IMZ
INTERNATIONAL MUSIC + MEDIA CENTRE

Stiftgasse 29 / 1070 Vienna / Austria / T +43 1 889 0315 / office@imz.at / www.imz.at

IMZ DATA PROTECTION INFORMATION

1)	**Processing activity**	**Providing information about music and dance in audiovisual media** [1]	
2)	**Controller**	IMZ Internationales Musik+Medienzentrum IMZ International Music+Media Centre Stiftgasse 29, 1070 Wien E: privacy@imz.at	
3)	**Purposes of data processing on the legal basis of** • **Freedom of communication**	a)	The primary purpose of the data processing by the controller is to provide information on music and dance in audio-visual media, including the IMZ database, the IMZ film database and the IMZ film archive. Data processing in this area is based on the constitutionally protected (Art. 13 StGG, Art. 10 ECHR) basis of freedom of the press, opinion and communication.
	• **Performance or preparation of contract**	b)	Availability of information about the services of the controller and its cooperation partners for network members and interested parties (collectively referred to as "customers")
		c)	Providing communication channels for the dissemination of information and servicing of the customer relationship
		d)	Providing network and consultancy services to customers
		e)	Conducting fairs, competitions, workshops and other events (hereinafter collectively referred to as "events")
		f)	Promoting the activities of network members
		g)	Providing newsletters to network members with an opt-out option at all times
		h)	Providing a contact database for network members
	• **(Overriding) legitimate interest:**	i)	Dissemination / distribution of (including advertising) information about services and events of the controller as well as of members by means of direct marketing ("marketing purposes"), as far as permitted by law
		j)	Maintaining and increasing customer satisfaction and customer loyalty by analysing usage patterns with the aim of improving the service offering, using Google Analytics
		k)	Operation of the IMZ database
		l)	Operation of the IMZ film database
		m)	Operation of the IMZ film archive
		n)	Filming of events for (also advertising) documentation purposes
		o)	Providing newsletters to interested parties on the legal basis of § 107

[1] If only the masculine form is used to describe natural persons in this data protection information, it shall refer to both women and men equally. If a term is used for a specific person, the respective gender-specific form shall be used. The term customer refers to both consumers and entrepreneurs.

			(3) TKG with an opt-out option at all times
	• **Consent:**	p)	Sending user electronic identification data to third parties to enrich editorial content with contributions from social networks (e.g., youTube, soundcloud) and other applications (e.g., Google Maps).
		q)	Providing newsletters to interested parties on the basis of a consent with an opt-out option at any time
4)	**Legal basis for data processing**	**1) Performance of the contract** **a) Online use:** The use of the on-line media of the controller is based on a contract within the meaning of Article 6 paragraph 1 letter b GDPR[2], a registration creates a contractual relationship. **b) IMZ Membership:** The membership in the association entitles to the use of the services reserved for the members of the association. **c) Participation in trade fairs / workshops / events:** Participation in workshops and events of the controller will result in a corresponding contract. **2) Additional Services:** Consent. For individual services (such as newsletters), the controller explicitly solicits the customer's consent. **This consent can be withdrawn at any time with effect for the future.** **3) Overriding legitimate interests (see point 6)**	
5)	**Description of (overriding) legitimate interests for the purposes of** • **IT security:**	The controller will store the IP addresses of his customers for a period of 7 days to defend against targeted attacks in the form of server overloads (Denial of Service attacks) or other damage to the systems. The controller has an overriding legitimate interest in such data processing for the purpose of maintaining the functionality of his services provided online (recital 49 of the GDPR).	
	• **the distribution of information / direct mail [3]:**	The controller will process customer data (except for data of children or special categories of personal data as defined in Art 9 GDPR[4] ("sensitive data")) for purposes of direct advertising for (further) offers of the controller and/or the IMZ members. The controller has a legitimate interest in processing personal data for direct marketing purpose (Recital 47, last sentence of the GDPR). In this regard the controller relies on his freedom to carry on business protected by convention and constitutional law (Article 6 StGG) and freedom to communicate (in particular Art 10 ECHR, which also protects advertising measures) and to the rights • to do postal advertising; • to send electronic mail on the basis of the contractual relationship, after consent and in accordance with § 107 (3) TKG. **When using such data, the controller shall meet the legal requirements under communication law, in particular § 107 TKG.**	
	• **Reporting and statements of funding:**	The controller is supported by public authorities and is subject to the control of the funding authorities when submitting the reports and statements regarding the funding. For the purposes of proof of performance (random sampling), the inspections of the funding authorities may lead to the disclosure of customer data, which the controller has no influence on.	
	• **Archiving:**	The controller was founded in 1961 as an independent, non-profit association. The purpose of the association is the promotion and dissemination of music and dance through audio-visual media. To fulfil this purpose, the controller operates the "IMZ database", the "IMZ film database" and the "IMZ film archive", through which the association members receive comprehensive access to entries on network partners and their films. The controller has an overriding legitimate interest in the operation and the availability of these archives.	

