



Dear rights holders,

On the basis of the General Data Protection Regulation (GDPR)¹, which entered into force on 25 May 2018, we are subject to a number of obligations relating to the protection of your personal data. We can assure you that fulfilment of those obligations is of the utmost importance to us and, accordingly, we wish to provide you with the most important information regarding the processing of your personal data.

1. What data do we process?

In your case, OSA – Ochranný svaz autorský pro práva k dílům hudebním, z.s. (hereinafter referred to as “OSA”) processes some or all of the following personal data obtained in particular on the basis of the contract concluded between you and OSA or on the basis of the transfer of this contract to a legal successor or on the basis of a request for registration with OSA or on the request to exclude the effects of collective licensing agreements concluded by OSA with users of works (request for exclusion of extended collective management), or provided via INFOSA System (OSA’s electronic system for online performance of rights and obligations of OSA, as a collective management organization, against and towards rights holders):

- first name and surname, author’s pseudonym, if any, or variants of the name, title
- date of birth
- IPI numbers and OSA Author/Publisher ID
- ID No. and Tax ID No.
- state of tax residence
- information on whether you are registered for VAT
- address of permanent residence/home address, mailing address (if different), business address
- account number and bank name, IBAN
- telephone number and e-mail address
- number of ID card or other identity document
- data box ID
- information on whether you are an author, heir or other rights holder
- details of the works in relation to which you are the holder of economic copyrights (ISWC code, OSA work code)
- details of the performance of collective management of the works in relation to which you are the holder of economic rights of copyright, in particular details of the granted non-exclusive licenses for the use of those works, the agreed royalties for the use of those works, the royalties collected, any cases of unjust enrichment from unauthorized use of those works or damages, the scope of the exclusion of the effects of collective licensing agreements etc.
- details of your entitlements to payments under the contract and OSA’s internal documents, and details of the payments made
- information on the amounts due and payable by you to OSA
- information on (non-)existence of any amount due and payable by you that is collected in enforcement proceedings, insolvency proceedings
- login details for INFOSA
- IP address of the INFOSA user’s connection

¹ 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, and repealing Directive 95/46/ES (General Data Protection Regulation)



2. On what ground, for what purpose and for how long do we process your personal data?

You provide your personal data to OSA on a voluntary basis. Without the data, however, it would be impossible to enter into and perform the contract between you and OSA or to exercise properly according to the law the collective management of economic copyrights. The processing of your personal data by OSA is necessary in order to comply with OSA's legal obligations under specific legislation – Act No. 121/2000 Sb., on copyright, rights related to copyright and on amendments to some acts (the Copyright Act), as amended. The Copyright Act imposes an obligation on OSA among other things to keep a list of rights holders for whom OSA performs collective management, a list of registered rights holders and a list of subject-matters of protection; the lists may contain only the data that are necessary for the performance of collective management.

OSA processes your personal data for the purposes of performing collective management of the rights specified in the contract between you and OSA or in the Copyright Act, referred to as “mandatory collective management” or “extended collective management”.

During the performance of extended collective management in cases of the implementation of the exclusion of the effects of collective licensing agreements, OSA processes your data to the extent necessary (author's name, surname, author's pseudonym, date of birth, title of the work, date and scope of the excluded use) for the purpose of the due performance of collective management, in particular to comply with the legal obligation to inform users in an appropriate manner about the exclusion of the effects of collective agreements within the meaning of Section 97e(2) of the Copyright Act.

When sending the newsletter to rights holders, OSA processes your personal data for the purpose of communicating up-to-date information about the services provided in the exercise of collective management and other marketing information on the basis of OSA's legitimate interest.

OSA further processes your personal data for the purposes of complying with its legal obligations under the applicable legislation (including inter alia the accounting, tax, litigation, enforcement or insolvency proceedings legislation).

In the performance of the contract between OSA and you, OSA allows searching through the details of the repertoire it manages in order to comply with its legal obligation arising from Section 99j of the Copyright Act (“*to provide, without delay and by electronic means, to the collective management organization for which it manages rights under the contract pursuant to Section 97g, to the rights holder or user the information...*”).

