

NATIONAL ASSEMBLY	
Law No. 86/VIII/2015	
of April 14th	
By mandate of the People, the National Assembly decrees, pursuant to Article 175 (b) of the Constitution, the next:	
CHAPTER I	
General provisions	
Article 1	
Object	
This law regulates the installation and use of video surveillance systems in public spaces and in places of fenced or conditioned access to the public, with the purpose of ensuring the protection of people and property, the security and public order, preventing the commission of crimes and to assist with the criminal investigation.	
Article 2	
Scope of application	
1. This law applies to the installation and use of video surveillance systems:	
a) By the security forces;	
b) By municipal entity;	
c) By entities with competences in managing the transport system; and	
d) By the concessionary or responsible entities for the management of public spaces.	
2. This law is also applicable to providers of private security service that are holders of permit, under the terms of the Law that defines the legal regime of private security activity.	
3. This law does not apply to use cases of video surveillance by individual person, in the exercise exclusively domestic or business, provided that the collection does not include public spaces.	
4. The application of this law, namely, regarding treatment, liability and protection of personal data, observes the regime established in the Law No. 133/V/2001, of 22 January, as amended approved by Law No. 41/VIII/2013, of 17 September and by Law No. 42/VIII/2013, of 17 September, hereinafter called LPDP.	
Article 3	
Definitions	
1. For the purposes of this law, the following definitions apply:	
a) "Video surveillance system", the collection and treatment, of images and sounds captured in time real by video and photo systems in	

closed circuit, through fixed chambers or through any other system or medium analogue technician;	
b) "Public spaces", places, public roads, public facilities and equipment belonging or assigned to the central administration, tral or municipal, to other legal persons public or whose management and responsibility be in charge of these and that they are destined predominantly to the use of the population.	
2. For the purposes of this law, the definitions contained in article 5 of the Law on the protection of personal data, which establishes the general legal regime of protection of personal data of natural persons with the necessary adaptations.	
Article 4	
General principles	
The use of video surveillance systems complies with the following general principles:	
a) Principle of legality, according to which the re-collection and treatment of images and sounds cap-recorded by the video surveillance system must be carried out within the limits set in the this law and other applicable legislation;	
b) Purpose principle, according to which the video-surveillance is only permissible for the intended purposes. acts in this law;	
c) Principle of proportionality, according to which the use of video surveillance presupposes the between the maintenance requirements of the security and public order, namely the prevention of the commission of crimes, and the protection of the right to reserve the privacy of private life and other fundamental rights.	
Article 5	
Purposes of video surveillance	
The use of video surveillance systems is only allowed for the following purposes:	
a) Protection of public buildings and facilities for public interest and respective accesses, even when its holding is licensed to private entities;	
b) Protection of facilities of interest to the se- security and national defense;	
c) Protection of heritage buildings historical or cultural;	
d) Protection of the safety of people and goods and pre-crime prevention or identification of its authors, in places that, by the type of activities that are developed in them, whether likely to generate special security risks. race, namely:	
i. In places of detention or compliance with custodial measures;	

ii. At border posts;	
iii. In port and airport facilities and in public transport services;	
e) Prevention of terrorist acts;	
f) Crime prevention and investigation activities under the terms of article 11 of Law no. 16/ VII/2007, of 10 September and article 21 Law No. 30/VII/2008, of 21 July;	
g) Prevention and road safety of people and goods.	
Article 6	
Limits	
1. The installation of video surveillance cameras is prohibited, with or without sound recording, in any areas, even that located in public spaces, that are, by their nature, intended to be used in the protection of the intimacy or religious worship.	
2. It is prohibited to capture sounds, except when it is strictly necessary to ensure the defense and pro-tection of people and goods in high risk situations, namely in a situation of calamity or catastrophe natural, or in a situation that threatens national security.	
3. Accidentally captured images and sounds, in vio-of the provisions of this law, shall be immediately destroyed by the controller.	
Article 7	
Entity responsible for processing	
The entity responsible for processing the images collected by video surveillance systems is the entity authorized for its installation or use, under the terms of this law.	
CHAPTER II	
Video surveillance systems in public spaces	
Section 1	
Installation process	
Article 8	
Authorization and opinion	
1. Installation of video surveillance systems is subject to the authorization of the member of the Government supervising the administration. internal traction, after the opinion of the CNPD to which the articles 22 and 23 of Law no. 41/VIII/2013, of 17 September and by Law No. 42/VIII/2013, of 17 September.	
2. The opinion referred to in the previous number is issued within sixty days of receipt of the authorization request, after which the opinion is considered positive.	