2 *Kühling/Buchner* DS-GVO[2], Art 6 Rz 59

3 Direct mail is the direct approach of the person concerned for advertising purposes, such as the sending of letters or brochures, telephone calls or electronic messages.

4 General Data Protection Regulation, which may be retrieved from http://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX%3A32016R0679

<table>
<tr><td>6)</td><td>Change of purpose</td><td colspan="2"><u>Dissemination of information / direct mail:</u> The controller informs that he also processes the personal data of the customer for the purposes of information dissemination / direct mailing. The controller wants to inform about own services and services/achievements of association members. There is no incompatibility with the purpose of the original data collection. The customer may object to the use of his personal data for purposes of direct advertising at any time and without giving reasons.</td></tr>
<tr><td></td><td></td><td colspan="2"><u>Purpose of archiving:</u> The controller informs that he also processes information, which has reached him in whatever way and in which there is no interest of secrecy of the person concerned, also for archival purposes (further information under point 6.). There is no incompatibility with the purpose of the original data collection. The customer may object to the use of his personal data for archival purposes at any time and without stating reasons.</td></tr>
<tr><td>7)</td><td>Evaluation of personal aspects of the customer</td><td colspan="2">An evaluation of personal aspects of the customer does <u>not</u> take place.</td></tr>
<tr><td>8)</td><td>Obligation to provide data</td><td colspan="2">The customer is under no obligation to provide data. IMZ members are obliged to disclose their complete contact details.</td></tr>
<tr><td>9)</td><td>Automated decision-making</td><td colspan="2">The customer is subject to <u>no</u> automated decision-making which would become legally affective vis-à-vis him.</td></tr>
<tr><td>10)</td><td>Processed data types</td><td>Transmitted by customers / stakeholders</td><td>Additional data collected by the controller</td></tr>
<tr><td></td><td></td><td>Name, academic degree</td><td>IP adresses (Logfiles)</td></tr>
<tr><td></td><td></td><td>Telephone and fax number</td><td>Data to the terminal devices</td></tr>
<tr><td></td><td></td><td>Email adresses</td><td>Used browser</td></tr>
<tr><td></td><td></td><td>Address</td><td>Used device</td></tr>
<tr><td></td><td></td><td>Password (encrypted)</td><td>communication protocol</td></tr>
<tr><td></td><td></td><td>Date of birth, place of birth</td><td>Account Usage Information (e.g., creation date, number of logins, last request date)</td></tr>
<tr><td></td><td></td><td>Website or social media profile of the customer / person in question</td><td>Participation in productions</td></tr>
<tr><td></td><td></td><td>Position, company</td><td>Responses to e-mail newsletters, campaign details (reception, opening, click)</td></tr>
<tr><td></td><td></td><td>Photograph</td><td></td></tr>
<tr><td></td><td></td><td>CV</td><td></td></tr>
<tr><td>11)</td><td>Data sources

