



Personal data and privacy policy

Introduction

DILIA, theatre, literary, audiovisual agency (founded in 1949) is an unincorporated association of authors and other copyright holders. The aim of its business activities is to provide copyright protection. Its activity is divided into collective rights management and agency.

Personal data

In order to fulfil its function as a collective management organisation, DILIA processes personal data of individuals, most notably the right holders for whom we collectively manage the rights on the basis of Agreement on authorisation to collective rights management (hereinafter the "CRM Agreement") or by law.

As part of its agency activity, DILIA mediates the conclusion of license agreements for the use of Czech and foreign authors' works during which personal data of right holders represented under the Agency representation agreement is processed. DILIA strives for the maximum possible level of security of personal data in all of its activities.

What personal data do we process?

Represented right holders

In order to enable DILIA to enter into licence agreements on behalf of the right holders, and to collect and distribute the resulting income to them, DILIA maintains a database which may contain following personal data of the right holders:

- Name and surname (including pseudonyms if applicable)
- personal identification number,
- VAT number,
- academic titles,
- contact details (phone numbers, emails)
- permanent residence address + correspondence address,
- nationality,
- tax residence information,
- account number and the name of your bank,
- information regarding works to which right holders have patrimonial rights
- performance of collective management of works to which right holders have patrimonial rights,
- information regarding right holders' royalties and their payment,
- other information voluntarily provided by the right holders.

DILIA's database also contains the above mentioned personal data of right holders' representatives.

Other right holders

Typically the information described above is provided to DILIA by individuals when they enter into the Agency representation agreement or the CRM Agreement with DILIA. However, in some cases, works information and contact information are obtained indirectly by DILIA for the purposes of identifying, locating and contacting authors to whom outstanding fees are owed. DILIA is under a legal obligation to do so.

Other contacts

DILIA also maintains a database containing information including names, addresses, and other contact information provided by individuals from related collective management organisations and other stakeholders. These include, in particular, users with whom DILIA engages in contractual relationships.

Represented right holders, Other right holders and Other contacts are hereinafter referred to collectively as Affected persons.

What do we do with your personal data?

Represented right holders

DILIA uses the contact details supplied by right holders to make royalty distributions, conclude license agreements and to enable members of DILIA the exercise of their governance rights, by providing notices regarding general meetings and other events.

Contact details are also used to provide news and information about DILIA and its activities. Right holders can opt-out of receiving these notifications at any time by sending an email to the contact address listed below in the section Contact us.

Represented and other right holders

DILIA provides data of authors and their works for the purposes of royalties' collection to users and collective management organisations in the Czech Republic and abroad. Typically, this involves the exchange of data in the form of electronic files confirming schedules of works and authors that are represented by DILIA.

DILIA uses data it has collected about authors (e.g. their locations and/or contact details) for the purpose of contacting the relevant authors to pay them their fees.

Other contacts

DILIA uses the contact details of individuals from related organisations, industry stakeholders and other contacts in the ordinary course of conducting its function as a collective management organisation in accordance with applicable law and regulations. Personal data provided by users is processed in the course of performance of agreements concluded in the context of collective rights management or agency representation.

From time to time, we may contact affected persons to invite them to specific events relating to DILIA's function as a collective management organisation. We take care to only invite individuals to events that are relevant to, and likely to be of interest to those individuals. If you do not want DILIA to contact you or would like to inform DILIA of your preferences regarding such notifications, please contact us at the address listed below at any time.

Legal basis for data processing

By law, DILIA may only process personal data where it has a legal justification or requirement to do so. In accordance with that law, DILIA processes personal data as described above because it is:

- 1) Necessary for the performance of our CRM Agreements / Agency representation agreements concluded with right holders or other persons
- 2) Necessary for the purposes of DILIA's legitimate interests, namely to fulfil its function as a collective management organisation and authors and right holders' agent in accordance with applicable law and regulations. Where we use your personal data for DILIA's legitimate interests, we make sure that we take into account any potential impact that such use may have on you. If we believe your interests or fundamental rights and freedoms override our legitimate interests then we won't use your personal data on this basis and may seek your specific consent,
- 3) Necessary for compliance with its legal obligations.

As a collective management organisation, DILIA is bound by the provisions of the Act No. 121/2000, the Copyright Act. This Act legally requires collective management organisations to take the necessary steps to identify, locate and pay fees due to right holders.

DILIA would not be able to fulfil its function as a collective management organisation as set out in its CRM Agreement / Agency representation agreement and in the manner required by applicable law and regulation without processing personal data as described in this policy.

If you have any concerns about our processing please refer to details of "Your rights in relation to personal data" below.

