

# Privacy Policy

Version: 25/04/2024

## 1. General information

### We respect your privacy

Protecting your personal information is very important to us. We process your personal data exclusively on the basis of the statutory provisions (GDPR, Austrian Data Protection Act (DSG), Austrian Telecommunications Act (TKG) 2021).

For the provision of our website and to process the sale of our goods and provide our services, we process information about you, known as “personal data” or abbreviated to “data” below. The term “processing” means any handling of data, such as the collection, storage, use, or deletion of personal data.

In this privacy policy we inform you about the processing of your personal data and your rights arising from data protection laws.

If you have any complaints, questions or suggestions regarding data protection, please address them to the contact information provided above. We are happy to help!

### The Data Controller responsible for data processing is:

Stadt Wien Kunst GmbH  
Museumsplatz 1  
1070, Vienna, Austria  
T: +43 (0)1 1 521 89  
E: office@stadtwienkunst.at

## 2. Data processing for our website and online services

### 2.1. General information

As part of our website and online services, we process data that you make available to us (such as when placing an order), logs (for security reasons, our servers log who requests come from) and cookies (these are small text files that are stored on your device and contain information that allows us to recognise you).

The web server that we use to operate our website is provided by:

Riedmatten IT Solutions e.U. (GreenWebspace)  
Mittersteig 2a Top 2  
1040 Vienna

Riedmatten IT-Solutions e.U. acts as data processor on our behalf.

*Strictly necessary cookies*

Cookies are small text files that are stored on your device. We use the following strictly necessary cookies to operate and display our website:

Name	Purpose	Creator	Storage duration
borlabs-cookie	Saves the visitor preferences selected in the Cookie Box.	Owner of this website	1 year

We use strictly necessary cookies on the basis of our legitimate interest in operating the website and improving our internet presence.

We set all other cookies (e.g. for marketing purposes, social media, etc.) on the basis of your consent or on the basis of our legitimate interest. See the relevant sections of this privacy policy for further information about cookies.

To prevent other providers from placing cookies, you can block so-called “third-party cookies” in your browser. You can find instructions for the most common browsers here:

Firefox: [here](#)

Chrome: [here](#)

Internet Explorer: [here](#)

Safari: in Apple’s Safari, third-party cookies are blocked by default.

- 2.2. Data processing for the operation and security of our website/online services (server logs)  
Purpose of processing: When you visit our website, the web server collects usage data (so-called server logs). It is necessary to collect this data so we can establish a connection to our server and technically enable use of the website. This data is also used to ward off and analyse cyber attacks.

The following server logs are collected: the IP address of the querying device, together with the date, time, query, the file that was queried (name and URL), the quantity of data transferred to you, a notification as to whether the query was successful, data identifying the used browser and operating system as well as the website from which our website was accessed (if our website was accessed through a link).

Legal grounds for processing: The processing of your personal data is based on our legitimate interest in ensuring our online services and system security.

Data recipients: the data is sent to Riedmatten IT-Solutions e.U.

Storage duration: the server logs are stored for a maximum period of one month.

### 2.3. YouTube

Our website contains plugins for the YouTube service which can be recognised by the YouTube logo. This plugin allows you to use content or interactive elements from YouTube, e.g. to play a video. Please note that if you have given your consent, your data will be sent even before you use the interactive elements.

Legal basis: the processing of your personal data is based on your consent given via the cookie banner on our website. You can withdraw your consent at any time. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

Data recipients: by using the plugin for the YouTube service provided by Google Ireland Limited ("Google"), Gordon House, Barrow Street, Dublin 4, Ireland, data is transferred to Google. As Google has its headquarters in the USA, data may be transferred to the USA. The adequate level of protection for the transfer of data to the USA is ensured because Google is certified under the EU-US Data Privacy Framework.

Further information: you can find further information about this in [Google's privacy policy](#).

Google stores the following cookies on your device:

Name	Purpose	Storage duration
NID	Saves your preferences	6 months

### 2.4. Google Maps

We use the Google Maps service on our website. This is an online map service that displays geographical information for users. For example, it can be used to display map sections for a location, or to display directions.

