

PRIVACY POLICY STIFTUNG SINFONIEORCHESTER BASEL

1. GENERAL PROVISIONS

- 1.1 The following privacy policy is intended to provide information about the nature, scope and purpose of the collection and processing of personal data by the Sinfonieorchester Basel Foundation (hereinafter "SOB") in the context of SOB's business activities and in particular the services offered by SOB and the operation of the website www.sinfonieorchesterbasel.ch (hereinafter "Website"), social media presence and other e-services (e.g. newsletter). The privacy policy is aimed at customers, users of the website and e-services of SOB, applicants, employees, tenants, service providers and other contractual partners of SOB.
- 1.2 This data protection declaration may be supplemented by further data protection declarations relating to specific processes or circumstances (e.g. exchange with other professional orchestras). In addition, the General Terms and Conditions of SOB (hereinafter "GTC") also apply in their current version.
- 1.3 SOB complies with the provisions of the Federal Act on Data Protection (FADP) and - where applicable - 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 (GDPR).
- 1.4 In order to facilitate readability, the use of different linguistic forms has been avoided. All designations for persons and functions apply to all persons concerned, regardless of their gender.

2. RESPONSIBLE PERSONS

- 2.1 The Sinfonieorchester Basel Foundation, Picassoplatz 2, 4051 Basel, info@sinfonieorchesterbasel.ch, is responsible for the data processing described in this privacy policy.
- 2.2 Questions or concerns in connection with this privacy policy can be directed to the above address at any time.

3. CATEGORIES OF PERSONS AND PROCESSED PERSONAL DATA AND PROCESSING PURPOSES

3.1 Customer data

- 3.1.1 Customer data is the personal data of customers that SOB requires in order to provide its services. As a rule, the following customer data is collected:
- Personal details and personal information (e.g. first name, surname, date of birth);
 - Contact details (e.g. address, telephone number, e-mail address);



- Communication and content data;
- Contract and master data, buyer history (ticket purchases);
- Bank and payment details, collection data;
- Information on third parties;
- Further information.

3.1.2 In the case of competitions, customer data may be collected via third parties. In this case, customers will be appropriately informed in advance about the processing of their personal data.

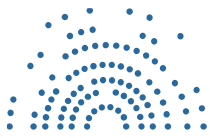
3.1.3 SOB uses customer data for the following purposes:

- Processing enquiries and communicating with customers (e.g. contacting them for information about programme adjustments);
- Pre-contractual measures, conclusion and processing of contracts, provision of contractual services (e.g. ticket reservation, confirmation, rebooking, cancellation or dispatch; sending of CDs), -cancellation or dispatch; dispatch of CDs);
- Invoicing and debt collection;
- Analysing and improving services;
- Safety and securing operations;
- Security and protection of employees, customers and assets entrusted to SOB, IT, building and facility security as well as video surveillance to safeguard domiciliary rights;
- other operational or administrative purposes;
- Assertion of legal claims and defence against legal claims;
- Fulfilment of legal and regulatory obligations;
- transactions under company law;
- other purposes according to separate information or as evident from the circumstances.

3.1.4 Customer data is also used for advertising purposes (e.g. sending advertising material for future SOB events), provided that the customers concerned have not objected to the use of their personal data. If SOB sends advertising to existing SOB customers, they can object to this at any time. SOB will then place the customers on a blacklist against further advertising mailings (for print material, the following link can be used: <https://www.sinfonieorchesterbasel.ch/de/mediathek/abbestellung-print-material.html>; for newsletters, the unsubscribe link provided in the newsletter can be used).

3.2 Applicant data

3.2.1 Applicant data is the personal data that SOB requires for a complete application and its processing. As a rule, the following personal data is collected:



- Personal details and personal information (e.g. first name, surname, date of birth, gender);
- Contact details (e.g. address, telephone number, e-mail address);
- Curriculum vitae, references;
- Further information.

3.2.2 SOB uses the applicant data for the purpose of the application process.

3.2.3 SOB accepts applicant data in electronic and analogue form. In the case of electronic applicant data, this is done either directly or via the [muv.ac](https://www.muvac.com) platform. All applicant data that SOB receives directly in electronic form is stored on servers located in Switzerland. SOB would like to point out that SOB has no knowledge of the use of digital applicant data by [muv.ac](https://www.muvac.com). Further information can be found in [muv.ac's](https://www.muvac.com/de/privacy) privacy policy: <https://www.muvac.com/de/privacy>.