For the purposes of the search, OSA processes and discloses only the following data about you:

- first name and surname of the author (or rights holder) or pseudonym
- list of the works belonging to the rights holder
- IPI number (a unique international number identifying the rights holder)
- name of the interpreter
- ISWC code (a unique numeric code identifying a musical work – the so-called International Standard Musical Work Code) and OSA work code
- participation in the composition (composer, lyricist, sub-lyricist, arranger, publisher, sub-publisher) or, where appropriate, information that the rights holder is not represented

In the light of the aforementioned purposes of the processing of personal data, we process your personal data both for as long as the contract between you and OSA remains valid and for the duration of economic copyrights and then for the period of ten years from the expiry of the rights in order to be able to register any payments to you in the form of royalties for the use of works and pay you the appropriate amounts. Where, during the ten years from the expiry of economic copyrights, we register any new payment for your benefit in the form of royalties for the use of works,



we keep processing your personal data for the period of 2 years of the last payment. Upon the expiry of that period, your personal data will be deleted save where they are needed for the purposes of exercising or protecting your rights or OSA's rights in litigations, court, arbitration, or administrative proceedings – in such a case, we will store your personal data for the duration of the litigation and solely for the purposes of protecting your and our rights in the litigation.

3. To whom do we disclose or transfer your personal data?

In the performance of the contract to which you are a party and in the performance of collective management, OSA transfers your personal data to entities that provide support services to OSA – mailing services, debt collection or legal services. From time to time, OSA may replace the providers of the aforementioned services or hire new ones and is ready to provide you, upon your written request, with an up-to-date list of the entities to whom your data might be disclosed or transferred.

In the performance of the contract on management of economic rights of copyright, OSA transfers your personal data to collective management organizations based abroad and to international organizations (CISAC) operating international information systems for collective management of copyright (CIS Tools – in particular CIS- Net IPI), only to the following extent: first name and surname, date of birth, pseudonym, list of relevant works including the shares of individual rights holders. The data are transferred for the purposes of performance of collective management of rights for your benefit. Your personal data are transferred in this way to a limited extent to many countries both within the EU (EEA) and to third countries outside the EU (EEA), namely to foreign collective management organizations as currently listed at www.osa.cz. Since in many cases, they are countries outside the EU (EEA), they may also be countries where the protection of personal data is based on principles different from those applicable in the EU. OSA ensures safe transfer of your data to third countries by entering into special contracts with those organizations which, in accordance with the requirements of the European GDPR, contain the required standard contractual clauses that include principles of safe processing of your personal data. In view of the fact that, as stated above, the scope of the personal data being transferred is very limited, there is only a small risk of abuse of those personal data. At the same time, it applies that – in the light of the very limited scope of the personal data – without transmitting the data, it would be impossible to perform collective management for your benefit in relation to those countries.

Where requested to do so (by government authorities), OSA is obliged to disclose or transfer your personal data to the competent government authorities that are in charge of conducting the above-described proceedings (in particular tax, enforcement or insolvency proceedings) but only in cases where OSA's obligation to transfer the data follows from the applicable legislation.

In cases of exclusion of the effects of collective licensing agreements in the performance of extended collective management (exclusion of extended collective management), the OSA shall transmit your data to the extent necessary (author's name and surname or author's pseudonym, title of the work, date and scope of the excluded use) to the affected users of the works who have entered into a collective licensing agreement with the OSA, or shall publish these data on the OSA website in order to comply with the legal obligation arising from the provisions of Section 97e of the Copyright Act.

In other cases, OSA does not transfer your personal data to any other third party.



4. Your rights under the applicable legislation

We also wish to inform you that in accordance with the legislation applicable to the protection of personal data, you have the following rights:

- right of access to the personal data that OSA processes in your case,
- right to rectification of your personal data should they be incorrect or inaccurate in any respect,
- should you find out or consider that OSA processes your personal data contrary to the protection of your private and family life or unlawfully, in particular should your personal data be inaccurate, having regard to the purposes for which they are processed, you have the right to ask OSA for an explanation and to require OSA to remedy the situation (e.g. by blocking, correcting, supplementing or deleting your personal data),
- right to require OSA to delete personal data or restrict the processing of personal data;
- right to object to processing in order to establish whether a breach of obligations imposed on OSA by the applicable legislation has occurred,
- in addition to the above, you also have the right to lodge a complaint with the supervisory authority, i.e. the Office for Personal Data Protection with its registered office at Pplk. Sochora 27, 170 00 Prague 7,
- you also have the right to data portability if you wish to transfer your data which OSA processes on the basis of necessity for the purposes of performance of a contract, to another controller. In such a case, OSA will allow you to receive your personal data in a structured, commonly used and machine-readable format or, where technically possible, OSA will transmit the data directly to another controller.

Should you have any queries or questions with respect to the processing of your personal data, you can contact us in writing at the following address:

OSA – Ochranný svaz autorský pro práva k dílům hudebním, z.s., Čs. armády 786/20, 160 56 Prague 6
e-mail: gopr@osa.cz.

In Prague, on 5 January 2023