

**THE CLOSED-CIRCUIT TELEVISION PUBLIC
PROTECTION BILL, 2025**

MEMORANDUM

The objects of this Bill are to—

- (a) provide the functions of the National Public Security Command Centre;
- (b) constitute the National Public Security Command Committee and provide for its functions;
- (c) provide for the regulation of closed-circuit television and mobile closed-circuit television;
- (d) provide an effective system for the use of closed-circuit television and mobile closed-circuit television;
- (e) provide for the protection of data collected through closed-circuit television and mobile closed-circuit television;
- (f) provide security surveillance for the protection of members of the public; and
- (g) provide for matters connected with, or incidental to, the foregoing.

M. D. KABESHA,
Attorney-General

**THE CLOSED-CIRCUIT TELEVISION PUBLIC PROTECTION
BILL, 2025**

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A BILL

ENTITLED

An Act to provide the functions of the National Public Security Command Centre; constitute the National Public Security Command Committee and provide for its functions; provide for the regulation of closed-circuit television and mobile closed-circuit television; provide an effective system for the use of closed-circuit television and mobile closed-circuit television; provide for the protection of data collected through closed-circuit television and mobile closed-circuit television; provide security surveillance for the protection of members of the public; and provide for matters connected with, or incidental to, the foregoing.

ENACTED by the Parliament of Zambia.

Enactment

PART I

PRELIMINARY PROVISIONS

1. This Act may be cited as the Closed-Circuit Television Public
5 Protection Act, 2025, and shall come into operation on the date
appointed by the Minister by statutory instrument. Short title
and
commence-
ment
2. In this Act, unless the context otherwise requires— Interpretation
- “authorisation” means an authorisation granted by the Centre
under section 17;
- 10 “associate” has the meaning assigned to the word in the Anti- Act No. 3 of
2012
Corruption Act, 2012;
- “authorised officer” means an officer of the—
- (a) Zambia Police Service;

	(b) Zambia Correctional Service;	
	(c) Immigration Department;	
	(d) Drug Enforcement Commission;	
	(e) Zambia Security Intelligence Service;	
	(f) National Anti-Terrorism Centre;	5
	(g) Road Transport and Safety Agency; and	
	(h) any other person appointed, as an authorised officer, by the Minister by statutory instrument;	
	“biometric characteristic recognition systems” means an automated process used to identify an individual based on an individual’s biological or behavioural characteristics;	10
	“Centre” means the National Public Security Command Centre responsible for the administration of the Act as provided under section 3;	
	“Chairperson” means the person appointed as Chairperson of the Committee under section 4;	15
Cap. 1	“Civil Service Commission” means the Civil Service Commission established under the Constitution;	
	“closed-circuit television” means a system which is fixed permanently, comprising of cameras which display visual images in which signals are not publicly distributed but are monitored, primarily for surveillance and security purposes;	20
	“command centre officer” means a person appointed or seconded as a command centre officer for the Centre under section 12;	25
	“Committee” means the National Public Security Command Committee constituted under section 4;	
Act No. 3 of 2021	“data” has the meaning assigned to the word in the Data Protection Act, 2021;	
Cap. 1	“Drug Enforcement Commission” means the Drug Enforcement Commission established under the Constitution;	30
	“Executive Director” means the person appointed as Executive Director of the Centre under section 12;	

- “Immigration Department” means the Immigration Department in the Ministry responsible for home affairs;
- “legally disqualified” means the absence of legal capacity as provided in section 4 of the Mental Health Act, 2019; Act No. 6 of 2019
- 5 “licence” means a licence issued by the Centre under section 14;
- “licensee” means a holder of a licence issued under this Act;
- “local authority” has the meaning assigned to the words in the Constitution; Cap. 1
- 10 “mobile closed-circuit television” means a movable system comprising cameras which display visual images in which signals are not publicly distributed but are monitored, primarily for surveillance and security purposes;
- 15 “National Anti-Terrorism Centre” means the National Anti-Terrorism Centre continued under the Anti-Terrorism and Non Proliferation Act, 2018 Act No. 6 of 2018
- “non permanent assignment” means an activity carried out on a temporary basis or for a specific purpose;
- 20 “public road” has the meaning assigned to the words in the Public Roads Act, 2002; Act No. 12 of 2002
- “premises” has the meaning assigned to the word in the Public Health Act; Cap. 295
- “Register” means a Register referred to under section 22;
- 25 “relative” has the meaning assigned to the word in the Anti-Corruption Act, 2012; Act No. 12 of 2012
- “Road Transport and Safety Agency” means the Road Transport and Safety Agency established under the Road Traffic Act, 2002; Act No. 11 of 2002
- 30 “Service Commission” means the Civil Service Commission, Zambia Correctional Service Commission and Zambia Police Service Commission;
- “sub committee” means a sub committee of the Committee constituted in accordance with section 8;
- 35 “Zambia Correctional Service Commission” means the Zambia Correctional Service Commission established under the Constitution; Cap. 1

