

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

] ] ]

22 AUG -1 10:41

**SENATE**

**S. B. No. 948**

BY: 

---

**Introduced by SEN. WIN GATCHALIAN**

---

**AN ACT  
PROVIDING GUIDELINES FOR THE INSTALLATION AND USE OF THE  
CLOSED CIRCUIT TELEVISION VIDEO (CCTV) SYSTEMS, THE PROCEDURE  
FOR ACCESS TO THE IMAGES AND RECORDINGS, THE PROHIBITED ACTS  
AND PENALTIES THEREFOR, AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

Nowadays, the use of Closed-Circuit Television (CCTV) Systems at home, inside business establishments and along the streets has been a common occurrence to deter the commission of crimes.

In fact, the Executive Branch of the Government has pursued the crime-deterrence function of the CCTVs through the issuance of the Department of Interior and Local Government (DILG) Memorandum Circular (MC) No. 2022-060, dated May 18, 2022, that encourages cities and municipalities to enact an ordinance prescribing the installation of CCTV Systems as a requirement in the issuance of business permits to establishments catering to a large number of customers or conducting transactions and operations which carry risks of being targeted by criminal activity, as well as to those establishments that are prone to accidents, natural disasters, and other unforeseen incidents. These establishments include (1) financial establishments such as banks, pawnshops, money lenders, money remittance services, money changers, and others with similar transactions; (2) Business establishments that are part of a national chain or have several branches in other parts of the country such as restaurants/fast-food chains, convenience stores, grocery stores, drug stores, etc.; (3)

Shopping malls, shopping centers, supermarkets, wet markets or palengke, and other similar establishments; (4) Hospitals, laboratories, clinics, and other medical facilities; (5) Theaters, movie houses, perya, arcades, internet cafes, and other places of entertainment that draw in a considerable number of customers; (6) Airports, ports, public transportation terminals, parking lots, and other similar establishments that cater to a large number of vehicles; (7) Car dealerships, gasoline/fuel stations, vehicle maintenance/service stations; and (8) Other business establishments that may be deemed necessary by the LGU considering the factors mentioned above.

To address the privacy issues in relation to the installation and use of CCTV systems, the National Privacy Commission issued Advisory No. 2020-04, *Guidelines on the Use of Closed-Circuit Television (CCTV) Systems*, dated November 16, 2020, which applies to all personal information controllers and personal information processors engaged in the processing of personal data of data subjects through the use of CCTV systems operating in public and semi-public areas. These include CCTV systems that record videos, as well as those systems with both video and audio capabilities. The capture, use, retention, and destruction of video and/or audio footages obtained from CCTVs are considered as processing of personal data under Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012".

Hence, this proposed legislation institutionalizes the parameters and guidelines for authorized CCTV installations, and further provides for the prohibited acts and recordings, and penalties thereto; the procedure for access and disclosure of recordings; the recordings' retention, storage and preservation; and taking into full consideration the right to privacy of the people which is substantially necessary to foster confidence in the use of the CCTV system.

In view of the foregoing, the enactment of this bill is earnestly recommended.



**WIN GATCHALIAN**

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

] ] ]

22 AUG -1 AIO :42

SENATE

RECEIVED BY: 

S. B. No. 948

---

**Introduced by SEN. WIN GATCHALIAN**

---

**AN ACT  
PROVIDING GUIDELINES FOR THE INSTALLATION AND USE OF THE  
CLOSED- CIRCUIT TELEVISION VIDEO (CCTV) SYSTEMS, THE  
PROCEDURE FOR ACCESS TO THE IMAGES AND RECORDINGS, THE  
PROHIBITED ACTS AND PENALTIES THEREFOR, AND FOR OTHER  
PURPOSES**

*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  
2 2022”.

3

4 SEC 2. *Declaration of Policy.* - It is hereby the declared policy  
5 of the State to maintain peace and order, protect life, liberty and property,  
6 promote the general welfare, value the dignity and privacy of every Filipino,  
7 and guarantee the full respect for human rights. Towards this end, the State  
8 shall develop the guidelines for the installation, use and utilization of the  
9 Closed-Circuit Television Videos (CCTV) in public, private and residential  
10 establishments with due regard to the privacy and civil rights of every individual  
11 as provided under the 1987 Philippine Constitution and Republic Act No. 10173,  
12 otherwise known as the “Data Privacy Act of 2012”. The purpose for the  
13 installation of the CCTVs is to maintain peace and order in the communities,  
14 promote crime prevention, and uphold public safety and security.

