



Local councils' use of Closed Circuit TV (CCTV)

Fact sheet

May 2014

Local councils in New South Wales have been granted an exemption from provisions under the *Privacy and Personal Information Protection Act 1998* (PIIP Act) to use CCTV cameras in public places.

The *Privacy and Personal Information Protection Amendment (CCTV) Regulation* commenced on 17 May 2013.

Local councils are now exempt from some obligations in the PIIP Act relating to the collection of personal information by using a CCTV camera installed for the purpose of filming in a public place, and the disclosure to NSW Police of that information by way of live transmission.

Details of Regulation

A Regulation under the *Privacy and Personal Information Act 1998* (PIIP Act) was proclaimed on 17 May 2013. It can be downloaded from the NSW Legislation website:
<http://www.legislation.nsw.gov.au/sessionalview/sessional/sr/2013-208.pdf>

Clause 9 of this Regulation says:

Clause 9 – Exemption for local councils in relation to CCTV cameras

- 1) A local council is exempt from section 11 of the Act with respect to the collection of personal information by using a CCTV camera that the council has installed for the purpose of filming a public place if the camera is positioned so no other land is filmed (unless it is not reasonably practicable to avoid filming the other land when filming the public place).
- 2) The local council is also exempt from section 18 of the Act with respect to the disclosure to the NSW Police Force of personal information by way of live transmission from such a CCTV camera.
- 3) In this clause, **public place** has the same meaning as in the *Local Government Act 1993*.

NSW Government policy

Local councils are also encouraged to refer to the *NSW Government Policy Statement and Guidelines for Establishment and Implementation of Closed Circuit Television (CCTV) in Public Places* available at www.lawlink.nsw.gov.au.

For more information

Contact the Information and Privacy Commission NSW (IPC):

Freecall: 1800 472 679
Email: ipcinfo@ipc.nsw.gov.au
Website: www.ipc.nsw.gov.au