



## European Association of Music and Imagery (EAMI)

### EAMI Privacy Statement.

December 15, 2019.

#### **Privacy Statement**

Thank you very much for your interest in our association. Data protection has a high priority for the board of the European Association of Music and Imagery (EAMI). A use of the Internet pages of the EAMI is basically possible without any indication of personal data. However, if a person concerned wishes to make use of special services of our company via our website, it may be necessary to process personal data. If the processing of personal data is necessary and there is no legal basis for such processing, we generally obtain the consent of the person concerned.

The processing of personal data, such as the name, address, e-mail address or telephone number of a person concerned, is always carried out in accordance with the Basic Data Protection Regulation and in accordance with the country-specific data protection regulations applicable to EAMI, i.e. Denmark. By means of this data protection declaration, EAMI would like to inform the public about the type, scope and purpose of the personal data collected, used and processed by us. Furthermore, the persons concerned are informed of their rights by means of this data protection declaration.

#### 1. Name and address of the data controller.

The person responsible within the meaning of the Basic Data Protection Regulation, other data protection laws applicable in the Member States of the European Union and other provisions of a data protection nature is the Data Protection Commissioner:

European Association of Music and Imagery  
Smedegårdsvej 3E, DK-4070 Kirke Hyllinge  
E-mail: [info@music-and-imagery.eu](mailto:info@music-and-imagery.eu).  
Website: <https://www.music-and-imagery.eu>

#### 2. Cookies.

Cookies are text files which are stored on a computer system via an Internet browser. The Internet pages of EAMI use cookies for the basic functionality of the web-site and session-cookies to keep track of a users session with the web-site. There is no information collected by the EAMI nor shared with third parties.

Numerous Internet pages and servers use cookies. Many cookies contain a so-called cookie ID. A cookie ID is a unique identifier of the cookie. It consists of a string of characters through which Internet pages and servers can be assigned to the specific Internet browser in which the cookie was stored. This enables the visited Internet pages and servers to distinguish the individual browser of the person concerned from other Internet browsers that contain other cookies. A particular Internet browser can be recognized and identified by its unique cookie ID.

Through the use of cookies, EAMI can provide users of this website with more user-friendly services that would not be possible without the setting of cookies.

The person concerned can prevent the setting of cookies by our website at any time by means of an appropriate setting of the Internet browser used and thus permanently object to the setting of cookies. Furthermore, cookies that have already been set can be deleted at any time via an Internet browser or other software programs. This is possible in all common Internet browsers. If the person concerned deactivates the setting of cookies in the Internet browser used, not all functions of our website may be fully usable under certain circumstances.

### 3. collection of general data and information.

The website of EAMI collects a series of general data and information each time the website is accessed by a person concerned or an automated system. These general data and information are stored in the log files of the server. The (1) browser types and versions used can be recorded, (2) the operating system used by the accessing system, (3) the website from which an accessing system accesses our website (so-called referrer), (4) the sub-sites which are accessed via an accessing system on our website, (5) the date and time of access to the website, (6) an Internet protocol address (IP address), (7) the Internet service provider of the accessing system and (8) other similar data and information used to avert dangers in the event of attacks on our information technology systems.

When using these general data and information, EAMI does not draw any conclusions about the person concerned. Rather, this information is required to (1) correctly deliver the content of our website, (2) optimise the content of our website and the advertising for it, (3) guarantee the long-term functionality of our information technology systems and the technology of our website and (4) provide law enforcement authorities with the information necessary for criminal prosecution in the event of a cyber attack. This anonymously collected data and information is therefore evaluated by EAMI and its data-manager both statistically and with the aim of increasing data protection and data security in our company in order to ultimately ensure an optimum level of protection for the personal data processed by us. The anonymous data of the server log files are stored separately from all personal data provided by the person concerned.

### 4. Registration on our website.

The data subject shall have the possibility to register on the website of the controller by providing personal data. The personal data transmitted to the data controller in this process is determined by the respective input mask used for registration. The personal data entered by the data subject shall be collected and stored exclusively for internal use by the controller and for its own purposes. EAMI may arrange for the data to be passed on to one or more processors, for example a parcel service provider, who also uses the personal data exclusively for internal purposes attributable to the data controller.

