
PRIVACY POLICY



The Privacy Policy governs how personal data is processed by elektron.art. It is our goal to be a reliable partner for you in processing of personal data.

The Privacy Policy provides an overview of the following:

1. Definitions
2. General information
3. Principles of personal data processing
4. Composition and collection of personal data
5. Purposes, grounds for, and activities of processing
6. Transfer and authorised processing of personal data
7. Rights of the data subject and exercise of rights
8. Storage and security of processing personal data
9. Cookies and other web technologies
10. Personal data processed in regard to the Content provision



Under the definitions, you will find the meaning of the terms often used in the Privacy Policy. Bear in mind that some terms may be defined in the Terms and Conditions.

1. DEFINITIONS

- 1.1 Terms not defined here have the same meaning as defined in the Terms and Conditions of elektron.art. Personal data protection terms have the same meaning as defined here or in the General Data Protection Regulation (2016/679) (GDPR).
- 1.2 **Cookies** mean data files stored in the Guest's or Visitor's device on the Website according to the selection made.
- 1.3 **Contract** means a contract of sale for right to view the Content or any other contract entered into between us and the Data Subject, incl. terms and conditions and other applicable guidelines and policies.
- 1.4 **Data Subject/ you** means a natural person regarding whom we have information or information that can be used to identify a natural person. Artists, Visitors, Guests and Users are all Data Subjects if we have personal data about them.
- 1.5 **Guest** means a person who visits the elektron.art platform.
- 1.6 **personal data** means any information relating to an identified or identifiable natural person i.e. Data Subject, e.g. Users.
- 1.7 **Privacy Policy** means this text, which sets out elektron.art's principles of personal data processing.
- 1.8 **Services** means the services and products offered by elektron.art/ offered on elektron.art platform, incl. Content (as digital content).
- 1.9 **Visitor** means a person who has created an account at elektron.art platform.
- 1.10 **Website** means elektron.art platform's website accessible via <https://elektron.art/> and our social media pages.



2. GENERAL INFORMATION

- 2.1 **About us.** Behind elektron.art there is MTÜ Interaktiivne Üksus (registry code 80238307, address Kopli tn 27 Põhja-Tallinna linnaosa, Tallinn Harju maakond 10412).



Under general information, you will find information about who is responsible for the processing of your personal data, how to contact us, and when does the Privacy Policy apply.

MTÜ Interaktiivne Üksus is a non-profit organisation that is offering a halfway virtual, halfway physical platform that connects exploratory activities of performing arts and science.

- 2.2 **Controller/processor.** We process your personal data as a controller when you are using our Services, visiting the elektron.art platform. We may use processors or have co-operation partners while offering elektron.art platform and Services to you. Artist may be a separate controller or joint controller with us when offering Content to you.
- 2.3 **Contacts.** You can contact us in matters related to personal data by e-mail at kaos@elektron.art.
- 2.4 **About the Privacy Policy.** The Privacy Policy is an integral part of the Contract entered into between us and the User. The Privacy Policy is applicable to Data Subjects, and all our employees and key cooperation partners who have access to the personal data in our possession are guided by the rights and obligations specified in the Privacy Policy.
- 2.5 **Amendments to the Privacy Policy.** We have the right to unilaterally amend this Privacy Policy. We will notify the Data Subject of all material changes on the Website or otherwise.
- 2.6 **Please note** that everything behind the links on our Website or social media is governed by the privacy terms of the respective service providers. Processing of your personal data on social media channels is also done according to the privacy terms of these platforms.



Here you will find the key principles that we are always guided by when processing your personal data.

3. PRINCIPLES

- 3.1 Our aim is to process personal data in a responsible manner where we are able to demonstrate the compliance of personal data processing with the purposes set and the applicable regulations.
- 3.2 All our processes, guidelines, actions, and activities related to personal data processing are based on the following principles: lawfulness, fairness, transparency, purposefulness, minimisation, accuracy, storage limitation, integrity, confidentiality, and data protection by default and by design.



