

## DATA PRIVACY NOTICE FOR GUIDED TOURS (GROUPS)

AT MONUMENTS AND HERITAGE SITES OPERATED BY  
STAATLICHE SCHLÖSSER UND GÄRTEN BADEN-WÜRTTEMBERG (SSG)

### NOTE:

The English version of this contract is provided as a courtesy only. The German text takes legal precedence.

When you book one of our guided tours (our offerings for groups), we collect, process and store personal data of various kinds, such as your IP address, name, email and postal address, etc. As a result, we have obligations under the EU General Data Protection Regulation (GDPR), including an obligation to provide you with related information.

Our data privacy notice provides the following information:

### A. Our contact details

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- A.2. Contact details of the data protection officer

### B. Details of how we process your data

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### C. Your rights as a data subject

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## A. OUR CONTACT DETAILS

### A.1. NAME AND CONTACT DETAILS OF THE ORGANISATION RESPONSIBLE (DATA CONTROLLER)

Responsibility for the collection and use of personal data lies with

Staatliche Schlösser und Gärten Baden-Württemberg – Headquarters

Schlossraum 22 a

76646 Bruchsal, Germany

Represented by Managing Director Michael Hörrmann

Tel: +49(0)7251 74-2727

Fax: +49(0)7251 74-2711

Email: [info@ssg.bwl.de](mailto:info@ssg.bwl.de)

Web: [www.schloesser-und-gaerten.de](http://www.schloesser-und-gaerten.de)

Further information is available from our website: <http://www.schloesser-und-gaerten.de/en/about-us/masthead/>.

### A.2. CONTACT DETAILS OF THE DATA PROTECTION OFFICER

Martin Filip

Vermögen und Bau Baden-Württemberg

Rotebühlplatz 30

70173 Stuttgart, Germany

Tel: +49 (0)711 6673-3501

Email: [datenschutz@vbv.bwl.de](mailto:datenschutz@vbv.bwl.de)

[www.vermoegenundbau-bw.de](http://www.vermoegenundbau-bw.de)

## B. DETAILS OF HOW WE PROCESS YOUR DATA

### B.1. GENERAL INFORMATION

When you contact us, we record your name and contact details so that we can send you a proposal.

If you accept our proposal, we may record additional details (such as your phone number) for the purpose of carrying out the guided tour(s).

You need to provide your name and contact details so that we can send you a proposal. Other details, such as your phone number, are voluntary. However, they facilitate the performance of our contractual obligations, for instance in urgent cases such as a postponement or a change of meeting point with your guide.

### B.2. PURPOSES OF DATA PROCESSING

We process personal data solely for the purpose of drafting a proposal, or, on confirmation of a proposal, for contract performance.

## B.3. LAWFUL BASIS FOR DATA PROCESSING

The lawful basis for data processing is Article 6(1) b) GDPR (solicitation and/or performance of a contract).

Insofar as we collect other data from you that are not absolutely necessary for contract performance but which make it easier for both parties to perform the contract (e.g. to agree changes at short notice), the lawful basis is Article 6(1) f) GDPR (legitimate interests).

## B.4. FORWARDING OF DATA

In order to perform the contract, data are forwarded to our cashiers and security employees and to the local guide leading the tour. Insofar as these persons are not our employees, and insofar as they process data, this represents a contractual relationship for data processing governed by a corresponding data processing contract.

Under no other circumstances do we forward data to third parties, except when we have a legal obligation to do so.

## B.5. PERIOD OF DATA STORAGE

Data are erased when they are no longer required for the purpose for which they were collected.

Insofar as your making contact with us leads only to a proposal and not to the conclusion of a contract, the purpose has been achieved when you did not accept the proposal and our pre-contractual conversation with you gives us no grounds to expect the imminent conclusion of a contract, or to expect any contractual warranty or liability claims. In this case, we erase the data on conclusion of our conversation or pre-contractual correspondence with you.

Insofar as your making contact with us leads to the **conclusion of a contract**, the following applies: we store all data collected within the scope of the contract until the end of the contract and until it is no longer possible to bring claims arising from the contract or from the solicitation of the contract, i.e., all claims have expired under statute. According to Section 195 German Civil Code (BGB), expiration is after three years. However, certain types of claim, such as claims for damages, expire after 30 years. If we have legitimate reason, in a given case, to assume that this is relevant (e.g. if there are imminent claims against us), we retain personal data for this period of time. The expiration periods under statute mentioned above commence at the end of the year (i.e. on 31 December) in which the claim arose and the creditor became aware of the circumstances giving rise to the claim and of the identity of the debtor, or should have become aware of them if not acting with gross negligence. We also make reference to our statutory obligations to retain data for tax and accounting purposes. These include the obligation to retain certain types of data, which can include personal data, as accounting records for a period of six to ten years. These retention periods take precedence over the erasure obligations described above. Retention periods also commence at the end of the respective year, i.e. on 31 December.

**Fax data** are stored in the fax device's internal memory separately from print/output data. When a fax has been printed, the memory space it occupied is made available to allow receipt and storage of the next fax. Parts of a fax may temporarily remain in the device's memory until they are overwritten by the next fax received. In general, the data are automatically erased after one week. We have enabled the option to create **transmission reports**, including a copy of the first page sent. As a result, the transmission report, including the first page sent, temporarily remains in the device's memory until it is overwritten or erased when the device is reset or disconnected from the power supply for several days.