“Zambia Police Service Commission” means the Zambia Police Service Commission established under the Constitution; and

“Zambia Security Intelligence Service” means the Zambia Security Intelligence Service established under the Constitution. 5

Cap. 1

PART II

THE NATIONAL PUBLIC SECURITY COMMAND CENTRE

Administration
of Act

3. (1) The National Public Security Command Centre in the Ministry responsible for home affairs and internal security is responsible for the administration of this Act under the general direction of the Permanent Secretary for the ministry responsible for internal security. 10

(2) The Centre shall regulate the installation, operation and use of closed-circuit television. 15

(3) Despite the generality of subsection (2), the functions of the Centre are to—

(a) licence the operation and use of closed-circuit television on public or private premises;

(b) authorise the operation and use of mobile closed-circuit television; 20

(c) receive and consider requests to access data captured on a public closed-circuit television;

(d) manage and operate a closed-circuit television on public premises and public roads; 25

(e) collaborate with local, regional and international entities to provide an effective system for the use of closed-circuit television and mobile closed-circuit television;

(f) conduct and promote research relating to the use of closed-circuit television and mobile closed-circuit television, and the processing of closed-circuit television and mobile closed-circuit television data; 30

(g) advise the Minister on policies relating to the operation and use of a closed-circuit television system and mobile closed-circuit television system; 35

(h) set standards for the installation of a closed-circuit television; and

(i) sensitise and educate the general public on the use of the closed-circuit television systems and the protection of the members of the public under this Act.

5 4. (1) There is constituted a National Public Security Command Committee which consists of the following part time members appointed by the Minister: Constitution
of National
Public
Security
Command
Committee

(a) the Deputy Inspector General of Police, who shall be the Chairperson;

10 (b) a representative of the Ministry responsible for home affairs and internal security; and

(c) a representative of the—

(i) Zambia Correctional Service;

(ii) Immigration Department;

(iii) Drug Enforcement Commission;

15 (iv) Attorney General;

(v) Zambia Information and Communications Technology Authority;

(vi) Zambia Security Intelligence Service; and

(vii) National Anti-Terrorism Centre.

20 (2) The members referred to under subsection (1) shall elect the Vice-Chairperson of the Committee from amongst themselves.

(3) The ministries, institutions or organisations referred to under subsection (1) shall nominate their representatives for appointment by the Minister.

25 (4) A person shall not be nominated or appointed as a member of the Committee if that person—

(a) is not a citizen;

(b) is an undischarged bankrupt;

30 (c) is legally disqualified from performing the functions of a member;

(d) is convicted of an offence under this Act or any other written law and sentenced to imprisonment for a term exceeding six months without the option of a fine; or

(e) holds, or is elected to hold, a political office.