3.3 Employee data

3.3.1 SOB collects and processes the personal data required for the performance of the employment relationship. In particular, SOB collects and processes the personal data provided by employees, such as

- Personal details and personal information (first name, surname, date of birth, gender);
- Contact information (address and other contact details, such as telephone number, e-mail address, etc.);
- Marital status, place of origin, nationality;
- CV, application documents (incl. letter of application, references, etc.);
- Extracts from official registers (criminal records, debt collection register, etc.);
- Emergency contacts;
- Copies of identity cards;
- AHV number;
- Work or residence permits;
- Details of third parties (e.g. family members for the purpose of child allowance);
- further possible information.

3.3.2 In addition, SOB collects and processes personal data arising from the employment relationship, such as

- Contract data;
- Position;
- Employee qualifications;
- Salary data;



- Bank details for the salary transfer;
- Notifications of illness;
- Telephone edge data and other data in connection with the use of communication systems, log-in data and account data of the systems, data for access control systems and their records (logs);
- Video recordings from cameras in buildings;
- business documents (e.g. e-mails);
- Further information

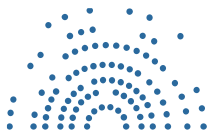
3.3.3 SOB processes employee data exclusively for purposes that are necessary in connection with the employment relationship, such as in particular

- Processing enquiries from and communicating with employees;
- Pre-contractual measures and conclusion of employment contract;
- Fulfilment and processing of the employment contract;
- Personnel administration;
- Settlement of social security contributions and withholding taxes;
- Obtaining work permits;
- Allocation of employees;
- Utilisation and exploitation of work performance and results;
- Safety and securing operations;
- Security and protection of employees, customers and assets entrusted to SOB, IT, building and facility security as well as video surveillance to safeguard domiciliary rights;
- other operational or administrative purposes;
- Assertion of legal claims and defence against legal claims;
- Investigations, compliance and legal proceedings;
- Fulfilment of other legal and regulatory obligations;
- transactions under company law;
- other purposes according to separate information or as evident from the circumstances.

3.4 **User data, cookies, integration of third-party services, analysis tools, social media plugins, social media presences**

3.4.1 User data:

User data is the information that SOB collects from users of SOB's e-services (e.g. website, ticketing, newsletter, SOB's social media presence) when they access and use the e-services and register for e-services (e.g. user account). They may vary depending



on the service used. SOB generally collects the following personal data when registering for e-Services:

- Personal details (surname, first name);
- Contact details (address, e-mail).

SOB may also collect the following information each time the website www.sinfonieorchesterbasel.ch or an e-service is accessed:

- Log data on the web server (e.g. time of visit to the SOB website, IP address);
- User behaviour;
- Browser settings.

User data is processed, stored and used by SOB insofar as this is necessary for the use of the e-Services and to ensure smooth access to the e-Services and their operation. When using the e-Services, access (date/time) and the associated user data are recorded in a log. SOB reserves the right to check the user data retrospectively if there is a justified suspicion of unlawful use based on concrete evidence.

3.4.2 Cookies:

SOB uses cookies on the website that can be used to identify the browser or device of the user concerned. These are small text files that are sent from the relevant web server to the user's browser on the first visit to a website and stored on the user's device or in the browser's cache. The next time this website is visited with the same device, the browser checks whether a corresponding cookie already exists. The browser then sends the data stored in the cookie back to the web server. In this way, the web server can recognise whether the browser has already visited the website in question.

Users can set their browsers at any time so that no cookies from the website are stored on the hard drive or cookies already stored on the device are deleted. In this case, however, some functions of the website may not be able to be used to their full extent or at all. Cookies can also be deactivated or deleted in individual cases. How cookies can be managed in the user's browser can be seen in the help menu of the browser in question.

As a rule, cookies do not contain any personal data. However, personal data that SOB or third-party providers commissioned by SOB store about users (e.g. if the user in question has a user account with SOB or these providers) may be linked to the information stored in and obtained from cookies - and thus possibly to the user.

SOB uses cookies primarily to enable the use of the website, to ensure its operation and to increase security as well as to improve the offer, to analyse the use of the website and to optimise the website. SOB also uses cookies from third-party companies (see below).

3.4.3 Integration of links and third-party services:

Within the e-Services, SOB may integrate third-party services that may be located in any country in the world, such as videos from YouTube. As a result, these providers will recognise the IP address of the user. SOB endeavours to only use services whose respective providers only use the IP address to deliver the content. SOB assumes no



responsibility for the collection and processing of data by these third parties; such processing is the responsibility of the third-party providers concerned in accordance with their data protection provisions.

3.4.4 Google Analytics:

The website www.sinfonieorchesterbasel.ch uses Google Analytics. The information generated by the cookies is usually stored on a Google server in the USA. Cookies can be prevented by a corresponding setting in the browser software. However, SOB would like to point out that in this case it may not be possible to use all the functions of the website.

