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VILA SILVIA
SOVATA

POLITICY REGARDING THE SURVEILLANCE USING VIDEO MEANS
Of the tenement located in Sovata, 2 Verii Street
VILLA SILVIA SOVATA

NORMATIVE REFERENCES AND LEGITIMITY CONDITIONS

- a) **Law no. 333 dated July 8th 2003** regarding the security of objects, assets, valuables and the protection of the persons, with the later on amendments and additions;
- b) **Resolution no. 301 dated April 11th 2012** for the approval of the Methodological Norms of the Law no. 333/2003 regarding the security of objects, assets, valuables and the protection of the persons
- c) **Law no. 677/2001** for the protection of the persons with regard to the processing of the personal data and the free circulation of such data, with the later on amendments and additions;
- d) **Order no. 52 dated April 18th 2002** regarding the approval of the Minimum security requirements for the personal data processing;
- e) **ANSPDCP ruling no. 52 dated May 31st 2012** regarding the personal data processing by using video surveillance means;
- f) **Instructions of the European Authority for the Protection of the Personal Data relating to video surveillance**, published on March 17th 2010, Brussel;
- g) Internal regulation;
- h) Job descriptions.

DOMAIN

The policy is applied within the surveillance activities using video means. The usage of the video system is necessary for the good administration and functioning of the Silvia Sovata Villa, especially in order to control the safety and security. The policy regarding the surveillance through video means describes the video system of the Silvia Sovata Villa and the protection means carried out by it in order to protect the personal data, private life and other fundamental rights such as the legitimate interests of the persons filmed by the cameras. The present policy regarding the surveillance through video means can be accessed via the website www.vilasilvia.ro.

CONTENT AND AIM OF THE PROCEDURE

This policy establishes:

- a) A unitary set of rules which regulates the implementation and usage of the video surveillance system with the aim of insuring the safety of the persons and of the assets, guarding and protection of the assets, tenements and values upon the property of the Silvia Sovata Villa, abiding, at the same time, with the obligations which accrue to the Silvia Sovata Villa, as data operator, according to the Law 677/ 2001 and the security means adopted for the protection of the personal data, the protection of the private life, of the legitimate interests and the safeguarding of the fundamental rights of the aimed persons.
- b) The responsibilities regarding the administration and exploitation of the surveillance system via video means, as well as those regarding the drafting, certification and approval of the documents afferent to these activities.

The policy regarding the usage of the video systems is available on the website of the Silvia Sovata Villa.

The existing video system was installed following some risk analysis, attached to the protection and security plans.

A periodical review will be carried out annually by the structures responsible for the insurance of the safety and it will reanalyse the: (i) necessity of maintaining in usage the system; (ii) accomplishment of the stated purpose; (iii) possible adequate alternatives to the system and (iv) if the present policy continues to abide with the Law 677/2001.

The Silvia Sovata Villa uses a video surveillance system with the aim of securing and controlling the access. With the help of this system it monitors the access within the compound of the Silvia Sovata Villa, it insures the safety of the assets



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and the security of the persons – employees of the Silvia Sovata Villa or the visitors /clients, as well as of the properties and information held. The video surveillance system completes the other physical security measures, such as the control access system main entrance door and helps to prevent, combat and, if any, the research of the physical unauthorized access to the secured spaces and to the rooms occupied by the clients of the Silvia Sovata Villa. In addition, the video surveillance system helps to prevent, detect and investigate the thefts of assets held by the Silvia Sovata Villa, assets held by the clients of the Silvia Sovata Villa or the prevention, detection and the investigation of the risks and threats to the employed personnel which carries out its activity at the surveyed location. The video surveillance system is not used for another purpose than that communicated, is not used in the monitoring of the employees' activity or in the attendance sheet. Moreover, the system can constitute a mean of investigation or obtaining some information for internal investigations or disciplinary procedures, including in the case in which an incident of the physical security is produced or it is observed a criminal behaviour (in exceptional circumstances the images can be communicated to the investigation bodies within a disciplinary or criminal investigation).

