



# **VIDEO SURVEILLANCE DATA PROTECTION NOTICE**

**China Merchants Bank Europe SA**  
20, Boulevard Royal  
L-2449 Luxembourg  
RCS Luxembourg: B 239 267  
TVA: LU 33104655



**招銀歐洲**  
CHINA MERCHANTS BANK EUROPE

**China Merchants Bank Co., Ltd., Luxembourg Branch**  
20, Boulevard Royal  
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**招商銀行**  
CHINA MERCHANTS BANK

卢森堡分行  
Luxembourg Branch

## Table of Contents

1. Scope .....	1
2. Data subjects .....	1
3. Data collected .....	3
4. Lawful personal data processing conditions and purposes .....	3
5. Right to object to certain types of processing (opt-out) .....	4
6. Consent .....	4
7. Period for which your data is stored .....	4
8. Security of your data .....	4
9. Notification .....	5
10. Video surveillance .....	5
11. Your rights .....	5
12. Contact .....	6

**China Merchants Bank Co., Ltd. Luxembourg Branch and China Merchants Bank (Europe) S.A.**, are established at 20, Boulevard Royal L-2449 Luxembourg (hereinafter “CMB”), processes the **personal data** (hereinafter “personal data”) of natural persons in the course of its statutory activities. In its capacity as Data Controller, CMB is committed to complying with the personal data protection rules which are key to establishing transparency and trust with regard to data subjects.

The purpose of this general personal data protection policy is to describe the manner in which personal data is used and protected by CMB based on the type of relationship in question.

### 1. Scope

CMB’s personal data protection policy applies to all the automated, or non-automated, processing of personal data carried out by CMB and sets out the principles and guidelines pertaining to its obligations as a “Data Controller” (person who determines the purposes and means of processing personal data) arising from 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, which entered into force on 25 May 2018 (hereinafter the “Regulation”).

### 2. Data subjects

CMB processes the personal data of natural persons and legal entities with which it has, had or may have a direct or indirect relationship, namely:

- existing or potential customers who express an interest in CMB’s services and products,
- assignees, attorneys and any natural persons acting as representatives of CMB customers,
- guarantors,
- external service providers and subcontractors, and their employees, representatives and contact people,



- visitors,
- legal representatives, officers and authorized persons of CMB's corporate customers,
- beneficial owners and shareholders of CMB's corporate customers,
- principals and/or beneficiaries of transactions carried out by CMB customers,
- job applicants as part of the recruitment process,
- any other natural persons who contact CMB.

### 3. Data collected

The personal data collected is restricted to the data required for the purposes identified by CMB. Different categories of personal data are collected:

- video and video surveillance (CCTV) recordings made inside our buildings and facilities;
- the information that CMB needs to comply with its legal and regulatory obligations (e.g. information processed for the detection of any suspicious or fraudulent activity and data required in connection with anti- money laundering and counter-terrorist financing controls);

This data is collected at the following times:

- when you are filmed by our surveillance cameras during a visit or walking by in the areas of interest of our premises;

### 4. Lawful personal data processing conditions and purposes

CMB collects and processes personal data for specific purposes. It ensures in all cases that personal data is only processed where necessary in relation to the purpose pursued. All processing of personal data carried out by CMB is based on at least one of the following conditions for lawful data processing:

- **legal and regulatory obligations**, e.g. processing for the purposes below:
  - anti-money laundering and counter-terrorist financing activities;
  - compliance with the requests and requirements of local or foreign authorities;
  - laws on international sanctions and embargoes;
  - the detection of abnormal or unusual activities;
- CMB's **legitimate interests**, e.g. processing for the purposes below:
  - the provision of services and products;
  - the management of business relationships with customers, prospective customers, suppliers, subcontractors, partners and other third parties;
  - the detection and prevention of fraud and abusive accesses;
  - the protection of your assets against fraudulent activities;
  - ensuring the security of property and people;
  - ensuring service continuity and IT security;
  - the management of any disputes or legal claims and the protection of our rights;
- **consent**, e.g. when:
  - any other specific processing to which the data subject has consented. This processing takes account of your interests and fundamental rights.

In some cases, you may have expressed a wish not to have your personal data used but

CMB may nevertheless be obliged to process it and/or retain it for various reasons. In such circumstances, CMB will continue to process and/or retain the personal data if (i) it is obliged to do so by a law or regulation, (ii) required to do so under an agreement or (iii) CMB has a legitimate interest in doing so.

## 5. Right to object to certain types of processing (opt-out)

You have the right to opt out of some of the processing described above, without having to give a reason:

This right to object may be exercised by sending an e-mail or letter to the following address:

China Merchants Bank Europe SA  
**Data Protection Officer**

20, Boulevard Royal

L-2449 Luxembourg

DataPrivacyOfficer@eu.cmbchina.com

China Merchants Bank Co., Ltd., Luxembourg Branch

**Data Protection Officer**

20, Boulevard Royal

L-2449 Luxembourg

DataPrivacyOfficer@eu.cmbchina.com

Please note that the opt-out will take effect within one month of the request.

