

DATA PROTECTION NOTICE FOR VIDEO SURVEILLANCE

Summary

Data protection is of the utmost importance to Andbank Luxembourg (the “**Bank**”).

As required by the General Data Protection Regulation (EU) 2016/679 of the European Parliament of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (the “**GDPR**”) and the Law of 1st August 2018 on the protection of individuals with regard to the processing of personal data in criminal and national security matters, this data protection notice for all visitors (this “**Video Surveillance Notice**”) shall provide you with a transparent overview of the Bank’s data protection policies and with information on how your personal data is processed when you visit our onsite premises.

The “**data controller**” is defined as the natural or legal person, which, alone or jointly, determines the purposes and means of the processing of personal data. Andbank Luxembourg is data controller for the purpose of this video surveillance activity.

The Bank will process the personal data in compliance with the GDPR principles as laid down in chapter two of the regulation, namely:

- lawfulness, fairness and transparency;
- purpose limitation;
- data minimization;
- accuracy;
- storage limitation;
- integrity and confidentiality.

Your rights as a data subject in connection with personal data are:

- rights of access;
- right to correction;
- right to erasure;
- right to request the restriction of processing;
- right to transfer (data portability);
- right to object;
- right not to be subject to a decision based solely on automated processing, including profiling;
- right to withdraw consent for any processing specifically based on consent.

For any questions in relation to the processing of your personal data or the exercise of its rights, you may contact the Data Protection Officer (“**DPO**”) via postal address at the Bank’s registered office, by phone + 352 27 49 76 1 or by email at dpo@andbank.lu

You also have the right to make a complaint at any time to the National Commission for Data Protection (*Commission Nationale de Protection des Données* “**CNPD**”) <https://cnpd.public.lu/en/support/contact.html>.

1. Scope

This Video Surveillance Notice applies to all visitors, including members of staff (employees, directors, interns) who visit our premises (the “**Data Subject**”). The purpose of this notice is to provide information on video surveillance and the manner the personal data of the persons entering the building is protected in that respect.

2. Regulations and Definitions

The applicable regulations are the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (the “**GDPR**”) and the Luxembourg laws, notably the Law of 1st August 2018 on the organization of the National Data Protection Commission and the General Data Protection Framework, as well as the CNPD’s CCTV guidelines initially adopted on the 13th of August 2018, as amended.

2.1. Personal data and data processing

“**Personal data**” is defined as any information relating to an identified or identifiable natural person.

“**Data processing**” means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

2.2 Data controller

Andbank Luxembourg (we), collect and process your personal data and act accordingly as data controller. As part of our responsibilities as data controller, we maintain a record of all processing activities in a data protection inventory (“DPI”) in accordance with article 30 GDPR.

2.3 Data processors

“**Data processor**” means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller, i.e. persons or entities to whom the Bank sends the data.

2.4 GDPR principles

We process your personal data in compliance with the GDPR general principles as laid down in chapter 2 of the regulation, namely:

- lawfulness, fairness and transparency;
- purpose limitation;
- data minimization;
- accuracy;
- storage limitation;
- integrity and confidentiality

3. Personal data that we collect

To process your application, we process notably the following categories of personal data:

- identification data and visual images captured by the digital video recorder (“DVR”);
- any behavioral data that is deducible from the video surveillance footage.

3.1 Sources from which we collect your personal data

To process your application, we collect your personal data from the following sources:

- The Bank’s video surveillance system which is set up by our service provider, G4S Security Solutions Sàrl, 14 Rue du Pere Raphael, B.P. 1513 L-1015 Luxembourg.

3.2 Lawfulness and purpose(s) for processing

Any personal data that the Bank collects in relation to video surveillance shall only be processed on one or more of the following lawful grounds (in accordance with article 6 GDPR):

- on the basis of a legal obligation, for the purpose of ensuring the safety of the employees at work (pursuant to art. 312-1 of the Luxembourg labour code);
- on the basis of legitimate interests of the Bank, for the purposes of ensuring (i) the protection of goods, (ii) to secure access to the building, and (iii) to ensure the safety and health needs of its employees, pursuant to the joint decision between the Bank and its staff delegation, dated 12 September 2022, which expressly excludes its use for the purpose of viewing or monitoring the employees’ work.

