

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



Seventeenth Congress
Second Regular Session

HOUSE BILL NO. **6381**

Introduced by
REPRESENTATIVE ALFREDO B. BENITEZ

EXPLANATORY NOTE

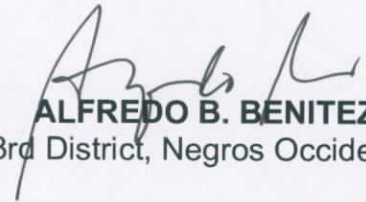
Despite the outstanding and unprecedented campaign of our President and our men in uniform to alleviate the crimes committed in our country, prevalence of the same continues to be unabated. The ever-changing methods of criminals in perpetrating crimes and avoiding capture requires and compels us to likewise change and adjust our efforts by making use of all resources and technological innovations available at our disposal. The emergence of CCTV is seen as one of those technological developments that will detect crimes, deter criminals, and solve unresolved and pending offenses.

The puzzle on the death of Kian Loyd delos Santos, who was allegedly killed without basis during an anti-drug operations, shows how CCTV cameras can help determine the truth and identify the perpetrators and bring them to the Courts of Law and face the consequences of their actions.

Security of person, right to life and liberty is a basic entitlement guaranteed by the Universal Declaration of Human Rights. Section 16 of Republic Act No. 7160 or the "Local Government Code" provides that every local government unit shall exercise powers necessary for its efficient and effective governance and those which are essential to the promotion of general welfare.

This bill mandates Local Government Units and establishments to install CCTV cameras/video surveillance within their premises not only for the security of their person and property but also of those they serve.

With the full support of the present administration, it is proper that we give the criminals a taste of their own medicine – INNOVATION.


ALFREDO B. BENITEZ
3rd District, Negros Occidental

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HOUSE BILL NO. _____

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REPRESENTATIVE ALFREDO B. BENITEZ

**AN ACT REQUIRING LOCAL GOVERNMENT UNITS AND ESTABLISHMENTS TO
INSTALL CLOSED CIRCUIT TELEVISION (CCTV) OR VIDEO
SURVEILLANCE SYSTEM IN THE PREMISES OF PRIVATE
ESTABLISHMENTS AND PUBLIC PLACES**

Section 1. *Title.* – This Act shall be known as the “CCTV Installation Act of 2017.”

Section 2. *Declaration of Policy.* It is the declared policy of the State to serve and protect the people, to maintain peace and order, to protect life, liberty and property of its citizens, and to promote the general welfare.

Section 3. *Scope and Coverage.* The following are required to install CCTV cameras or video surveillance system in their places of operation:

- a. Business establishments used for commercial purposes and operating for, selling products to, or providing services to the general public. They shall include but not limited to restaurants, hospitals, malls, shopping centers, movie houses, theaters, supermarkets, groceries and other similar establishments;
- b. Public offices and facilities;
- c. Public and private schools;
- d. Parks or plazas, public markets;
- e. Major roads and major intersections; and

- f. Other establishments and public places which the city or municipality, through an ordinance may require due to the nature of business and potential risks in their respective areas.

Section 4. *Installation of CCTV or Video Surveillance System.* Business establishments and public areas covered under this Act shall ensure that their CCTV/Surveillance cameras are turned on and recording for twenty-four (24) hours every day and for seven (7) days a week. Further, the video recording shall be kept on safe keeping for a period of not less than ninety (90) days from the date of recording, and may be disposed after the lapse of said period at the option of the owner.

The recordings shall be made available upon the request of proper authorities and allow copies thereof to be made at the expense of the requesting party.

For business establishments, the installation of CCTV camera/video surveillance shall be a mandatory requirement prior to the issuance of business permits.

For establishments engaged in services which require privacy, installation of CCTV/video surveillance shall be limited to common areas and those accessible to the public including, but not limited to, reception area, lobbies, and waiting area.

Section 5. *Priority Areas in Local Government Units.* LGUs shall prioritize installation of CCTV camera/video surveillance in areas in their jurisdiction where the surveillance system will significantly help in improving the safety and security of the locality.

Section 6. *Notice of Surveillance.* The fact that CCTV camera/video surveillance have been installed shall be made known to the general public through a written notice displayed at the entrance of the establishment or public area.

Section 7. *Non-disclosure of Video Recordings.* The owner and/or manager of the business establishment and operator of the CCTV camera/video surveillance in public areas shall maintain the privacy and confidentiality of the video feeds and recordings which shall only be used, viewed, disclosed, and copied for purposes allowed under this Act.

Section 8. *Allowed Use and Disclosure.* The use, viewing, disclosure, and copying of video feeds and recordings under this Act shall only be allowed in the following instances:

- a. For investigation and prosecution purposes of an offense punishable by law or regulation, in connection with any pending criminal or civil proceeding; and
- b. For determination as to whether or not an offense was committed against a person or property, to ascertain the identity of the perpetrator, and to determine the manner by which the offense was committed.

Section 9. *Prohibited Surveillance.* The installation of CCTV camera/video surveillance in any restroom, toilet, shower, bathroom, bedroom changing room, and other similar areas shall be prohibited.

Section 10. *Penalties.* Any act or omission causing the violation of duties ascribed to business establishments under this Act shall be punishable with imprisonment not exceeding six (6) months, or a fine not exceeding seventy thousand pesos (PhP 70,000.00), or both, without prejudice to other civil or criminal liabilities that may arise therefrom. The owner and/or manager of the establishment shall likewise be answerable for violations of this Act; provided that it is shown that the violation was due to his/her direct participation, lack of supervision, or negligence.

Section 11. *Appropriations.* The amount necessary to implement the provisions of this Act shall be charged against the appropriations of the DILG under the General Appropriations Act.

For purposes of public agencies and LGUs, the funding requirement to implement the provisions of this Act shall be sourced from the regular appropriations of the agencies and development funds of the LGUs concerned.

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

Section 13. *Implementing Rules and Regulation.* Within thirty (30) days from the effectivity of this Act, the Secretary of the Interior and Local Government, in consultation with appropriate government agencies and stakeholders, shall promulgate the necessary rules and regulations to implement this Act.

Section 14. *Separability Clause.* – If any provision of this act or the application of the same is declared invalid, the emainder of this Act or the application of any other provision shall not be affected by such declaration.

Section 15. *Repealing Clause.* – All laws, decrees, ordinances, rules and regulations, executive or administrative orders and other presidential issuances inconsistent with this Act, are hereby repealed, amended or modified accordingly.

Section 16. *Effectivity.* – This Act shall take effect after fifteen (15) days from publication in two (2) national papers of general circulation.