

Data privacy statement

Any collection, processing and use (hereinafter "use") of data is solely for the purpose of providing our services. Our services have been designed to use as little personal information as possible. For that matter, "personal data" is understood as all individual details about a person or factual circumstances of an identifiable natural person (so-called "affected person"). The following statements on data protection describe what types of data are collected when accessing our website, what happens with these data and how you may object to data usage.

1 General information on data processing

1.1 Person Responsible (Controller)

Responsible within the meaning of the EU General Data Protection Regulation (GDPR) and the new Federal Data Protection Act (BDSG) is:

Freunde der Nationalgalerie e.V.

Address: Potsdamer Straße 58
10785 Berlin
Phone: + 49 30 26394880
Homepage: <http://preisdernationalgalerie.de/>

1.2 Name and address of the Data Security Officer

The data security officer is Kemal Webersohn of WS Datenschutz GmbH

If you have questions about data protection, you can contact WS Datenschutz GmbH at the following email address: freunde-der-nationalgalerie@ws-datenschutz.de

WS Datenschutz GmbH
Dircksenstraße 51
D-10178 Berlin
[Startseite - Webersohn & Scholtz \(webersohnundscholtz.de\)](http://webersohnundscholtz.de)



1.3 Protection of your data

We have taken technical and organizational measures to ensure that the requirements of the EU General Data Protection Regulation (GDPR) are met by us, as well as, by external service providers working for us.

If we work with other companies to provide our services, such as email and server providers, this will only be done after an extensive selection process. In this selection process, each individual service provider is carefully selected for its suitability in terms of technical and organizational data protection skills. This selection procedure will be documented in writing and an agreement on the order processing of data (data processing agreement) will only be concluded if the third party complies with the requirements of Art. 28 GDPR.

Your information will be stored on specially protected servers. Access to it is only possible for a few specially authorized persons.

Our website is SSL/TLS encrypted, as can be seen by the https:// at the start of our URL.

1.4 Erasure of personal data

We process personal data only if necessary. As soon as the purpose of the data processing is fulfilled, erasure of the data is carried out according to the standards of the erasure concept, unless legal or contractual regulations oppose this.

2 Use of data on this website and in logfiles

2.1 Scope of processing personal data

When visiting our website, our web servers temporarily store every access in a log file. The following data is collected and stored until automated erasure:

- IP-address of the requesting computer
- Date and time of access
- Name and URL of the retrieved file
- Message if the retrieval was successful
- Website from which access is made

The data processing is carried out by: 1&1 IONOS SE, Elgendorfer Str. 57, 56410 Montabaur.

When you access our website, data, in particular your IP address, is stored and processed by 1&1 for technical reasons. For additional information, please refer to the privacy policy of 1&1: <https://www.ionos.de/terms-gtc/terms-privacy/>

2.2 Legal basis for processing personal data

The legal basis for the temporary storage of the data and log files is Art. 6 para. 1 s. 1 lit. f) of the GDPR. Our legitimate interest is to make our website accessible for you.

2.3 Purpose of data processing

The processing of this data serves: the purpose of enabling the use of the website (connection establishment), system security, the technical administration of the network infrastructure, as well as to optimize the website. The IP address is evaluated only in case of attacks on our network infrastructure or the network infrastructure of our internet provider.

2.4 Duration of storage

As soon as the purpose of the data processing is fulfilled, erasure of the data is carried out. This happens as soon as you close our website.

2.5 Right of objection and erasure

The data processing is necessary in order to present the website and to ensure the website's operation. Therefore, objecting is impossible.

3 Use of cookies

3.1 Description and scope of data processing

Our website uses cookies. This means that when using the website, cookies are stored on your computer. Cookies are small text files which are assigned to the browser you are using and which are stored on your hard drive. Through this information flows to us or the party who set the cookie. Cookies cannot run programs on or transmit viruses to your computer. The following data may be transmitted:

- Your cookie-settings
- Language settings

Upon entering our website, a cookie banner informs you about the use of cookies on this website and asks for your consent to the use of cookies.