4. Security measures

In order to protect your personal data the Bank implements:

- (i) technical and organizational measures, notably:
 - A. pseudonymization (to the extent it is necessary and technically feasible) and data encryption;
 - B. internal procedures and mechanisms such as the limitation of access on a “need to know” basis in order to ensure the ongoing confidentiality and integrity of the data. Notably, the cameras are positioned at certain angles to ensure that a minimal amount of personal data is collected to achieve the intended purpose(s), and the DVR is installed in a safe box in a room with access limited to specific persons.
 - C. the ability to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident;
 - D. regular testing and review of the effectiveness of technical and organizational measures for ensuring the security of the processing,
- (ii) regular training on data protection laws of all staff,
- (iii) robust contractual stipulations and follow up with the service providers to ensure that the data processors demonstrate and implement a similar level of data protection,

- (iv) policies and procedures to deal with any suspected data security breach, notifying the Data Subject and the CNPD (as defined below) of any suspected breach where legally required.

5. International transfers of personal data

When the data processing implies data transfers to countries outside of the European Economic Area (EEA) we take the necessary measures to protect your personal data.

To this end, we rely on:

- (i) International data transfer assessment: such assessment is performed before carrying out any international data processing activity;
- (ii) We adopt the following appropriate safeguards:
 - a. We will only transfer your personal data to countries that are deemed to provide an adequate level of protection for personal data by the European Commission. For further information, the most up to date list of countries benefitting from an adequacy decision is available on the EU Commission's website: https://commission.europa.eu/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en
 - b. Where the recipient country is not subject to an adequacy decision, we will use standard contractual data protection clauses approved by the EU Commission or one of the special derogations indicated in article 49 GDPR.
- (iii) We adopt technical and organizational measures (in accordance with article 32 GDPR), and as mentioned in point 4.

6. Data Retention

As the Bank commits itself to the purpose limitation and storage limitation principle, we retain your personal data for no longer than necessary, and for a duration that is considered proportionate to the objective pursued by the video surveillance system. The Bank shall retain your recorded images for a maximum period of one (1) month after their recording, after which it is automatically deleted, except in the event where there is an incident that necessitates an extended period of conservation (e.g where there is a commission of offensive acts against the integrity of the persons or goods or a legal request by the authorities).

7. Data Subject's rights

Your rights in connection with your personal data are:

- Rights of access: you have the right to obtain from us confirmation as to whether or not personal data concerning you is being processed (art. 15 GDPR);
- Right to correction: you have the right to obtain from us, without undue delay, the rectification of inaccurate personal data (art. 16 GDPR);
- erasure ('right to be forgotten'): you have the right to request the erasure of personal data concerning you without undue delay when it is possible and not in contradiction with other legal obligations (art. 17 GDPR);

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- Restriction: you may request the restriction of processing notably when the processing is unlawful or if you have doubts on the accuracy of the information processed (art. 18 GDPR);
- Transfer (data portability): under certain circumstances you may ask to receive the personal data concerning you, in a structured, commonly used and machine-readable format and you also have the right to transmit those data to another controller (art. 20 GDPR);
- Right to object: you have the right to object, on grounds relating to your particular situation, at any time to processing of personal data (art. 21 GDPR); and
- Right to withdraw consent: you have the right to withdraw your consent at any time (art. 7 GDPR).

Your above-mentioned rights can be exercised by contacting the DPO as detailed below.

8. Contacts related to your data protection rights

For any questions in relation to the processing of your personal data or the exercise of your rights you may contact the Data Protection Officer (“DPO”) at + 352 27 49 76 1 or by email at dpo@andbank.lu.

You also have the right to make a complaint at any time to the National Commission for Data Protection (*Commission Nationale de Protection des Données* (“CNPD”) <https://cnpd.public.lu/en/support/contact.html>).

9. Changes to Notice

Any updates to this Video Surveillance Notice will be published on the Bank’s website which can be accessed directly at any time, or by using your mobile device(s) to scan the QR code included in the poster(s) placed by the entrance to our premises.