Here you will find information about whose personal data and which personal data we collect and how we collect personal data.

4. COMPOSITION AND COLLECTION OF PERSONAL DATA

- 4.1 **We collect the following types of personal data:**
 - (1) Personal data disclosed to us by the Data Subject (e.g. data submitted for the purpose of using the elektron.art platform - name, contact details, e-mail address, Content usage information);
 - (2) Personal data resulting from standard communication between us and the Data Subject (e.g. correspondence regarding the Content);
 - (3) Personal data resulting from the consumption of Services and the Content (e.g. when participating in creation of the Content or enjoying the Content);
 - (4) Personal data resulting from visiting and using the Website;
 - (5) Data transmitted to us by the Visitor and the Visitor's data regarding the use of the Website and elektron.art platform, incl. data related to the account and data related to purchases;
 - (6) Personal data obtained from third parties;
 - (7) Personal data generated and combined by us (e.g. correspondence within the context of User relationship).
- 4.2 **We generally processes the data of the following Data Subjects:** Visitors, Artists, Guests (natural persons), representatives of cooperation partners who are natural persons, our employees, (potential)Users.
- 4.3 We collect/may collect, among otherthe following personal data in connection with the Services, elektron.art platform and the Website:
 - (1) **About Visitor** - name, username, date of birth/ confirmation about being at least 16 years old, contact details (email), payment information (if any), information from ticket sales coperation partner, information about using our systems (Website, elektron.art platform), data concerning interest in Services (incl. statistics from ticket service provider) and use thereof, data concerning the performance of the Contract, and other data concerning the offer/consumption of Services, Content and elektron.art platform;
 - (2) **About Guest** - payment information (if any), information from ticket sales coperation partner, information about using our systems (Website, elektron.art platform), data concerning interest in Services (incl. statistics from ticket service provider) and use thereof, data concerning the performance of the Contract, and other data concerning the

offer/consumption of Services, Content and elektron.art platform;

(3) **About Artist and possible other representatives of cooperation partners** - name, identity code (if separate contract is entered into), date of birth, contact details (email), payment information (if any), bank account, information about usage/viewings of Artist's Content, information about using our systems (Website, elektron.art platform), data concerning interest in Services (incl. statistics from ticket service provider) and use thereof, data concerning the performance of the Contract, and other data concerning the offer/consumption of Services, Content and elektron.art platform;

4.4 **Processing children's' personal data.** We generally do not process data of children (i.e. natural persons under 16 years). If personal data of children is processed, we will do so in accordance of their legal guardians wishes.



Here you will find information about the purposes and grounds for processing your personal data - meaning what for your personal data is needed and under which legal basis it is processed.

5. PURPOSES, GROUNDS FOR, AND ACTIVITIES OF PROCESSING

5.1 Our aim is to offer our Guests and Visitors stimulating and interesting art experiences.

We use the following grounds as grounds for personal data processing:

5.2 **Consent.** Based on consent, we process personal data precisely within the limits, to the extent and for the purposes for which you have given us your consent. The consent to us shall be freely given, specific, informed, and unambiguous, for example, by ticking the box on the Website. For example, we may send marketing messages based on consent. Consent may also be expressed by a clear act, for example, you can, at your own discretion, use chat possibilities enabled on our Website, in which case we process your personal data enable the chat functions; bear in mind that other people on chat can also see your communications (see more p 10.2).

5.3 **Entry into and performance of a Contract.** Upon entering into and performing a Contract, we may process personal data for the following purposes:

- (1) taking steps prior to entering into a Contract, which are necessary for entering into a Contract or which the Data Subject requests;
- (2) identifying the Data Subject to the extent necessary for entering into and performing a Contract;
- (3) performing the obligations assumed in connection to the Data Subject with regard to the provision of our Services and elektro.art platform, incl. Content usage information, account usage information etc.;
- (4) communicating with the Data Subject, incl. sending information and reminders about the performance of the Contract or about the Services.