Functions of Committee	<p>5. The functions of the Committee are to—</p> <p>(a) give general or specific policy directives to the Centre on the prevention and detection of crime, and preservation of public security relating to the use of closed-circuit television and mobile closed-circuit television;</p> <p>(b) approve a licence issued under this Act;</p> <p>(c) approve the authorisation of a mobile closed-circuit television;</p> <p>(d) suspend or revoke a licence or authorisation issued under this Act;</p> <p>(e) approve the amendment of the terms and conditions of a licence or an authorisation; and</p> <p>(f) approve the standards for the installation of a closed-circuit television set in accordance with section 3(3)(h).</p>	<p>5</p> <p>10</p>
Tenure of office of member and vacancy	<p>6. (1) Subject to the other provisions of this Act, a member of the Committee, except the Chairperson, shall hold office for a term of three years and may be reappointed for a further and final term of three years.</p> <p>(2) A member shall, on the expiration of the period for which that member is appointed, continue to hold office until a successor is appointed, but in no case shall the further period exceed three months.</p> <p>(3) The office of a member becomes vacant if that member—</p> <p>(a) dies;</p> <p>(b) is adjudged bankrupt;</p> <p>(c) is absent from three consecutive meetings of the Committee of which the member has had notice, without the prior approval of the Committee;</p> <p>(d) resigns, on giving one month’s notice to the Minister;</p> <p>(e) is legally disqualified from performing the functions of a member;</p> <p>(f) ceases to be employed by the ministry, institution or organisation which nominated the member; or</p> <p>(g) is convicted of an offence under this Act or any other written law and sentenced to imprisonment for a term exceeding six months without the option of a fine.</p>	<p>15</p> <p>20</p> <p>25</p> <p>30</p> <p>35</p>

(4) The Minister shall, where the office of a member becomes vacant before the expiry of the term of office, appoint another member in place of the member who vacates office but that member shall hold office as a member only for the unexpired part of the
5 term of the Committee.

7. (1) Subject to the other provisions of this Act, the Committee may regulate its own procedure.

Proceedings
of
Committee

(2) The Committee shall meet for the transaction of business at least once in every three months at a place and time that the
10 Committee may determine.

(3) The Chairperson shall, on giving notice of not less than seven days or where one third or more of the members so request, in writing, call for a meeting of the Committee, except that if the urgency of a particular matter does not permit the giving of a notice,
15 a special meeting may be called on giving a shorter notice.

(4) Five members shall form a quorum at a meeting of the Committee.

(5) There shall preside at a meeting of the Committee—

(a) the Chairperson;

20 (b) in the absence of the Chairperson, the Vice-Chairperson;
or

(c) in the absence of the Chairperson and the Vice-Chairperson, a member of the Committee that the members present may elect from among themselves
25 for the purpose of that meeting.

(6) A decision of the Committee on any question shall be by a majority of votes of the members present and voting at the meeting and, in the event of an equality of votes, the person presiding at the meeting shall have a casting vote, in addition to that person's
30 deliberative vote.

(7) A member may, where the member is for any reason unable to attend a meeting of the Committee, nominate another person, in writing, from the same ministry, institution or organisation to attend a meeting of the Committee in that member's stead and
35 that person shall be considered to be a member for the purpose of that meeting.

(8) The Committee may invite a person whose presence is, in its opinion, desirable to attend and participate in the deliberations of the meeting but that person shall have no vote.

	(9) The Committee shall cause to be kept minutes of the proceedings of every meeting of the Committee and of a sub committee.	
Sub-committees	<p>8. (1) The Committee may, for the purpose of performing its functions under this Act, constitute a sub-committee and delegate to the sub-committee any of its functions as it considers necessary.</p> <p>(2) The Committee may appoint as members of a sub-committee constituted under subsection (1) persons who are or are not, members of the Committee, except that at least one member of the Committee shall be a member of a sub-committee.</p> <p>(3) A member of a sub-committee shall hold office for a period that the Committee may determine.</p> <p>(4) Subject to the other provisions of this Act, a sub-committee may regulate its own procedure.</p>	5 10
Allowances of members	9. A member of the Committee or any sub-committee shall be paid allowances that the Emoluments Commission may, on the recommendation of the Minister, determine.	15
Disclosure of interest	<p>10. (1) A member or person who is present at a meeting of the Committee or a sub-committee at which a matter is the subject of consideration, and in which matter that member or person, or the member or person's relative or associate, is directly or indirectly interested, in a private capacity, shall as soon as is practicable after the commencement of the meeting declare that interest and shall not, unless the Committee or sub-committee otherwise directs, take part in any consideration or discussion of, or vote on a question relating to that matter.</p> <p>(2) A disclosure of interest made under this section shall be recorded in the minutes of the meeting at which it is made.</p> <p>(3) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both.</p>	20 25
Prohibition of publication or disclosure of information to unauthorised persons	11. (1) A person shall not, without the consent in writing given by or on behalf of the Committee or a sub-committee, publish or disclose to a person, otherwise than in the course of duties of that person, the contents of a document, communication or information which relates to, or which has come to that person's knowledge in the course of that person's duties under this Act.	35

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

5 (3) A person who, having information which to the knowledge of that person has been published or disclosed in contravention of subsection (1), unlawfully publishes or communicates the information to another person, commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

12. (1) The President shall, through a Service Commission, appoint a Executive Director of the Centre who shall be a public officer.