Note on data processing in the USA by Google, Facebook, Instagram, YouTube:

By clicking on "Agree to all", you consent to your data being processed in the USA in accordance with Art. 6 para. 1 s. 1 lit. a) DSGVO. According to the ECJ, the data protection standard in the USA is insufficient and there is a risk that your data will be processed by the US authorities for control and monitoring purposes, possibly also without any legal remedy. If you only consent to the setting of essential cookies, the transfer does not take place. Consent given can be revoked at any time.

3.2 Legal basis for data processing

The legal basis for the processing of data by cookies, which do not only serve the functionality of our website, is Art. 6 para. 1 s. 1 lit. a) GDPR.

The legal basis for the processing of data for cookies, which serve only the functionality of this website, is Art. 6 para. 1 s. 1 lit. f) GDPR.

3.3 Purpose of data processing

Our legitimate interests are to provide you with a working website connection and to ensure a comfortable use of this website. Also, we need to process your personal data to solve occurring safety and security issues, as well as to ensure system stability.

The data processing takes place to make a statistical evaluation of our website possible.

3.4 Duration of storage

This website uses the following types of cookies. The extend and function of each are being explained below:

- Transient cookies (see a)

- Persistent cookies (see b)

a) **Transient cookies** are automatically deleted when you close the browser. This is especially true for session cookies which store your session ID, with which various requests from your browser can be assigned to your session. This will allow your computer to be recognized when you return to our website. Session cookies are deleted when you log out or close the browser.

b) **Persistent cookies** are automatically deleted after a specified period, which may differ depending on the cookie.

3.5 Right to objection and erasure

You have the possibility to revoke your consent to the data processing by means of cookies, which do not only serve the functionality of the website. In addition, we do not set cookies until you have agreed to set cookies when you visit the site. In this way, you can prevent data processing via cookies on our website. You can also delete the cookies in your browser's security settings at any time. Please note that you may not be able to use all the features of this website. The setting of cookies can also be prevented at any time by appropriate settings in your internet browser.

4 Contact

4.1 Description and scope of data processing

Via our website it is possible to contact us via e-mail. This will require different data to answer the request, which will be automatically saved for processing. Your data will not be passed on to third parties, unless you have given your consent.

4.2 Legal basis for data processing

The legal basis depends on Art. 6 para. 1 s. 1 lit. b) GDPR.

4.3 Purpose of data processing

The processing of personal data from the input form is used solely handling the contact request.

4.4 Duration of storage

The data will be deleted as soon as we answer your request. There might occur rare cases when legal or contractual retention periods interfere with the erasure of your personal data. In this case your data will be deleted after these periods.

4.5 Right to objection and erasure

The user has the right to withdraw their consent to the processing of personal data at any time. If the user contacts us, they can object to storage of their personal data at any time. In such cases, the conversation cannot be continued. All personal data that has been stored in the course of the contact will be deleted.

5 Social media links

We have integrated social media platforms through into our services, which may result in the social media provider receiving data from you. If you click on the social media link, the website of the respective social media provider is loaded. By loading the website of the

respective social media provider via our services, the respective reference data is transmitted to the respective social media provider. The social media provider thereby receives the information that you have visited us.

Note on data processing to the United States:

If you click on a social media link, data about you may be processed by the respective provider in the United States. According to the European Court of Justice, the data protection standard in the United States is not adequate and there is a risk that your data will be processed by the U.S. authorities for control and monitoring purposes, possibly also without any legal remedy. Provided that you do not click on the links of the social media providers, no data transfer takes place.

Further information on data processing by the social media providers can be found here:

Facebook: <https://de-de.facebook.com/help/pages/insights>,
<https://de-de.facebook.com/about/privacy>,
https://de-de.facebook.com/full_data_use_policy
YouTube: <https://www.google.de/intl/de/policies/privacy/>
Instagram: <https://help.instagram.com/155833707900388>
<https://www.instagram.com/about/legal/privacy/>

6 Social media on our website

We integrated social media platforms on our website via "plug-ins", which may result in social media providers receiving data from you if necessary. We will break this down for you in the following.

