



Republic of the Philippines
Province of Sorsogon
OFFICE OF THE PROVINCIAL GOVERNOR
Sorsogon Capitol Compound

EXECUTIVE ORDER NO. 13 - 2023

PROVIDING FOR GUIDELINES ON THE ACCESS AND USE OF THE PROVINCIAL CAPITOL CCTV FOOTAGE AND FOR OTHER PURPOSES

WHEREAS, Closed-Circuit Television (CCTV) footage is a useful tool for monitoring and enhancing safety and security in various settings, such as public spaces, workplaces, and homes;

WHEREAS, to ensure the ethical and responsible use of CCTV, there are rules and guidelines that need to be followed when accessing footage;

WHEREAS, Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012" emphasizes the important role of the State to protect the fundamental human right of privacy of communication while ensuring the free flow of information to promote innovation and growth;

WHEREAS, the National Privacy Commission (NPC) issued Advisory No. 2020-04 on 16 November 2020, which provides Guidelines on the Use of Closed-Circuit Television (CCTV) Systems operating in public and semi-public areas;

WHEREAS, NPC Advisory No. 2020-04 defined CCTV as a "closed-circuit television or camera surveillance system in a fixed or stationary location that can capture images of individuals or other information relating to individuals;" and

WHEREAS, for the protection of Data Privacy rights and Individual Privacy rights, there is a need to establish guidelines for the proper access and use of the video footage recorded by the CCTVs in and around the Provincial Capitol Building;

NOW, THEREFORE I, EDWIN "BOBOY" B. HAMOR, Governor of the Province of Sorsogon, by virtue of the powers vested in me by law, do hereby order:

Section 1. Guidelines. - The following are the guidelines to be followed before accessing the CCTV footage of the Provincial Capitol, under the charge of the Information and Communication Technology (ICT) Division, to wit:

- a. **Access to CCTV footage should be for a Legitimate Purpose.** – The CCTV footage may only be reviewed for a legitimate purpose, such as but not limited to investigation of a crime or misconduct, monitoring of employee performance, or ensuring public safety. It should not be used for personal or unprofessional purposes.

For this purpose, any employee who shall need access to CCTV footage shall fill in a request form, indicating the purpose of the request, to be signed by the employee and his/her department head. Meanwhile, outsiders who may need access to CCTV footage of the Capitol shall also fill in a request form to be signed by the requesting party and shall attach therewith proof of the necessity of their request.

The request form shall be approved by the ICT Division Head, Carmelo H. Griarte, before access shall be allowed.

The ICT Division is further directed to prepare the format of said request form.

- b. **Only Authorized personnel may have immediate access to the CCTV footage.** – Only authorized personnel, such as trained ICT personnel or the Division head, may have access to the CCTV footage. The ICT Division Head shall take charge of the selection and training of personnel who may access the CCTV footage and assist those who request access.

The ICT Division shall also prepare access logs for the CCTV footage, which shall be updated on a regular basis, including transfers, reproductions, and access requests.

- c. **Compliance with Individual Privacy Rights.** – When reviewing CCTV footage, individual privacy rights must be protected. This means that:

- 1) viewing of the CCTV footage shall only be limited to the authorized ICT personnel, the person whose request for access has been properly approved, and official investigating officers, when appropriate;
- 2) the requesting party may only view the relevant snippets or part of the CCTV footage referred to in his/her request. Any additional footage shall undergo another request process;
- 3) there will be no copying or sharing of any part of the CCTV footage, unless it is necessary for an official investigation, for public safety, or if approved by the Governor and/or the Provincial Legal Office;
- 4) taking of pictures or videos during the review of the CCTV footage shall be prohibited; and

- 5) Unauthorized online access to CCTV footage shall be prohibited.
- d. **Proper Notification to persons involved.** – Individuals who may be captured in the CCTV footage for review must be notified that they are being monitored. This may be done through signage, announcements, or a memorandum from the ICT Division.
- e. **Compliance with Data Protection Laws.** – The CCTV footage must be processed in accordance with data protection laws, such as RA No. 10173, or the "Data Privacy Act of 2012." This includes ensuring that the data is accurate, secure, and only used for its intended purpose.
- f. **Retention periods for CCTV footage.** – The laws do not provide specific or fixed minimum or maximum retention periods for CCTV footage. NPC Advisory No. 04-2020 provides that the CCTV footage shall be retained only for as long as necessary to fulfill the purposes for which the CCTV footage was obtained.

Section 2. Separability Clause. – If any provision of the Executive Order is declared invalid or unconstitutional, the other provisions not affected shall remain valid and subsisting.

Section 3. Incorporation Clause. – All laws, legal order, rules and regulations that have been issued and/or will be issued by the duly constituted authorities of the Republic of the Philippines are hereby incorporated herein and made an integral part hereof. In case of conflict, such laws, legal order, rules and regulations shall have precedence over provisions of this Executive Order.

Section 4. Repealing Clause. – Any Administrative Order or Executive Order previously issued that is inconsistent with the provisions of this Executive Order shall be considered repealed, amended, or modified accordingly.

Section 5. Effectivity. – This Executive Order shall take effect immediately upon its issuance as stated hereunder.

DONE, this 23rd day of **March, 2023** in the City of Sorsogon, Province of Sorsogon.


EDWIN "BOBOY" B. HAMOR
Governor