

# **PRIVACY POLICY SABAM website**

## **Introduction**

This Privacy Notice is designed to inform you about the personal data relating to you which **Sabam, Société Belge des Auteurs, Compositeurs et Editeurs sc – Belgische Vereniging van Auteurs, Componisten en Uitgevers cv**, a cooperative society with its offices at Rue des Deux Eglises, 41-43 in 1000 Brussels and registered with the Register of Legal Entities **RPM Bruxelles** under number **BE 0402.989.270**, (acting as data controller and hereinafter referred as “**We**”, “**Our**” and “**Us**”) collects among others via the website [www.sabam.be](http://www.sabam.be) (referred to hereinafter as the “**Website**”) but also by other means (mailings, emails, phone calls, correspondence with our sister societies...), why We collect and process such personal data, on which legal basis, and how We will handle personal data you provide Us with and personal data We learn about you further to our collection. Your use of the Website and your different contacts with Sabam imply your acknowledgment of this Privacy Notice.

## **Legal basis**

We process your personal data on the basis of your specific consent (article 6, 1, a of GDPR) or on the basis of the necessity to perform an agreement of which the data subject is a party or to perform pre-contractual measures taken at the request of the latter (article 6, 1, b of GDPR) or on the basis of the necessity of the processing for the purpose of legitimate interests (article 6, 1, f of GDPR).

When the processing of your personal data is based on your consent, you have the right to withdraw such consent at any time, without affecting the lawfulness of such processing before the withdrawal of consent.

## **Personal data collected**

We collect personal data relating to you (referred to hereinafter as “**Personal Data**”) in several ways:

- Through the collection of information directly from you: through registration and sending of information that you choose to enter on certain pages of the Website, through the communication of your data at the time of your affiliation with Sabam, on the occasion of a contact (phone call, email, oral or written communication) with Sabam or among others in case of a recourse to the different services and tools put at your disposal by Sabam;
- Within the framework of the management of licenses;
- Within the framework of the management of our shareholders’ life within Sabam;
- Within the framework of the management of legal issues or of a specific file;
- Through CISAC, which is the International Confederation of Societies of Authors and Composers, through our sister societies and via the databases linked with CISAC or with our sister societies, a.o. the IPI, SIS, ICE, CISNET, Facttrack, IDA, AIR databases.

These Personal Data must be provided, in order to enable Us to fulfill the processing purposes, as mentioned below. Such Personal Data include identifying information: your first and last name, password, pseudonym, birth date or age, place of birth, sex, nationality, national register number,

language, personal or professional address, personal or professional email address, personal or professional mobile or other phone number, contact information of the person to whom you have given a proxy, , your activity, your profession, training, degrees and/or awards received in the creative field, a copy of your ID card, data related to the company share; your membership data; your data related to the bank account and the e-account; your handwritten or digital signature; your data related to your online payments; your data related to the social and cultural fund; your data as organizer of events; your data related to the works: title, names and first names of the right holders, names and first names of the performers, distribution key, IP name number, IP base number, role, name of the society of which the right holder is a shareholder or a member, the work code ; the data related to the right holders' agreements; your financial data as to the distribution of the works of Sabam's national and international repertoire; your data as to the sound reproductions of the works; the data regarding publications of the works; the data and pictures of your photographic and graphic works and works of the visual arts; your data for notifying works of Sabam's repertoire; the data related to the unidentified works: work's title, names and first names of the identified right holders, names and first names of the identified performers, role, work's code, indication of the amounts received; the data related to the audiovisual works produced in the US that have generated private copying royalties for the authors on the Belgian territory; the billing data : billing address, VAT of the customers, bank account; your messages, or other personal information or contact information you provide Us with. We may also ask for your comments, suggestions, or other information relating to the Website, or services, or Our company. Other specific types of information may be requested in connection with contests, sweepstakes, or other marketing activities, including uploading text, video or audio content.

- through cookies. For more information about cookies, please see below.

## Use of Personal Data

Your Personal Data will exclusively be used to the extent necessary to allow Us, within the framework of our statutory and legal task of collection and distribution of authors' rights as a management society (Chapter 9, Collective Management of Copyright and Neighbouring Rights, Book XI "Intellectual Property" of the Code of Economic Law; Sabam's Articles of Association and General Regulations):

