

Data Protection Information

The protection of your personal data, and our transparency when processing your data, is very important to us. Accordingly, the information below tells you about our approach to processing your data.

Definitions

“Personal data” means any information relating to an identified or identifiable natural person.

“Processing” means any operation which is performed on personal data, such as collection, recording, organisation, structuring, storage, adaptation or alteration, any form of disclosure or other use.

“GDPR” means the European General Data Protection Regulation (Regulation (EU) 2016/679).

Controller and data protection officer

The controller of your personal data is the BMG affiliate with which you are negotiating or have entered into agreement(s) with (e.g. an Exclusive Songwriting Agreement or Recording/License Agreement). This applies whether you are negotiating or contracting with us yourself, or through another natural person or legal entity that is acting in your interest. You can find an overview of the BMG entities and their addresses under <https://www.bmg.com/company-finder>.

You can contact our designated Data Protection Officer at the respective BMG address by using the reference ‘For the attention of the Data Protection Officer’ or directly via email to: data-protection@bmg.com

Purposes and legal basis

The legal basis for the processing is provided in Art. 6(1)(b) GDPR or, respectively, Art. 6(1)(f) GDPR whereby the negotiation, conclusion, or fulfilment of the above mentioned contracts serves as both, the purpose of the processing as well as our overriding legitimate interest. In case of statutory retention obligations Art. 6(1)(c) GDPR provides the legal basis.

The provision and processing of your personal data is necessary for us to enter into agreements with you, and then to perform our contractual obligations. If you do not provide the necessary information, we may not be able to conclude the contract with you.

Transfer of data

In the event of a transfer of personal data to our intra-group or external service providers (that are to be qualified as so-called “processors”), such processing shall take place in accordance with our instructions. In such cases we will enter into data processing agreements in accordance with legal requirements, and obligate the processors to comply with the applicable legal requirements for data protection and data security.

In addition, we may transfer your personal data to other third parties, e.g. for the purposes of concluding third-party contracts and/or contractual licensing. The legal basis for this is Art. 6(1)(b) GDPR or Art. 6(1)(f) GDPR.

Data transfer to third countries

Within the scope described above, in some circumstances we may transfer your personal data to other countries (including countries outside of the EU), which have a lower level of data protection. In those cases, the transfer is either (i) necessary for the conclusion and/or performance of a contract with you or in your interest (under Art. 49(1)(b) or Art. 49(1)(c) GDPR) or (ii) otherwise the subject of appropriate safeguards which provide an equivalent level of protection for personal data (pursuant to Art. 46 GDPR).

When transferring the data to Andorra, Argentina, Canada (commercial organisations), Faroe Islands, Guernsey, Israel, the Isle of Man, Jersey, New Zealand, Uruguay, Switzerland and the USA (the latter only as far as the recipient is certified pursuant to the so called EU-US Privacy Shield), an adequacy decision of the European Commission exists. To the extent that data transfers are not based on such an adequacy decision, or for data transfers to the rest of the world, we use the standard contractual clauses of the European Commission to provide an equivalent level of protection for your personal data. You can find further information regarding the above security measures under <https://www.privacyshield.gov/welcome> and <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32010D0087&from=EN> or by contacting our data protection department via e-mail to data-protection@bmg.com.

Retention of data

We aim to process your data to the least extent possible. In addition, we store your data only for a certain period. Except as otherwise stated in this information (or in your agreements with us), and unless any retention periods are required under applicable laws (for example the obligation to keep trading books and other documents for certain time periods), we store data only for as long as is necessary for the purpose of the processing.

Your rights

You have the following data protection rights, depending on the individual circumstances:

- **Right of Access:** obtain access to your personal data and/or copies of this data. This includes disclosure about the purposes of the processing, the categories of the personal data concerned, the recipients and accessors and where possible the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period.
- The **rectification, erasure or restriction** of the processing of your personal data, insofar as the use is inadmissible, especially because (i) it is incomplete or inaccurate, (ii) it is no longer needed for the purposes for which it was collected, (iii) the consent on which the processing was based has been withdrawn, or (iv) you have taken advantage of an existing right to object to the data processing.
- **Right to Withdraw:** to refuse to provide and/or withdraw your consent to the processing of your personal data at any time (without prejudice to any data processing activities that have taken place before such withdrawal).
- **Data Portability:** (i) to receive the personal data concerning you, which you have provided to us, in a structured, commonly used and machine-readable format and (ii) to transmit those data to another controller without hindrance from our side (and where technically feasible you shall have the right to have the personal data transmitted directly from us to another controller).
- **Complaints:** right to **take legal actions and to lodge a complaint** with the supervisory authority pursuant to Art. 77 GDPR, if you are of the opinion that your personal data has been processed contrary to applicable data protection laws.

Right to Object: in addition to the above you have the right to object to the processing of your personal data:

- in cases where we process your personal data for direct marketing purposes within the meaning of Art. 21(2) GDPR; or
- on grounds relating to your particular situation, when we process your personal data on the basis of a legitimate interest pursued by us (see Art. 21(1) GDPR).

You can exercise the rights listed above, ask questions or lodge a complaint against our processing of your personal data by contacting us or our data protection officer via the e-mail address as stated above.