By registering on the website of the data controller, the IP address assigned to the data subject by the Internet service provider (ISP), the date and time of registration are also stored. This data is stored in order to prevent misuse of our services and, if necessary, to enable us to investigate criminal offences. In this respect, the storage of this data is necessary to safeguard the data controller. These data will not be passed on to third parties unless there is a legal obligation to do so or the data is used for criminal prosecution.

The registration of the data subject with voluntary disclosure of personal data serves the purpose of the data controller to offer the data subject content or services which, due to the nature of the matter, can only be offered to registered users. Registered persons are free to modify the personal data provided during registration at any time or to have them completely deleted from the database of the data controller.

EAMI will provide any person concerned with information at any time on request as to which personal data about the person concerned are stored. Furthermore, EAMI corrects or deletes personal data at the request or notice of the person concerned, provided that this is not contrary to any statutory storage obligations. All EAMI board members or office employees are available to the data subject as contact persons in this context.

## 5. Possibility of contact via the website.

The website of the European Association of Music and Imagery contains, due to legal regulations, information that enables quick electronic contact with our association as well as direct communication with us, which also includes a general address of the so-called electronic mail (e-mail address). If a data subject contacts the data controller by e-mail or via a contact form, the personal data transmitted by the data subject is automatically stored. Such personal data transmitted voluntarily by a data subject to the data controller will be stored for the purposes of processing or contacting the data subject. This personal data will not be passed on to third parties.

## 6. Routine deletion and blocking of personal data.

EAMI processes and stores personal data of the data subject only for the period of time necessary to achieve the legitimate purpose or insofar as this has been provided for by the European GDPR or another regulation to which EAMI is subject.

If the storage purpose no longer applies or if a storage period prescribed by the European GDPR or another regulator expires, the personal data shall be deleted routinely and in accordance with the statutory provisions.

## 7. Rights of the data subject.

### a) Right to confirmation

Every data subject shall have the right, granted by the European GDPR, to obtain from the controller confirmation as to whether personal data relating to him or her are being processed. If a data subject wishes to exercise this right of confirmation, he or she may at any time contact an employee of the controller.

### b) Right of access

Any person concerned by the processing of personal data has the right, granted by the European GDPR, to obtain at any time, free of charge, from the controller, information on the personal data relating to him which have been stored and a copy of that information. Furthermore, the European Data Protection Supervisor has granted the data subject access to the following information:

- the processing purposes
- the categories of personal data processed
- the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations
- if possible, the planned duration for which the personal data will be stored or, if that is not possible, the criteria for determining that duration
- the existence of a right to the rectification or erasure of personal data concerning him or her or to the limitation of the processing carried out by the controller or of a right to object to such processing
- the existence of a right of appeal to a supervisory authority
- if the personal data are not collected from the data subject: All available information on the origin of the data
- the existence of automated decision-making, including profiling, and the scope and the intended effects of such processing on the data subject

The data subject also has the right to know whether personal data have been transferred to a third country or to an international organisation. If this is the case, the data subject shall also have the right to obtain information on the appropriate safeguards in connection with the transfer.

If a data subject wishes to exercise this right of access, he or she may at any time contact a member of staff of the controller.

#### (c) Right of rectification

Any person concerned by the processing of personal data has the right, granted by the European GDPR, to request the rectification without delay of inaccurate personal data concerning him or her. Furthermore, the data subject shall have the right, having regard to the purposes of the processing, to request the completion of incomplete personal data, including by means of a supplementary statement.

If a data subject wishes to exercise this right of rectification, he or she may at any time contact a member of staff of the controller.

#### d) Right to cancellation (right to be forgotten)

Any person data subject to the processing of personal data shall have the right, granted by the European GDPR, to require the controller to erase without delay personal data concerning him which are subject to one of the following conditions and to the extent that the processing is not necessary:

- Personal data have been collected or otherwise processed for purposes for which they are no longer necessary.
- The data subject withdraws his consent on which the processing was based and there is no other legal basis for the processing.
- The data subject objects to the processing and there are no overriding legitimate reasons for the processing.
- The personal data have been processed unlawfully.
- The deletion of the personal data is necessary to fulfil a legal obligation under Union law or the law of the Member States to which the controller is subject.