3. The Commission may, with reasons, in the framework of the issuance of the opinion referred to in number 1:	
a) Make recommendations with a view to ensuring the need to protect personal data, subjecting the issue of opinion fully positive to verification of compliance with your recommendations;	
b) Expressly waive the existence of these security measures, ensuring that show respect for rights, freedoms and guarantees of data subjects.	
4. In the event of a negative opinion from the Commission, the authorization cannot be granted.	
Article 9	
Authorization period	
1. The period of authorization for installation and use of video surveillance must not exceed two years for the purposes provided for in subparagraphs d) to g) of article 5, which may be renewed, with the procedure for renewal identical to the authorization.	
2. The renewal request submitted within thirty days before the end of the period of duration of the authorization or renewal and that has not been decided, it is considered provisionally granted, under the terms and limits before defined, until a decision is rendered.	
3. Authorizations issued for the intended purposes in sub-paragraphs a) to c) of article 5, renewal period, as long as the classification is maintained, of buildings and facilities that justify the use of video surveillance systems.	
Article 10	
order instruction	
1. The application for authorization of installation and use of fixed chambers is required by the top director of the interested security force and must be instructed with the following elements:	
a) Public places subject to observation by the fixed cameras;	
b) Technical characteristics of the equipment used;	
c) Identification of those responsible for conservation and data processing;	
d) The fundamentals justifying the need and the convenience of installing the video camera surveillance;	
e) Public information procedures on the existence of the system;	
f) Mechanisms to ensure the correct use of registered data;	
g) The criteria governing data retention registered;	
h) The period of retention of data.	

2. Installation authorization can also be required by the Mayor, or by maximum director of the entities referenced in the subparagraphs c) and d) of paragraph 1 of article 2, case, to the National Directorate of the National Police to evaluate the criminal risks and local control needs contained in the application.	
3. In the cases referred to in the previous number, the use of the system be delegated to the National Police, through a protocol that must be part of the request for authorization.	
Article 11	
Authorization dispatch	
1. The authorization decision includes:	
a) The places subject to observation by the cameras of video;	
b) The limitations and conditions of use of the system;	
c) The physical space likely to be recorded, the type camera and its technical specifications;	
d) The duration of the authorization.	
2. When there is delegation of use of the system in the National Police, the decision must identify the unit organic and the person responsible for the treatment.	
3. The authorization may be suspended or revoked, at all time, by reasoned decision.	
Article 12	
systems registration	
The competent authority to authorize the installation of fixed video cameras maintains a public record of all authorized installations, with the date and the exact location of the installation, its applicant and the end for which it is intended, as well as the period of authorization and their eventual renewals.	
Article 13	
Advertising	
1. In places subject to surveillance using a camera, fixed posts it is mandatory to post it, in a conspicuous place, information on the following matters:	
a) The existence and location of video cameras;	
b) The purpose of capturing images;	
c) The person responsible for processing the data collected, against whom the access rights can be exercised.	
2. The notices referred to in the previous number are accompanied by appropriate symbology, approved by ordinance of the Government member responsible for the area of internal administration.	
3. The posting of public notice is the responsibility of the entity that uses the video surveillance system.	

Article 14	
Execution	
For the purposes of this law, it is the responsibility of the National Directorate of the National Police, to assess, in particular, the existence of risks to people and goods and the needs of pre-prevention of the commission of crimes when the request is made by another entity.	
Section II	
Use of collected data	
Article 15	
evidential value	
The images collected under this law constitute means of evidence in criminal proceedings or against, ordering in the different procedural stages.	
Article 16	
Access to data by security forces and services	
2. Security forces access in real time or deferred to data captured by surveillance systems installed by you, as well as the data captured by the entities referred to in subparagraphs b) to d) of paragraph 1 of article 2, through the transmission line of the , ensuring compliance with the safety standards of the information and technical availability.	
3. The access referred to in the previous number can still be realized through present connecting elements in the control room or other available facilities, or by consulting the respective files.	
4. Liaison elements and those responsible for deferred access, are agents of the security forces, duly accredited for this purpose, by the departments and respective commands.	
5. The accesses provided for in the previous numbers are subject to the signing of a protocol with the entity holder of the data that it defines, in view of the legal attributions or bylaws of the interested entities, the respective limits and conditions.	
Article 17	
Security measures	
Those responsible for the use of video-surveillance and entities that have access to them shall adopt the security measures referred to in Article 16(1) and maintain an up-to-date list of persons authorized to access the databases.	
Section III	
Registration, communication and retention of data	
Article 18	
Data subject to registration	
2. The images collected that indicate facts with criminal or administrative relevance are subject of registration, and should be complemented with the other circumstantial elements, namely:	
a) Place, date and time of occurrence;	