SURVEYED AREAS

The video surveillance system comprises:

- The building located in Sovata, 2 Verii street
 - o reception, main corridor, main access automatic door, access path corridor, car park 2 Verii street, access to the dining room 2 Verii street, access CT 2 Verii street, recreational room
- entertainment space – interior garden, turret, windows space washer /service, access path/stares parking Vulturilor street
- private parking located in Sovata, Vulturilor street

By video means it is surveyed:

- the access areas and the spaces destined to the employees and visitors;
- areas with restricted access;
- surroundings of the buildings in order to protect the exterior spaces;
- parking spaces;

The placement of the cameras was closely revised in order to insure the limiting as much as possible of the monitoring of the areas which do not present interest for the purpose pursued.

There are not monitored the areas in which there is a high level of expectations regarding the private life, such as the rooms rented to the clients in a hotel regime, washer room /service, dining room, office/kitchen, bathrooms and other similar locations.

Exceptionally, in the case in which some necessities relating to the security adequately justify it, cameras can be installed in such places, yet only after an impact evaluation is carried out and only after informing the person in charge with the protection of the personal data. In such cases, a specific announcement will be placed and made visible in the said places.

PERSONAL DATA COLLECTED VIA THE VIDEO SURVEILLANCE

Specific data

The video system of the Silvia Sovata Villa does not have as aim the capture (for example, through selective focalisation or orientation) or image processing (for example, indexing, profile creation) which reveal „the special data categories”.

The Silvia Sovata Villa does not intend to use the surveillance system and, in an ad hoc manner, namely, with a temporary feature, of circumstance.



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Description and technical specifications of the system

Conventionally, the video surveillance system is a static system. It has as function the recording of images and is equipped with movement sensors. The system can register any movement detected by the cameras installed in the surveyed area together with the date, hour and location. All the cameras are functional 24 hours, 7 days per week. When necessary, the quality of the images allows for the recognition of those which pass through the action area of the cameras. For a higher degree of safety of the data processing which can be obtained following the video surveillance, the cameras are fixed (without zoom function), thus the user cannot modify the perimeter /aim of the surveillance. The specially trained operators must abide with the confidentiality settings and the access rights. There is no inter-connection with other systems and it does not record the sound.

Benefits of the surveillance system

Increased control in the surveyed perimeter, entrances and exits;
Restriction of access of the foreign persons;
Removing the losses caused by unforeseen events;
Abiding by the norms and legislation in force for objects with risk.

PROTECTION OF THE PRIVATE LIFE AND OF THE INFORMATION SECURITY

In order to protect the security of the video system and in order to increase the degree of protection of life, the following technical and organisational measures have been introduced:

- limiting the storage time of the filmed material, according to the security requests;
- storage medias (the servers on which the recorded images are stored) are located in secured spaces, protected by physical security measures;
- all the users with access right have signed confidentiality statements through which they undertake to abide by the legal provisions in the field;
- the access right is granted to the users based on the need to know, only for those resources strictly necessary for accomplishing the service tasks;
- all the members of the personnel (both external and internal) sign confidentiality agreements.

Only the property's manager has the right to award, amend or cancel the access right of the users according to the general access procedure to the database. He/she permanently keeps an updated list of all the persons with the right to access the video surveillance system, with the specification of the type of access.

ACCESS TO THE PERSONAL DATA AND THEIR REVEALING

Access rights

The access to the stored images and/or the technical architecture of the video surveillance system is limited to a reduced number of persons and is established by the attributions specified in the internal decisions of the Silvia Sovata Villa (with what purpose and what type of access). Especially, Silvia Sovata Villa imposes limits regarding the persons who have the right to:

View the material filmed in real time: the images which unfold in real time are accessible to the persons responsible designated to carry out the surveillance activity;

View the recording of the recorded material: viewing the recorded images will be done in justified cases such as the cases foreseen expressly by the law and the security incidents, by the specially designated persons;

Copy, download, delete or change any filmed material.



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Instruction

All the members of the personnel with the right to access benefit from an initial instruction in the data protection domain. This procedure will be integrated in the instruction and training program for all the users with access right and attributions in operating the video surveillance system.

Measures for preserving the confidentiality

Following the instruction, each participant signs a confidentiality statement.