6.1 Shariff

The data-protection-proof "Shariff" buttons. "Shariff" was developed by computer magazine specialists to provide more privacy on the Internet by replacing the usual "share" buttons on social networks with those that begin with a selective click on the data transfer below. More information about the Shariff project can be found at:

<http://www.heise.de/ct/artikel/Shariff-Social-Media-Buttons-mit-Datenschutz-2467514.html>

6.2 Facebook

6.2.1 Description and scope of data processing

We have integrated Facebook on the website. The Facebook button can be found on the website at the bottom right. Data Processing is carried out by: Facebook, Inc., 1 Hacker Way, Menlo Park, CA 94025, USA. If an affected person lives outside the US or Canada and Facebook processes data, the person responsible is: Facebook Ireland Ltd., 4 Grand Canal Square, Grand Canal Harbor, Dublin 2, Ireland.

If the user clicks on the Facebook button, the website of Facebook will be opened. By accessing Facebook through our website, Facebook will receive the respective reference data of us. Through this Facebook receives the information that the user has visited our website. The plug-ins used by Facebook can be accessed at:

https://developers.facebook.com/docs/plugins/?locale=en_US

If, at the time of visiting our website, the user is logged in on Facebook (it does not matter if it is their own Facebook account), Facebook receives further information, such as which pages the user has visited our website. Facebook collects this information, so theoretically it is possible to assign this information to the Facebook account. The same applies to the "Like" button or when using the comment field; Facebook can also assign this information to the

respective logged-in Facebook account. For more information on the topic of data protection on Facebook, we refer to the following data policy of Facebook:

<https://www.facebook.com/about/privacy/>

According to own data stores Facebook following data:

- Date and time of your visit,
- The IP address where the Social Plugin is located,
- Additional technical data such as the IP address,
- Browser type,
- Operating system,

to optimize the services of Facebook.

6.2.2 Legal basis of data processing

The legal basis for data processing is your given consent, Art. 6 para. 1 s. 1 lit. a) GDPR.

6.2.3 Purpose of data processing

We use social media to promote our company. We also want to give you the opportunity to interact with social media through our website.

6.2.4 Duration of storage

Facebook claims to store your data for a period of 90 days. At the end of the 90 days, the data will be anonymized so that they cannot be further associated with you.

6.2.5 Right to objection and erasure

To prevent this form of processing, the user has to log out of Facebook and delete all cookies before visiting our website.

Other settings and disagreements regarding the use of data for advertising purposes are possible within the Facebook profile settings or via the US page or the EU page of Facebook. The settings are platform independent, they are adopted for all devices, such as desktop computers or mobile devices.

6.3 Instagram

6.3.1 Description and scope of data processing

We have integrated the services of Instagram on this website. Instagram can be reached via the button at the bottom right of our website. Responsible for data processing is: Instagram LLC, 1 Hacker Way, Building 14 First Floor, Menlo Park, CA, USA.

If the user clicks on the Instagram button, the website of Instagram will be opened. By accessing the Instagram website via our website ("through clicking the button"), Instagram receives the information that the user has visited our website. If, at the time of visiting our website, the user is simultaneously logged in via an Instagram account (it does not matter if it is your own account), Instagram will receive further information, such as which pages of or website the user visited. Instagram collects this information, so theoretically there is the possibility to assign this information to the Instagram account. For more information on privacy, we refer to the following data policy of Instagram:

<https://help.instagram.com/155833707900388> and
<https://www.instagram.com/about/legal/privacy>

6.3.2 Legal basis of data processing

The legal basis for data processing is Art. 6 para. 1 s. 1 lit. a) GDPR.

6.3.3 Purpose of data processing

We use social media to promote our company. We also want to give you the opportunity to interact with social media through our website.