5.4 **Legal obligation.** We process personal data to comply with a legal obligation in accordance with and to the extent provided by law.

5.5 **Legitimate interest.** Legitimate interest means our interest in managing or directing our activities and enabling us to offer the best possible Services, incl. elektron.art platform. In case we are using legitimate interest, we have previously assessed your interests. We may process your personal data on the basis of legitimate interest for the following purposes:

- (1) **managing and analysing a User (Visitors, Guests, Artists) database and for marketing activities** in order to improve the availability and selection and of Content and Services, incl. using analysis solutions to enable the foregoing, and making interesting and most engaging offers to the Data Subject upon their consent;
 - (2) **ensuring a better user experience, higher quality Services, and operation of elektron.art platform;** we may analyse identifiers and personal data collected when our Website, our social media pages and other channels and elektron.art platform are used, and we may collect statistics about Visitors and Guests;
 - (3) **sending news's letters to the Data Subject** if the respective person has previously purchased a similar Service/ Content. In this case, the person is always guaranteed to have a simple opportunity to resign from the communication, and we have considered our and the Data Subject's interests;
 - (4) **conducting satisfaction, incl. customer/User satisfaction, surveys** and measuring the effectiveness of marketing activities performed;
 - (5) **making recordings;** we may record messages and orders given both in our premises and using means of communication (e-mail, phone, etc.) as well as information and other activities we have performed, inter alia, calls to landline numbers. If necessary, we use these recordings to prove orders or other activities;
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- (6) **network, information and cyber security reasons**, for example measures for combating piracy and ensuring the security of the Website as well as for making and storing back-up copies;
 - (7) **processing for organisational purposes**, foremost for financial management but also audits and other potential supervision, including for processing the personal data of the Data Subjects or employees;
 - (8) **establishing, exercising or defending legal claims**;

- 5.6 **New purpose.** Where personal data is processed for a new purpose other than that for which the personal data are originally collected or it is not based on the Data Subject's consent, we carefully assess the permissibility of such new processing. We will, in order to ascertain whether processing for a new purpose is compatible with the purpose for which the personal data are initially collected, take into account, inter alia:
 - (1) any link between the purposes for which the personal data are collected and the purposes of the intended further processing;
 - (2) the context in which the personal data are collected, in particular regarding the relationship between the Data Subject and us;
 - (3) the nature of the personal data, in particular whether special categories of personal data are processed or whether personal data related to criminal convictions and offences are processed;
 - (4) the possible consequences of the intended further processing for Data Subjects;
 - (5) the existence of appropriate safeguards, which may include encryption or pseudonymisation.
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Here you will find information about the transfer and authorised processing of personal data - meaning to whom and where your data is sent.

6. TRANSFER AND AUTHORISED PROCESSING OF PERSONAL DATA

- 6.1 We cooperate with persons to whom we may transmit data, including personal data, concerning the Data Subjects within the context and for the purpose of cooperation. When transferring personal data to third parties (generally our cooperation partners), we comply with the applicable data protection requirements.
 - 6.2 Such third parties may include, inter alia, persons helping us to provide elektron.art platform and persons creating/ offering Content, but also advertising and marketing partners, payment service providers, advisers, ICT partners, i.e. service providers for various technical services, provided that:
 - (1) the respective purpose and processing are lawful;
 - (2) personal data is processed pursuant to the instructions of the controller and on the basis of a valid contract.
 - 6.3 In other cases, we transmit your personal data to third parties provided that we have your consent, a legal obligation, or there is an exception in the event that the transfer is necessary to protect your vital interests.
 - 6.4 As a general rule, we do not transmit personal data outside the European Economic Area. Where we transfer personal data outside the European Economic Area, we do so in compliance with the requirements of data protection regulations, e.g. where the European Commission has decided that there is an adequate level of protection in the respective country or, in the absence of such a decision, we have adopted appropriate safeguards (e.g. binding intragroup rules or standard data protection clauses).
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Your personal data belongs to you! Here you will find information about your rights and how to exercise them.

