

The following English version of the Privacy Notice is provided solely to aid in understanding. In the event of any conflicts arising about wording, the German original version shall be exclusively binding for all parties involved

## **Privacy Notice from SCC EVENTS GmbH for the participants of the sporting event BMW BERLIN-MARATHON**

With this information, we, SCC EVENTS GmbH (hereinafter also referred to as "SCC EVENTS" or "we"), inform participants about the processing of their personal data by SCC EVENTS GmbH and the rights to which they are entitled under the data protection regulations in the context of registration and participation in our BMW BERLIN-MARATHON event.

This document only describes the aforementioned data processing procedures.

In connection with the use of the online booking portal, further personal data is processed in connection with the respective purpose. Processing activities in connection with the online booking portal are described in the data protection information for the user account, available at: <https://www.scc-events.com/informationspflicht>.

Photographs and video recordings are regularly made in connection with attendance or participation in our events. Processing activities in connection with the creation and publication of photo and video recordings during and after the sporting event are described in the "Photo and video" data protection information, available at: <https://www.scc-events.com/informationspflicht>.

### **1.) Responsible for data processing and data protection officer**

SCC EVENTS GmbH  
Olympiapark Berlin, Hanns-Braun-Strasse / Adlerplatz, 14053 Berlin  
Managing Directors: Christian Jost, Jürgen Lock  
E-Mail: [informationspflicht@scc-events.com](mailto:informationspflicht@scc-events.com)  
Phone: 030 / 30 12 88 - 10  
Fax: 030 / 30 12 88 - 40

The data protection officer can be contacted by post at the above address with the addition "Data protection" or by e-mail: [datenschutz@scc-events.com](mailto:datenschutz@scc-events.com)

### **2.) Purposes and legal basis of data processing**

We process the personal data of participants for the purpose of organising registrations (including the drawing for race entries) and carrying our sporting event. The processing takes place in the context of registration for the drawing and participation in our above-mentioned sporting event, in particular for the organisation, implementation and handling of all associated processes.

The prerequisite for registering for our sports event is the existence of an active user account in our online booking portal <https://login.scc-events.com/s/> in accordance with the General Terms and Conditions (GTC) <https://login.scc-events.com/s/terms-conditions>.

In addition, our conditions of participation for the sports event apply to all participants, available at: <https://www.scc-events.com/teilnahmebedingungen>.

We process your personal data in compliance with the applicable data protection provisions of the EU General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG).

Personal data is processed on the basis of the following legal bases:

