
MANDATING THE USE OF SURVEILLANCE CAMERAS FOR THE SECURITY
AND SAFETY OF COMMERCIAL ESTABLISHMENTS

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 "Surveillance Camera
2 Act for Commercial Establishments".

3
4 SEC. 2. *Declaration of Policy.* - Article II Section 5 of the 1987 Constitution
5 states that it is the policy of the State to maintain peace and order, to protect life, liberty
6 and property, and to promote the general welfare of the public. As such, the
7 surveillance and security of commercial establishments should be regulated to prevent
8 criminal incidents in said establishments.

9
10 SEC. 3. *Definition of Terms.* - As used in this Act, the term:

11 (a) "Surveillance camera" refers to electronic devices used for recording images
12 of a particular area, premises, or place, such as but not limited to closed circuit
13 televisions (CCTV's).

14 (b) "Video feed" refers to the live input of a surveillance camera.

15 (c) "Video record" or "video recording" refers to the electronic record of the
16 images captured by a surveillance camera.

17 (d) "Commercial establishment" refers to any establishment used for
18 commercial purposes and operating for, selling products to, or providing services to the
19 general public. The term refers to establishments such as but not limited to retail stores,
20 banks, financial institutions, supermarkets, schools, kindergartens, hotels, and
21 restaurants.

1 (e) "Covered establishment" refers to any commercial establishment with work
2 premises of not less than fifty (50) square meters.

3
4 **SEC. 4. Duties of Covered Establishments.** - It shall be the duty of all covered
5 establishments to:

6 (a) Install and maintain in good working condition surveillance cameras
7 within the premises of their work area (i.e., cashier's areas, aisles or areas that are
8 obstructed from public view, entrance of restrooms, and the like);

9 (b) Install and maintain in good working condition surveillance cameras to
10 monitor the perimeter of their establishment;

11 (c) Ensure that surveillance cameras are turned on and recording for twenty-
12 four (24) hours per day and for seven (7) days per week;

13 (d) Ensure that video feeds are being monitored by security employees or
14 personnel specifically tasked to do so;

15 (e) Keep a deposit of video recordings for a period of not less than thirty (30)
16 days from the date of recording;

17 (f) In the instances covered by Section 8 of this Act, to make video recordings
18 available upon request and to allow copies thereof to be made, at the expense of the
19 requesting party.

20
21 **SEC. 5. Notice of Surveillance.** - The fact that surveillance cameras have been
22 installed in an establishment shall be made known to the general public through a
23 written notice displayed in the entrance of the establishment.

24
25 **SEC. 6. Prohibited Surveillance.** - The installation of surveillance cameras in
26 any restroom, toilet, shower, bathroom, changing room, and other such areas where
27 there is a reasonable expectation of privacy shall be prohibited.

28
29 **SEC. 7. Confidentiality and Non-disclosure of Recordings.** - The owner and/or
30 manager of the commercial establishment shall maintain the privacy and confidentiality
31 of the video feeds and records obtained as a result of establishment surveillance
32 performed in accordance with this Act. Towards such end, said owner and/or manager
33 shall prohibit any use, viewing, disclosure, or publication of said video recordings.

1 **SEC. 8. *Allowed Use and Disclosure.*** - The use, copying, or disclosure of video
2 records obtained pursuant to establishment surveillance performed in accordance with
3 this Act shall only be allowed in the following instances:

4 (a) Use, 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, copying, or disclosure to further and in connection with any pending
8 criminal or civil proceeding;

9 (c) Use or disclosure that may be necessary to avoid imminent threat to
10 persons or property; or

11 (d) Use or disclosure that may be necessary for persons to determine whether
12 or not an offense was committed against their person or property, to ascertain the
13 identity of a criminal perpetrator, and to determine the manner by which an offense
14 was consummated.

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

21
22 **SEC. 9. *Penal Clause*** - Any act or omission causing the violation of duties
23 ascribed to commercial establishment under this Act shall be punishable with
24 imprisonment not exceeding six (6) months, or a fine not exceeding One thousand pesos
25 (P1,000.00), or both; without prejudice to other civil or criminal liabilities that may arise
26 therefrom.

27
28 The owner and/or manager of the establishment shall likewise be answerable for
29 violations of this Act; provided that it is shown that the violation was due to his/her
30 direct participation, lack of supervision, or negligence.

31
32 **SEC. 10. *Implementing Agency.*** - The Department of Interior and Local
33 Government and the respective local government units with jurisdiction over the area
34 wherein a covered establishment is located shall ensure the implementation and
35 enforcement of this Act.

1
2
3
4
5
6
7
8
9
10
11
12

SEC. 11. *Separability Clause.* – If any provision or part of this Act shall be declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 12. *Repealing Clause.* – All laws, decrees, executive orders, issuances, rules and regulations or parts thereof 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 at least two (2) newspapers of general circulation.

Approved,