7. RIGHTS OF THE DATA SUBJECT AND EXERCISE OF RIGHTS

- 7.1 Rights concerning consent:
 - (1) The Data Subject has the right to notify us at any time of their intention to withdraw their consent to the processing of their personal data. Withdrawal of the consent does not affect the lawfulness of prior processing.
 - (2) You can exercise your rights concerning consent, for example by unsubscribing from messages in the footer of the respective e-mail or by contacting us at the address kaos@elektron.art.
 - 7.2 In the event of processing personal data, the Data Subject has the following rights, provided that the prerequisites set out in the GDPR are met:
 - (1) **Right to receive information**, i.e. the Data Subject has the right to receive information with regard to the personal data collected about them.
 - (2) **Right to access data**, which includes, inter alia, the right of the Data Subject to a copy of the personal data processed.
 - (3) **Right to rectification of inaccurate personal data.** The Data Subject can rectify incorrect data by contacting us using the contact details provided above. The Visitor may have been given the ability to rectify certain data
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through their account (if enabled).

- (4) **Right to erasure**, i.e. in certain cases, the Data Subject has the right to obtain the erasure of personal data, for example where data is processed solely on the basis of consent.
- (5) **Right to restriction of processing personal data**. This right arises, inter alia, where the processing of personal data is not permitted by law or temporarily when the Data Subject contests the accuracy of personal data.
- (6) **Right to data portability**, i.e. in certain circumstances, the Data Subject acquires the right to receive their data in a machine-readable format or to require the transmission of the data to another controller in a machine-readable format.
- (7) **Rights related to automated processing and profiling** mean that the Data Subject, on grounds relating to their particular situation, has the right to object at any time to the processing of personal data concerning them based on automated decisions/profiling and to require human intervention. The Data Subject may also require an explanation regarding the logic of making an automated decision. Automated processing/profiling may also be partially based on data collected from public sources. We do not use automated processing or profiling that has a significant effect on the Data Subject or their rights.
- (8) **Right to an assessment by a supervisory authority** as to whether the processing of the personal data of the Data Subject is lawful.
- (9) **Right to compensation for damages** where the processing of personal data has caused damages to the Data Subject.

7.3 **Exercise of rights**. In the event of a question, request, or complaint regarding the processing of personal data, the Data Subject has the right to contact us using the contact details provided in section 2.

7.4 **Filing complaints**:

- (1) The Data Subject has the right to file their complaint with us, the Data Protection Inspectorate, or the court.
- (2) Contact details of the Data Protection Inspectorate (DPI) can be found on the DPI's website at <https://www.aki.ee/et/inspektsioon-kontaktid/tootajate-kontaktid>.



Here you will find a description of how we protect your personal data and for how long we store personal data.

8. STORAGE AND SECURITY OF PROCESSING PERSONAL DATA

8.1 **Storage**. We store personal data only for the period necessary for the purpose of processing. As a rule, for the duration of the period of validity of the Contract + three years to protect against any potential claims. Personal data whose storage period has expired are destroyed or made anonymous. When storing personal data, we comply with the purpose of processing, limitation periods for potential claims in the event of filing claims, and storage periods provided for in the law.

8.2 **Security measures**. We have established guidelines and rules of procedure on how to ensure the security of personal data through the use of both organisational and technical measures. Among others, we do the following to ensure security and confidentiality:

- (1) we provide our employees with access to personal data only where this is necessary for the performance of their duties and where the respective permission has been requested and rights have been granted;
- (2) a processor may process the personal data transferred to them only for the purpose and to the extent necessary for providing the services set out in the contract;
- (3) we use software solutions that help ensure a level of security that meets the market standard.

8.3 In the event of any incident involving personal data, we do our best to mitigate the consequences and alleviate the relevant risks in the future.