- A) Article 6(1)(b) GDPR for the fulfilment of pre-contractual measures and/or contractual obligations on the basis of the conditions of participation: The processing is carried out to initiate (here: the drawing for race entries) and/or to conclude a contract for participation in the sporting event. This includes all data required to process the individual order, the pre-order and the organisation of participation in the sports event, including notification of the individual drawing result by email after the drawing.
- The scope of the data is supplemented by the mandatory information that is processed in connection with the use of the online booking portal, available at: <https://www.scc-events.com/informationspflicht>. Information on photo and video recordings that are processed as part of participation in the sporting event can be found at <https://www.scc-events.com/informationspflicht>.
- During the organisation of the sporting event, we collect and process further data of the participants on the basis of the aforementioned legal basis. This includes, in particular, competition data such as bib numbers, timing data and results data as well as, if applicable, data for the documentation of rule violations, bans and medical care.
- B) Article 6(1)(f) GDPR: On the basis of a balancing of interests, personal data is processed for the assertion of legal claims, for defence in legal disputes and to ensure IT and telecommunications security. In addition, SCC EVENTS also processes the personal data of participants on this legal basis for the following purposes: for the personalised dispatch of (electronic and analogue) mail, for the purpose of self-promotion for the company's own services (direct advertising and event reminders), for the preparation of statistical reports including the anonymisation of personal data in evaluation reports and, if necessary, the transfer of statistics to sponsors and business partners. During and after the sporting event, we collect and process further data of the participants on the basis of the aforementioned legal basis: e.g. for the provision and publication of results lists based on the competition data (the specific types of data are described in chapter 4 of this document), for media coverage by the press and media, for the documentation of advertising measures for sponsors and business partners, for competition documentation and recognition of records and for event documentation (e.g. creation of photo and video recordings).
- Information on photo and video recordings that are processed as part of participation in the sporting event can be found at <https://www.scc-events.com/informationspflicht>.
- In addition, SCC EVENTS processes the registration and booking data of participants in whole or in part for the provision of access-protected login areas for these services associated with the event: Digital Event Bag, Marathon App, JoyBox, Photo & Video Retrieval. The log-in areas are set up regardless of whether the services are used by the participants. It is necessary to compare the log-in data from the offers with the information stored in the SCC EVENTS systems in order to enable and technically implement access protection.
- C) Article 6(1)(c) GDPR: Personal data is also processed to fulfil legal obligations. This includes, for example, retention obligations under commercial and tax law, obligations under company, contract, data protection and civil law or regulatory and official requirements, including with regard to the fulfilment of verification and accountability obligations, taking into account and in compliance with legal provisions.
- D) Article 6(1)(a) GDPR: In some cases, processing is carried out on the basis of consent for the explicitly stated purpose and, if voluntarily provided in the survey form, e.g. to record emergency contact data, to specify a club, to log in using the email registered in the booking portal for the newsletter, to participate in the Abbott World Marathon Majors (AWMM), the AWMM Age Group Championship and to enable the presentation of the AWMM Star Finishers on the website [www.worldmarathonmajors.com](http://www.worldmarathonmajors.com) website in accordance with the conditions of participation, to indicate whether contact is desired in the event of not winning a race entry after the drawing has taken place, to receive alternative offers (only for unsuccessful drawing participants), to receive survey mailings, for tracking release and individual visibility during the event, or for other purposes explicitly described in the respective declaration of consent.
- When using offers from SCC EVENTS' business partners, a comparison can be made with consent to verify successful registration for the sports event based on the booking data in our system. As a rule, only a yes/no message is reported back to the requesting company.

- E) Article 9(2)(a) GDPR: In some cases, special categories of personal data are processed on the basis of consent for the purpose explicitly stated in each case and when voluntarily provided in the data collection form, e.g. when carrying out the PAPS test on our website [www.paps-test.de](http://www.paps-test.de) and storing the PAPS key in the user account of the booking portal.

**If we have been granted consent (including by implied action) to process personal data for specific, aforementioned purposes, this processing is lawful on the basis of consent. Consent that has been granted can be revoked at any time. The withdrawal of consent does not affect the lawfulness of the data processed until the withdrawal.**

### 3.) Recipients or categories of recipients of personal data

For the organisation and implementation of sports events, only those employees/departments within SCC EVENTS have access to the personal data that they need to fulfil the respective purpose. In order to fulfil our contractual services and legal obligations, personal data is sometimes processed by external service providers or, if necessary, by authorities, if this is necessary and legally permitted for the fulfilment of the aforementioned purposes. In doing so, we always comply with data protection regulations; in particular, processing by the service providers we use only takes place after the conclusion of contracts with a corresponding confidentiality clause.

