

**Deliberation n ° 350-2013 of 05/31/2013 on the conditions necessary for the implementation of a video surveillance system in workplaces and in common private places.**

The National Commission for the Control of Personal Data Protection, meeting on 05/31/2013, under the chairmanship of Mr. Saïd Ihrai;

Were present Madame Souad El Kohen, Messrs Driss Belmahi, Brahim Bouabid, Abdelmajid Rhomija and Omar Seghrouchni;

Considering Law n ° 09-08 promulgated by Dahir 1-09-15 of February 18, 2009, relating to the protection of natural persons with regard to the processing of personal data (BO n ° 5714 of 05/03/2009);

Considering Decree n ° 2-09-165 of May 21, 2009 taken for the application of the aforementioned Law n ° 09-08 (BO n ° 5744 of 06/18/2009);

Having regard to the Internal Regulations of the CNDP (approved by decision of the Prime Minister n ° 3-33-11 of 28 March 2011 / BO n ° 5932 of 07/04/2011);

**General framework.**

A video surveillance system uses a set of cameras allowing the collection, visualization and possibly recording of images, likely to identify individuals. These images are therefore personal data, the processing of which is subject to the provisions of the law 09-08.

Aware of the importance of video surveillance systems in the protection of property and persons and the violation they may cause of the right to privacy of individuals, the CNDP has defined certain rules in accordance with international standards in the matter, rules that must be respect the data controllers operating such systems.

**1. Purpose of processing.**

The implementation of a video surveillance system ensures the security of property and people.

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**2. Location of cameras.**

The cameras can be installed in any location allowing the security of property and / or people, but never in a place where their privacy may be invaded.

Thus, the cameras can be installed at the entrances and exits of buildings; on the tracks of traffic, in goods warehouses, in car parks, in front of safes, at the entrance and inside technical rooms, etc.

They should not, in this case, be used to monitor one or more employees, the premises buildings, union rooms, washrooms, meeting rooms or break areas, etc.

**3. Duration of storage of the treatment.**

The shelf life of images should not exceed three months.

**4. Rights of data subjects.**

The controller is required to inform the data subjects, by means of a poster or a pictogram, placed at the entrance of supervised establishments.

The poster or pictogram must indicate, in a clear and visible manner, the following information:

- ✓ The name of the data controller;
- ✓ The fact that the establishment is placed under video surveillance;
- ✓ The purpose of this device (the safety of goods and people);
- ✓ Contact details for the exercise, by the data subjects, of access rights, rectification and opposition;
- ✓ The receipt number of the declaration filed with the CNDP.

**5. Data security.**

The data controller takes all the necessary precautions to preserve the security and confidentiality of processed images and, in particular to prevent them from being destroyed or distorted, damaged or that unauthorized third parties can become aware of it, in accordance with article 23 of the aforementioned law 09-08.

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**6. Formality of notification of processing to the CNDP.**

The installation of a video surveillance system in workplaces and in private places commons must be notified to the CNDP through a prior declaration.

The aforementioned declaration must be accompanied by a commitment from the controller, who certifies that the installed system meets the conditions listed in this deliberation and more generally the provisions of Law 09-08.

**7. Data transfer abroad**

Any transfer of data abroad must be notified in advance to the National Commission of control of the protection of Personal Data using the appropriate regime.

**8. Interconnection and cross-checking with other files**

Interconnection and cross-checking with other files whose main purposes are different must be the subject of a separate authorization request, in accordance with Article 12, paragraph 1, paragraph f of the aforementioned law 09-08.

Done in Rabat, May 31, 2013

**President**

**Mr. Saïd Ihrai**

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