- to process your membership applications to Sabam, your membership processes and among others your online payment and the handwritten or digital signature of your contracts of membership and fiduciary assignment (Article 6, 1, b of the GDPR);
- to collect and distribute your royalties as a Sabam shareholder, and more generally to manage your life as a shareholder within Sabam, to deal with your claims, to take legal actions to defend your interests (Article 6, 1, b of GDPR);
- to update your personal data as a shareholder, a co-contractor (Article 6, 1, b of GDPR) or as a customer (Article 6,1, f of the GDPR);
- to update the legal shareholders' register (Article 6, 1, c of GDPR);
- to feed the various databases (in particular IPI, SIS, Ice, CISNET, Fasttrack, IDA, Air ...) necessary for the collection and distribution of your royalties generated in Belgium and generated worldwide – and this thanks to the network of sister societies of collective management throughout the world (article 6, 1, b of the GDPR);
- to process the declarations of your works, to document the works of Sabam's repertoire and to manage the distribution keys (Article 6,1, b of the GDPR);
- to document the publishing contracts of the works of Sabam's repertoire (Article 6,1, b of the GDPR);
- to grant licences and to collect author's rights and neighbouring rights for the use of Sabam's repertoire as well as within the framework of its collaboration with Auvibel and Repobel or any other society appointed by the King, or within the framework of its collaboration with Simim and Playright (Article 6,1, (on the side of the shareholders, co-contractors), Article 6, 1, f (on the side of the customers) of the GDPR);

- to communicate to the concerned or authorized persons and other concerned collective management societies the data necessary for the distribution of the royalties related to the works of Sabam's national and international repertoire, including the financial data (Article 6,1, b of the GDPR);
- to process your data within the framework of the management of the legal licences (Article 6, 1, b (on the side of the shareholders, co-contractors) and f (on the side of the customers) of the GDPR);
- to respond to your direct request, as described at the time when we collect your Personal Data or as otherwise described to you prior to the use of your Personal Data (article 6,1, f of the GDPR);
- to process the uploading of the sound reproductions of your musical works belonging to Sabam's repertoire in digital format on an online interface put at your disposal in order to be able to collaborate with an external company that proposes an automatic identification service of the works performed during the broadcasts (article 6,1 b of the GDPR);
- to process the communication of the pictures of the photographic, graphic and visual works of Sabam's national and international repertoire with a view to inserting them in a database set up within the framework of the AIR (Automated Image Recognition) project in order to allow the tracking of the exploitation of these types of works (article 6,1, b of the GDPR);
- to process the notifications as to the performance of works of Sabam's repertoire (article 6,1, b of the GDPR). This notification allows Sabam to check the statement of the performed works and hence to properly distribute the collected royalties to the right holders of the copyrighted works that have been performed;
- to publish the list of the unidentified works in order to allow Sabam to identify the right holders of these works, and this in order to be able to distribute the royalties (Article 6,1, b of the GDPR);
- to publish the list of the audiovisual works produced in the US that have generated on the Belgian territory private copying royalties for the authors in order to allow Sabam to identify the holders of these works and hence to properly distribute the royalties collected for these works (Article 6,1, f of GDPR);
- to make the repertoire of Sabam accessible to the public so that the latter can identify Sabam's repertoire and its right holders (Article 6,1, b of the GDPR);
- to grant temporary support measures provided by the State following the Covid-19 pandemic (Article 6, 1, c of the GDPR);
- to manage your use of the Website, including to the extent applicable, your participation to contests or other marketing activities (provided you have given Us and/or partners the explicit prior consent to do so, where required under applicable law) (Article 6, 1, a (on the side of the shareholders, co-contractants) and f (on the side of the customers) of the GDPR);
- to send you newsletters, mailings, press releases or other information which you may be interested in through email / postal mail/ text messaging (Article 6,1, a (on the side of the shareholders, co-contractants) and f (on the side of the customers) of the GDPR);
- to process your data for legitimate purposes (Article 6, 1, f of the GDPR). For instance, collecting your data each time you enter Sabam's building, informing you about the new licenses, inviting you to Sabam's general meeting, to conferences; informing you about new or evolving issues as to copyright, asking you questions about certain issues as to copyright, to inform you about a new way of working within Sabam...

We may combine the Personal Data you submit with other personal data We have obtained about you for the same purposes from other sources, including if you have provided your information to Us in other places or through another medium (such as social media platforms). These sources are: databases, business cards, SIS, IPI, ICE, CISNET, IDA, Air; the Verint system and Norricq, social media (Facebook, twitter, LinkedIn, You Tube, Instagram, Google+), Mailchimp, Outlook, the databases of Roularta and Graydon, the webcrawling system (Procit), the websites, the event organizers, Sabam's

servers, the declarations of works on paper or by email, CWR, the playlists of channels and concerts, the customers, the representatives, the register for legal entities , Oracle Finance, service providers specialized in digital signature management such as ItsMe or online payment management such as Mollie, the data subjects.

We may not use your Personal Data for new purposes which are as yet unforeseen in this Privacy Notice except on the basis of an applicable statutory permission. In any event, prior to using Personal Data for other purposes, We will inform you about such change to this Privacy Notice. In case of consent-based activities, We will not process your Personal Data for such new purposes without first obtaining your consent.