Your rights in relation to personal data

Individuals whose personal data we process have certain rights in respect of that data, including:

1) Right to information and access

You have the right to request access to the information that we hold about you.

In accordance with data protection laws, right holders also have the right to receive a copy of any information we hold about them in connection with the performance of our contract with them. On request, DILIA will provide right holders with copies of their personal data in a convenient format (via electronic means or otherwise). Where technically feasible, DILIA will also meet any right holders' request to transfer their data to a third party.

2) Rectification, erasure, and restriction

You have the right to ask us to limit or cease processing or erase information we hold about you in certain circumstances. In responding to such requests, DILIA will communicate to the individual concerned the impact of such restrictions or deletions, for example, on DILIA's ability to carry out collections and distributions on their behalf.

DILIA relies on the accuracy of information provided by affected persons and will rectify any notified inaccuracies following a request by the individual concerned. Affected persons may check the accuracy of processed data on DILIA's e-portal and update them if necessary by contacting appropriate DILIA's employees. Relevant contact details may be found at DILIA's website.

3) Right to object

You have the right to object to DILIA using your information on the basis of its legitimate interests and the right to ask us not to process your personal data for marketing purposes, where relevant (see “What do we do with your personal data?” section above).

DILIA is committed to respecting individuals’ rights. You may exercise your rights by contacting us in the manner specified in this document and we will comply with your requests unless we have a lawful reason not to do so. DILIA will make every effort to handle any request within a reasonable time, in any event, within a month of the original request.

How DILIA might share your personal data?

DILIA will only share personal data with third parties in the following circumstances:

Other collective management organisations

Data recording authors’ names and their works is passed on to other collective management organisations that have entered into reciprocal agreement with DILIA for the purposes of collection and distribution of royalties.

DILIA contributes data to a secure international database of authors (‘IPI’) which records the names, gender, nationalities and dates of birth/death of some authors represented by DILIA. DILIA also contributes data to a secure international database of audio-visual works (‘IDA’), which records the titles of the works and the names and contributions of authors represented by DILIA who participated in the creation of those works. These systems facilitate the efficient exchange of rights and payment information among collecting societies around the world and are not publicly accessible.

These data exchange procedures, which apply to organisations based within and outside the European Economic Area (EEA), are necessary to allocate the income from the various DILIA licensing income sources to right holders, and are therefore in their interest. Where DILIA transfers personal data to such organisations outside of the EEA, this may be to countries whose data protection laws are not equivalent to those in the Czech Republic and/or have not been the subject of an adequacy decision by the European Commission. DILIA will take steps necessary to ensure that such personal data is adequately protected and processed in accordance with this Privacy Policy. If you would like more information please contact DILIA’s data protection officer via email or by phone listed below.

License applicants

As part of the DILIA agency activity, it is necessary to pass on the personal data of the represented right holders to the parties involved in concluding license agreements.

Service providers and suppliers

DILIA employs external IT consultants to provide support and development services in relation to DILIA’s systems and databases. These consultants may from time to time need to access information which may contain personal data for the purposes of systems testing and development.

Financial reporting on right holders

At the end of the distribution process, DILIA submits various payment instructions to its bank detailing the relevant right holders’ bank account details and the amounts to be credited.

The DILIA auditors are also given access to DILIA systems for the purpose of the audit only.

General

In some circumstance, DILIA may need to share your personal data where necessary with other third parties (including legal or other advisors, regulatory authorities, courts and government agencies) to enable us to enforce our or right holders' legal rights, or to protect the rights, property or safety of our employees or where such disclosure may be permitted or required by law.

We require third parties to maintain appropriate security to protect information from unauthorised access or processing.

How long does DILIA retain personal data for?

In respect of the above mentioned purposes, we process the personal data of right holders for the duration of the contracts concluded between them and DILIA or for the duration of the exercise of collective rights management as provided by law. After this time, all personal data will be discarded, except when required for the purposes of enforcement or protection of right holders or DILIA's rights.

Data breaches

In the event of any breach of DILIA systems impacting the security of a right holder's or any other individual's personal data, DILIA will inform the affected person(s) at the earliest opportunity describing the nature of the breach, the possible consequences and the measures being taken to remedy the situation in accordance with our procedures and applicable law.

Complaints

If you are unhappy with the way in which DILIA processes your personal data, please contact us using the information provided below. You also have the right to lodge a complaint before the Office for Personal Data Protection, residing at Pplk. Sochora 27, 170 00 Praha 7, Czech Republic.

Contact us

Any questions, suggestions or requests regarding the protection of personal data may be directed to: DILIA's Data Protection Officer, DILIA, theatre, literary, audiovisual agency, association, Krátkého 143/1, 190 03 Praha 9, Czech Republic or via email contact: gdpr@dilia.cz