



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 6243



Introduced by Honorable **MARK A. VILLAR**

AN ACT
PROVIDING FOR THE INSTALLATION OF HIGH-DEFINITION CLOSED-CIRCUIT
TELEVISION CAMERAS IN ALL BAGGAGE CHECKING AREAS OF ALL AIRPORT
TERMINALS TO PREVENT THE PLANTING OF INCRIMINATING EVIDENCE

EXPLANATORY NOTE

The 1987 Constitution, provides that "*The prime duty of the Government is to serve and protect the people, The Government may call upon the people to defend the State and, in the fulfilment thereof, all citizens may be required, under conditions provided by law, to render personal military, or civil service*". (Article II, Section 4)

The 1987 Constitution, provides that "*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*". (Article II, Section 5)

With the rampant incidents of alleged bullet planting and extorting by security personnel of the Ninoy Aquino International Airport (NAIA), a culture of fear has spread among tourists and even balikbayans.

The common narration of the victims is that they were stopped after their luggages have been scanned. The security officer would then check the luggage and pull out a bullet from its pocket. Thereafter, the security officer would then detain the victim and extort

money for the speedy resolution of the problem. Should the victim decline the offer, the victim would be detain for days.¹

These incidents are truly inimical to our tourism industry and to the national economy.

As we are living in the age of modern technology, we are blessed that we can utilize technology to our advantage, especially in protecting people and in preventing undesirable incidents, like the above mentioned, from happening. With the installation of high-definition closed-circuit television cameras, the perpetrators of this nefarious "laglag bala" or "tanim bala" scheme can be identified or deterred. The use of high-definition closed-circuit television cameras will also be a security measure for other unlawful schemes that have not been anticipated.

The installation of closed-circuit television system cameras in public places and in business establishments have proven to be useful in identifying and catching offenders, and in preventing crimes from happening due to the fear of being caught.

This bill seeks to provide for the installation of high-definition surveillance cameras in baggage checking areas of the NAIA in order to prevent planting of incriminating evidence and extortion.

In view of the foregoing, the passage if this bill is earnestly sought.



MARK A. VILLAR

¹ <http://www.gmanetwork.com/news/story/538675/news/metro/naia-personnel-in-laglag-bala-extort-modus-suspended>
<http://www.abs-cbnnews.com/nation/metro-manila/09/24/15/laglag-bala-victimizing-passengers-naia>
<http://www.philstar.com/headlines/2015/09/28/1504923/house-probe-laglag-bala-modus-pushed>



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 6243

Introduced by Honorable MARK A. VILLAR

AN ACT
PROVIDING FOR THE INSTALLATION OF HIGH-DEFINITION CLOSED-CIRCUIT
TELEVISION CAMERAS IN ALL BAGGAGE CHECKING AREAS OF ALL AIRPORT
TERMINALS TO PREVENT THE PLANTING OF INCRIMINATING EVIDENCE

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

SECTION 1. Short Title. - This Act shall be known as the "*Luggage Surveillance Act of 2015.*"

SECTION 2. Declaration of Policy. - Consistent with the Government's prime duty to serve and protect the people, to maintain peace and order, to protect life, liberty and property, and to promote general welfare, the State recognizes that high-definition closed-circuit television cameras can be utilized to protect tourists and Filipinos from unlawful schemes, like the "laglag bala" scheme, involving security personnel in baggage checking areas of the Ninoy Aquino International Airport (NAIA). This technology can deter or identify the perpetrators of illicit schemes.

SECTION 3. Coverage and Applicability. - This Act shall cover all international and domestic airport terminals in the country.

SECTION 4. Definitions. - In this Act, the term—

- (a) "High-Definition Closed-Circuit Television (HD CCTV)" Cameras means cameras connected to a television system in which signals are not publicly distributed but are monitored, primarily for surveillance and security purposes, and are capable

of true high-definition 1080p resolution (1920 x 1080). It relies on strategic placement of camera and private observation of the camera's input on monitors;

- (b) "Baggage Checking Areas" means the immediate vicinity wherein the luggages are inspected, scanned, checked, frisked and examined by airport and/or security personnel, and where luggages are deposited or claimed by the passengers. It is where the interaction between the airport and/or security personnel, passengers, and the luggages can be closely and clearly viewed, analyzed and scrutinized by the HD CCTV Cameras;
- (c) "Editing" means modifying, altering, condensing, or deleting the whole or a segment(s) of the deposit of video recordings; and
- (d) "Tampering" means to weaken, disrupt, hack, or in any other case, render useless or dysfunctional the HD CCTV Camera(s).