If one of the aforementioned reasons applies and a person concerned wishes to have personal data stored by the European Association of Music and Imagery deleted, he can contact an employee of the controller at any time. The employee of the European Association of Music and Imagery will arrange for the request to be complied with immediately.

#### (e) Right to limitation of processing

Any person subject to the processing of personal data has the right, granted by the European GDPR, to request the controller to limit the processing if one of the following conditions is met:

- The accuracy of the personal data shall be contested by the data subject for a period of time which allows the controller to verify the accuracy of the personal data.
- The processing is unlawful and the data subject refuses to erase the personal data and instead requests that the use of the personal data be restricted.
- The controller no longer needs the personal data for the purposes of processing, but the data subject needs them for the assertion, exercise or defence of legal rights.
- The data subject has lodged an objection to the processing and it is not yet clear whether the legitimate reasons of the data controller outweigh those of the data subject.

If one of the above conditions is met and a data subject wishes to request the restriction of personal data stored at the European Association of Music and Imagery he can contact an employee of the data controller at any time. The employee of the European Association of Music and Imagery will initiate the restriction of the processing.

#### f) Right to data transferability

Any data subject involved in the processing of personal data has the right, granted by the European GDPR, to obtain personal data concerning him or her which have been provided by the data subject to a controller in a structured, common and machine-readable format. It also has the right to communicate these data to another controller without being hindered by the controller to whom the personal data have been provided, provided that the processing is based on the consent and the processing is carried out by automated means and that the processing is not necessary for the performance of a task carried out in the public interest or in the exercise of official authority entrusted to the controller.

Furthermore, when exercising his right to data transferability, the data subject shall have the right to obtain that the personal data be transferred directly from one data controller to another data controller insofar as this is technically feasible and insofar as this does not impair the rights and freedoms of other persons.

To assert the right to data transfer, the person concerned can contact an employee of the European Association of Music and Imagery at any time.

#### (g) Right of appeal

Any person data subject to the processing of personal data has the right, granted by the European GDPR, to object at any time, for reasons related to his/her particular situation, to the processing of personal data concerning him/her. This also applies to profiling based on these provisions.

The European Association of Music and Imagery will no longer process the personal data in the event of objection unless we can prove compelling reasons for the processing worthy of protection which outweigh the interests, rights and freedoms of the person concerned, or the processing serves the assertion, exercise or defence of legal claims.

If the European Association of Music and Imagery processes personal data in order to conduct direct advertising, the person concerned has the right to object at any time to the processing of personal data for the purpose of such advertising. This also applies to profiling as far as it is connected with such direct advertising. If the person concerned objects to the processing for direct advertising purposes by the European Association of Music and Imagery, the European Association of Music and Imagery will no longer process the personal data for these purposes.

In addition, the data subject has the right to object to the processing of personal data concerning him/her by the European Association of Music and Imagery for scientific or historical research purposes or for statistical purposes for reasons arising from his/her particular situation, unless such processing is necessary for the performance of a task in the public interest.

To exercise the right to object, the person concerned may contact any employee of the European Association of Music and Imagery directly. The data subject is also free to exercise his or her right of objection in connection with the use of information society services, by means of automated procedures in which technical specifications are used.

#### (h) Automated case-by-case decisions including profiling

Any person data subject to the processing of personal data has the right under the European GDPR not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects upon him or her or significantly affects him or her in a similar manner, provided that the decision (1) is not necessary for the conclusion or performance of a contract between the data subject and the data controller, or (2) is authorised by Union or national law or by the Member States to which the data controller is subject and which provides for adequate measures to safeguard the rights and freedoms and the legitimate interests of the data subject, or (3) is taken with the express consent of the data subject.

If the decision (1) is necessary for the conclusion or performance of a contract between the data subject and the data controller or (2) is taken with the express consent of the data subject, the European Association of Music and Imagery shall take appropriate measures to safeguard the rights and freedoms as well as the legitimate interests of the data subject, including at least the right to have the data controller intervene, to state his or her point of view and to contest the decision.