Executive
Director and
other staff

15 (2) Subject to the general or specific directions of the Committee, the Executive Director shall—

(a) be the chief executive officer of the Centre; and

(b) be responsible for the day to day administration of the Centre.

20 (3) Subject to any conditions imposed and guidelines issued by the Committee, the Committee may, delegate any of its functions to the Executive Director.

(4) A delegation made under subsection (3) shall not prevent the Committee from performing the delegated function.

25 (5) There shall be appointed or seconded from a Service Commission, command centre officers and other staff of the Centre as may be necessary for the performance of the functions of the Centre.

30 (6) The Executive Director may delegate, in writing, any of the Executive Directors functions to a command centre officer or any other member of staff of the Centre.

(7) A delegation made under subsection (6) shall not prevent the Executive Director from performing the delegated function.

PART III

LICENSING OF CLOSED-CIRCUIT TELEVISION AND AUTHORISATION
OF MOBILE CLOSED-CIRCUIT TELEVISION

Prohibition
of operating
closed-
circuit
television or
mobile
closed-
circuit
television
without
licence or
authorisation

13. (1) A person shall not operate or use a closed-circuit television on public or private premises without a licence from the Centre issued under this Act. 5

(2) A person shall not operate or use a mobile closed-circuit television without authorisation from the Centre granted under this Act.

(3) A person who contravenes subsection (1) or (2) commits an offence and is liable, on conviction, to a fine not exceeding five hundred thousand penalty units or to imprisonment for a term not exceeding five years, or to both. 10

Application
to operate or
use closed-
circuit
television on
public or
private
premises

14. (1) A person who intends to operate or use a closed-circuit television on public or private premises shall apply to the Executive Director for a licence in the prescribed manner and form, on payment of a prescribed fee. 15

(2) The Executive Director shall, within ten days of receipt of an application under subsection (1), refer the application to the Committee. 20

(3) The Executive Director shall, where the Executive Director considers that the application submitted under subsection (1) is incomplete, within ten days of receipt of the application, request the applicant, in writing, to submit any other information that the Committee may require. 25

(4) The Committee may, within fifty days of receipt of an application under subsection (2), approve or reject the application.

(5) The Committee shall, where the Committee rejects the application, notify the applicant, in writing, stating the reasons for the rejection. 30

(6) The Committee shall approve an application under subsection (4) if an applicant—

(a) specifies the premises at which a closed circuit television shall be installed and operated; and

(b) complies with any other conditions as may be prescribed. 35

(7) The Committee shall, where an applicant satisfies the conditions specified under subsection (6) issue to the applicant a licence in the prescribed manner and form.

(8) A licence issued under subsection (7), shall—

(a) be valid for a period of three years; and

(b) only be valid for the premises to which the licence relates.

5 (9) Where the Committee fails to inform an applicant of the decision made on an application under this section, within the period specified under this section, the application shall be considered to have been granted.

15. A holder of a licence shall display the licence in a conspicuous place at the licensee's place of business or premises. Display of licence

10 **16.** (1) A licensee who intends to renew a licence shall, apply to the Executive Director for renewal of the licence in the prescribed manner and form on payment of a prescribed fee. Renewal of licence

(2) The Executive Director shall, within ten days of receipt of an application under subsection (1), refer the application to the
15 Committee.

(3) The Executive Director shall, where the Executive Director considers that the application submitted under subsection (1) is incomplete, within ten days of receipt of the application, request the applicant, in writing, to submit any other information that the
20 Committee may require.

(4) The Committee may, within fifty days of receipt of an application under subsection (2), approve or reject the application.