(unless provided by the customer or collected by the controller)</td><td>Source</td><td>Data types</td></tr>
<tr><td></td><td></td><td>Cooperation partner (as far as legally permissible)</td><td>Contact details</td></tr>
<tr><td>12)</td><td>External recipients of data</td><td colspan="2">A) Integration of third-party content into the website: Transmission of electronic identification data, in particular the IP address:</td></tr>
<tr><td></td><td></td><td>Instagram LLC, 1601 Willow Rd, Menlo Park CA 94025, USA, https://help.instagram.com/</td><td>Twitter Inc., 795 Folsom Street, Suite 600, San Francisco, CA 94107, USA, https://twitter.com/de/privacy</td></tr>
<tr><td></td><td></td><td>Facebook Inc., 1601 S. California Ave, Palo Alto, CA 94304, USA, https://de-de.facebook.com/about/basics</td><td>YouTube LLC, 901 Cherry Avenue, San Bruno, CA 94066, USA https://support.google.com/youtube/answer/7671399?hl=de</td></tr>
<tr><td></td><td></td><td>Vimeo und Google+: Google LLC, 1600 Amphitheatre Parkway Mountain View,</td><td>Pinterest Europe Ltd, Palmerston House, 2nd Floor, Fenian Street, Dublin 2, Ireland</td></tr>
</table>

<table>
<tr><td></td><td></td><td colspan="3">CA 94043, USA https://privacy.google.com/#</td><td>https://policy.pinterest.com/de/privacy-policy</td></tr>
<tr><td></td><td></td><td colspan="3">Flickr: SmugMug Inc., Suite 200
67 E Evelyn Avenue, Mountain View,
CA 94041, USA
https://www.flickr.com/help/privacy</td><td></td></tr>
<tr><td></td><td></td><td colspan="4">B) Processor</td></tr>
<tr><td></td><td></td><td colspan="4">Hostprovider: ALL-INKL.COM – Neue Medien Münnich, Hauptstraße 68, D-02742 Friedersdorf</td></tr>
<tr><td></td><td></td><td colspan="4">System operator Office365 (server location Frankfurt): Microsoft Corporation, One Microsoft Way, Redmond, WA 98052-6399, USA
https://privacy.microsoft.com/de-de/privacystatement</td></tr>
<tr><td></td><td></td><td colspan="4">Google Analytics (mit “anonymize IP”), Google Drive: Google LLC, 1600 Amphitheatre Parkway Mountain View, CA 94043, USA</td></tr>
<tr><td></td><td></td><td colspan="4">Payment processing “mpay24”: mPAY24 GmbH, Grüngasse 16, A-1050 Wien
https://www.mpay24.com/web/datenschutz/</td></tr>
<tr><td></td><td></td><td colspan="4">Payment processing “Stripe”: Stripe Payments Europe, Limited (SPEL), 1 Grand Canal Street, Lower Grand Canal Dock, Dublin D02 H210, Ireland (Privacy-Policy: https://stripe.com/en-at/privacy)</td></tr>
<tr><td></td><td></td><td colspan="4">The controller expressly reserves the right to use further processors. The latter are then reported in the update of the privacy policy following the start of the operation. The data processing operations of the processors take place under the responsibility of the controller.</td></tr>
<tr><td>13)</td><td>Internal recipients of data</td><td colspan="3">System administrator</td><td>Departments</td></tr>
<tr><td></td><td></td><td colspan="3">Managing directors</td><td></td></tr>
<tr><td>14)</td><td>Transfer to third countries</td><td colspan="4">The following data will be transmitted to countries outside the EU as part of data processing:</td></tr>
<tr><td></td><td></td><td>Country</td><td>Application</td><td colspan="2">Data types</td></tr>
<tr><td></td><td></td><td>USA</td><td>Google (EU-US-Privacy-Shield)</td><td colspan="2">Google Analytics: anonymized IP address, website title, browser-specific information, website usage information
Google Drive: see the list of data types under point 11.</td></tr>
<tr><td></td><td></td><td>USA</td><td>Stripe
(EU-US-Privacy-Shield)</td><td colspan="2">Data on the payment transaction</td></tr>
<tr><td>15)</td><td>Social media presence</td><td colspan="4">The controllers advise that they keep available separate online presences in social media channels for advertising purposes and for communicating with customers. In these online presences customer data may be processed outside the European Union, which increases the risk for a data protection breach.