6.3.4 Duration of storage

Facebook claims to store your data for a period of 90 days. At the end of the 90 days, the data will be anonymized so that they cannot be further associated with you. To our knowledge, this also applies to Instagram data.

6.3.5 Right to objection and erasure

To prevent this form of processing, the user has to log out from Instagram and delete all cookies before visiting our website. Other settings and disagreements regarding the use of data for advertising purposes are possible within the Instagram profile settings or via the US page or the EU page of Instagram. The settings are platform independent, they are adopted for all devices, such as desktop computers or mobile devices.

6.4 YouTube

6.4.1 YouTube Button

6.4.1.1 Description and scope of data processing

We have integrated the services of YouTube on this website. Data processing is carried out by: YouTube, LLC, 901 Cherry Ave., San Bruno, CA 94066, USA. YouTube, LLC. Data processing for the European Economic Area and for Switzerland is carried out by: Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland.

If the user clicks on the YouTube button or link, a website of YouTube will be opened. This might also happen in form of a small window in our website (a so-called iframe). By accessing YouTube's website through our website ("per click"), YouTube receives the information that the user has visited our website. If, at the time of visiting our website, the user is logged in via a YouTube account (it does not matter if it is their own), YouTube will receive further information, such as which pages were entered on our website by the user. YouTube collects this information, which theoretically gives you the opportunity to associate this information with the YouTube account. For more information about privacy, please refer to the following data policy from YouTube: <https://policies.google.com/privacy?hl=en&gl=de>

6.4.1.2 Legal basis of data processing

The legal basis for this data processing is your given consent, Art. 6 para. 1 s. 1 lit. a) GDPR.

6.4.1.3 Purpose of data processing

We use social media to promote our company. We also want to give you the opportunity to interact with social media through our website.

6.4.1.4 Duration of storage

Data collected by YouTube (Google) will be deleted by the controller after a fixed retention period of 9 to 18 months.

6.4.1.5 Right of objection and erasure

To prevent the processing of data by YouTube, you have the possibility to log out of YouTube and delete all cookies before visiting our website. Additional settings and objections on the use of data for promotional purposes are available within the YouTube Profile settings.

6.4.2 YouTube Video

6.4.2.1 Description and scope of data processing

We have integrated the services of YouTube on this website. We use for the integration of videos the provider YouTube. Data processing is carried out by: YouTube LLC, 901 Cherry Avenue, San Bruno, CA 94066, USA. Data processing for the European Economic Area and for Switzerland is carried out by: Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland.

When you visit our website with embedded videos, your IP address will be sent to YouTube and cookies will be installed on your computer. We have included our YouTube videos in enhanced privacy mode (in which case, YouTube still contacts the Google DoubleClick service, but personal data is not evaluated according to Google's privacy policy). As a result, YouTube does not store any information about visitors unless they watch the embedded video. If you click the video, your IP address will be sent to YouTube and YouTube will know that you've watched the video. If you are logged in to YouTube, this information is also assigned to your user account (you can prevent this by logging out of YouTube before clicking the video). We use no influence on any possible collection or use of your data by YouTube. For more information about privacy, please refer to the following data policy of YouTube: <https://www.google.de/intl/de/policies/privacy/>

6.4.2.2 Legal basis of data processing

The legal basis for this data processing is your given consent, Art. 6 para. 1 s. 1 lit. a) GDPR.

6.4.2.3 Purpose of data processing

We use social media to promote our company. We also want to give you the opportunity to interact with social media through our website.

6.4.2.4 Duration of storage

Data collected by YouTube (Google) will be deleted by the controller after a fixed retention period of 9 to 18 months.

6.4.2.5 Right to objection and erasure

To prevent the processing of data by YouTube, you have the possibility to log out of YouTube and delete all cookies before visiting our website.

Additional settings and disagreements on the use of data for promotional purposes are available within the YouTube Profile settings.

