



Privacy and Personal Information Protection Amendment (CCTV) Regulation 2013

under the

Privacy and Personal Information Protection Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Privacy and Personal Information Protection Act 1998*.

GREG SMITH, MP
Attorney General

Explanatory note

The object of this Regulation is to exempt local councils from provisions of the *Privacy and Personal Information Protection Act 1998* relating to the collection of personal information, by using a CCTV camera installed for the purpose of filming a public place, and the disclosure to the NSW Police Force of that information by way of live transmission.

This Regulation is made under the *Privacy and Personal Information Protection Act 1998*, including section 71 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Privacy and Personal Information Protection Amendment (CCTV) Regulation 2013*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Privacy and Personal Information Protection Regulation 2005

Clause 9

Insert after clause 8:

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*.