

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

NINETEENTH CONGRESS
Second Regular Session

House Bill No. 9275



**Introduced by Representatives JOCELYN P. TULFO, ERWIN T. TULFO and
RALPH WENDEL P. TULFO**

EXPLANATORY NOTE

This bill seeks to deter crime and illegal activities in the country through the mandatory installation of Closed-Circuit Television (CCTV) Cameras in business establishments. This is intended to aid law enforcement agencies during crime investigations, criminal prosecution, and maintenance of peace and order in the community.

It is the prime duty of the Government to serve and protect its people, maintain peace and order, and promote the general welfare of its people. Thus, it is the State's responsibility to utilize its available resources, enact laws and policies, and use technological advances to promote the protection of its people, and maintain peace in the country.

In recent years, recordings of CCTV Cameras in public places have been useful to law enforcement agencies in identifying culprits, building and resolving cases during investigations, and as supporting evidence in court cases. Recognizing the advances in modern technology and the effectiveness of CCTV cameras in crime prevention, requiring all qualified business establishments to install CCTV cameras within and outside their business premises will increase security, deter crime, and aid law enforcement agencies in performing their duties.

Considering the foregoing, approval of this proposed measure is earnestly sought.



JOCELYN P. TULFO

Representative, ACT-CIS Partylist



ERWIN T. TULFO

Representative, ACT-CIS Partylist



RALPH WENDEL P. TULFO

Representative, 2nd District of Quezon City

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House Bill No. **9275**

**Introduced by Representatives JOCELYN P. TULFO, ERWIN T. TULFO and
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AN ACT

**MANDATING THE INSTALLATION OF CLOSED-CIRCUIT TELEVISION
(CCTV) CAMERAS IN BUSINESS ESTABLISHMENTS AS A MEANS TO
DETER CRIME AND FOR THIS PURPOSE ESTABLISHING GUIDELINES FOR
INSTALLATION, RECORDING, AND ACCESS THERETO, PROVIDING THE
APPROPRIATE PENALTIES FOR VIOLATIONS AND FOR OTHER PURPOSES**

*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 “CCTV Act of 2023”.
2

3 **Sec. 2. *Declaration of Policy.*** – It is the policy of the State to protect and
4 promote the welfare of its people, to maintain peace and order, to protect their life,
5 liberty, and property, and to promote their general welfare. For this purpose, the
6 State shall formulate laws and guidelines to ensure the protection, safety, and
7 welfare of its people against criminal activities by mandating the installation of
8 closed-circuit television (CCTV) cameras in business establishments, with due
9 regard to the privacy and rights of every individual under Republic Act No. 10173
10 or the “Data Privacy Act of 2012”.

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

- 3 a) *Business Establishments* refer to any establishment used for commercial
4 purposes and operating for, selling products to, or providing services to
5 the general public. They shall include but shall not be limited to
6 restaurants, hospitals, malls, shopping centers, movie houses, theaters,
7 supermarkets, groceries, entertainment centers, office buildings,
8 warehouses, cockpit arenas, and other similar establishments;
9
- 10 b) *Closed-Circuit Television (CCTV)* refers to the use of video cameras to
11 transmit a signal to a specific place, on a set of monitors television system
12 that transmits images on a “closed loop” basis, where images are only
13 available to those directly connected with the transmission system;
14
- 15 c) *CCTV Operator* refers to a person/s authorized and responsible for
16 watching and controlling the recording of pictures and videos captured
17 by a CCTV;
18
- 19 d) *Data Subject* refers to an individual who is the subject of a CCTV footage,
20 video, photo, or whose personal, sensitive personal, or privileged
21 information is processed by a business establishment;
22
- 23 e) *Owner* refers to the registered owner/s of a Business Establishment with
24 the Securities and Exchange Commission (SEC), Department of Trade and
25 Industry (DTI), the Bureau of Internal Revenue (BIR), or the Business
26 Permits and Licensing Offices (BPLO) of a local government unit where
27 the business is located;
28
- 29 f) *Persons in Authority* refer to any person directly vested with jurisdiction or
30 authority, whether as an individual or by nature of their office to enforce

1 or execute laws and regulations, including but not limited to, the Chief of
2 the Philippine National Police (PNP), the National Bureau of Investigation
3 (NBI), and Barangay Chairman;
4

5 g) *Requesting Party* refers to any person who shall request access to a footage,
6 video recording, or photo recorded by a CCTV camera;
7

