



Dear users and contract partners,

On the basis of the General Data Protection Regulation (GDPR)<sup>1</sup>, 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 that are contained in the contract concluded between you and OSA, gathered in the performance of collective management or obtained via your account in OSA E-shop:

- identification details: first name and surname, business name, ID No., Tax ID No., date of birth, signature (similarly also first names, surnames and contact details of legal persons' directors);
- contact details: home address/address of permanent residence, business address, mailing address, e-mail address, telephone number, data box ID;
- other details (such as line of business, bank account number, details of contract performance, including details of financial and non-financial operations between OSA and you etc.);
- login details for your account in OSA E-shop;
- IP address of the OSA E-shop user's connection;
- data gathered in the performance of collective management (e.g. if an audio or video recording is made in your establishment during an inspection to check the use of protected works or other subject-matters, on rare occasions, the face or voice of the user or other persons present may be accidentally recorded to the extent necessary in addition to the protected works/reproducing apparatus only where it is impossible to separate the recording of the protected works/reproducing apparatus from the recording of the persons present).

## 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. The purpose of the processing of personal data is the performance of collective management of economic copyrights of musical works and/or performance of a contract. Where your data are provided as part of notification or inquiry about use of musical works or other subject-matters as well as where no license agreement is concluded, OSA processes your data for the purposes of complying with its legal obligations in the performance of collective management and for the purposes of the legitimate interests pursued by OSA and the rights holders concerned. When sending newsletters to users of musical works and contractual partners, OSA processes your personal data for the purpose of communicating up-to-date information about the services provided in the performance of collective management and other marketing information on the basis of OSA's legitimate interest. In addition, the processing of your personal data by OSA is necessary in order to comply with OSA's legal obligations under specific legislation – in particular the accounting and tax legislation (Act No. 563/1991 Sb., on accounting, Act No. 586/1992 Sb., on income tax, Act No. 235/2004 Sb., on value added tax, etc.).

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<sup>1</sup> 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)



In the light of the aforementioned purposes of the processing of personal data, we process your personal data for as long as the contract between you and OSA remains valid and, following the expiry of the contract, only for the period specified by the applicable legislation (in particular the accounting and tax legislation). 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.

Where any unauthorized use of the subject-matters protected by copyright is detected, data are looked up from publicly available sources only for the purposes of enforcing the claims under the Copyright Act and in accordance with the principles of prudent management and protection of the rights conferred.

### **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.

For the purposes of performing collective management of rights and protection of the rights conferred (pursuing the legitimate interests of OSA and the rights holders concerned), OSA transfers your data to some other collective management organizations for which OSA performs collective management of rights on the basis of mutual authorizations under the contracts conclude in accordance with Section 97g of the Copyright Act. OSA is ready to inform you, upon your written request, of the entities to whom your data might be disclosed or transferred.

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 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.



OSA may amend or supplement the above information from time to time on the basis of amendments to the applicable legislation in order to provide you with the latest information. We will inform you about the changes, if any, as appropriate.

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: [gdpr@osa.cz](mailto:gdpr@osa.cz).

In Prague, on 5 January 2023