<u>Receiver</u>	<u>Purpose of the transfer</u>
Postal and shipping service provider	Transport of mail, parcels and letters
IT and telecommunications service providers	Maintenance, care and servicing of IT and telecommunications systems (hardware and software)
Telecommunications provider	Transport and storage of connection data
Website host	Hosting and provision of public websites for the publication of contact and registration forms as well as information and images
E-mail provider	Transport of e-mails and attachments, newsletter dispatch
Salesforce.com Germany GmbH	Hosting and provision of the online booking portal with user account, mailing service
Print shop	Creation and dispatch of print products
Authorities, e.g. tax office, supervisory authorities	Fulfilment of statutory information and notification obligations
Berliner Verkehrsbetriebe AöR (BVG)	Creation of the digital 4-day combined ticket (public transport ticket), transmission of first name and surname for personalisation
Law firms and courts	Enforcement of claims, defence in legal disputes, legal advice
Sport-Club Charlottenburg e.V.	Organisation of sporting events
Data carrier destruction service provider	Disposal of files and data carriers
Medical Institute	Medical care before and during the event, reporting and evaluation of medical incidents, organisation of booked massage appointments
Doping organisations	Doping tests for records in accordance with association rules
Medal engraver	Medal engraving
SCC EVENTS photo service provider / photo box	Creation of photo and video recordings
Sportograf Digital Solutions GmbH (exclusive photo and video service provider at selected events)	Creation, editing and storage of professional competition and event images (photo and video), allocation of the images created, processing of (pre-)orders and sales
mika:timing GmbH	Timekeeping, timekeeper, results service, hosting and provision of results lists and certificates, development, hosting, update and support of the marathon app
Europ Assistance SA	Offer and processing of insurance matters for the cancellation option
Press (national and international)	Reporting, interviews, photo and video recordings
Fanomena GmbH	Administration and hosting of the offers in the Digital Event Bag

SPORTFIVE Germany Consulting GmbH	Administration and hosting of the JoyBox offers
Business partners of SCC EVENTS, e.g. sponsors, advertising partners, service providers	Documentation and reporting, partly in conjunction with documentation of advertising measures, for the provision of statistics, for the provision of booked services, for the publication of event information, photo galleries and video recordings on websites
Maurten AB	Provision of exclusive offers for registered participants who have agreed to the matching process to verify their registration
adidas AG	Delivery of ordered products as part of bookings, provision of exclusive offers (e.g. via the Runtastic app) for registered participants who have agreed to the comparison to verify their registration, provision of statistical reports on the number of participants and gender distribution as part of the " <u>digital shoecounting</u> " <b>project</b> *.
Sports associations	Recognition and listing of records, monitoring and supervision of the implementation of rules for sporting events
Public website(s) and magazines of SCC EVENTS	Publication of event information, results lists, photo and video recordings
Data Protection Officer	Fulfilment of the audit and control mandate, support with data protection issues

In principle, it cannot be ruled out that personal data may be transferred to other countries outside the European Economic Area (EEA) (so-called third countries). Further information on the transfer of data to third countries is described in section 6.) of this document.

Our sports event is organised under the supervision of the following associations:

- 1 German Athletics Association (DLV), Alsfelder Strasse 27, 64289 Darmstadt
- 2 Berlin Athletics Association (BLV), Hanns-Braun-Strasse / Turnhaus, 14053 Berlin
- 3 Deutscher Rollsport und Inline-Verband e.V. (DRIV e.V.), Otto-Fleck-Schneise 10a, 60528 Frankfurt, Germany
- 4 World Athletics (WA), 6-8, Quai Antoine 1er, BP 359, MC 98007 Monaco
- 5 Abbott World Marathon Majors Ltd (AWMM), 21660 W Field Parkway, Deer Park IL 60010, USA
- 6 National Anti Doping Agency (NADA), Heussallee 38, 53115 Bonn
- 7 World Anti-Doping Agency (WADA), Stock Exchange Tower 800 Place Victoria, Montreal (Quebec) H4Z 1B7 Canada

In accordance with the respective valid association rules, personal data (in particular result lists) are processed by these associations for the recognition and listing of records. Further information can be found in the respective association rules. These are available at: <https://www.scc-events.com/agb/verbandsregel>

\* The "digital shoecounting" project is managed under the data protection responsibility of adidas AG, Adi-Dassler-Str. 1, 91074 Herzogenaurach, Germany. Further information on "shoe counting" can be found in the adidas privacy policy, available at: <https://www.scc-events.com/informationspflicht>.