When we receive or make **telephone calls**, your phone number or the name /company name registered with your telephone service provider, and the date and time of the call, are stored on our telephone system in a circular memory

that overwrites the oldest data with new data. In general, data on our phone system are automatically erased after three months at the latest.

## **B.6. RIGHT TO OBJECT TO DATA PROCESSING AND RIGHT TO ERASURE**

You can request **erasure** of your data at any time within the scope of the solicitation or conclusion of a contract. If you do so, the contract will thereby be rescinded. Your request for erasure does not affect our claim to payment of the agreed fee unless our claim to payment is excluded for legal reasons (e.g. rightful cause to terminate contract).

Insofar as we process personal data in pursuit of our legitimate interests (facilitation of contract performance), you have the right to **object** at any time to the processing of your personal data by us on grounds relating to your particular situation. If we cannot demonstrate compelling legitimate grounds for data processing which override your interests, rights and freedoms, we will no longer process your personal data (see Article 21 GDPR). You can lodge an objection by contacting us by conventional mail or e-mail (see section A). If you do so, the conversation between us and/or our contractual relationship will thereby cease. Your objection does not affect our claim to payment of the agreed fee unless our claim to payment is excluded for legal reasons (e.g. rightful cause to terminate contract).

All personal data stored within the scope of your contacting us, or the solicitation or performance of the contract, are erased if we have no reason to believe that any contractual warranty or liability claims could arise and if we have no claims against you. In all other cases, data are blocked, which means only senior executives can access the data and may only do so to comply with statutory retention obligations or to defend against or assert actual or potential claims, until such claims expire under statute (see section on the period of data storage above).

## **B.7. WEBSITE DATA PRIVACY NOTICE**

For contact via our website, we refer you to the data privacy notice specific to the website.

## **C. YOUR RIGHTS AS A DATA SUBJECT**

Whenever your personal data is processed, you are the data subject and have the following rights with regard to us in our capacity as data controller (you will find our contact details in section A above):

### **C.1. RIGHT OF ACCESS**

You have the right to receive, free of charge, information from us as to whether we process your personal data. If this is the case, you have the right to access these personal data and to further information as defined in Article 15 GDPR. To exercise this right, you can contact us via conventional mail or e-mail (see section A above).

### **C.2. RIGHT OF RECTIFICATION**

You have the right to demand the rectification of incorrect personal data without delay. You also have the right – taking into account the above-mentioned purposes of processing – to demand the addition of missing information to incomplete personal data, for example by means of a supplementary statement. To exercise this right, you can contact us via conventional mail or e-mail (see section A above).

### **C.3. RIGHT TO ERASURE**

You have the right to demand the erasure of your personal data without delay if one of the conditions specified in Article 17 GDPR applies. To exercise this right, you can contact us via conventional mail or e-mail (see section A above). The legal consequences are described in B in the sections on the corresponding processing operations.

## **C.4. RIGHT TO OBJECT TO PROCESSING IN PURSUIT OF LEGITIMATE INTERESTS**

Insofar as we process data on the basis of Article 6(1) f) GDPR (i.e. in pursuit of legitimate interests), you have the right at any time to object to the processing of your personal data by us on grounds relating to your particular situation. If we cannot demonstrate compelling legitimate grounds for data processing which override your interests, rights and freedoms, or if we process the corresponding data for the purpose of direct advertising/marketing, we will no longer process your data (see Article 21 GDPR). To exercise this right, you can contact us via conventional mail or e-mail (see section A above).

## **C.5. RIGHT TO WITHDRAW CONSENT**

You have the right at any time to withdraw consent to the future collection and use of personal data. To exercise this right, you can contact us via conventional mail or e-mail (see section A above). This does not affect the lawfulness of the processing carried out with your consent prior to your withdrawal.

## **C.6. RIGHT TO RESTRICTION OF PROCESSING**

You have the right to demand restriction of processing if one of the conditions specified by Article 18 GDPR applies. To exercise this right, you can contact us via conventional mail or e-mail (see section A above).

## **C.7. RIGHT TO NOTIFICATION**

If you have exercised your right to rectification or erasure of data or to restriction of processing, we are obliged to notify all recipients of your personal data of the corresponding rectification or erasure of data or restriction of processing, unless notification proves to be impossible or would entail unreasonable effort or expense. You have the right to be informed of these recipients by us.

## **C.8. RIGHT TO DATA PORTABILITY**

You have the right to receive personal data which you have provided to us in a structured, commonly used and machine-readable format and you have the right to transfer these data to another controller without hindrance from us where the conditions specified by Article 20 GDPR apply. To exercise these rights, you can contact us via conventional mail or e-mail (see section A above).

## **C.9. AUTOMATED INDIVIDUAL DECISION-MAKING, INCLUDING PROFILING**

We do not make use of automated decision-making.

## **C.10. DATA PROVIDED VOLUNTARILY**

In section B above we have described what data are provided voluntarily and what data you need to provide.

## **C.11. RIGHT TO COMPLAIN TO A SUPERVISORY AUTHORITY**

If you believe that your personal data are being processed in breach of the GDPR, you have the right at any time, without prejudice to other rights, to lodge a complaint with a data protection supervisory authority, in particular, in the member state in which you live or work or in which the suspected breach of the GDPR is taking place.

Data privacy notice dated: 28 May 2018.