Those online presences are kept available in the technical environment of the relevant social media operator. The social media operator will then use the customer's visit to the online presence for his own purposes, in particular for sending out (interest-based) advertising. The social media operators use the visit to store cookies on the customer's terminal device, to retrieve existing cookies/identifiers, to draw conclusions from the user behaviour regarding the customer's interests and thus to enhance the user profile which has been established for the customer or the identifier. The aim is to send out interest-based advertising to the customer, which may also be done on websites of third-party providers visited at a later point in time.

Processing personal data of the customer is based on the overriding legitimate interests of the controller in advertising measures and communication with the cus-</td></tr>
</table>

		tomer, which is protected by conventions and constitutional law through the freedom to carry on a business (Art. 6 of the Austrian Basic Law [Staatsgrundgesetz/StGG]) and the freedom to communicate (in particular Art. 10 ECHR, which also protects advertising measures). If the customers are users of social media channels, data processing may also be covered by the customer's consent. The controllers advise that they have no access whatsoever to the customer's data. Thus, the controllers recommend customers contact the social media channel directly if they want to assert their rights to access, rectification, erasure, restriction, objection and data portability. Users of social media channels may also make changes in their privacy settings themselves. If necessary, the controllers will provide assistance to the customer. Additional information is available to the customer at: **Facebook** (Facebook Ireland Ltd., 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland) Privacy policy: https://www.facebook.com/about/privacy/ Opt-Out: https://www.facebook.com/settings?tab=ads und http://www.youronlinechoices.com **Google/YouTube** (Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA) Privacy policy: https://policies.google.com/privacy Opt-Out: https://adssettings.google.com/authenticated **Instagram** (Instagram Inc., 1601 Willow Road, Menlo Park, CA, 94025, USA) Privacy policy / Opt-Out: http://instagram.com/about/legal/privacy/ **LinkedIn** (LinkedIn Ireland Unlimited Company, Wilton Place, Dublin 2, Irland) Privacy policy: https://www.linkedin.com/legal/privacy-policy?trk=uno-reg-guest-home-privacy-policy	
16)	**Storage period**	Non-registered users: Personal data (in particular the IP address) of (non-registered) visitors to the website will be stored for purposes of IT security for a period of 7 days and then deleted.	
		Legal basis: Contractual performance: The data will be processed by the controller on the legal basis stated above for another 40 months after termination of the contract (= 36 months for potential contractual claims + a service period of 4 months for service of claim) and then deleted (in any case, the reference to a person). Insofar as there is a legal obligation to retain data, in particular pursuant to § 132 (1) BAO, personal data processing of accounting-relevant data is still carried out until the end of the statutory retention obligation (currently a period of 7 years after the end of the financial year in which the processing of data in question took place).	
		Legal basis "Archive": The storage period for archival purposes is unlimited.	
17)	**Rights of the data subject**	**Basis**	**Content**
		Art 15 GDPR „Access “	The customer shall have the right to obtain confirmation as to whether or not and to which extent personal data is being processed.
		Art 16 GDPR „Rectification“	The customer shall have the right to demand the correction of incorrect personal data or its completion without delay.
		Art 17 GDPR „Erasure”	The customer shall have the right to obtain the erasure of personal data without undue delay as long as the reasons stated in Art 17(1) GDPR are fulfilled.
		Art 18 GDPR „Restriction“	The customer shall have the right to obtain restriction of processing of personal data as long as the reasons stated in Art 18(1) GDPR are fulfilled.
		Art 21 GDPR „Objection“	The customer shall have the right to object to processing of his personal data at any time to the extent that the processing of personal data is based on an overriding legitimate interest of

			the controller.
		Art 20 GDPR "Data portability"	The customer shall have the right to receive the personal data concerning him, which he has provided, in a structured, commonly used and machine-readable format.
18)	**Right to lodge a complaint with a supervisory authority**	Art 77 GDPR § 24 DSG	Each customer shall have the right to lodge a complaint with a supervisory authority, in particular in the Member State of his or her habitual residence, place of work or place of the alleged infringement if the data subject considers that the processing of personal data relating to him or her infringes this Regulation.
19)	**Supervisory authority**	Österreichische Datenschutzbehörde Wickenburggasse 8-10 A-1080 Vienna Phone: +43 1 52 152-0 E-Mail: dsb@dsb.gv.at	

As of 04 September 2025