3.4.5 Social Media Plugins:

SOB uses offers from social media providers that may be located in any country in the world. This is indicated by the corresponding symbols. These offers are deactivated by default. As soon as a visitor to the website activates them (e.g. by clicking on a button), the relevant providers can recognise that the visitor in question is on the SOB website. If the visitor has an account with the social media provider, the provider can assign the information to the visitor and thus track their use of online services. The processing of this visitor's data by the relevant social media provider is then the responsibility of the social media provider in accordance with its data protection provisions. SOB would like to point out that it has no knowledge of the content of the transmitted data or its use by the social media providers concerned. SOB currently uses the social plugins of Facebook, X (formerly Twitter) and Instagram, YouTube, iTunes and Spotify. The current versions of the respective privacy policies can be found under the following links:

- <https://www.facebook.com/policy.php>
- <http://twitter.com/privacy>
- <http://instagram.com/legal/privacy/>
- <https://policies.google.com/privacy>
- <https://www.apple.com/de/legal/privacy/data/de/itunes-store/>
- <https://www.spotify.com/de-en/legal/privacy-policy/>

3.4.6 Social media appearances:

SOB may operate its own presences on social networks and similar third-party platforms. If users communicate with SOB via such social media presences or comment on or disseminate content, SOB collects corresponding data and processes it primarily for communication and marketing purposes.

SOB has the right, but not the obligation, to check content before or after it is published and to delete content without notification, insofar as this is technically possible, or to report it to the provider of the platform in question. In the event of a breach of the rules of decency and behaviour, SOB may also report the relevant user account to the provider of the platform. When visiting SOB social media sites, information may also be transmitted directly to the provider concerned or collected by the provider and processed together with other information already known to the provider. Further information on data processing by social network providers can be



found in the privacy policies of the relevant social networks. SOB currently uses the following platforms, whose privacy policies can be accessed via the links below:

- **Facebook:** The entity responsible for the operation of the platform for users from Europe is Meta Platforms Ireland Limited, Dublin, Ireland; www.facebook.com/policy.
- **Instagram:** The entity responsible for the operation of the platform for users from Europe is Meta Platforms Ireland Limited, Dublin, Ireland; <https://privacycenter.instagram.com/policy>.
- **YouTube:** YouTube is part of Google LLC, USA; <https://policies.google.com/privacy>.
- **iTunes:** iTunes is part of Apple Inc., USA; <https://www.apple.com/de/legal/privacy/data/de/itunes-store/>.
- **Spotify:** The entity responsible for the operation of the platform is Spotify AB, Stockholm, Sweden; <https://www.spotify.com/de/legal/privacy-policy/>.
- **LinkedIn:** The entity responsible for the operation of the platform for users from Europe is LinkedIn Ireland Unlimited Company, Dublin, Ireland; <https://de.linkedin.com/legal/privacy-policy>.
- **X (formerly Twitter):** The entity responsible for the operation of the platform for users from Europe is Twitter International Unlimited Company, Dublin, Ireland; <http://twitter.com/privacy>.

3.5 Contractual partner data and other data

3.5.1 SOB also collects and processes personal data from:

- tenants and their contact persons;
- service providers and other contractual partners;
- Contact persons from authorities and offices;
- other persons involved.

3.5.2 SOB collects and processes the following categories of personal data in particular:

- Personal details and personal information (e.g. surname and first name);
- Contact details (e.g. address, e-mail address);
- Communication and content data;
- Contract and master data;
- Bank and payment details, financial and asset data (e.g. debt collection data, debt enforcement information);
- Information on third parties;
- Further information.

3.5.3 SOB collects and processes such personal data mainly for the following purposes:

- Processing of enquiries and communication;



- pre-contractual measures, conclusion and processing of contracts;
- Provision or purchase of contractual services;
- Invoicing and collection, execution of payments;
- Analysing and improving services;
- Safety and securing operations;
- Security and protection of employees, customers and assets entrusted to SOB, IT, building and facility security as well as video surveillance to safeguard domiciliary rights;
- other operational or administrative purposes;
- Assertion of legal claims and defence against legal claims;
- Fulfilment of legal obligations;
- transactions under company law;
- other purposes according to separate information or as evident from the circumstances.

3.6 Collection of personal data

- 3.6.1 SOB collects most personal data directly from the data subjects (e.g. when communicating with customers). However, SOB may also collect personal data from third parties (e.g. advance booking offices, competition organisers, credit agencies, etc.) or from publicly accessible sources (e.g. telephone directory, commercial register, media) or generally from the Internet, insofar as such processing is legally permissible.
- 3.6.2 If someone discloses personal data about third parties to SOB, SOB assumes that this person is authorised to do so, that the personal data is correct and that this person has informed the respective third parties about SOB's data protection declaration within the statutory period. This is confirmed by the person concerned with the disclosure of personal data about third parties.

