

Privacy Statement

These notes provide information about how your personal data is processed by Dorotheum GmbH & Co KG for the **Auctions Department**, as well as about the rights to which you are entitled under data protection law. You will find current or supplementary information on the subject of data protection, as it relates to this department, at <https://www.dorotheum.com/de/c/datenschutz-2448/>.

1. Entity responsible for data processing

Dorotheum GmbH & Co KG
Palais Dorotheum
Dorotheergasse 17, 1010 Vienna
Phone: + 43-1-515 60-0, Fax: + 43-1-515 60-443
Email: client.services@dorotheum.at

2. Purposes and legal bases of data processing for the Auctions Department

a) We process your personal data in accordance with the data protection regulations of the EU General Data Protection Regulation (GDPR), the Austrian Data Protection Act (DSG) and all other laws applicable to our Auctions Department. In particular, these include the Commercial Code concerning the purchase and sale as well as public auctions of movable property (§ 158 GewO 1994 as amended) and the arms trade (§ 139 GewO 1994).

b) If you wish to place an order for the purchase, sale, generation of an estimate, storage or public auction regarding movable objects (such as fine art, antiques and collectibles, as well as jewellery and commodities of all kinds) or participate in an auction organised by us (including online auctions), we require the information provided by you for the conclusion of the purchase, sale or brokerage contract (commission business), including all the associated ancillary services such as the generation of an estimate and/or storage regarding the above-mentioned art and commodities, in particular, as well as the processing of auction logistics. If a contract is concluded, we process this data for the implementation of the contractual relationship.

It is not possible to conclude or execute a sales contract, commission contract or storage contract in accordance with our General Terms and Conditions for Auctions (<https://www.dorotheum.com/de/c/agb-47/>) without your personal data being processed.

The legal basis for this processing of personal data for both pre-contractual and contractual purposes is Article 6(1)(b) GDPR. The processing of special categories of personal data is not necessary for this purpose.

c) In addition, we need your personal data (with your consent [Art. 6(1)(f) GDPR]) to provide communication channels as a service for registered users in accordance with the terms of use for myDorotheum (<https://www.dorotheum.com/de/c/mydorotheum-269/>) and/or as a customer. You may revoke your consent given during the registration process to myDorotheum at any time. This also applies to the revocation of declarations of consent which may have been given to us before the GDPR came into force, i.e. before 25 May 2018. The revocation does not have a retroactive effect. It does not affect the legal validity of the data processing carried out until the notice of revocation was received, on the basis of the previous consent given.

d) We also process your personal data in order to protect our legitimate interests or those of third parties [Art. 6(1)(f) GDPR]. In particular, this may be necessary for any of the following reasons:

- o for the provision of IT security and IT operations,
- o to advertise our services from the auctions department, the Dorotheum-Pfand and Dorotheum-Handel departments, and Dorotheum-Galerie,
- o for the transmission of postal information and advertising including the dispatch of catalogues and Dorotheum myART MAGAZINE,
- o for the preparation of offers and market and opinion surveys,
- o to make intelligence-related and advertising calls following consent,
- o for customer satisfaction and loyalty development through the organisation of charity auctions, sweepstakes, events and customer surveys,
- o for the recovery and acquisition of new customers,
- o for the purpose of establishing contact, for the establishment of a contact database and for customer acquisition of/with persons with whom we have had personal contact (e.g. at auctions, events, trade fairs, invitations, etc. ...) through exchanging business cards; data derived from business cards may be supplemented with data from public sources (e.g. company register, company website),
- o for direct marketing purposes (such as auction newsletters) pursuant to Art. 107 para. 3 TKG ("Existing Customer Information"),
- o for the prevention and investigation of criminal offences.

e) In addition, we process your personal data for the fulfilment of legal obligations such as trade law specifications in connection with the purchase, sale and public auction of movable property (§ 158 GewO 1994 as amended), the exercise of the arms trade (§ 139 GewO 1994) and for the prevention of money laundering and terror financing (§ 365m GewO), the execution of duties of care in accordance with the Cultural Goods Return Act (§ 9 KGRG), commercial and tax storage duties or our duty to advise. The legal basis for processing in this case is the respective statutory provisions in conjunction with Art. 6(1)(c) GDPR.

f) Should we wish to process your personal data for a purpose not mentioned above, we will inform you of this beforehand, within the framework of the statutory provisions.

g) You are not subject to any automated decision that has any legal effect on you.

3. Categories of recipients of personal data

(a) Data processing within the Group:

We are part of a group of companies. In order to fulfil our extensive obligations, we also make use of the services of affiliated companies. A current list can be found at <https://www.dorotheum.com/de/c/datenschutz-2448/>.

(b) External service providers:

In order to fulfil our contractual and legal obligations, we sometimes make use of external service providers. A current list can be found at <https://www.dorotheum.com/de/c/datenschutz-2448/>. Further information is available by contacting client.services@dorotheum.at.

(c) Other recipients:

In addition, we may transfer your personal data to other recipients, e.g. to authorities for the fulfilment of statutory information obligations. Further information is available by contacting client.services@dorotheum.at.

4. Duration of data storage

We will delete your personal data as soon as it is no longer required for the above-mentioned purposes. Personal data may be retained for the period during which claims may be asserted against our company (statutory limitation period of thirty years), as well as for contractual documentation and proof of ownership. In addition, we store your personal data insofar as we are legally obliged to do so.

Corresponding duties of proof and storage result, among other things, from the duties of care under the Cultural Property Return Act (§ 9 KGRG), which also provide for a storage duty of 30 years in order to make the cultural property and its contributor identifiable, including the purchase and sales prices, the Commercial Code, the Tax Code and the provisions of commercial law to prevent money laundering and terrorist financing. The storage periods are at least five and seven years respectively.

5. Your privacy

You can request information regarding the personal data stored about you from the above address (and also by email to client.services@dorotheum.at, after successful identification), provided that the provision of this information would not endanger a business or company secret held by the controller or third parties (§ 4 para. 6 DSG). In addition, you can request your data be corrected if we have stored incorrect data about you. You also have the right to request the completion of your personal data if we have stored incomplete data, taking into account the purposes of the processing. In addition, under certain circumstances, you may request that your data be deleted, provided that no legal requirements are violated in so doing. You may also have a right to limit the processing of your data and a right to have the data you provide disclosed in a structured, common and machine-readable format. You can find additional information on your data protection rights at <https://www.dorotheum.com/de/c/datenschutz-2448/>.

6. Right of objection

- a) You have the right to object to the processing of your personal data for direct marketing purposes.
- b) If we process your data to safeguard legitimate interests, you may object to this processing if your particular situation gives rise to reasons that argue against data processing.

7. Right of appeal

You have the right to lodge a complaint with the Data Protection Authority:
Austrian Data Protection Authority
Wickenburggasse 8-10, 1080 Vienna
Phone: +43 1 52 152-0 Email: dsb@dsb.gv.at
www.dsb.gv.at