



POLICY ON THE PROCESSING AND SECURITY OF PERSONAL DATA IN CONNECTION WITH VIDEO SURVEILLANCE ON THE PREMISES OF MALL ROUSSE (CCTV POLICY)

This Policy on the processing and security of personal data in connection with the operation of video surveillance on the premises of Mall Rousse (“**The CCTV Policy**”) aims to inform individuals about the processing of their personal data in connection with the operation of video surveillance on the premises of the multifunctional retailentertainment complex, located at 121D Lipnik Boulevard, 7 0 0 0 Rousse.

CCTV coverage extends to the entire Mall Rousse complex, including the building, indoor and outdoor communal areas, lifts, offices, storage, service and maintenance corridors and rooms, adjacent pedestrian and car park areas, as well as the KaBoom Children’s Entertainment Centre, situated on the 1st floor of the Mall Rousse complex (“*the Children’s Centre*”). In most cases, the image quality allows for the identification of individuals within the cameras’ field of view.

The video recordings from the surveillance equipment contain ‘personal data’ because they can be used to identify, beyond any doubt, the individuals who are the subjects of the video surveillance.

Who processes the personal data?

The owner of Mall Rousse and the Children’s Centre is ‘M.O. ROUSSE’ EAD, UIC 175322411. The owner’s contact details are:

Postal address: 43 Bregalnitsa Street, Vazrazhdane borough, 1303 Sofia; and/or 7000 Rousse, 121D Lipnik Boulevard, 3rd floor

Email address: office@resb.bg

Email address for enquiries regarding data protection: kaboom@mallrousse.bg

Telephone: +359 2 920 33 33; +359 82 84 50 34.

CCTV surveillance at Mall Rousse is carried out by a licensed security firm engaged by the owner to provide security for Mall Rousse in accordance with the Private Security Services Act, namely ‘AGENCY FOR SECURITY, PROTECTION AND INVESTIGATION – SHTIT’ Ltd, UIC 200307318, Licence No. 1321/08.10.2008 for the security of the property of natural and legal persons throughout the country and Licence No. 1629/22.08.2011 for the security of events within the Rousse region.

The contact details for the security company are:

Postal address: Rousse, 25 Saedinenie Boulevard

Email address: agency_shtit@abv.bg

Telephone: +359 89 35 90 950.

What personal data is processed?

The CCTV system processes personal data relating to individuals within the field of view of the installed cameras. Such data may include images, facial images, physical characteristics, clothing and accessories, tattoos, distinguishing marks, behavioural characteristics such as gait, registration numbers and external distinguishing features of vehicles, as well as any information that can be obtained through physical observation, together with information regarding time, date and location.

No audio is processed by the CCTV system. For cameras capable of real-time audio playback and/or audio recording, the relevant functions are deactivated.

The owner of Mall Rousse and the Children’s Centre, together with the security company, implement adequate technical and organisational security measures designed to protect the personal data being processed from loss, misuse, alteration, destruction or damage, in accordance with the requirements of the applicable legislation.

For what purposes is personal data processed and what is the legal basis for its processing?

Personal data collected via CCTV systems is processed for the following purposes, which also reflect the legal grounds for their processing, namely:

- compliance with legal obligations (pursuant to Article 6(1)(c) of the General Data Protection Regulation), and
- legitimate interest, unless the interests or fundamental rights and freedoms of the data subject override such interest (pursuant to Article 6(1)(f) of the General Data Protection Regulation), namely for the following purposes:
 - to ensure the safety and physical integrity of persons on the premises of Mall Rousse and to prevent incidents, including ensuring the safety of persons under the age of 18 in accordance with the applicable legislation on child protection in public places or during organised events on the premises of the complex;
 - protection against unlawful interference with property located within Mall Rousse;
 - preventing unlawful infringements against the personal safety and property of persons and property located within Mall Rousse.

Recordings from the CCTV systems may also be used for the purposes of identifying, investigating or detecting criminal offences by law enforcement authorities, where such data is required to be handed over to a public authority by law or by order of such an authority, as well as for the purposes of protecting the rights and legitimate interests of the owner of Mall Rousse and the Children's Centre or third parties, in accordance with applicable legislation.

Personal data is processed solely for the purpose for which it was collected and is not reused for incompatible purposes.

Who collects, receives and processes personal data?

Personal data is collected via Mall Rousse's own CCTV systems and stored on hardware devices that form part of Mall Rousse's communications and information systems. Access to these devices may be granted to persons who, on behalf of the owner of Mall Rousse and the Children's Centre, provide technical support for the systems, including installing, repairing, updating, upgrading, carrying out preventive maintenance and maintaining the CCTV system, including hardware and software.

Real-time monitoring of the screens and, where necessary, review of video recordings are carried out by authorised staff of the licensed security firm.

Personal data may be disclosed to third parties and recipients only if they have a legal basis for receiving it. The categories of recipients of personal data are determined on a case-by-case basis according to their legal grounds for receiving the data; these may include competent authorities which, by virtue of a statutory instrument, have the power to request the provision of information, including personal data, such as courts, various supervisory/regulatory bodies, and authorities with powers relating to the protection of national security and public order, including, but not limited to, the police, the public prosecutor's office, investigative bodies, the State Agency 'National Security', customs authorities and others, in connection, for example, with actions to verify, investigate and identify the perpetrators of unlawful acts.

For how long is personal data retained?

CCTV surveillance operates 24 hours a day, including outside the official opening hours of Mall Rousse and the Children's Centre, and the camera recordings are stored on hardware devices as part of Mall Rousse's communications and information systems.