Legal basis: the processing of your personal data is based on your consent given via the cookie banner on our website. You can withdraw your consent at any time. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

Data recipients: by using the plugin for the Google Maps service provided by Google Ireland Limited ("Google"), Gordon House, Barrow Street, Dublin 4, Ireland, data is transferred to Google. As Google has its headquarters in the USA, data may be transferred to the USA. The adequate level of protection for the transfer of data to the USA is ensured because Google is certified under the EU-US Data Privacy Framework.

Further information: you can find further information about this in [Google's privacy policy](#).

Google stores the following cookies on your device:

Name	Purpose	Storage duration
NID	Saves your preferences	6 months

## 2.5. Soundcloud

Our website contains plugins for the Soundcloud service which can be recognised by the Soundcloud logo. This plugin allows you to use content or interactive elements from Soundcloud, e.g. to play a song. Please note that if you have given your consent, your data will be sent even before you use the interactive elements.

Legal basis: the processing of your personal data is based on your consent given via the cookie banner on our website. You can withdraw your consent at any time. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

Data recipients: by using the plugin for the service provided by SoundCloud Global Limited & Co KG, Rheinsberger Str. 76/77, 10115 Berlin, Germany, data is transferred to Soundcloud. The adequate level of protection for the transfer of data to Germany is ensured by the GDPR, which also applies in Germany.

Further information: you can find further information about this in [Google's privacy policy](#).

Google stores the following cookies on your device:

Name	Purpose	Storage duration
sc_anonymous_id	Enables functionality between websites	10 years
sclocale	Saves language settings	1 year

### 3. Data processing for the purpose of direct marketing

#### Purpose and legal basis of the processing

- If we have received your contact data in connection with a sale or service, we also process this data in order to send you (advertising) information by post, emails (including newsletters) and text messages about our own similar products and services, on the basis of our legitimate interest.
- If you sign up for our newsletter, you will regularly receive emails with information about us and the services we offer. If you no longer wish for us to contact you, that's not a problem! Just let us know by writing to [news@kunsthallewien.at](mailto:news@kunsthallewien.at) or use the unsubscribe link in the newsletter.

Legal grounds for processing: The processing of your personal data is based on your consent.

Data recipients: the following service providers receive your data in order to create and send the newsletter on our behalf:

By using the Mailchimp email marketing platform provided by The Rocket Science Group, LLC ("The Rocket Science Group"), 675 Ponce de Leon Ave NE, Suite 5000, Atlanta, GA 30308 USA, data is transferred to The Rocket Science Group. As The Rocket Science Group has its headquarters in the USA, data may be transferred to the USA. The adequate level of protection for the transfer of data to the USA is ensured because The Rocket Science Group is certified under the EU-US Data Privacy Framework.

Further information: we process your data on the basis of our legitimate interest until the end of the third year after the last contact with you or until you object to the data processing – whichever occurs first. If your data is processed on the basis of your consent, we process your data until you withdraw your consent or unsubscribe from the newsletter.

### 4. Data processing in the course of business

#### 4.1. Contacting us

Purpose for processing: When you initiate contact with us (e.g. by e-mail, contact form or telephone), we process the personal data provided by you as part of the contact initiation only to the extent necessary for processing and handling your request.

Legal grounds for processing: your personal data is processed for the purpose of conducting pre-contractual measures or to perform a contractual relation or is based on our legitimate interest, namely for organising a reply to a request.

Data recipients: These data are only transmitted under the condition that the transmission is required for replying to the request.

Further information: we process your data as long as is necessary to process the request, for a maximum of 7 years.

#### 4.2. General data processing for the annual pass

Purpose of processing: if you purchase an annual pass from us, we will process your data to process the registration or the contractual relationship and for the formal handling of the business cases that we manage as part of a business relationship. This also includes processing your data to provide you with benefits (such as unlimited access to special exhibitions, discounts), to organise events and to manage annual pass holders.