If the data subject wishes to exercise rights relating to automated decisions, he or she may at any time do so by contacting an employee of the controller.

#### i) Right to revoke consent under data protection law

Any person concerned by the processing of personal data has the right, granted by the European GDPR, to revoke consent to the processing of personal data at any time. If the data subject wishes to exercise his or her right to withdraw consent, he or she may at any time do so by contacting an employee of the controller.

#### 8. social media links and social sharing.

EAMI does not have its own social media pages with the third party providers to be reached via links from this website. By using the links, you can access the respective websites of the third party providers (e.g. Facebook, YouTube) and also share our content. No data transfer takes place when you access our website. As soon as you have called up the page of the third party provider, you are in the area of responsibility of the respective third party provider, so that their data protection declaration or their declarations on the use of data also apply. We have no influence on this, but we recommend that you log out of the respective third-party provider yourself to avoid unnecessary data transfer before using a corresponding link, so that usage profiles cannot be created by the third-party provider through the use of the link.

#### 9. Legal basis of the processing.

Art. 6 I lit. a of GDPR serves the EAMI as a legal basis for processing operations for which we obtain consent for a specific processing purpose. If the processing of personal data is necessary for the performance of a contract to which the data subject is a party, as is the case, for example, with processing operations which are necessary for the delivery of goods or the provision of other services or consideration, the processing is based on Art. 6 I lit. b of GDPR. The same shall apply to such processing operations which are necessary for the implementation of pre-contractual measures, for example in cases of inquiries regarding our products or services. If our company is subject to a legal obligation which requires the processing of personal data, such as for the fulfilment of tax obligations, the processing is based on Art. 6 I lit. c of GDPR. In rare cases, the processing of personal data may become necessary in order to protect the vital interests of the data subject or another natural person. This would be the case, for example, if a visitor to our site were injured and his name, age, health insurance information or other vital information would have to be disclosed to a doctor, hospital or other third party. Then the processing would be based on Art. 6 I lit. d of GDPR. Ultimately, processing operations could be based on Art. 6 I lit. f of GDPR. Processing operations that are not covered by any of the aforementioned legal bases are based on this legal basis if the processing is necessary to safeguard a legitimate interest of our company or a third party, provided that the interests, fundamental rights and fundamental freedoms of the data subject do not predominate. Such processing operations are permitted to us in particular because they have been specifically mentioned by the European legislator. In this respect, it took the view that a legitimate interest could be assumed if the data subject is a customer of the data controller (recital 47 sentence 2 of GDPR).

#### 10. Legitimate interests in the processing pursued by the controller or a third party.

If the processing of personal data is based on Article 6 I lit. f of GDPR, our legitimate interest is the pursuit of our association's purpose.

#### 11. The duration for which the personal data will be stored.

The criterion for the duration of the storage of personal data is the respective legal retention period. After this period has expired, the corresponding data will be routinely deleted after a maximum of one year unless they are still required for the fulfilment or initiation of the contract.

#### 12. Legal or contractual provisions on the provision of personal data; necessity for the conclusion of the contract; obligation of the data subject to provide the personal data; possible consequences of not providing the data

We will inform you that the provision of personal data is partly required by law or may result from contractual provisions (e.g. information on the contractual partner). Sometimes it may be necessary for a contract to be concluded that a person concerned makes personal data available to us which must subsequently be processed by us. For example, the data subject is obliged to provide us with personal data if our association concludes a contract with him or her. Failure to provide personal data would mean that the contract could not be concluded with the data subject. The data subject must contact one of our employees before providing personal data. A signed member from the board will inform the data subject on a case-by-case basis whether the provision of personal data is required by law or contract or is necessary for the conclusion of a contract, whether there is an obligation to provide the personal data and the consequences of not providing the personal data.

13. Existence of automated decision making.

As a responsible professional society, we do not use automatic decision making or profiling.

This data protection declaration was adapted from the data protection declaration by our sister organization Deutsche Musiktherapeutische Gesellschaft e.V. translated with the help of [www.DeepL.com/Translator](http://www.DeepL.com/Translator) (free version).