Here you will find information about which Cookies or other technologies we use and where

9. COOKIES AND OTHER WEB TECHNOLOGIES

9.1 We may collect data about the Visitors and Guests of the Website by using Cookies or other similar technologies and process such data (e.g. IP address, device information, location information).

9.2 We use the collected data to enable the consumption of Services and the elektron.art platform in accordance with the habits of the Data Subject, to ensure the best quality of Services and platform, to inform the Visitor and Guests of the content and give recommendations, to make the advertisements more relevant and our marketing



more detailed information about the respective processing can be found.

efforts more effective, to simplify logging in and protecting data. Collected data is also used to count Data Subjects and record their usage habits.

- 9.3 We use session and persistent Cookies. Session Cookies are deleted automatically after each visit, while persistent Cookies are retained when the Website is used repeatedly.
- 9.4 Our Website may contain third party Cookies regarding which our cooperation partners are the controllers or we are joint controllers.
- 9.5 We use the following types of Cookies:
- 9.5.1 **Necessary Cookies** are required to use the Website - to navigate the page and use its functions - and necessary Cookies enable logging into the Website, distinguishing bots from people, and ensuring other security functions. Without these Cookies, the Website cannot function properly and the provision of service may be hindered. Because necessary Cookies are essential for the operation of the Website and for the provision of elektron.art platform, these Cookies are always enabled.
- 9.5.2 **Preference Cookies** - these Cookies store the Data Subject's selections (such as font size, other personalised website display features) and attributes (such as user name, language, or country of location of the Visitor/ Guest) in order to offer a more personalised and convenient use of the Website. Preference Cookies, although separate from necessary Cookies, are necessary for the Guest/ Visitor to ensure that an appropriate personalised solution is displayed. The data stored depends on a specific Cookie. In general, we collect technical data about the device and store the selections made by the Data Subject (e.g. font size, other editable properties of the Website) and their attributes (e.g. user name, language, country of location).
- 9.5.3 **Functional/statistics/analytics Cookies** are Cookies that collect information about how Data Subjects use the Website, for example which subpages are visited most frequently and which error messages occurred. These Cookies generally do not collect information that can identify the person. These are used to improve the operation of the Website.
- 9.5.4 **Marketing and personalised analytics Cookies** are Cookies used for optimising marketing activities and/or for displaying personalised advertising. These Cookies may be third party Cookies.

9.6 The Cookies we use are:

Name	Category	Purpose and data gathered	Retention	Owner

- 9.7 With regard to Cookies, Visitors and Guests consent to their use on the Website or in the web browser. The processing is generally based on consent. The majority of web browsers allow Cookies. Without Cookies, not all functions of the Website may be available to the Visitor. Enabling or disabling Cookies and other similar technologies is up to the Visitor/ Guest through the settings of their own web browser.



Enjoying Content and participating in creation of Content and usage of chat options.

10. PERSONAL DATA PROCESSED IN REGARD TO THE CONTENT PROVISION

- 10.1 **Camera and microphone.** There may be an option to participate in the viewing of Content via usage of microphone and camera on the device used to view Content. If this option is available, then access to microphone and camera data is asked from the Visitor/Guest by the system. Data is gathered only if the access is granted by the Visitor/Guest. Please note, that if you (Visitor/Guest) allow camera and voice feed from your device other Visitors/Guest will see and hear you (if not overridden by us). Processing your camera and voice feed is done under provision of Service (i.e. necessary for fulfilling contract). Generally, this data will not be stored after the end of



the viewing of the relevant Content. If for some reason data is retained or used for some other purpose you will be informed beforehand and such processing will only be commenced if there is a legal ground for it.

- 10.2 **Chat.** We offer possibility to chat with other Users. We generally do not retain data from chat longer than the duration of the viewing of Content. In case of using chat on our main site - data will be deleted when browser is closed by the User.



Changes to the Privacy Policy.

Changes and their enforcement dates:

Publication	Enforcement	Main changes
[dd.mm.yyyy]	[dd.mm.yyyy]	