Data required for membership: you must complete the fields indicated on the registration form in order to conclude the contract. You will not be able to obtain an annual pass without providing this data.

Legal basis for the processing: your data is processed in order to take steps prior to entering into a contract or to perform a contract, and such processing has a legal basis in the context of a business relationship (or to manage it).

Data recipients: the data is not transferred to third parties or is only transferred if you have granted your consent separately to such a transfer.

Further information: as long as your annual pass is valid, we will process your data to fulfil our obligations and to safeguard your interests (e.g. discounts). If the annual pass ceases to be valid, your data will be deleted as soon as the retention periods required by law and our statutes have expired. This means different periods for different data categories. For example, evidence that is required by tax law must be kept for 7 years, so we only delete it after this period.

#### 4.3. Data processing for the organisation of events

Purpose for processing: if you register for an event with us, we process your data (first name, last name, email, phone number, number of participants) for the purpose of processing the registration, organising and holding the event, answering questions that you ask us regarding your registration, and for formally handling business transactions that we manage as part of a business relationship. Photos are also taken for documentation purposes.

Legal basis for the processing: we will process your data in order to fulfil a contractual relationship or on a legal basis in the context of a business relationship (or to manage it).

Data recipients: if it is necessary to transfer the data in a case defined by the purpose with a

legal basis or on the basis of our legitimate interest, the data will be transferred to the following categories of recipients:

- Contractual partners;
- Insurance providers.

Further information: we only process your data for as long as is necessary for fulfilling the contractual relationship or on the basis of legal obligations (for example, following the retention obligations under tax and corporate law). As a rule, we keep data for seven years.

Please note that we may in certain cases take photographs and video recordings during the event for the purpose of documenting the event and for media coverage of the event (for example in magazines, journals, publications or on websites and social media platforms).

Processing of the visual recordings is based on our legitimate interest. Our legitimate interest exists in the documentation and presentation of our activities. When publishing such visual recordings, care is taken to ensure that no legitimate interests of the persons depicted therein are violated.

#### 4.4. Art and collector's items

We process your data as part of the presentation, management and maintenance of art and collector's items. For this purpose, we process information about artists, artworks and art lenders, and compile lists of art and collector's items.

Legal basis: your data is processed on the basis of the performance of a contract.

Data recipients: this data is not transferred to third parties. If it becomes necessary to transfer the data, your separate consent would be required.

Storage duration: we only process your data for as long as is necessary to perform the contract or to comply with statutory obligations (such as retention obligations under tax and company law). As a rule, we keep data for seven years.

#### 4.5. Customer management – Customer Relationship Management (CRM)

We always strive to maintain an excellent business relationship with our customers. Therefore, we process your data on a CRM system to guarantee our quality and to improve customer relationships. For this purpose, we document data about potential customers, customers, contracts, newsletter recipients, personnel and your correspondence with our employees.

Legal basis: your data is processed on the basis of our legitimate interest in improving customer-specific communication with you.

Data recipients: by using the CRM system provided by MF Mediate Systems GmbH ("Mediate Systems"), Dreihackengasse 20, 8020, Graz, Vienna, data is transferred to Mediate Systems.

Storage duration: we store your data for a maximum of 10 years or until it is no longer required.

#### 4.6. Data processing for supplier management

We organise and process data from suppliers, including correspondence between suppliers and our employees, to improve the processing of business transactions and in order to select suppliers efficiently.

Legal basis: your data is processed on the basis of the performance of a contract.

Data recipients: this data is not transferred to third parties. If it becomes necessary to transfer the data, your separate consent would be required.

Storage duration: we only process your data for as long as is necessary to perform the contract or to comply with statutory obligations (such as retention obligations under tax and company law). As a rule, we keep data for seven years.

#### 4.7. Data processing for bookkeeping and accounting

We process data relating to the business relationship with customers and suppliers for our financial bookkeeping and accounting systems. This includes budgeting and cost accounting data.

Legal basis: your data is processed on the basis of compliance with a legal obligation.