8 a) *Video Surveillance* refers to a direct visual monitoring and/or recording of
9 activities on the premises or in a specific place;
10

11 **Sec. 4. Installation of CCTV Cameras.** – All business establishments with at
12 least ten (10) employees and with work premises of at least fifty (50) square meters
13 are hereby mandated to install and maintain in good working condition CCTV
14 cameras in all entrances and exits of their work premises, within the perimeter of
15 their work areas, and other areas in their business premises.
16

17 Business establishments employing less than ten (10) employees and whose
18 work premises is at least seventy-five (75) square meters, shall also be required to
19 install and maintain CCTV cameras in work areas described in the preceding
20 paragraph.
21

22 The installation of CCTV cameras shall be a requirement before business
23 permits or any other permit to operate are issued.
24

25 **Sec. 5. Guidelines for Operation and Installation of CCTV Cameras.** – This
26 Act shall have the following guiding principles in mandating the installation of
27 CCTV cameras:
28

29 a) The installed CCTV cameras shall function as a tool for law enforcement
30 and crime prevention by effectively monitoring business establishments
31 and their surrounding areas, such as pathways and streets;

- 1 b) The installed CCTV cameras shall function as tools used for video
2 surveillance allowing security personnel of private establishments to
3 monitor their premises and ensure the safety and security of individuals,
4 their employees, and private properties;
5
- 6 c) Installed CCTV cameras shall at all times be operated with due regard to
7 people's right to privacy and their right to conduct or engage in lawful
8 activities;
9
- 10 d) The business owner and operator of the CCTV shall be publicly known to
11 ensure appropriate accountability and shall be appropriately registered
12 before the PNP;
13
- 14 e) The business establishment owners shall, as far as practicable, ensure that
15 their surveillance/CCTV cameras are properly functioning, in operation,
16 and recording for twenty-four (24) hours a day and seven (7) days a week;
17 *Provided*, that this provision shall not apply in cases where the CCTV
18 operation is affected by *force majeure* and other analogous circumstances
19 beyond their control; *Provided, further*, that the business establishment
20 owners have exercised due diligence and good faith in ensuring the
21 proper operation and recording of the CCTV cameras;
22
- 23 f) Appropriate signages/posts informing the public of the existence of
24 CCTV cameras and video surveillance shall be made visible, distinctive,
25 and located in areas within the work premises visible to the public;
26
- 27 g) The CCTV camera shall be operated as a crime deterrent for the purpose
28 of mobilizing a quick and adequate response unit from the persons in
29 authority; and
30

1 h) All recorded materials from the CCTV cameras shall not be released to the
2 media or other individuals except upon the consent of the business owner,
3 the Data Subject, or by order of a competent court.
4

5 **Sec. 6. Notice of Surveillance.** – The fact that surveillance/CCTV cameras
6 have been installed in a business establishment shall be made known to the general
7 public through a written notice prominently displayed at the entrance of the
8 establishment or at a visible area within its premises.
9

10 **Sec. 7. Confidentiality and Non-disclosure of Recordings.** – Business
11 establishments shall maintain the privacy and confidentiality of the video feeds and
12 recordings obtained as a result of the surveillance performed under this Act.
13 Towards this end, the business owner and/or CCTV operator shall prohibit the use,
14 viewing, copying, disclosure, or publication of said video feeds and recordings for
15 any purpose other than those allowed under this Act or existing laws.
16

17 No footage, video feed, or photo recorded by a CCTV camera in a business
18 establishment shall be released to any third person, except upon the order of the
19 court or consent of the business owner or the Data Subject and only when the
20 circumstances warrant such as, to help identify the perpetrator of a crime or locate
21 his whereabouts or as a matter of public information. Provided, that in the absence
22 of such consent, the business owner and the CCTV operator shall not be compelled
23 to allow the use, viewing, copying, disclosure, or publication of said video feeds
24 and recordings, except upon the order of a competent court.
25

26 **Sec. 8. Access and Disclosure of Recordings.** – The business establishment
27 owner and the CCTV operator shall ensure that the following rules shall be
28 observed in the use, viewing, copying, or disclosure, of all images and recordings of
29 CCTV cameras in business establishments:
30

- a) The purpose of the request is in connection with and limited to an investigation for the prosecution of an offense punishable by law;
- b) The purpose of the request is in connection with a pending case, such as criminal, civil or administrative cases;
- c) Viewing of all images and recordings shall take place in a restricted area and under the supervision of the business owner or the CCTV operator;
- d) All access allowed or granted under the circumstances must be documented and for limited or prescribed circumstances; and

It shall be the responsibility of the owner and the CCTV operator to ensure that the conditions for the use, access, viewing, copying, or disclosure of recordings are reasonably established and that the necessary consent or an order from a competent court has been obtained before giving access to any requesting party. The extent of recordings to be used, viewed, copied, or disclosed shall be limited to recordings pertaining to the above-mentioned instances.

