



Closed Circuit TV (CCTV)

Fact sheet

May 2014

Are you concerned about the impact of CCTV on your privacy? Do you want to know what rules apply to CCTV usage by NSW public sector agencies?

The Information and Privacy Commission (IPC) provides assistance on a number of issues to protect your privacy in NSW. The following information may help you understand what laws apply and what you can do if you have any concerns. How should CCTV be handled on private properties?

CCTV located on private property needs to be obvious and suitably visible. Preferably, there will also be a sign advising people that they are, or may be, under surveillance. If an individual chooses to remain on the property, they may have then given their implied consent to the use of CCTV.

What about in the workplace?

If CCTV is to be used in a workplace, then in NSW the employer must comply with their obligations under the *Workplace Surveillance Act 2005*. CCTV should never be secret or hidden except in limited circumstances, such as where the law allows it, e.g. casinos, or to carry out law enforcement by way of a warrant.

For more information on exemptions, see the [Workplace Surveillance Act 2005](#).

What privacy laws apply to NSW public sector agencies including local councils and universities?

If a NSW public sector agency, local council or university wants to use CCTV in a public place, it must:

- make sure it is using CCTV for lawful purposes directly related to the agency's functions or activities and that the use of CCTV is reasonably necessary for those purposes
- comply with all of the [Information Protection Principles](#) (IPPs) in the *Privacy and Personal Information Protection Act 1998* (sections 8 to 19), as CCTV will usually capture images of individuals and therefore have privacy risks

- ensure the other [Information Protection Principles](#) (IPPs) are followed, such as disposing of CCTV footage securely once it is no longer needed and only using and disclosing CCTV footage for appropriate purposes such as law enforcement or protection of the community.

Can NSW public sector agencies be exempt from the laws?

Sometimes a NSW public sector agency will have a broad or specific exemption under NSW privacy legislation that allows them to use CCTV without following some or all of the obligations in the [Information Protection Principles](#) (IPPs).

For more information on these exemptions, see the *Privacy and Personal Information Protection Act 1998* (PIPA Act).

Is there a NSW Government policy that applies?

The NSW Government has issued the [NSW Government Policy Statement and Guidelines for Establishment and Implementation of Closed Circuit Television \(CCTV\)](#),

For more information

Contact the Information and Privacy Commission NSW (IPC):

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