#### 4.) Duration of data storage

We process the data of the registered persons for the purpose of carrying out the registration and prize drawing and subsequently for participation in the sports event for the duration of the contract and the resulting retention obligations.

Registration and booking data of unsuccessful participants in the prize drawing will be deleted immediately after the prize drawing. If consent to contact has been given, the contact data (surname, first name, user account ID, email address) will be stored for information on available race entries until the purpose of data storage no longer applies (at the latest one week after the end of the event) or until a revocation of the consent given is received.

Saved Paps keys are deleted one year after creation.

Documents for checking proof of age or qualification are deleted after 2 months.

The data and information on bans and infringements will be deleted once the ban has been lifted or the offence is not subject to any further sanctions.

Emergency contact data will be deleted 4 weeks after the end of the event.

Competition data that is part of the reporting and documentation of the public, international competition will not be deleted. This concerns:

- a) the recognition and listing of records,
- b) the media coverage,
- c) the final certificates with information from the results list
- d) the final results lists with the following data of the participants: Surname, first name, start number, nationality, placings (by category), club if applicable, gender, age group and result times (if applicable also differentiated by intermediate, net and gross times, clock times, km/h data).

The right to object to the publication of this data remains unaffected.

Photographs and videos taken during and after the sporting event that may be published will not be deleted. The right of cancellation and the right of objection remain unaffected. Further information on the storage period of image data is described in the "Photo and video" data protection information, available at

<https://www.scc-events.com/informationspflicht>.

We store data that is processed on the basis of consent until it is revoked or until the respective purpose is fulfilled. Corresponding information can be found in the respective declaration of consent. The revocation of consent does not affect the legality of the data processed until the revocation. Data processing is also terminated immediately in the event of a (permissible) objection by the data subject.

Data that ensures the security of processing and the prevention of security incidents (log data of the IT and telecommunications systems) will be completely deleted after 3 months. Further information can be found in the privacy policies of the respective websites.

The storage of personal data for the establishment, exercise or defence of legal claims is possible and may extend the retention period.

Data protection requests: The requests for information, correction, deletion or restriction of processing answered by us, as well as other requests from data subjects or supervisory authorities on data protection issues, are archived for the purpose of accountability for 3 years from the end of the action,

## **5.) Data protection rights for data subjects**

All data subjects have the right of access under Art. 15 GDPR, the right to rectification of their data under Art. 16 GDPR, the right to erasure under Art. 17 GDPR, the right to restriction of processing of their data under Art. 18 GDPR and the right to data portability under Art. 20 GDPR.

Consent given can be revoked at any time. The revocation of consent does not affect the legality of the data processed until the revocation.

### **Right of objection:**

In accordance with Article 21 GDPR, data subjects also have the right to object at any time to the processing of personal data concerning them. This applies in particular to these cases:

**A) Individual right to object (Art. 21(1) GDPR)**

Data subjects have the right to object, on grounds relating to their particular situation, at any time to processing of personal data concerning them which is based on point (f) of Article 6(1) GDPR (data processing on the basis of a balancing of interests). If the data subject objects, we will no longer process their personal data unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or the processing serves the establishment, exercise or defence of legal claims.

**B) Right to object to the processing of data for direct marketing purposes (Art. 21(2) GDPR)**

In individual cases, we process the personal data of our participants for direct marketing purposes (by post and email). The right to object can be exercised by the data subject at any time. If data subjects object to processing for direct marketing purposes, we will no longer process their personal data for these purposes.

**Delimitation:** Electronic or postal communication that takes place to fulfil business transactions (e.g. due to a booking or an enquiry) is not affected by an objection to direct marketing.