## **Special category of personal data**

We will not collect or process any special category of personal data relating to you. The special categories of Personal Data include data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or other beliefs of a similar nature, trade union membership, genetic data, biometric data for the purpose of uniquely identifying a natural person, health, sex life or sexual orientation.

## **Direct marketing**

We will not use your Personal Data for direct marketing purposes without your explicit prior consent, except where authorised under applicable law.

If at any time you decide not to receive any commercial or promotional information from Us, You may, free of charge and without having to provide any justification, opt-out of any direct marketing campaigns and oppose to the future processing of your Personal Data for such purposes by sending Us an email at [newsletter@sabam.be](mailto:newsletter@sabam.be) and mention "opt-out" in the subject of your email. Alternatively, you may use the opt-out procedure provided in any promotional message you receive from Us.

Please note that opting out from receiving promotional messages from Us will not prevent you from receiving information that relates to any contract you may have entered into with Us.

## **Automated decision-making**

We will not make use of automated decision-making processes, including profiling, except where authorised under applicable law. In such case we would inform you about the logic involved in the decision, as well as the significance and the envisaged consequences of such processing for you.

## **Sharing Personal Data and transferring Personal Data to third countries**

We will not make your Personal Data available to any third party and shall not publicly disclose the Personal Data unless such transfers are based on your specific consent or are necessary for the performance of a contract entered into between you and Us, or when such transfer of Personal Data is otherwise authorised or compulsory by law or by order of an administration or judicial authority.

Within the framework of our tasks of collection and distribution of your author's rights, We transfer your Personal Data to the following recipients: Affiliates, partners, among others as regards the databases of works and right holders (SIS, IPI, CISAC's database, Fasttrack, ICE, IDA, CISNET, Air...), sister societies with which We have concluded representation agreements, Repobel SCRL and Auvibel SCRL that collect for us the collective rights within the framework of legal licenses; unique platform for resale right [www.resaleright.be](http://www.resaleright.be); one-stop-shop Unisono: [www.declarationunique.be](http://www.declarationunique.be); hosting provider, supplier, subcontractors, joint controllers of personal data, such as for instance SUIA as a manager of the IPI database; service providers specialized in the printing and sending of postal mails or in the sending of mailings per email, service providers specialized in the management of digital signatures such as Connective or Itsme or in the management of online payments such as Mollie, service providers



BNES_ORA_WWV_APP_60010	Idem	Idem	Idem	Idem	Idem	Idem	Idem	Idem
HAS_js	See below	See below	See below	See below	See below	See below	See below	See below
_utma, _utmb, _utmc, _utmt, _utmz (cookies Google Analytics)	See below	See below	See below	See below	See below	See below	See below	See below
1p_Jar, apisid, consent, hsid, nid, sapisid, sid, sidcc, ssid (cookies Google Recaptcha)	See below	See below	See below	See below	See below	See below	See below	See below

### **Additional information about specific cookies**

Sabam only uses first-party cookies, i.e. cookies that are created and managed by the Sabam website itself.

#### **Has\_js**

A Drupal cookie to determine whether Javascript is enabled in the user's browser. This is a functional cookie that allows our website to function properly. This cookie stores the user's preferences in order to enhance the user experience on our website and it offers the user a more personalized browsing experience. It has a limited duration and is automatically deleted once the user leaves the website (session cookie).

Google Analytics: *\_\_utma, \_\_utmb, \_\_utmc, \_\_utmt, \_\_utmz*

This Website uses Google Analytics, which is a web data analysis tool of Google Inc. (Google). Google Analytics uses cookies to help Us analyze how users use the Website.

Non-functional cookies that are used to collect grouped statistical information and to create reports on how users visit the website, without personally identifying the users. They aim to improve the website and the services provided for the users. One of these cookies used on our website is a session cookie (*\_\_utmc*) with a limited duration that is automatically deleted after each session. The other cookies used are permanent cookies that are stored on the hard disk of the user's computer or other device for a longer duration, even after closing the session. Permanent cookies remain on the device for the duration specified in the cookie or until they are deleted by the user.

For more details: <https://developers.google.com/analytics/devguides/collection/analyticsjs/cookie-usage> describes how Google Analytics uses cookies to measure user interactions on websites.

Google Recaptcha: *1p\_Jar, apisid, consent, hsid, nid, sapisid, sid, sidcc, ssid*

Recaptcha is a service that protects our site from spam and abuse. It uses advanced risk analysis techniques to tell humans and bots apart.

For more details: <https://www.google.com/recaptcha/intro/v3beta.html#>

### **How to prevent cookies to be set**

You may prevent cookies to be set by adjusting your browser accordingly. Indeed, most web browsers allow some control of most cookies through the browser settings. To find out more about how to prevent cookies to be set, visit <http://www.allaboutcookies.org>.