b) Data that can support the proof of conduct violator of the law, regardless of its criminal or administrative offense nature;	
c) Type of criminal or administrative offence, and summary indication of the standards that are con- are violated;	
d) Identification of the law enforcement officer or operator, pain responsible for observation.	
3. In the case provided for in subparagraph d) of paragraph 1 of article following, other personal data of the people involved, but solely and exclusively for relief and emergency effects.	
Article 19	
Data communication	
1. The registered data must be communicated:	
a) To force or security service due to own material competences or delegate of those fixed to them, with a view to active exercise;	
b) To the judicial authorities, for the purposes of pro-criminal assignment or execution of sentence of a criminal nature, when this results from the law or has been requested by them;	
c) To entities with management responsibilities traffic and road safety, and transport, for the purpose of enforcement, their respective competences;	
d) The National Civil Protection Service and Firefighters, whenever this can ensure greater effectiveness in relief operations and emergency.	
2. To the entities referred to in the previous number only data strictly necessary for ensure compliance with the respective legal obligations, and in accordance with the foreseen safety requirements in Article 22.	
3. The means of communication used between the entities mentioned in number 1, either electronically or physical support, must ensure the speed of procedures, ments for which they are intended, without prejudice to the preservation the privacy of the people involved.	
4. CNPD has access, whenever requested, to the communications made under this law, safeguarding the cases where there is judicial secrecy.	
Article 20	
Procedure	
The security force that, according to this law, collect recording that indicates relevant facts criminal or administrative offense must prepare a report of news that must be sent to the Public Prosecutor's Office within the deadline	

maximum of 24 hours, counted from the knowledge of the facts, together with the original support of the images, gens, continuing the criminal procedure, in the as a criminal police body.	
Article 21	
data conservation	
1. Recordings obtained in accordance with this law are kept, in a coded record, for a maximum period of thirty days from the date of its capture.	
2. The data collected that constitutes an element of evidence under Articles 18 and 19 shall be preserved until the end of the respective procedure, after which are eliminated.	
Article 22	
Information security and control	
Without prejudice to the provisions of the LPDP, the communication of data provided for in this law, must ensure the effectiveness and the speed of procedures and guaranteeing safety, integrity and confidentiality of the information transmitted.	
CHAPTER III	
Private, domestic and business security	
Section I	
Collection, communication and conservation of data by private security service providers	
Article 23	
Purpose and conservation	
Image recordings made by security companies private finance or self-protection services, in the exercise of its activity, through electronic equipment surveillance, are aimed exclusively at protecting people and goods, which must be destroyed within thirty days, only may be used under the terms of criminal law and procedures. criminal law.	
Article 24	
communication obligation	
2. Entities holding a permit or license in the terms of the Law that defines the legal regime for the exercise of private security activity they intend to use electronic surveillance equipment must communicate, to the CNPD and the Ministry of Internal Administration:	
a) The places subject to observation by the cameras fixed;	
b) Technical characteristics of the equipment used lized;	
c) Identification of those responsible for conservation and data processing, when not the responsible for the system;	
d) Public information procedures are about the existence of the system;	
e) Mechanisms to ensure the correct use of the recorded data.	