Data recipients: if it is necessary to transfer your data relevant in the applicable specific case on a legal basis, it is transferred to the following categories of recipients:

- Landlord of premises for events;
- Banks;
- Legal representatives;
- Chartered accountants, auditors and tax consultants;
- Courts;
- Responsible administrative authorities;
- Contract and business partners;
- Insurance providers.

Storage duration: we only process your data for as long as is necessary to comply with statutory obligations (such as retention obligations under tax and company law). As a rule, we keep data for seven years.



#### 4.8. File management and office automation

We process your data as part of the formal handling of the business cases to be managed for the client. This includes, for example:

- Storage of generated documents;
- Inventory management;
- Management of fixed and current assets.

Legal basis: your data is processed on the basis of our legitimate interest in smooth business dealings.

Data recipients: the data is not transferred to third parties.

Storage duration: the data is stored for the duration of the employment relationship and for a further seven years after the end of the employment relationship, on the basis of the mandatory statutory retention period.

#### 5. Video surveillance

We use video surveillance as a preventative measure to ensure that illegal activities can be tracked, and to facilitate investigations into such incidents. This provides protection and prevention of harm to people and property. The image data is only analysed in cases defined by the purpose.

Legal basis: your data is processed on the basis of our legitimate interest in protecting ownership, preventing hazards and preventing criminal offences for visitors and other people who have a business relationship with us.

Data recipients: the data is not transferred to third parties.

If it is necessary to transfer data in a case defined by the purpose on a legal basis or on the basis of our legitimate interest, the data is transferred to the following categories of recipients:

- Administrative authorities;
- Courts;
- Insurance providers;
- Legal representatives.

Storage duration: if the image data is not required for a specific reason to support the purposes of the underlying protection or preservation of evidence, we delete it after 7 days.

## 6. Your rights

### 6.1. Right to information on your personal data stored by us pursuant to Art. 15 GDPR

You have the right to request information as to whether we process your personal data. If we do, you have a right to information about the nature of this personal data and about additional information related to the processing.

### 6.2. Right to rectification of incorrect data pursuant to Art. 16 GDPR

In the event that your personal data that we process is not (or no longer) correct or complete, you may request its rectification and, if necessary, ask that it be completed.

### 6.3. Right to deletion pursuant to Art. 17 GDPR

If the legal conditions are met, you may request the deletion of your personal data.

### 6.4. Right to restriction of data pursuant to Art. 18 GDPR

If the legal conditions are met, you may request the restriction of the processing of your personal data.

### 6.5. Right to data portability pursuant to Art. 20 GDPR

If the legal conditions are met, you may request that your data be transmitted to you in a structured, commonly used and machine-readable format.

### 6.6. Right to object to unreasonable data processing pursuant to Art. 21 GDPR

You may object at any time, on grounds relating to your particular situation, to the processing of personal data concerning you that we conduct based on a legitimate interest in accordance with Art. 6 para. 1(f) GDPR.

### 6.7. Right to revoke consent

If processing takes place on the basis of a declaration of consent, you have the opportunity to withdraw this consent at any time, without affecting the lawfulness of the processing carried out on the basis of the consent before its withdrawal.

### 6.8. Right to submit a complaint to the data protection authority

If you believe that our processing of your personal data has violated existing data protection law, or that your data protection rights were otherwise violated, you have the option of lodging a complaint with the competent authority (Austrian Data Protection Authority). The address is as follows:

Austrian Data Protection Authority (*Österreichische Datenschutzbehörde*)

Barichgasse 40-42

1030 Vienna

Phone: +43 1 52 152-0

E-mail: [dsb@dsb.gv.at](mailto:dsb@dsb.gv.at)

7. Further information:

The data that we ask you to give us is required to process the sale of our goods and to provide our services as part of a contractual relation, to answer a request, or to send our newsletter or other information.

If you do not make the data available, we cannot perform these services.

There is no automated decision-making, including profiling. Should we process your personal data for a purpose other than that for which we collected the data, we will notify you of this fact and inform you of this other purpose.