SECTION 5. Installation of HD CCTV Cameras in Baggage Checking Areas. - HD CCTV Cameras shall be installed and properly maintained in all Baggage Checking Areas in airport terminals. It is mandated that these HD CCTV Cameras shall be online for twenty-four (24) hours a day and for seven (7) days a week. It is also required that a deposit of video recordings be kept for a period not less than sixty (60) days from recording.

SECTION 6. Operation of HD CCTV Cameras and Authorized Custodian of Video Recordings. - The Philippine National Police Aviation Security Group shall be in charge of operating and maintaining in good condition the HD CCTV Cameras. The Aviation Security Unit shall designate among its members, an Authorized Custodian of the video recordings, who shall keep safe and intact the video recordings.

SECTION 7. Confidentiality and Non-Disclosure of Video Recordings. - The authorized custodian of the video recordings shall maintain the privacy and confidentiality of the video recordings obtained as a result of the surveillance performed in accordance with this Act. The Authorized Custodian shall prohibit any use, viewing, disclosure, or publication of the video recordings.

SECTION 8. Allowed Use, Copy, and Disclosure. - The using, copying, or disclosing of the video recordings obtained pursuant to the surveillance performed in accordance with this Act shall not be allowed, except in the following instances:

- (a) Using, copying, or disclosing to a member or officer of the Philippine National Police, Philippine National Police Aviation Security Group, and/or Philippine National Police Aviation Security Unit, for the purposes of or in connection with an investigation;
- (a) Using, copying, or disclosing to a member or officer of other law enforcement agencies in connection with and limited to the investigation or prosecution of an offense punishable by law;
- (b) Using, copying, or disclosing to further and in connection with any pending criminal, administrative, or civil proceeding;

(c) Using or disclosing that may be necessary to avoid an imminent threat to persons or property; or

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

SECTION 9. Offense of Editing or Abetting to Edit the Deposit of Video Recordings. – (a) A person commits an offense if he or she edits or abets to the editing of the video recordings;

(b) Any person who commits an offense under this section shall, on conviction, be liable to imprisonment for a term not exceeding three (3) years or to a fine not exceeding thirty thousand pesos (P30,000.00), or both, at the discretion of the Court;

(c) Any person who abets the commission of the offense shall be guilty of that offense and shall, on conviction, be liable to the punishment provided for that offense: Provided that any term imprisonment imposed shall not exceed one-half of the maximum term provided for the offense; and

(d) Should the person who commits an offense under this section be a public officer or employee, on conviction, he or she shall be liable to imprisonment for a term not exceeding five (5) years or to a fine not exceeding fifty thousand pesos (P50,000.00), or both, at the discretion of the Court.

SECTION 10. Tampering of HD CCTV Cameras. - (a) A person commits an offense if he or she tampers with the HD CCTV Cameras;

(b) Any person who commits an offense under this section shall, on conviction, be liable to imprisonment for a term not exceeding three (3) years or to a fine not exceeding thirty thousand pesos (P30,000.00), or both, at the discretion of the Court; and

(c) Should the person who commits an offense under this section be a public officer or employee, on conviction, he or she shall be liable to imprisonment for a term not exceeding five (5) years or to a fine not exceeding fifty thousand pesos (P50,000.00), or both, at the discretion of the Court.

SECTION 11. Appropriation - The amount needed to implement the provisions of this Act shall be such amount as authorized, appropriated, and necessary for the installation of the HD CCTVs.

SECTION 12. Separability Clause. - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 13. Repealing Clause. - Any other provisions of law or rules and regulations inconsistent to the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 14. Effectivity - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers general circulation, whichever comes earlier.

Approved,