1           SEC. 3. *Definition of Terms.* For the purpose of this Act, the  
2 following terms shall be defined as follows:

- 3           a) *Closed-Circuit Television (CCTV)* refers to the use of video  
4 cameras to transmit a signal to a specific place, on a set of  
5 monitors/a television system that transmits images on a "closed  
6 loop" basis, where images are only available to those directly  
7 connected with the transmission system;
- 8           b) *Video Surveillance* refers to a closed-circuit television system for  
9 direct visual monitoring and/or recording of activities on the  
10 premises or in a specific place;
- 11          c) *Private Installations* refer to CCTV Cameras installed in private  
12 establishments such as but not limited to private subdivisions,  
13 condominiums and other residential areas, business hubs, malls  
14 and shopping centers;
- 15          d) *Public Installations* refer to CCTV Cameras installed in public  
16 places such as but not limited to government offices and  
17 instrumentalities, parks, streets and highways including public  
18 markets, airports and public transport terminals;
- 19          e) *Images* refer to recorded images in the CCTV Cameras; and
- 20          f) *Persons in Authority* refer to elements of the Philippine National  
21 Police (PNP), Barangay Chairman and the Barangay Tanods.

22  
23           SEC. 4. *Purposes of CCTV Installation.* - The installation of CCTV in both  
24 private and public establishments shall have the following functions:

- 25          a) *Crime Prevention.* - The CCTV shall function as a tool of law  
26 enforcement and crime prevention by way of effective monitoring of  
27 public places, such as pathways and streets, parks and other areas;
- 28          b) *Traffic Monitoring.* - The CCTV shall enable the viewing of a  
29 wider range of data images on motorists, pedestrians and  
30 critical thoroughfares, to provide quicker apprehension of road  
31 safety violators and pinpoint causes of traffic build-up;
- 32          c) *Surveillance.* - The CCTV shall function as a surveillance tool that will

1 allow security agencies to monitor private establishments and ensure  
2 the safety and security of individuals and the protection of private  
3 properties from theft and robbery;

4 d) *Household Affairs Monitoring.* - The CCTV shall function to monitor  
5 households by way of monitoring health, security and safety of  
6 household members, unauthorized access to household premises and  
7 general conduct of household affairs;

8 e) *Workplace Monitoring.* - The CCTV shall function as a tool to  
9 monitor the general administrative conduct of employees to aid in the  
10 review of employee workmanship and performance; and

11 f) *Documentation for Institutional Purposes.* - The CCTV shall function as  
12 a tool to monitor the progress or development of data; or the  
13 sequences of events in a facility or institution.

14 The data to be collected shall be relevant, adequate and not excessive for  
15 the purposes for which they are obtained.

16

17 SEC. 5. *Guiding Principles* - This Act shall have the following guiding  
18 principles:

19 a) The CCTV shall at all times be operated with respect to people's  
20 privacy and their right to conduct or engage in lawful activities;

21 b) The owner/operator of the CCTV shall be publicly known to ensure  
22 appropriate accountability and shall be appropriately registered before  
23 the PNP;

24 c) Signage informing the public of the existence of CCTV cameras shall be  
25 erected. It shall be visible, distinctive and located in areas with good  
26 lighting;

27 d) The premise for use of CCTV as crime deterrent shall mobilize a quick  
28 and adequate response unit from the persons of authority such as but  
29 not limited to the local police force or barangay watchmen on reported  
30 incidents;

31 e) Persons of Authority shall develop a system for addressing complaints  
32 to receive and investigate complaints about alleged violations of privacy;

- 1 f) A recorded material shall not be released to the media except only to  
2 acquire relevant information on the identity and whereabouts of an  
3 individual wanted for a criminal offense, and provide the general public  
4 information of critical concern in the community. In such cases, the  
5 recognizable characteristics of other people in the footage shall be  
6 obscured; and  
7 g) Tapes or still photographs shall be disposed of in a manner which does  
8 not allow the reproduction of any of the recorded material.