However, in such case, certain features of the Website may not work properly and some functionalities of the Website might no longer be available to you.

### ***How to delete/deactivate cookies***

In order to delete/deactivate all cookies set on your computer, the majority of web browsers allow you to disable completely the use of cookies, or to delete cookies created by specific domains/websites. To find out how to do it, please refer to your browser's help page:

- Chrome: <https://support.google.com/chrome/answer/95647?hl=en>
- Internet Explorer: <http://windows.microsoft.com/en-US/internet-explorer/delete-manage-cookies#ie=ie-11-win-7>
- Firefox: <http://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences>
- Safari: [https://support.apple.com/kb/PH21411?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/PH21411?viewlocale=en_US&locale=en_US)
- Safari on IOS: <https://support.apple.com/en-us/HT201265>
- Opera: <http://www.opera.com/help/tutorials/security/cookies>

You can specifically prevent Google's collection and use of data (cookies and IP address) for any website you visit by downloading and installing the browser plug-in available at <https://tools.google.com/dlpage/gaoptout?hl=en-GB>.

### **Share on social networks**

We make use of a social plug-in to enable you to share Website's information on Twitter, LinkedIn, YouTube, Facebook, Instagram, Google, through "Share" buttons.

For data privacy reasons, we deliberately opted against utilizing direct social network plug-ins on our Website. Instead, we employ an alternative technical solution that allows you to decide whether to transmit data to the social network operators and when. Thus when you visit the Website, data are never automatically transmitted to a social network. Only when you actively click on the respective button yourself will your web browser connect to the servers of the social network, i.e. clicking on elements then clicking on the social network's icon indicates your consent to your browser connecting to the servers of the social network and sending usage data to that social network operator, whether or not you are a subscriber of such social network.

We have no influence over the nature or scope of data that social networks may then gather. For information regarding the purpose and scope of data collection, further processing and use of data by social networks and regarding your data privacy rights and relevant configuration settings, see the social networks' respective data privacy advisories.

### **Links to third parties websites**

On certain areas of this Website, We may provide links to third parties websites, which are not subject to this Privacy Notice. These links are provided as a convenience to you; however please be aware that We do not control such third parties or their websites and that those third parties will have a different privacy notice applying to information collected from you when you are on those third parties' websites. We encourage you read the privacy notices of all websites carefully before providing personally identifiable information.

### **Storage duration**

We will retain your Personal Data only as long as necessary for the fulfilment of the purposes described above or as required by law, having regards to the following criteria: legislation, legal prescription, standards of copyright collective management societies.

## **Security and confidentiality**

We have implemented technical and organisational measures in accordance with standard industry practices to ensure an appropriate level of security of the Personal Data processed. Nevertheless, security requires efforts from all actors involved. We thus encourage you to contribute to these efforts by taking appropriate security measures yourself, including using strong passwords and keeping all user names and passwords (if any) confidential.

## **Children on the Website**

This Website is not intended for or directed to children under 16. We do not knowingly collect any information from such individuals. If you believe your child has provided Us with Personal Data, please contact Us at [dpo@sabam.be](mailto:dpo@sabam.be).

## **Your rights**

At any time, you may exercise your right to request access to or rectification of and, as the case may be, erasure of any Personal Data relating to you. You may also object to processing, or request a restriction of processing and benefit of a right to data portability (as the case may be), in compliance with applicable data protection law, by sending a signed request form with a copy of your ID card, passport or other proof of identity to [dpo@sabam.be](mailto:dpo@sabam.be) or in writing to Sabam, DPO, Rue des Deux Eglises, 41-43, in 1000 Brussels.

When applicable, you have the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent made prior to such withdrawal.

As a data subject, you have a right to lodge a complaint with a supervisory authority (in particular in the Member State of the European Union of your usual place of residence, your place of work or the place where the violation occurred) if you consider that the processing of Personal Data relating to you infringes the applicable legislation relating to data protection.

## **Data protection officer**

We have designated a data protection officer whose contact details are [dpo@sabam.be](mailto:dpo@sabam.be), Sabam, DPO, Rue des Deux Eglises, 41-43, in 1000 Brussels.

You may contact Our data protection officer with regard to all issues related to processing of your Personal Data and to the exercise of your rights under the applicable national and European legislation relating to data protection.

## **Effective date and changes**

This Privacy Notice is in effect since May 25, 2018. We reserve the right, at Our complete discretion, to change, modify, add, or remove portions of this Privacy Notice at any time. You should check back periodically at this page to read the most recent version of this Privacy Notice as your continued use of this Website or having contacts with Sabam following the posting of changes to these terms will mean you acknowledge these changes.

Thank you for visiting this Website.