(5) The Committee shall, where the Committee approves the application, renew the licence in a prescribed manner and form.

25 (6) The Committee shall, where the Committee rejects the application, notify the applicant, in writing, stating the reasons for the rejection.

17. (1) A person who intends to operate or use a mobile closed-circuit television on a non permanent assignment shall apply for authorisation to the Executive Director in a prescribed manner and form on payment of a prescribed fee. Application for authorisation

(2) The Executive Director shall, within ten days of the receipt of an application under subsection (1), refer the application to the Committee.

35 (3) The Executive Director shall, where the Executive Director considers that the application under subsection (1) is incomplete,

within ten days of receipt of the application request the applicant, in writing, to submit any other information the Committee may require.

(4) The Committee may, within thirty days of receipt of an application under subsection (2), approve or reject the application. 5

(5) The Committee shall, where the Committee approves an application in accordance with subsection (4), issue an authorisation in a prescribed manner and form.

(6) The Committee may, where the Committee rejects the application, notify the applicant, in writing, stating the reasons for the rejection. 10

(7) Despite subsection (1), a law enforcement officer may use a mobile closed circuit television on a non-permanent assignment without applying for authorisation from the Centre.

(8) An authorisation issued under this section shall be valid until the completion of the non permanent assignment which shall not exceed ten days. 15

Suspension
or revocation
of licence or
authorisation

18. (1) The Committee may suspend or revoke a licence or authorisation if the licensee or holder of an authorisation—

(a) obtained the licence or authorisation through fraud, misrepresentation or concealment of a material fact; 20

(b) fails to comply with the prescribed terms and conditions of the licence or authorisation; or

(c) becomes legally disqualified.

(2) The Committee shall, before suspending or revoking a licence or authorisation in accordance with subsection (1), notify the licensee or holder of an authorisation of its intention to suspend or revoke the licence or authorisation in the prescribed manner and form and shall— 25

(a) give reasons for the intended suspension or revocation; and 30

(b) require the holder to show cause, within a period of not more than thirty days, why the licence or authorisation should not be suspended or revoked.

(3) The Committee shall not suspend or revoke a licence or authorisation under this section if the licensee or holder of an authorisation takes remedial measures to the satisfaction of the Executive Director within the period referred to under subsection (2)(b). 35

(4) The Committee may suspend or revoke a licence or authorisation in the prescribed manner and form, if the holder of a licence or authorisation after being notified under subsection (2) does not—

5 (a) show cause to the satisfaction of the Committee why the licence or authorisation should not be suspended or revoked; or

 (b) take remedial measures to the satisfaction of the Committee within the period specified in subsection
10 (2)(b).

(5) A licensee or holder of an authorisation shall, where a licence or authorisation is revoked under this section, surrender the licence or authorisation to the Centre.

15 **19.** (1) Where a licensee or holder of an authorisation decides to discontinue the business or activity to which the licence or authorisation relates, the licensee or holder of an authorisation shall notify the Executive Director, in writing, and agree with the Executive Director on the terms of the surrender of the licence or authorisation. Surrender of licence or authorisation

20 (2) The Executive Director shall, on notifying the Committee of a surrender made in accordance with subsection (1), revoke the licence or authorisation surrendered.

20. (1) A licensee or holder of authorisation whose licence or authorisation is destroyed or lost may apply to the Executive Director
25 for a duplicate licence or authorisation in a prescribed manner and form on payment of the prescribed fee. Duplicate licence or authorisation

(2) The Executive Director may, within seven days of receipt of an application under subsection (1), issue a duplicate licence or authorisation to the applicant.

30 **21.** A licence or authorisation issued under this Act shall not be transferred to a third party. Prohibition of transfer of licence or authorisation

22. (1) The Centre shall keep and maintain a Register of— Register

 (a) the licensees and holders of authorisations;

 (b) revoked and suspended licences and authorisations; and

35 (c) any other information that the Centre may determine.

(2) The Register shall be kept in the custody of the Executive Director at the offices of the Centre and shall be open for inspection by members of the public during normal office hours

(3) The Executive Director shall, on an application by a person, in writing, issue to the person a certified extract from the Register or a copy of a licence or authorisation, on payment of a fee that the Committee may determine. 5

(4) A document purporting to be an extract of an entry in the Register and certified under the hand of the Executive Director, shall be received in evidence, as to matters stated in the extract, in any legal proceedings. 10

(5) Subject to this Act, a copy of the last printed Register shall be *prima facie* evidence in legal proceedings of what is contained in that Register.