7 Other tools of third-party providers

We also use third-party providers to help us with the site's appearance and functionality. These are listed below:

7.1 Google Web Fonts

7.1.1 Description and scope of data processing

We use web fonts provided by Google. for uniform representation of fonts on the website. Data processing for the European Economic Area and for Switzerland is carried out by:

Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland.

When you call up a page, your browser loads the required web fonts into your browser cache to display texts and fonts correctly. To do this, the browser you use must connect to Google's servers. As a result, Google learns that our website has been accessed via your IP address.

For more information about Google Web Fonts, see <https://developers.google.com/fonts/faq>

and Google's privacy policy: <https://www.google.com/policies/privacy/>.

7.1.2 Legal basis of data processing

The legal basis is Art. 6 para. 1 s. 1 lit. a) GDPR.

7.1.3 Purpose of data processing

We use web fonts provided by Google for uniform representation of fonts on the website.

7.1.4 Duration of storage

We process personal data only as long as necessary. As soon as the purpose of the data processing is fulfilled, erasure of the data is carried out according to the standards of the erasure concept, unless legal or contractual regulations oppose this.

7.1.5 Right to objection and erasure

In the settings of your browser you can select to not download the fonts from servers of third parties. In this case, a default font which is already installed on your computer will be used.

8 Service providers from third countries

In order to be able to provide our services, we use the support of service providers from third party countries (non-EU countries). In order to ensure the protection of your personal data in this case, we conclude processing contracts with each - carefully selected - service provider. All of our processors provide sufficient guarantees to implement appropriate technical and organizational measures. Our third country data processors are either located in a country with an adequate level of data protection (Art. 45 GDPR) or provide appropriate safeguards (Art 46 GDPR).

Adequate level of protection: The provider comes from a country whose level of data protection has been recognized by the EU Commission. For more information, see: https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en

EU standard contract clauses: Our provider has submitted to the EU standard contractual clauses to ensure secure data transfer. For more information, see: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:039:0005:0018:DE:PDF>

Binding Corporate Rules: Article 47 of the GDPR provides the possibility of ensuring data protection when transferring data to a third country via Binding Corporate Rules. These are

examined and approved by the data security authorities within the framework of the consistency mechanism pursuant to Art. 63 GDPR.

Consent: In addition, a data transfer to a third country without an adequate level of protection will only take place if you have given us your consent in accordance with Art. 49 sec. 1 lit. a) GDPR for this purpose.

9 Your rights

You have the following rights with respect to the personal data concerning you:

9.1 Right to withdraw a given consent (Art. 7 GDPR)

If you have given your consent to the processing of your data, you can withdraw it at any time. This will affect the admissibility of processing your personal data by us for the time after you have withdrawn your consent. To withdraw your consent, contact us personally or in written form.

9.2 Right of access (Art. 15 GDPR)

You have the right to obtain from us confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to your personal data and the following information:

- the purpose of processing;
- the categories of personal data concerned;
- the recipients or the categories of recipient to whom your personal data have been or will be disclosed, in particular recipients in countries outside of the EU or international organisations;
- where possible, the envisaged period for which your personal data will be stored, or, if not possible, the criteria used to determine that period;
- all available information on the source of your personal data;
- the existence of automated decision-making, including profiling, referred to Art. 22 para. 1 and 4 GDPR and, in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for you.

In the case of such a request, you must provide enough information about your identity to proof that the request concerns your own personal data.

9.3 Right to rectification and erasure (Art. 16, 17 GDPR)

You have the right to obtain from us without undue delay the rectification and completion of inaccurate personal data concerning yourself.

You may also request the erasure of your personal data if any of the following applies to you:

- the personal data concerning you are no longer necessary for the purposes for which they were collected or otherwise processed;
- you withdraw consent on which the processing is based according to Art. 6 para. 1 s.1 lit. a) or Art. 9 para. 2 lit. a) GDPR, and where there is no other legal ground of processing;
- you object to the processing pursuant to Art. 21 para. 1 GDPR and there are no overriding legitimate grounds for the processing, or the you object to the processing pursuant to Art. 21 para. 2 GDPR;
- the personal data have been unlawfully processed;

- the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which we are subject;
- the personal data have been collected in relation to the offer of information society services referred to in Art. 8 para. 1.

