



# Protection of Freedoms Act 2012

## 2012 CHAPTER 9

### PART 2

#### REGULATION OF SURVEILLANCE

#### CHAPTER 1

##### REGULATION OF CCTV AND OTHER SURVEILLANCE CAMERA TECHNOLOGY

##### *Code of practice*

#### **29 Code of practice for surveillance camera systems**

- (1) The Secretary of State must prepare a code of practice containing guidance about surveillance camera systems.
- (2) Such a code must contain guidance about one or more of the following—
  - (a) the development or use of surveillance camera systems,
  - (b) the use or processing of images or other information obtained by virtue of such systems.
- (3) Such a code may, in particular, include provision about—
  - (a) considerations as to whether to use surveillance camera systems,
  - (b) types of systems or apparatus,
  - (c) technical standards for systems or apparatus,
  - (d) locations for systems or apparatus,
  - (e) the publication of information about systems or apparatus,
  - (f) standards applicable to persons using or maintaining systems or apparatus,
  - (g) standards applicable to persons using or processing information obtained by virtue of systems,
  - (h) access to, or disclosure of, information so obtained,

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*Status: This is the original version (as it was originally enacted).*

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- (i) procedures for complaints or consultation.
- (4) Such a code—
- (a) need not contain provision about every type of surveillance camera system,
  - (b) may make different provision for different purposes.
- (5) In the course of preparing such a code, the Secretary of State must consult—
- (a) such persons appearing to the Secretary of State to be representative of the views of persons who are, or are likely to be, subject to the duty under section 33(1) (duty to have regard to the code) as the Secretary of State considers appropriate,
  - (b) the Association of Chief Police Officers,
  - (c) the Information Commissioner,
  - (d) the Chief Surveillance Commissioner,
  - (e) the Surveillance Camera Commissioner,
  - (f) the Welsh Ministers, and
  - (g) such other persons as the Secretary of State considers appropriate.
- (6) In this Chapter “surveillance camera systems” means—
- (a) closed circuit television or automatic number plate recognition systems,
  - (b) any other systems for recording or viewing visual images for surveillance purposes,
  - (c) any systems for storing, receiving, transmitting, processing or checking images or information obtained by systems falling within paragraph (a) or (b),  
or
  - (d) any other systems associated with, or otherwise connected with, systems falling within paragraph (a), (b) or (c).
- (7) In this section—
- “the Chief Surveillance Commissioner” means the Chief Commissioner appointed under section 91(1) of the Police Act 1997,
  - “processing” has the meaning given by section 1(1) of the Data Protection Act 1998.