Sec. 9. Prohibited Acts and Recordings. – It shall be unlawful for any person or establishment to perform the following acts:

- a) Installation or use of CCTV cameras on someone else's property outside of his/her own business premises without consent;
- b) Installation or use of CCTV cameras in any restroom, toilet, bathroom, changing room, and other similar areas utilized for private activities;
- c) Use of CCTV cameras with a device to record sounds or voices designed to overhear events, conversations, or sounds without the permission of all people involved;

- 1
- 2 d) Installation of CCTV cameras in public places without the display of due
- 3 notice on the walls or at the entrance of the establishment;
- 4
- 5 e) Installation of CCTV cameras inside the business premises without due
- 6 notice to all employees;
- 7
- 8 f) Installation and use of CCTV cameras as surveillance tools of particular
- 9 individuals on behalf of or commissioned by third persons with or
- 10 without compensation or fee;
- 11
- 12 g) Selling, distribution or publication of any recorded material or still
- 13 photographs for commercial purposes; and
- 14
- 15 h) Uploading of any images, recordings, or stills from a CCTV camera on the
- 16 internet for entertainment purposes or without consent of the Data
- 17 Subject or business owner, except for the protection of the general public
- 18 such as to help identify the perpetrator of a crime or locate his
- 19 whereabouts or as a matter of public information to deter criminal
- 20 activities.
- 21

22 **Sec. 10. Retention, Storage, and Preservation.** – Unless otherwise preserved

23 under a court order or identified as evidence to be submitted in court or to aid

24 pending police investigations, data stored and recorded by CCTV cameras installed

25 in business establishments shall be kept for a period of at least sixty (60) days from

26 the date of recording. The business establishment owner shall ensure that tapes,

27 photographs, or materials from the CCTV cameras shall be disposed of in a manner

28 that does not allow the reproduction of any of the recorded materials and in

29 accordance with RA No. 10173.

30

1 **Sec. 11. Penalties.** – Any act or omission causing the violation of duties
2 ascribed to business establishments under this Act shall be punishable with
3 imprisonment not less than six (6) months but not exceeding six (6) years or a fine
4 not less than ten thousand (Php10,000.00) but not exceeding one hundred thousand
5 pesos (Php100,000.00) or both, without prejudice to any civil, criminal or
6 administrative cases that may be filed pursuant to existing laws. *Provided*, that if the
7 offender is a corporation, partnership, or any juridical person, the penalty shall be
8 imposed upon the responsible officers, as the case may be, who participated in, or
9 by their gross negligence, allowed the commission of the crime. The business owner
10 and the CCTV operator of the business establishment shall be responsible for
11 compliance with the provisions of this Act. *Provided, further*, that the business owner
12 and the CCTV operator, as the case may be, shall be personally liable for any
13 violation under this Act which was due to their direct participation, lack of
14 supervision, or negligence.

15
16 **Sec. 12. Implementing Rules and Regulations.** – Within sixty (60) days from
17 the effectivity of this Act, the Secretary of the Department of Interior and Local
18 Government, the Department of Information and Communications Technology, the
19 Department of National Defense, the Department of Justice, the NBI, and the
20 National Privacy Commission, in consultation with other appropriate government
21 agencies and other stakeholders, shall promulgate the necessary rules and
22 regulations to implement this Act.

23
24 **Sec. 13. Separability Clause.** - If any portion or provision under this Act is
25 declared void or unconstitutional, the remaining portions or provisions hereof shall
26 not be affected by such declaration.

27
28 **Sec. 14. Repealing Clause.** - Any provision of law or regulations inconsistent
29 herewith is hereby repealed, modified, or amended accordingly.

1 **Sec. 15. *Effectivity.*** - This Act shall take effect fifteen (15) days after its
2 publication in two (2) newspapers of general circulation.

3
4 Approved,