PART IV 15

CLOSED-CIRCUIT TELEVISION AND MOBILE CLOSED-CIRCUIT TELEVISION SYSTEMS

Installation of closed-circuit television on public premises and public roads

Cap. 1

23. (1) The Centre shall, in consultation with a local authority, install a closed-circuit television on public premises and on a public road. 20

(2) The Centre shall, when installing a closed-circuit television on public premises or on a public road, take into account the protection of the right to privacy in accordance with the Constitution and any other written law.

Prohibition on use of closed-circuit television or mobile closed-circuit television

24. (1) A person shall not use a closed-circuit television or mobile closed-circuit television— 25

- (a) in a change room or public rest room;
- (b) to capture audio recordings on public premises;
- (c) for facial recognition; or
- (d) for biometric characteristic recognition systems. 30

(2) Subsection (1) shall not apply to an authorised officer conducting an investigation in accordance with this Act or any other relevant written law.

(3) Despite subsection (1), the Minister may prescribe circumstances under which a closed-circuit television or mobile closed-circuit television may be used in a public rest room or change room. 35

(4) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

5 **25.** (1) A person shall not disclose data from a closed-circuit television or mobile closed-circuit television.

Non-disclosure of closed-circuit television or mobile closed-circuit television data

(2) Despite subsection (1) a person may disclose closed-circuit television or mobile closed-circuit television data—

10 (a) if the data is being presented to an authorised officer or a command centre officer in the exercise of the authorised officer or command centre officer’s duties; or

(b) in any other circumstances as may be prescribed.

15 (3) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

20 **26.** (1) A command centre officer or authorised officer may view an image or footage on a closed-circuit television or mobile closed-circuit television in private.

Viewing images and footage on closed-circuit television or mobile closed-circuit television

(2) Despite subsection (1), a command centre officer or authorised officer shall not view an image or footage referred to under subsection (1) in the absence of the owner of the closed-circuit television or mobile closed-circuit television.

25 (3) A command centre officer or authorised officer shall collect an image or footage on a closed-circuit television or mobile closed-circuit television if the command centre officer or authorised officer knows or reasonably suspects that an offence has been committed or is likely to be committed.

30 (4) An image or footage collected in accordance with subsection (3) shall not be stored for a period longer than one month, where the image or footage does not contribute to the—

(a) evidence of an offence, nuisance, damage to property or wrongful conduct; or

35 (b) identification of an offender, a person disturbing the public order, a witness or a victim of an alleged offence.

(5) Despite subsection (4), an image or footage collected in accordance with subsection (3) may be stored for a period longer than one month where there are ongoing investigations or legal proceedings.

Features of closed-circuit television or mobile closed-circuit television

27. A person shall use a closed-circuit television or mobile closed-circuit television with features that the Minister may prescribe.

PART V

INVESTIGATIONS AND INSPECTIONS

Identification card for command centre officer

28. (1) The Centre shall issue a command centre officer with an identification card which shall be *prima facie* evidence of the command centre officer's appointment.

(2) A command centre officer shall, in performing a function under this Act—

(a) be in possession of the identification card referred to under subsection (1); and

(b) show the identification card to any person who requests to see the identification card or is the subject of an investigation under this Act.

Powers of command centre officer

29. (1) A command centre officer may, for the purposes of enforcing the provisions of this Act, at any reasonable time and without prior notice, enter any premises that the command centre officer has reasonable grounds to believe is used for the commission of an offence or contrary to the provisions of this Act and—

(a) search the premises;

(b) search any person on the premises if the command centre officer has reasonable grounds to believe that the person has possession of an article, document or record that has a bearing on an investigation, except that a person shall only be searched by a person of the same sex;

(c) inspect a document or equipment at the premises;

(d) take extracts from, or make copies of, a book, document or record that is on the premises of a closed circuit television owner and that has a bearing on an investigation;

(e) require from a person whose in control of the premises an explanation of any record or entry in the document, book, record or other document;

(f) remove from the premises any equipment, commodity or product used in contravention of this Act; and

(g) make inquiries that may be necessary to ascertain whether the provisions of this Act or any other law on which an inspection or investigation is based, have been complied with.

