

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 319



Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**

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

EXPLANATORY NOTE

This representation seeks to refile the herein proposal to require establishments to install closed circuit television (CCTV) cameras in their place of business.

The Philippine National Police (PNP) acknowledges the usefulness of closed circuit television cameras in the premises of commercial establishments to deter crime and assist police in the crime investigations. The PNP further recognizes the advantage of the presence of CCTV cameras that helped them improve their efficiency in solving crimes.

Nowadays, the existence of CCTV cameras prevent, if not reduce the commission of crimes in a number of ways. It serves as deterrent for potential criminals (burglars, thieves and attackers); helps the prosecution in identifying the accused; and monitors the surrounding that keeps the police and community officials at bay to prevent the commission of crimes.

Though most Local Government Units and key cities have already adopted measures by enacting Resolutions that require establishments to install CCTV's as part of their security measures, it is hereby proposed to have law with a national scope be enacted to provide additional measure for the safety of the surroundings.

Therefore, passage of the bill is hereby earnestly sought.

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

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

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

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

21
22 **SEC. Notice of Surveillance.-** The fact that surveillance/CCTV cameras have
23 been installed in a business establishment shall be made known to the general
24 public through a written notice prominently displayed at the entrance of the
25 establishment.

26
27 **SEC. 5. Prohibited Surveillance.-** The installation of surveillance/CCTV
28 cameras in any restroom, toilet, shower, bathroom, changing room, and other
29 similar areas shall be prohibited.

30 **SEC. 6. Confidentiality and Non-disclosure of Video Recordings.-** The
31 owner and/or manager of the business establishment shall maintain the

6

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

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

23

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

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1 **SEC. Penalties.** - Any act or omission causing the violation of duties ascribed
2 to business establishments under this Act shall be punishable with
3 imprisonment not exceeding six (6) months, or fine not exceeding one
4 thousand pesos (PhP 1,000.00), or both, without prejudice to other civil or
5 criminal liabilities that may arise therefrom. The owner and/or manager of the
6 establishment shall likewise be answerable for violations of this Act; provided
7 that it is shown that the violation was due to his/her direct participation, lack of
8 supervision, or negligence.

9
10 **SEC. 9. Implementing Agency.-** The Department of Interior and Local
11 Government and the respective local government units with jurisdiction over
12 the area wherein a covered establishment is located shall ensure the
13 implementation and enforcement of this Act.

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15 **SEC. 10. Implementing Rules and Regulations.-** Within thirty (30) days from
16 the effectivity of this Act, the Secretary of Interior and Local Government, in
17 consultation with appropriate government agencies and other stakeholders,
18 shall promulgate the necessary rules and regulations to implement this Act.

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

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24 **SEC. 12. Separability Clause.-** Should any provision of this Act be found
25 unconstitutional by a court of law, such provision shall be severed from the
26 remainder of this Act, and such action shall not affect the enforceability of the
27 remaining provisions of this Act.

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29 **SEC. 13. Effectivity Clause.-** This Act shall take effect fifteen (15) days after
30 its complete publication in any two (2) national newspapers of general
31 circulation.