Where we made the personal data public and are obliged to erase the personal data pursuant to Art. 17 para. 1 GDPR, we, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that you have requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

These rights **shall not apply** to the extent that processing is necessary:

- for exercising the right of freedom of expression and information;
- for compliance with a legal obligation which requires processing by Union or Member State law to which we are subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- for reasons of public interest in the area of public health in accordance of Art. 9 para. 2 lit. h) and i) as well as Art. 9 para. 3 GDPR;
- for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Art. 89 para. 1 GDPR, in so far as the right referred to above is likely to render impossible or seriously impair the achievement of the objectives of that processing, or
- for the establishment, exercise or defence of legal claims.

9.4 Right to restriction of processing (Art. 18 GDPR)

You shall have the right to obtain from us restriction of processing where one of the following applies:

- the accuracy of the personal data is contested by you, for a period enabling us to verify the accuracy of the personal data;
- the processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead;
- we no longer need the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defence of legal claims;
- you have objected to processing pursuant to Art. 21 para. 1 GDPR pending the verification whether our legitimate grounds override yours.

Where processing has been restricted under the aforementioned conditions, such personal data shall, except for storage, only be processed with your consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

If the limitation of the processing is restricted, you will be informed by us before the restriction is lifted.

9.5 Right to information (Art. 19 GDPR)

If you have asserted us your right to rectification, erasure or restriction of data processing, we will inform all recipients of your personal data to correct, delete or restrict the processing of data, unless this proves impossible or involves disproportionate effort.

You also have the right to know which recipients have received your personal data.

9.6 Right to data portability (Art. 20 GDPR)

You have the right to receive your personal data, which you provided to us, in a structured, commonly used and machine-readable format. Also, you have the right to transmit those data to another controller, where

- the processing is based on consent pursuant of Art. 6 para. 1 s.1 lit. a) GDPR or of Art. 9 para. 2 lit. a) GDPR or is based on a contract pursuant of Art. 6 para. 1 s. 1 lit. b) DS-GVO; and
- the processing is carried out by automated means.

In exercising your right to data portability, you have the right to obtain that personal data transmitted directly from us to another controller, as far as technically feasible. The right to data portability does not apply to processing of personal data necessary for the performance of a task carried out in the public interest or in the exercise of official authority that has been delegated to us.

9.7 Right to object (Art. 21 GDPR)

Where we based the processing of your personal data on a legitimate interest (Art. 6 para. 1 s. 1 lit. f) GDPR), you may object to the processing. The same applies if the data processing is based on Art. 6 para. 1 s. 1 lit. e).

In this case, we ask you to explain the reasons why we should not process your personal data. Based on this we will terminate or adapt the data processing or show you our legitimate reasons why we continue the data processing.

9.8 Right to lodge a complaint with supervisory authority (Art. 77 GDPR)

Without prejudice to any other administrative or judicial remedy, you shall have the right to complain to a supervisory authority, in particular in the Member State of your residence, place of work or place of alleged infringement, if you believe that the processing of the personal data concerning you is against the infringes of the GDPR.

The supervisory authority to which the complaint has been submitted shall inform you of the status and results of the complaint, including the possibility of a judicial remedy according to Article 78 GDPR.

10 How you perceive these rights

To exercise these rights, please contact our data security officer:

Kemal Webersohn from Webersohn & Scholtz GmbH

freunde-der-nationalgalerie@ws-datenschutz.de or by mail:

WS Datenschutz GmbH
Dircksenstraße 51
D-10178 Berlin

11 Subject to change

We reserve the right to change this privacy policy in compliance with legal requirements.

March 2022