(2) A command centre officer may, in the performance of the command centre officer's functions under this section, be accompanied and assisted by an authorised officer.

5 (3) A command centre officer who removes anything from any premises shall—

(a) issue a receipt for anything removed to the owner or the person in control of the premises; and

10 (b) return anything removed as soon as practicable after the thing removed has served the purpose for which it was removed.

(4) A command centre officer shall, on completion of an inspection under this section, submit a written report to the Executive Director.

(5) A person commits an offence if that person—

15 (a) delays or obstructs a command centre officer in the performance of the command centre officer's functions under this Act;

20 (b) refuses to give a command centre officer reasonable assistance as the command centre officer may require for the purpose of performing the command centre officer's functions;

(c) impersonates a command centre officer or presents oneself to be a command centre officer; or

25 (d) wilfully gives a command centre officer false or misleading information in answer to an inquiry made by the command centre officer.

30 (6) A person convicted of an offence under subsection (5) is liable to a fine not exceeding three hundred thousand penalty units or to imprisonment for a term not exceeding three years, or to both.

30. (1) A command centre officer may arrest a person, without a warrant, where the command centre officer has reasonable grounds to believe that the person—

Arrest
without
warrant

(a) has committed an offence under this Act;

35 (b) is about to commit an offence under this Act and there is no other way to prevent the commission of the offence;
or

	(c) is wilfully obstructing a command centre officer in the execution of the command centre officer’s duties.	
	(2) A command centre officer who makes an arrest under subsection (1) shall, without undue delay, have the person arrested brought to a police station.	5
Restoration of property	31. (1) A command centre officer shall, where a person from whom an equipment, commodity, product or other property has been seized under this Act is found not guilty or the proceedings against that person are withdrawn—	
	(a) restore the equipment, commodity, product or property to that person, without unnecessary delay; or	10
	(b) where a command centre officer is satisfied that the person cannot be found or is unwilling to receive back the equipment, commodity, product or property, apply to the court for an order of forfeiture of the equipment, commodity, product or property.	15
	(2) A court shall make an order of forfeiture under subsection (1) if—	
	(a) the command centre officer has given notice, by publication in the <i>Gazette</i> and in one daily newspaper of general circulation in the Republic, to the effect that the equipment, commodity, product or property which has been seized under this Act shall vest in the State if it is not claimed within three months from the date of publication of the notice; and	20 25
	(b) three months after the giving of the notice under paragraph (a), the equipment, commodity, product or property remains unclaimed.	
	(3) Where a claim is made, in writing, by any person that is lawfully entitled to the equipment, commodity, product or property seized under this Act, that the equipment, commodity, product or property is not liable to forfeiture under this Act, the command centre officer may order the release of the equipment, commodity, product or property to the claimant if satisfied that there is no dispute concerning the ownership of the equipment, commodity, product or property and that it is not liable to forfeiture.	30 35
	(4) A command centre officer shall refer a claim to the court where a claim of ownership is made in relation to the equipment, commodity, product or property seized under this Act and the command centre officer finds that—	40

- (a) there is a dispute regarding the ownership of the equipment, commodity, product or property;
- (b) there is insufficient evidence to determine the ownership of the equipment, commodity, product or property; or
- 5 (c) an enforcement authority is unable to ascertain whether the equipment, commodity, product or property is liable to forfeiture or not.

PART VI

GENERAL PROVISIONS

- 10 **32.** A holder of a licence or authorisation issued under this Act shall, within seven days of the change of the particulars relating to the licence or authorisation, notify the Executive Director of any change of the particulars. Change in details
- 15 **33.** (1) A licensee shall display, in a conspicuous place, a notice indicating the presence of a surveillance camera at the entrance of public and private premises. Public notice of presence of closed-circuit television at public and private premises
- (2) The notice referred to under subsection (1) shall be in a prescribed manner and form.
- 20 **34.** (1) A person shall not use a covert closed-circuit television. Prohibition of use of covert closed-circuit television
- (2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both.
- (3) Subsection (1) shall not apply to the following:
- 25 (a) private premises not accessible to the public;
- (b) areas of high risk; or
- (c) for the purposes of lawful criminal investigations.
- (4) In this section—
- 30 “areas of high risk” means an area where the concentration of valuable assets, either monetary, informational, or of significant intrinsic value, is accompanied by a heightened risk to unauthorised access, theft, or other forms of security breaches; and
- 35 “covert closed-circuit television” means a closed-circuit television and a mobile closed-circuit television which cannot be seen or detected by the public.

