

Print Date: June 6, 2021

LBK No. 1190 of 11/10/2007 (Applicable)

Promulgation of the law on dual supervision

Ministry: Ministry of Justice

Journal number: Justitsmin., J.nr. 20077300521

Later amendments to the regulation

ACT no. 713 of 25/06/2010 ACT no. 422 of 10/05/2011 § 1 ACT no. 736 of 25/06/2014 § 1 ACT no. 1728 of 27/12/2016 § 5

ACT No. 506 of 23/05/2018 § 1 ACT No. 802 of 09/06/2020

Promulgation of the law on television surveillance

The Act on Television Surveillance is hereby promulgated, cf. Statutory Order no. 788 of 12 August 2005, with the amendments that follow of § 4 of Act no. 542 of 8 June 2006 and § 1 of Act no. 519 of 6 June 2007.

§ 1. Private individuals may not carry out television surveillance of streets, roads, public places or premises to which public access is available, or of workplaces, by signage or other interpretation provide information in this way.

PCS. 2. Television surveillance means continuous or regular repeated personal surveillance by means of remote serviced or automatic TV camera, camera or similar apparatus. The law's rules on television surveillance similar application to the installation of such apparatus for monitoring purposes.

§ 2. The provision in § 1 does not apply to:

1) Television surveillance of service stations, factory areas, surveillance covered shopping malls and similar areas in which business activities are conducted if the monitoring made by the person in charge of the area.

2) TV surveillance of vending machines where money can be withdrawn (ATMs) or can be exchanged for another currency (change machines), or of vehicles exclusively used for the transport of money (money transport vehicles), if the monitoring is carried out by the person in charge of over the vending machine or vehicle, and if the television broadcast the monitoring is arranged so that it is directed only at persons who are in the immediate vicinity of the car the food or vehicle.

3) Television surveillance carried out by banks companies, gaming casinos, hotels and restaurants companies as well as shopping malls and stores from which there takes place retail, of

(a) own entrances and facades; and

(b) areas directly linked to own resources; corridors and facades, and which are naturally used or can used as an access or escape route in relation to own inputs when the monitoring is clearly needed by fight against crime.

4) TV surveillance not associated with recording of images on videotape, film or the like when it carried out as part of the monitoring of own entrances, cadres, enclosures or the like.

§ 3. Private individuals who carry out television surveillance of places or to which there is general access, or of workplaces, must provide information by signage or in another clear manner herom.

PCS. 2. Stk. 1 does not apply to television surveillance of transport vehicles pursuant to § 2, no. 2, and in those mentioned in § 2, no. 4 coincidence.

§ 4 a. The Director of Police may recommend that public authorities authorities or private persons carry out television surveillance in accordance with applicable law.

§ 4 b. The Director of Police may notify public authorities individuals who make or plan to launch television monitoring in accordance with applicable law, orders with respect to the quality of recordings of images on videotapes, films, etc. as well as with respect to the storage of such recordings.

§ 5. Violation of § 1, § 3, para. 1, and § 3 a, para. 1, punishable with fine.

PCS. 2. Violation of the instructions issued under § 4 b punishable by a fine.

PCS. 3. Regulations issued pursuant to section 4 may be laid down penalty of fine for violation of provisions of the regulations.

PCS. 4. Companies etc. (legal persons) may be imposed criminal liability according to the rules in Chapter 5 of the Criminal Code.

PCS. 5. Search in infringement cases the provisions of this Act may be in accordance with the the law's rules on searches in cases which according to the law can entail a custodial sentence.

§ 6. The Act enters into force on 1 July 1982.

§ 6 a. In the parliamentary year 2010-11, the Minister of Justice submits a report to the Folketing on the experiences with the provision in § 2, no. 3.

§ 7. The law does not apply to the Faroe Islands and Greenland, but can by royal decree shall enter into force for these parts of the country with the deviations made by the specific Faroese or Greenlandic team dictates.

Act no. 542 of 8 June 2006 amending the Penal Code, the Code of Judicial Procedure and various other laws (Strengthening

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to combat terrorism, etc.) 1) contains the following

Entry into force provision:

§ 9

PCS. 1. The Act shall enter into force on the day following the promulgation in Official Gazette, cf. 2-5. Section 6 shall apply to requests extradition under the Council of Europe Convention on construction of terrorism, respectively the UN Convention to combating nuclear terrorism committed after it the Convention in question has entered into force between Denmark and foreign state concerned 2)

PCS. 2-5. (Deleted)

Act No. 519 of 6 June 2007 amending the Prohibition Act against TV surveillance, etc. and the law on the treatment of information (Extending access to television surveillance and control legal protection in the processing of personal data in connection with television surveillance) 3) contains the following

Entry into force provision:

§ 3

The law enters into force on 1 July 2007.

Ministry of Justice, 11 October 2007

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/ Jens Røn

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¹⁾ The amendment to the law relates to § 4 a, § 4 b and § 5, para. 2.

²⁾ The law was announced in the Official Gazette on 9 June 2006.

³⁾ The amendment to the law concerns section 2, section 3, subsection 2, § 4 a, § 4 b and § 6 a.