3.7 Profiling and automated individual decisions

- 3.7.1 SOB may automatically evaluate certain personal characteristics of customers for the above-mentioned purposes using customer data ("profiling") if SOB wishes to determine preference data, but also to identify security risks, carry out statistical analyses or for operational planning purposes. For the same purposes, SOB can also create profiles, i.e. behavioural and preference data, master and contract data and technical data assigned to customers can be combined in order to better understand customers with their different interests and other characteristics.
- 3.7.2 In both cases, SOB pays attention to the proportionality and reliability of the results and takes measures to prevent misuse of these profiles or profiling. If these can have legal consequences or significant disadvantages for customers, SOB will in principle carry out a manual review and offer the customers concerned the opportunity to present their point of view.
- 3.7.3 SOB does not make any automated individual decisions.



4. DISCLOSURE TO THIRD PARTIES

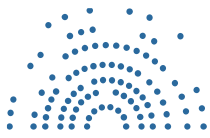
4.1.1 To the extent permitted by law and deemed appropriate by SOB, SOB may disclose personal data to third parties. This is the case in particular if the person concerned has given consent, if there is a legal obligation, if this is necessary for the provision of the service or the performance of the contract or for another of the processing purposes listed above, or if SOB has an overriding private interest.

4.1.2 In particular, SOB may disclose personal data to the following categories of recipients:

- service providers who process them on behalf of and for the purposes of SOB (e.g. IT providers);
- in the case of employee data:
 - Social insurance institutions (including pension fund),
 - Tax administrations (including withholding tax offices),
 - Authorities and other public bodies,
 - banks or postal financial institutions involved in the payment of remuneration to employees
 - Pension foundations and insurance companies (e.g. daily sickness benefits insurance, accident and non-occupational accident insurance, etc.)
 - future employers or landlords of employees or other third parties to whom references about the latter are to be issued with the prior consent of the employee concerned;
- Customers and other contractual partners;
- The public, including visitors to the SOB website and SOB's social media presence;
- legal representatives;
- Authorities and public bodies, courts, arbitration centres;
- other possible third parties.

5. NOTIFICATION ABROAD

In principle, SOB processes and stores personal data in Switzerland. However, some of SOB's service providers (e.g. IT providers) and social media providers may also be located in the EU, the USA or any other country worldwide. If personal data is transferred to a country without adequate data protection, SOB ensures adequate protection by using sufficient guarantees (e.g. EU standard contractual clauses) or relies on one of the legal exceptions (in particular consent, contract processing; protection of an overriding public interest; establishment, exercise or enforcement of legal claims; personal data made publicly available by the user; necessity to protect the integrity of the data subjects).



6. STORAGE PERIOD

- 6.1 Applicant data will be deleted immediately in the event of a negative decision. If an employment contract is concluded between an applicant and SOB, the applicant data or an extract thereof will be placed in the relevant personnel file.
- 6.2 User data is stored for as long as it is necessary to perform the e-Services, i.e. until the user signals that he/she does not wish to use the e-Services.
- 6.3 Unless otherwise agreed in writing or required by law for a longer period, personal data will otherwise be stored for as long as necessary for the purpose of processing and/or for as long as SOB has an overriding private interest. As soon as the personal data collected by SOB is no longer required for the stated purposes, it will be deleted or anonymised as far as possible.

7. PROTECTION OF PERSONAL DATA

SOB takes appropriate technical and organisational measures to protect personal data against loss, unintentional disclosure, unauthorised or unlawful processing, misuse or unauthorised access.

8. RIGHTS OF DATA SUBJECTS

- 8.1 Every person has the right to information, correction of incorrect personal data, blocking and deletion of their personal data within the framework of the data protection law applicable to them and if the corresponding requirements are met, insofar as this does not conflict with any legal obligation to retain data or the personal data is absolutely necessary for the fulfilment of the contract. Furthermore, every person has the right to receive their personal data in a structured, commonly used and machine-readable format (data portability), the right to withdraw their consent with effect for the future and the right to lodge a complaint within the framework of the data protection law applicable to them and if the relevant requirements are met.
- 8.2 Applications in connection with these rights must be sent in writing or by e-mail, enclosing proof of identity, to the contact address stated at the beginning of this document.

9. CHANGES

SOB may amend this privacy policy at any time without prior notice. Amendments shall apply from the date of publication of the amended privacy policy on the SOB website. The version published on the website is valid in each case.

(as at 8 March 2024)