Exemption	35. The Minister may exempt a person from the application of the provisions of this Act as prescribed.	
Appeals	36. (1) A person aggrieved with a decision of the Executive Director or Committee may, within thirty days of the receipt of the decision, appeal to the Minister.	5
	(2) A person aggrieved with a decision of the Minister may, within thirty days of the receipt of the decision, appeal to the High Court.	
Offences by principal officers of body corporate or unincorporate body	37. Where an offence under this Act is committed by a body corporate or an unincorporate body, with the knowledge, consent or connivance of the executive director, manager, shareholder or partner of the body corporate or an unincorporate body, that executive director, manager, shareholder or partner commits the same offence as the body corporate or unincorporate body and is liable, on conviction, to the penalty specified for that offence under this Act.	10 15
Immunity	38. An action shall not lie against a member of staff of the Centre, a member of the Committee or sub committee for, or in respect of, an act or thing done, or omitted to be done, in good faith in the exercise or performance of a power or function conferred under this Act.	20
Compounding of certain offences by Centre	39. Subject to the written consent of the Executive Director of Public Prosecutions after an investigation by the Centre and admission by a person who has committed an offence under this Act, the Executive Director may compound the offence by collecting from that person a sum of money that the Executive Director considers appropriate, but not exceeding fifty percent of the maximum amount of the fine to which that person would have been liable on conviction, and a person having made that payment shall not thereafter be prosecuted in relation to the offence so compounded.	25 30
Administrative penalty	40. (1) The Centre may impose an administrative penalty on a person for a failure to comply with a provision of this Act which is not an offence.	
	(2) An administrative penalty shall not exceed the amount prescribed by the Minister, by statutory instrument, for each day during which the failure continues.	35

(3) An administrative penalty shall be paid to the Centre within the period prescribed by the Minister.

(4) The Centre may, where a person fails to pay an administrative penalty within the stipulated period under subsection
5 (3), by way of civil action in a competent court, recover the amount of the administrative penalty from that person as an amount due and owing to the Centre.

41. (1) The Centre may, in the exercise of the Centre's
10 functions under this Act, issue guidelines as are necessary for the better carrying out of the provisions of this Act. Guidelines

(2) The Centre shall publish the guidelines issued under this Act in the *Gazette* and any other electronic media that the Centre may determine.

(3) The guidelines shall take effect on the date of publication
15 and shall bind the persons regulated under this Act.

42. (1) The Minister may, on the recommendation of the
Committee, by statutory instrument, make Regulations for the better
carrying out of the provisions of this Act. Regulations

(2) Despite the generality of subsection (1), Regulations made
20 under this section may make provision for—

- (a) the manner and form for applications under this Act and the fees payable;
- (b) the form of and particulars to be entered on the Register;
- (c) the form of a licence and authorisation, and the conditions
25 under which the licence or authorisation may be issued;
- (d) the limitation of an obligation and a right of a licensee or holder of an authorisation to preserve—
 - (i) state security;
 - (ii) defence; or
 - (iii) public safety;
- (e) the notification of security breaches;
- (f) acceptable or prohibited features of a closed circuit television; and
- (g) data retention from a closed circuit television or mobile
35 closed circuit television.

Savings and
transitional
provisions

43. (1) A person who immediately before the commencement of this Act operated a closed-circuit television shall continue to operate the closed-circuit television for a period of twelve months, after which that person shall apply for a licence in accordance with the provisions of this Act.

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(2) A person who immediately before the commencement of this Act operated a mobile closed-circuit television shall continue to operate the mobile closed-circuit television until the completion of the non permanent assignment which shall not exceed ten days.

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