Data subjects may send their requests to exercise their rights informally by post or email, stating their full name: SCC EVENTS GmbH, Olympiapark Berlin, Hanns-Braun-Strasse / Adlerplatz, 14053 Berlin or [datenschutz@scc-events.com](mailto:datenschutz@scc-events.com)

**Note on photo and video recordings at events organized by SCC EVENTS GmbH:**

All information relating to the creation and publication of photo and video recordings during and after the respective event is described in the "Photo and video" data protection information, available at:

<https://www.scc-events.com/informationspflicht>.

**Right of appeal:**

If data subjects suspect that their data is being processed unlawfully by SCC EVENTS, they can of course seek judicial clarification of the issue at any time. Data subjects also have every other legal option available to them. Irrespective of this, data subjects have the option of contacting a supervisory authority in accordance with Art. 77(1) GDPR. The right to lodge a complaint pursuant to Art. 77 GDPR is available to data subjects in the EU Member State of their place of residence, their place of work and/or the place of the alleged infringement, i.e. they can choose the supervisory authority to which they turn from the above-mentioned places. The supervisory authority with which the complaint has been lodged will then inform them of the status and outcome of the complaint, including the possibility of a judicial remedy pursuant to Art. 78 GDPR.

The data protection supervisory authority responsible for SCC EVENTS is:

Berlin Commissioner for Data Protection and Freedom of Information, website: <https://www.datenschutz-berlin.de/>  
Tel.: +49 (0)30 13889-0; Fax: +49 (0)30 2155050; e-mail: [mailbox@datenschutz-berlin.de](mailto:mailbox@datenschutz-berlin.de)

**Note on the publication of results lists:**

The results lists are the final competition data of the participants of our sporting events who cross the finish line, which are used both for the personalised printing of certificates and for determining the ranking or new records and for compiling the best list for the respective public competition. In view of the public interest, which is not only granted to our sporting events, but also to individual participants, the results lists are part of the reporting and documentation of the public competition and are therefore regularly published on the Internet for these reasons. We would like to point out that SCC EVENTS GmbH is only partially responsible for the data in the results lists and media coverage. In particular, printed products such as daily newspapers or live broadcasts via radio and television are subject to reporting in the public interest due to the competitive nature of our sporting events. Coverage may also be provided by private individuals, associations, sponsors and many other institutions. Whether and to what extent SCC

EVENTS is (co-)responsible for the respective data processing under data protection law will be checked in individual cases in response to requests from data subjects.

Once personal data has been published on the Internet, it can be accessed worldwide. Further dissemination or indexing by search engines or copies by third parties are therefore possible. Deletion of this data cannot be guaranteed at all times.

In principle, when personal data is published on the Internet (regardless of the platform selected), it cannot be ruled out that it will also be accessed from countries that do not have an adequate level of data protection. The authorised publication of personal data on the internet does not constitute a transfer of personal data to a third country in this sense.

As part of archiving for journalistic or statistical purposes, result lists or records may be stored worldwide beyond the periods specified here (Art. 85 and Art. 89 GDPR).

Those affected can therefore contact us directly if they have any questions or requests regarding the published competition data concerning them.

## 6.) Data transfer to a third country or an international organisation

As part of the organisation and implementation of the sports event, we sometimes transfer the personal data of participants to third countries or international organisations. A list of these services and service providers that may be used is described in this section.

Third countries are countries outside the EEA in which the GDPR is not directly applicable. The level of data protection is not comparable to that in the EU. In order to compensate for the existing data protection deficit in the event of a lack of an adequacy decision, we have agreed further suitable guarantees for the processing of personal data with the service providers concerned in the third country or with the international organisation in addition to the standard data protection clauses, so that the data protection standards for these data transfers are compatible with the statutory data protection provisions of the EU and adequate protection is guaranteed when processing personal data.