3. The installation and use of the systems must to serve the limits and prohibitions contained in this diploma and article 6 of the LPDP, being applicable, with the due adaptations, the rules regarding the use, the conservation, communication and recording of data.	
4. In places subject to surveillance using means provided for in the previous numbers is mandatory the posting in a conspicuous place of a notice with the following words, as the case may be, "For your protection, this place is under surveillance of a circuit closed television" or "For your protection, this place is under surveillance of a closed circuit of television, proceeding to the recording of image and sound", followed by the identifying symbol.	
Article 25	
Report to criminal police bodies or legal entities	
Collected recording indicating relevant facts criminal or administrative offense this must be sent to the Public Prosecutor's Office or criminal police bodies within a maximum period of 24 hours, counted from the moment of acknowledgment.	
a) Place, date and time of occurrence;	
b) Data that can support the proof of conduct violator of the law, regardless of its criminal or administrative offense nature;	
c) Identification of the operator responsible for the ob-Servation.	
Section II	
Business and home users	
Article 26	
Business and home users	
1. When the collection of images includes public spaces users, users of video systems or cameras, surveillance, business or domestic, must report at the police station closest to the place under surveillance, the installation of the cameras within the exclusive scope of the purpose protection of people and property.	
2. The communication form includes identification of the person responsible, the number of chambers, the type of chamber and its technical specifications and the public physical space likely to be recorded.	
3. The communication provided for in the previous numbers is legality condition of the evidence collected for the purpose of its use in criminal or administrative proceedings.	
4. The installation of video surveillance systems in a condominium can only occur if it is consented by everyone, the joint owners and the tenants of the properties owing owners inform new tenants about the existence of those means and obtain by clause in the contract consent to its use.	

CHAPTER IV	
duties and rights	
Article 27	
duty of secrecy	
1. Operators of data collected under the this law, by reason of their functions, are obliged the duty of professional secrecy, under penalty of procedure disciplinary and criminal, even after the end of those functions.	
2. Other people who have access to the data collected or with them are also obligated to the duty of secrecy, not being able to use or reveal to a third party or otherwise disclose these data, or, of your knowledge to give any publication, city, for its own benefit or that of a third party, under penalty of criminal procedure.	
Article 28	
Information for statistical or educational purposes	
The data subject to processing under this law can be used for statistical or educational purposes. ties, provided that it does not result in the identification of the people nor that of vehicles or other goods that allow that identification.	
Article 29	
Rights of interested parties	
1. Without prejudice to the provisions of the following paragraph and other applicable legislation, are guaranteed to all those that appear in the recordings obtained accordingly with this law, the rights of access and disposal.	
2. The exercise of the rights provided for in the previous number can be justifiably denied when it is sus-likely to constitute a danger to public safety, or to the extent that it affects the exercise of rights and freedoms of third parties, or even when this exercise impair the normal course of legal proceedings regardless of its nature.	
3. The rights referred to in number 1 may be activated, filed with the entity responsible for processing the data, either directly or through the CNPD.	
CHAPTER VII	
sanction regime	
Article 30	
Sanctions	
Without prejudice to criminal or counter- ordinance, the violation of this law is sanctioned according to the disciplinary statute to which the agent find subject, applying the sanction regime provided for in the LPDP.	

CHAPTER VI	
Final dispositions	
Article 31	
Regulatorization	
1. The entities and services responsible for the systems but video camera surveillance today existing, have a period of ninety days, the from the date of entry into force of this law to adapt video surveillance systems, by which are responsible, to the provisions of this law, and so carry out the formalities imposed therein.	
2. Failure to meet the deadline provided for in paragraph above, constitutes an administrative offence punishable by the following fines:	
a) In the case of natural persons, at least 50,000\$00 (fifty thousand escudos) and a maximum of 150,000\$00 (one hundred and fifty thousand escudos);	
b) In the case of a legal person or entity without legal personality, at least 150,000\$00 (one hundred and fifty thousand escudos) and in the maximum of 300,000\$00 (three hundred thousand escudos).	
Article 32	
Implementation	
This law enters into force 30 days after its publication.	
Approved on February 24, 2015.	
The President of the National Assembly, <i>Basílio Mosso Branches</i> .	
Enacted on April 6, 2015.	
Publish yourself.	
The President of the Republic, JORGE CARLOS DE ALMEIDA FONSECA.	
Signed on April 7, 2015.	
The President of the National Assembly, <i>Basílio Mosso Branches</i> .	

Nature, scope and headquarters	
Article 1	
Nature, name and scope	
1. The Cape Verdean Order of Pharmacists (OFVCV) is a professional public association representing the pharmacists, regardless of their regimen of work, which is governed by this statute.	
2. The use of the acronym OFCV is private to the Order of Cape Verde Pharmacists.	
3. OFCV exercises the attributions and competences that the present statute and the laws grant it throughout the ter-national rite.	

ORDER STATUTES OF THE PHARMACISTS OF CAPE VERDE	
TITLE I	
General provisions	
CHAPTER I	