9

10 SEC 6. *Prohibited Acts and Recordings.* - It shall be unlawful  
11 for any person or establishment to perform the following acts:

- 12 a) Install or use the CCTV on someone else's property;  
13 b) Install or use the CCTV cameras in any restroom, toilet, bathroom,  
14 changing room and other similar areas utilized for private activities;  
15 c) Use CCTV with a device to overhear events, conversations or sounds  
16 without the permission of the people involved shall not be allowed;  
17 d) Install CCTV's in public places without the display of due notice on the  
18 walls or at the entrance of the establishment;  
19 e) Install a CCTV in the external part of one's residential or private  
20 property that encroaches on the private property of another or of a  
21 neighbor;  
22 f) Install CCTV to monitor the conduct or performance in a workplace  
23 without due notice to all employees;  
24 g) Install and use CCTV as surveillance tool of particular individuals on  
25 behalf of third parties or paying clients covered by a contract of  
26 engagement more than the duration specified by the PNP;  
27 h) Install and use CCTV inside a residence to manage one's family  
28 without notice given to the staff and members of the household;  
29 i) To sell or publish any recorded material or still photographs for  
30 commercial purposes; and  
31 j) To upload any image, recording or stills from the CCTV on the  
32 Internet for entertainment purposes.

1           SEC. 7. *Procedure for Access and Disclosure of Recordings.* - Only  
2 authorized persons shall have access to images and recordings from CCTV's.  
3 Viewing of the images and recordings shall take place in a restricted area or in  
4 private conditions. All access allowed or granted under the circumstances must  
5 be documented and for limited or prescribed circumstances. The use, viewing,  
6 copying or disclosure of images and recordings performed in accordance with  
7 this Act shall be allowed in the following instances only:

- 8           a) Upon a written request from a person in authority in connection with  
9           and limited to an investigation for the prosecution of an offense  
10           punishable by law;
- 11           b) Upon lawful order of the court, in connection with a pending  
12           criminal or civil proceeding;
- 13           c) To determine whether an offense has been committed against a  
14           person or property and to ascertain the identity of the perpetrator and  
15           the manner by which the crime was committed;
- 16           d) Any person whose image has been recorded may make an application  
17           in writing for a copy of the recording or its still images;
- 18           e) Upon compliance with the Rules of Procedure set by security  
19           agencies operating under the management of clients; and
- 20           f) Law Enforcement Agencies shall not be allowed to release images or  
21           recordings from the CCTV to the media, except only when the  
22           circumstances warrant to help identify the perpetrator of a crime or  
23           locate his whereabouts, or as a matter of public information.

24           The use, copying or disclosure of images and recordings shall be  
25 authorized within twenty-four (24) hours after submission of the request, as  
26 herein specified.

27  
28           SEC. 8. *Retention, Storage and Preservation.* – Unless otherwise  
29 reserved for a specific purpose to review the events of a crime or that the  
30 information needs to be studied further for any number of reasons, data of  
31 recordings shall not be kept for more than thirty (30) days and should be  
32 automatically overwritten or deleted beyond said period.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

SEC. 9. *Penalties.* - Any act or omission by the owner and/or operator of the CCTV in violation of the provisions of this Act shall be punishable with an imprisonment of not less than six (6) months but not exceeding six (6) years, or a fine not less than Ten Thousand Pesos (Php 10,000.00) but not more than One Hundred Thousand Pesos (Php 100,000.00) or both such fine and imprisonment at the discretion of the court.

SEC. 10. *Implementing Rules and Regulations.* – The Director General of the PNP, in close coordination with the National Privacy Commission, the Secretary of Interior and Local Government, the Secretary of National Defense, the Secretary of Transportation, Secretary of Information and Communications Technology, the Secretary of Justice, the National Security Adviser, and the Director of National Bureau of Investigation, shall issue the necessary rules and regulations for the effective implementation of this Act.

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

SEC. 12. *Separability Clause.* - If any section or provision of this Act is held unconstitutional or invalid, all other sections or provisions shall remain in full force and effect

SEC. 13. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* and/or in at least two (2) newspapers of general publication in the Philippines.

*Approved,*