The camera footage is accessible in real time via video monitors, which are monitored by authorised staff of the security company on duty.

Video recordings made using CCTV equipment are stored for a period of up to 60 days from the date the recording was made, or for a shorter period. Upon expiry of this period, the data is automatically deleted; consequently, it will not be possible to exercise the rights of data subjects set out in this policy in respect of the deleted data.

By way of exception, the storage of personal data for a longer period is permitted, for example if there is a reasonable suspicion that a criminal offence has been committed and the recordings must

be handed over to the law enforcement authorities, the data is necessary to protect the rights and legitimate interests of the owner of Mall Rousse and the Children's Centre or third parties in official proceedings or by order of the authorities.

What are the rights of individuals under surveillance in relation to the processing of their personal data, and how can these rights be exercised?

In relation to the processing of their personal data via the CCTV systems, every individual has the following rights under the General Data Protection Regulation:

- **the right of access** to their personal data processed via CCTV systems;
 - **the right to rectification** of inaccurate or incomplete personal data – the individual has the right to request that incomplete personal data concerning them be completed, including by submitting a declaration;
 - **the right to erasure ('the right to be forgotten')** of personal data that is being processed unlawfully or where the legal basis for processing has ceased to exist (e.g. the retention period has expired, the original purpose for which it was collected has been fulfilled, the processing has been found to be unlawful, and other grounds);
 - **the right to restriction of processing**, in the event of: established unlawful processing, despite which the data subject wishes only to restrict the processing of their data rather than have it erased; the data subject wishes their personal data to be retained, even though it is no longer necessary for the purposes of the processing, as they will use it to establish, exercise or defend legal claims; or where the individual has objected to the processing of their personal data for the duration of the verification of the validity of their objection.
- **Right to object:** The individual has the right to object to the owner of Mall Rousse and the Children's Centre and/or the security firm at any time against the processing of their personal data as set out in this policy.

Upon receipt of an objection to the processing of their personal data, the individual will receive a response within a reasonable period, but no later than one month, as to whether the objection has been found to be well-founded and, accordingly, whether the processing of the relevant personal data for those purposes will be discontinued. The processing of personal data will be discontinued unless it is demonstrated that there are compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the establishment, exercise or defence of legal claims.

- **Right to data portability:** the individual has the right to request that the security firm transfer their personal data to another data controller in one of the following ways: (a) by providing it to them in a machine-readable format so as to enable them to transfer it to the other controller; or (b) to transfer it directly to the other controller, where technically feasible.

To exercise their rights relating to the processing of their personal data in the context of CCTV surveillance, individuals may submit a written or electronic request to the owner of Mall Rousse and the Children's Centre and/or the security company, at the addresses specified at the beginning of this policy.

The request must include the name, address and other details enabling the unambiguous identification of the data subject, including specifying where on the premises of Mall Rousse and when, within a reasonable period, they were present in the monitored area, the nature of their request, their preferred form of communication and the actions to be taken in response to the request. The request must be signed and must include details – a physical address, telephone number and/or email address – for feedback and correspondence with the submitter.

If the request is submitted to the owner of Mall Rousse and the Children's Centre, but its substantive consideration and the safeguarding of the submitter's rights as a data subject require action to be taken by the security firm, the request shall be forwarded to the latter, and the submitter shall be notified of the forwarding. Such forwarding shall not take place if the data subject has expressly stated in their request that they do not consent to their request being forwarded to the security company.

Right to lodge a complaint with the Personal Data Protection Commission, other authorities and the courts

Right to lodge a complaint with a supervisory authority: Any person may lodge a complaint with the Commission for Personal Data Protection if they consider that their rights in relation to the processing of their personal data have been infringed

The current contact details and the conditions for lodging a complaint with the Commission for Personal Data Protection are available on the supervisory authority's official website [at www.cpdp.bg](http://www.cpdp.bg). The Commission's postal address is: 2 Prof. Tsvetan Lazarov Boulevard, Sofia 1592; and its email address is: kzld@cpdp.bg.

The security firm's activities in carrying out security services, including the operation of video surveillance and monitoring, are regulated by the Private Security Activities Act, and oversight of activities under this Act is entrusted to the General Directorate 'National Police' and the regional directorates of the Ministry of the Interior (Mol). Any person who considers that their rights have been infringed in connection with the provision of security services may contact these bodies of the Ministry of the Interior.

Right to bring a claim before the courts: Any interested party who considers that their rights under the General Data Protection Regulation have been infringed may appeal against the relevant actions of the owner of Mall Rousse and the Children's Centre or the security firm before the relevant administrative court or the Supreme Administrative Court in accordance with the general rules on jurisdiction set out in the Code of Administrative Procedure.

Is automated individual decision-making, including profiling, carried out?

The data obtained through the operation of the CCTV system is not used for automated decision-making by means of computer algorithms that replace human judgement, including through profiling.

So-called 'intelligent' video surveillance systems (systems based on technologies that carry out real-time surveillance without human intervention, such as automatic detection of movement, intrusion, perimeter breach, abandoned or missing objects, facial recognition, number plate recognition, crowd detection; automatic object tracking, prolonged presence in an area, etc.) are not used.

Is personal data transferred to third countries or international organisations?

Personal data is processed solely within the country and is not transferred to third countries or international organisations.

Can video surveillance be opt-out?

Should anyone not wish to be filmed or have their image recorded by the CCTV systems, they may choose not to visit Mall Rousse and the premises located within it, including by seeking alternative means of obtaining goods or services offered within the complex.

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