## 6. Consent

To the extent that certain personal data processing requires your consent, such processing will not take place until your explicit consent has been obtained. Any consent you give may be withdrawn at any time, on the same terms as those specified for opt-outs.

The lawfulness of processing based on consent granted prior to its withdrawal will not be affected.

## 7. Period for which your data is stored

CMB will store your personal data in accordance with its legal obligations and only for as long as is necessary for the purposes pursued by CMB.

The period for which your camera footage is stored is fixed to **30 (thirty) days**.

This 30 days retention period is indeed necessary due to the fact that the bank does not visualize the images in real time but only to evidence an incident and perform an *a posteriori* control. Overall, according to the approach adopted by the CNPD the bank is of the opinion that the retention period of 30 days is justified and in line with the principles provided by art. 5.1 e) and 39 of the preamble of the GDPR.

The lobby is considered part of CMB reception area. Is necessary to include this area in the surveillance zone as in case of incident we have to document all entrances and areas of CMB. The lobby can be also considered as a preparation area for an attack either physical (preparing guns, or other nefarious means) or cyber-attack against the informatic system of the bank.

## 8. Security of your data

CMB undertakes to protect and secure your personal data to ensure that it remains confidential and to prevent its destruction, loss, alteration or disclosure.

It has introduced physical, technical, organizational and procedural protective measures to this end as follows:



- CMB employees are educated about personal data protection through internal training sessions, regular memos, the dissemination of best practices, etc.;
- CMB guarantees, by default, the highest possible level of protection for the personal data that it processes. By default, only data that is likely to actually be used may be collected and stored. This rule extends to the quantity of personal data, the scope of processing, the data storage period and data accessibility. Special categories of personal data (sensitive data) are subject to enhanced security measures;

In the event that the processing of personal data is outsourced, CMB contractually requires its Data Processors to offer the same personal data security guarantees as it imposes on itself;

- CMB's Security Policy guarantees a level of personal data protection that is consistent with the Regulation. All these measures are regularly reviewed and updated.

The confidentiality and security of personal data is also based on best practices adopted by all person involved.

## 9. Notification

In the event of a personal data breach, CMB will promptly report the event to the Luxembourg data protection authority ("Commission Nationale pour la Protection des Données" - CNPD), where possible, within 72 hours of discovering the breach. If the breach affects your personal data and the incident may result in a high risk to your rights and freedoms, CMB will promptly inform you of such a breach.

## 10. Video surveillance

CMB reserves the right to use video surveillance inside its buildings and facilities, to ensure your safety and the safety of its employees, and to protect its property and facilities. Video recordings and photos are retained, to serve as proof of an offence or damage, or for the purpose of identifying people (witness, victim, etc.).

It is understood that these recordings will remain protected by professional confidentiality obligations and that they may only be used for the above-mentioned purposes.

## 11. Your rights

The Regulation grants you a number of rights over your personal data processed by CMB:

- the right to access your personal data and, where applicable, obtain a copy of that data;
- the right to request that your personal data be rectified or updated if you believe that it is incomplete or inaccurate;
- the right to have your personal data deleted, unless there is a legitimate reason to justify it being stored;
- the right to object, at any time, to the processing of your personal data, combined with an ability to opt out, unless a legitimate reason prevails over your interests and rights and freedoms;
- the right to request restrictions on the processing of your personal data;
- the right to the portability of certain personal data, i.e. the right to receive it in a structured, commonly used, readable format so that it may be sent to another data controller.

If you wish to exercise any of the above-mentioned rights, you may submit a request by

sending an e-mail or letter to the following address:

China Merchants Bank Europe SA

**Data Protection Officer**

20, Boulevard Royal

L-2449 Luxembourg

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In the interests of confidentiality and data protection, CMB must be sure of your identity before it can respond to your request. Any request must therefore be accompanied by a copy of an identity document.

CMB will endeavor to respond to your request promptly and within one month of receipt of the request. Depending on the complexity of the request and the number of requests submitted to it, CMB may extend this deadline by two months. You will be notified of any such extension and of the reasons for the delay within one month of receipt of the request.

CMB reserves the right to reject the request if it is unable to definitively identify you or if it deems the request to be excessive or unfounded. You will be notified of the reasons for its rejection within one month of receipt of the request. CMB may also require the payment of reasonable fees in the event that a request is unfounded or excessive, especially if it is repetitive in nature.

If you are not satisfied with the way in which your request is handled, you may file a complaint with the CNPD (information is available at [www.cnpd.public.lu](http://www.cnpd.public.lu)).

If you are not satisfied with the way in which your personal data is processed, you may submit a complaint by sending an e-mail or letter to the following address:

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## 12. Contact

If you have any questions about the protection of your personal data, you may contact the Data Protection Officer by sending an e-mail or letter to the following address:

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