Revealing the personal data

Any personal data revealing activity to third parties will be documented and submitted to a rigorous analysis regarding on the one hand the necessity of the notification and on the other hand the compatibility between the purpose in which the notification is made and the purpose for which this data has been initially collected for processing (security and access control). Any revealing situation will be recorded by the administrator of the system within a *Registry of the revelation cases*.

The Silvia Sovata Villa has the obligation of placing at the disposal of the judicial bodies, at their written request, the video recordings in which it is shown the commitment of some deeds of a criminal nature.

The video surveillance system was not used for the verification of the presence to the program or the evaluation of the performance at the work place. In exceptional cases, but by abiding to the aforementioned guaranties, access can be granted to the Disciplinary Commission within a disciplinary inquest, upon the condition that the information would help to investigate a crime or a disciplinary deviation of the nature capable of prejudicing the rights and freedoms of a person.

Any breach of security with regard to the video cameras is indicated in the investigation registry and Silvia Sovata Villa will be informed in connection to this issue as soon as possible.

STORAGE DURATION

The storage duration of the data obtained through the video surveillance system is proportional with the aim for which the data is processed, such that (i) the images (captured by the video system in the accounting office) are stored for a period no longer than 30 days, after which they are deleted through an automatic procedure in the order in which they are recorded, (ii) imagines (caught by the video system, with the exception of the accounting office) are stored for a period which can be longer than 30 days, after which they are deleted through an automatic procedure in the order in which they are recorded. In the case a security incident takes place, the relevant duration for keeping the filmed material relevant can surpass the normal limits according to the necessary time for the additional investigation of the security incident. Storage is rigorously documented, and the requirement for preservation is periodically revised.

If the storage term surpasses the term foreseen by the present policy, it will be recorded in the **Registry of recordings which surpass the storage duration**, managed by the system's administration.

RIGHT OF THE AIMED PERSON

The Silvia Sovata Villa guarantees that it insures the abiding of the rights which accrue to the aimed persons, according to the law. All the persons involved in the video surveillance activity and those responsible for the management of the filmed images will abide by the Personal data access procedure.

Informing the aimed persons

The primary information of the aimed persons is done in a clear and permanent manner, through an adequate sign, with sufficient visibility and localised in the monitored area such that it signals the existence of the surveillance cameras, but also to communicate essential information regarding the personal data processing.



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The persons aimed are cautioned about the existence of the video surveillance system through the Internal rules of the company which comprises also the aim of the processing and identifies Silvia Sovata Villa as operator of the collected data through the intermediation of the video surveillance.

Exercising the rights to access, intervention and opposition

During the entire storage period of the personal data, the aimed persons have the right to access the personal data which they see as being held by the Silvia Sovata Villa, to request the intervention (deletion/updating/rectification/anonymisation) or to oppose the processing, according to the law.

Any request to access, rectify, block and/or delete the personal data following the usage of the video cameras must be addressed to the Silvia Sovata Villa.

The answer to the request for access, intervention or opposition is given within 15 calendar days. If this term cannot be abided by, the aimed person will be informed with regard to the reason for the delay of the answer, moreover, he/she will be communicated also the procedure which will follow for the solving of the request.

If there is an express request of the aimed person, it can be granted the right to visualise the recorded images which concern him/her or a copy of them can be sent. The images provided will be clear, to the extent it is possible, with the condition that it does not prejudice the rights of the third party (the aimed person will be able to visualise only his/her own image, the images of other persons which might appear in the recording will be edited such that it will not be possible their recognition/identification). In the case of such a request, the person aimed at is obliged to identify himself/herself beyond any suspicion (to present an identity card when participating to the viewing), mention the date, hour, location and surroundings in which he/she was recorded by the surveillance cameras. Moreover, the aimed person will present also a recent photo such that the designated users can more easily identify him/her in the filmed images. The person will be able to identify only his/her image, those of the persons which appear in the recording will be edited such that it will not be possible their recognition/identification.

There exists the possibility of refusing the right to access in the case in which the exceptions foreseen by the law apply. The requirement for restricting the access can be imposed also in the case in which there exist the obligation to protect the rights and freedoms of some third parties, for example, if in the images appear also other persons and there is no possibility to obtain their consent or they cannot be extracted, by editing the images, irrelevant personal data.

