



Prague, 21 May 2018

Dear rightholders,

under 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/EC (General Data Protection Regulation), which enters into force on 25 May 2018, we have a number of duties concerning the processing of your personal data. Rest assured we realize their importance, and therefore we bring you the following information about the processing of your personal data.

### 1. Types of data processed

OSA – Ochranný svaz autorský pro práva k dílům hudebním, z.s. (“OSA”) processes the following personal data stated in the heading of the contract concluded between you and OSA or in a request to be included in the OSA database:

- first name and surname or author’s pseudonym, title,
- date of birth,
- company identification No. and tax identification No.,
- country of your tax residency,
- information about VAT payer status,
- permanent address and mailing address (if different),
- account No. and name of the bank,
- telephone and e-mail,
- ID card No.

Information about the performance of contract between you and OSA, in particular details of:

- works to which you have copyright,
- collective management of works to which you have copyright, i.e. in particular of granted non-exclusive licenses to use such works, of agreed royalties for the use of the works, of royalties collected, of cases of unjust enrichment from unauthorized use of the works, compensation for damage etc.
- claims for monetary fulfillment to which you are entitled under the contract as well as information about its payment,
- access details to INFOSA,
- information on membership.



## 2. Basis, purpose and period of processing

The provision of your personal data to OSA is voluntary. However, a contract between you and OSA could not be concluded or performed without such provision. The processing of your personal data by OSA is necessary for the OSA's compliance under a special legal regulation – Act No. 121/2000 Coll., on Copyright, on Rights Related to Copyright and on modification of certain acts (Copyright Act) as amended by subsequent regulations. The Act imposes a duty on OSA to keep the list of rightholders, for whom OSA provides collective management, list of registered rightholders and list of the subjects of protection; such list may only contain such data that are necessary to execute collective management.

OSA processes your personal data for the purpose of executing collective management of rights specified in the contract between you and OSA or defined in the Copyright Act as “compulsory collective rights management” or “extended collective rights management”.

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As part of the contract between OSA and you, and in order to meet the statutory duty following from Section 99(j) Copyright Act (“to provide information to a collective manager for whom it manages rights under a contract under Section 97(g), to a rightholder or a user by electronic means without undue delay”) OSA enables search of information about the repertoire under its management. For the purposes of such search, OSA only processes and discloses the following personal data:

- author's (rightholder's) first name and surname,
- list of works belonging to such rightholder,
- IPI number (unique international number identifying the rightholders in the OSA database,
- performer's name,
- ISWC (a unique numerical code identifying a work of music – International Standard Musical Work Code).

With regard to the above mentioned purpose of personal data processing, we process your personal data for the period of effectiveness of the contract between you and OSA, i.e. for the period of copyright, and then for ten years after the lapse of that period, so that we are able to record the potential monetary fulfillments in the form of royalties for the use of the works for your benefit and to pay you the corresponding amounts. In case we record new monetary fulfillments for your benefit in the form of royalties for the use of the works during those ten years after the lapse of copyright, we shall continue to process your personal data for 2 years of the last fulfillment. After the lapse of the two-year period, your personal data shall be destroyed, except where they are needed for the purposes of asserting or protecting your rights or OSA's rights in litigation, court, arbitration or administrative proceedings; in such case, we shall retain your personal data for the term of the dispute exclusively for the purpose of protecting your rights in such dispute. In the event of such processing, we shall inform you without delay.

## 3. Disclosure and transfer of personal data

As part of the contract between OSA and you, OSA transfers your personal data to entities providing supporting services to OSA – sending mail, collecting receivables or legal services. OSA makes



ongoing changes and additions to the list of entities providing the above services. OSA is prepared to let you know the current list of such entities which are disclosed and transferred your personal data upon your request made in writing or sent by e-mail.

As part of the contract on the management of copyright, OSA also transfers your personal data to collective managers abroad in the extent of: first name and surname, date of birth, pseudonym, list of works including shares of the respective rightholders. The purpose of such transfer is the execution of collective management of rights for your benefit. In this way, we transfer your personal data to collective managers in countries in the EU and outside the EU. You will find the current list of collective managers at [www.osa.cz](http://www.osa.cz). This includes non-European countries where the protection of personal data may be based on different principles than the case is with the EU. Due to the fact that the scope of such transferred data is very limited, as mentioned above, the risk of misuse of such data is negligible. At the same time, it applies that the execution of collective management of rights for your benefit in such countries would not be possible without the transfer of such limited scope of data.

#### **4. Your rights under applicable laws**

You have the following rights under the applicable legal regulation of personal data:

- right to access your personal data processed by OSA
- right to correct your personal data if they are incorrect or inaccurate in any respect
- in the event you find out or believe that OSA processes your personal data in contradiction with the protection of private and personal life or in contradiction with law, in particular if your personal data are inaccurate with regard to the purpose of their processing, you have the right to ask OSA for explanation and claim that OSA remedy the situation (e.g. by blocking, correcting, supplementing or destroying your personal data),
- right to claim from OSA the deletion of personal data or the restriction of processing,
- right to raise an objection to the processing in order to find out whether OSA breached its duties imposed to OSA by applicable laws,
- besides the above, you have the right to lodge a complaint at the supervisory authority, which is the Office for Personal Data Protection with its registered office at Pplk. Sochora 27, 170 00 Prague 7,
- you have the right to data portability in case you wish to transfer your personal data processed by OSA for the purposes of contract performance to another controller. In such case, OSA shall enable you to obtain your personal data in a structured, commonly used, machine-readable format, or if technically feasible, OSA shall transfer the data to another controller.

If you have any questions regarding the scope or purpose of your personal data processing, please write to us at: OSA – Ochranný svaz autorský pro práva k dílům hudebním, z.s., Čs. armády 20, 160 56 Praha 6, e-mail: [gdpr@osa.cz](mailto:gdpr@osa.cz).

OSA – Ochranný svaz autorský pro práva k dílům hudebním, z.s