Name and address of the company	Role of the company, activities/purpose of the transfer	Legal basis for data transmission
World Athletics (WA), 6-8, Quai Antoine 1er, BP 359, MC 98007 Monaco Cedex	Own responsibility, listing of records, association rules according to the regulations, available at <a href="https://www.worldathletics.org/world-ranking-rules/basics">https://www.worldathletics.org/world-ranking-rules/basics</a>	International organisation, Contract fulfilment according to regulations
Abbott World Marathon Majors Ltd (AWMM), 21660 W Field Parkway, Deer Park, IL 60010, USA	Own responsibility, listing of records, conditions of participation available at: <a href="https://www.worldmarathonmajors.com/terms-of-use">https://www.worldmarathonmajors.com/terms-of-use</a> and privacy policy available at: <a href="https://www.worldmarathonmajors.com/privacy-policy">https://www.worldmarathonmajors.com/privacy-policy</a>	International organisation, consent to data transfer in accordance with the conditions of participation <a href="https://www.scc-events.com/teilnahmebedingungen">https://www.scc-events.com/teilnahmebedingungen</a>
World Anti-Doping Agency (WADA), 800 Place Victoria, Montreal (Quebec) H4Z 1B7 Canada	Own responsibility, doping tests in accordance with the "World Anti-Doping Code", available at: <a href="https://www.nada.de/fileadmin/-DO_WNLOADS-/Regelwerke/Athlete_Reference_Guide_to_2015_Code.pdf">https://www.nada.de/fileadmin/-DO_WNLOADS-/Regelwerke/Athlete_Reference_Guide_to_2015_Code.pdf</a>	International organisation, Contract fulfilment according to regulations , adequacy decision of the EU Commission, available at: <a href="https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX%3A02002D0002-20161217">https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX%3A02002D0002-20161217</a> .

Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland / Headquarters: Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043 USA	Processors, IT infrastructure, servers for sending, storing and archiving business transactions, documents and emails	International organisation, standard data protection clauses EU Controller-to-Processor: <a href="https://cloud.google.com/terms/sccs/eu-c2p">https://cloud.google.com/terms/sccs/eu-c2p</a>
Salesforce.com Germany GmbH, Erika-Mann-Str. 31, 80636 Munich / Headquarters: Salesforce.com, Inc, Salesforce Tower, 415 Mission Street, 3rd Floor, San Francisco, CA 94105, USA	Processor, online booking portal with user account management, participant database	International organisation, DPA: <a href="https://www.salesforce.com/content/dam/web/en_us/www/documents/legal/Agreements/data-processing-addendum.pdf">https://www.salesforce.com/content/dam/web/en_us/www/documents/legal/Agreements/data-processing-addendum.pdf</a> (Based on the certification of Salesforce.com, inc. in the DataPrivacyFramework)

### 7.) Voluntariness and obligation to provide personal data

Registration and participation in the sporting event are generally voluntary. In the event of participation, the data required and contractually prescribed for the organisation and execution of the sporting event in accordance with the conditions of participation must be provided. Failure to provide the data means that participation in the sporting event is not possible. The conditions of participation for our sports event are available at: <https://www.scc-events.com/teilnahmebedingungen>.

The prerequisite for registering for our sports event is the existence of an active user account in our online booking portal <https://login.scc-events.com/s/> in accordance with the General Terms and Conditions (GTC) <https://login.scc-events.com/s/terms-conditions>.

If information can be provided voluntarily, we have labelled this information in the respective data collection form. Consent can be revoked at any time by the data subject for the future.

### 8.) Automated decision-making, implementation of profiling

In principle, we do not use exclusively automated decision-making within the meaning of Article 22 GDPR for the organisation and implementation of our event.

"Profiling" means any form of automated processing of personal data evaluating personal aspects relating to a natural person, in particular to analyse or predict the work performance, economic situation, health, personal preferences or interests, reliability or behaviour, location or movements of the data subject, where this produces legal effects concerning the data subject or similarly significantly affects him or her. The data of the participants will not be processed for the purpose of profiling at SCC EVENTS GmbH.