



# Data Protection Declaration according to the GDPR

## I. Name and Address of the Controller

The controller within the meaning of the General Data Protection Regulation (GDPR) and other national data protection laws of the member states as well as other data protection regulations is:

*punkt.wien GmbH  
Schönbrunner Straße 231  
1120 Vienna  
Austria  
Tel.: +43 / 1 / 981 16 - 777  
E-Mail: servicedesk[at]nic.wien  
Website: www.nic.wien*

## II. Name and Address of the Data Protection Officer

The data protection officer of the controller is:

*Dr. Georg Hittmair  
Schönbrunner Straße 231  
1120 Vienna  
Austria  
E-Mail: datenschutzbeauftragte[at]compass.at*

## III. General Information on Data Processing

### 1. Scope of the processing of personal data

We only collect and use personal data of our users insofar as this is necessary to provide a functional website as well as our contents and services. The collection and use of personal data of our users takes place regularly only with the user's consent. An exception applies in those cases where prior consent cannot be obtained for real reasons and the processing of the data is permitted by law.

### 2. Legal basis for the processing of personal data

Insofar as we obtain the consent of the data subject for the processing of personal data, Art. 6 para. 1 lit. a EU General Data Protection Regulation (GDPR) serves as the legal basis.

In the processing of personal data required for the performance of a contract to which the data subject is a party, Art. 6 para. 1 lit. b GDPR serves as the legal basis. This also applies to processing operations that are necessary to carry out pre-contractual measures.

Insofar as the processing of personal data is required to fulfil a legal obligation to which our company is subject, Art. 6 para. 1 lit. c GDPR serves as the legal basis.



In the event that the vital interests of the data subject or another natural person require the processing of personal data, Article 6 para. 1 lit. d GDPR serves as the legal basis.

If processing is necessary to safeguard a legitimate interest of our company or a third party and if the interests, fundamental rights and freedoms of the data subject do not outweigh the first-mentioned interest, Art. 6 para. 1 lit. f GDPR serves as the legal basis for processing.

### **3. Data erasure and storage time**

The personal data of the person concerned will be deleted or blocked as soon as the purpose of storage ceases to apply. Furthermore, data may be stored if this has been provided for by the European or national legislator in EU regulations, laws or other provisions to which the controller is subject. The data will also be blocked or deleted if a storage period prescribed by the aforementioned standards expires, unless there is a need for further storage of the data for the conclusion or fulfilment of a contract.

## **IV. Provision of the Website and Creation of Log Files**

### **1. Description and scope of data processing**

Every time you visit our website, our system automatically collects data and information from the computer system of the calling computer.

The following data is collected:

- (1) Information about the browser type and version used
- (2) The user's operating system
- (3) The IP address of the user
- (4) Date and time of access
- (5) Websites from which the user's system reaches our website
- (6) Websites accessed by the user's system via our website
- (7) The user's request

The data is also stored in the log files of our system. This data is not stored together with other personal data of the user.

### **2. legal basis for data processing**

The legal basis for the temporary storage of data and log files is Art. 6 para. 1 lit. f GDPR.

### **3. Purpose of data processing**

The temporary storage of the IP address by the system is necessary to enable the website to be delivered to the user's computer. For this the IP address of the user must remain stored for the duration of the session.

The data is stored in log files to ensure the functionality of the website. In addition, the data serves us to optimize the website and to ensure the security of our information technology systems. An evaluation of the data for marketing purposes does not take place in this context.

Our legitimate interest in data processing pursuant to Art. 6 para. 1 lit. f GDPR also lies in these purposes.



#### **4. Duration of storage**

The data will be deleted as soon as they are no longer necessary to achieve the purpose for which they were collected. In the case of the collection of data for the provision of the website, this is the case when the respective session has ended.

If the data is stored in log files, this is the case after 3 months at the latest. Further storage is possible. In this case, the IP addresses of the users are deleted or alienated, so that an assignment of the calling client is no longer possible.

#### **5. Possibility of opposition and elimination**

The collection of data for the provision of the website and the storage of data in log files is absolutely necessary for the operation of the website. Consequently, there is no possibility of objection on the part of the user.

### **V. Use of Cookies**

#### **1. Description and scope of data processing**

Our website uses cookies. Cookies are text files that are stored in the Internet browser or by the Internet browser on the user's computer system. If a user visits a website, a cookie may be stored on the user's operating system. This cookie contains a characteristic character string that enables a unique identification of the browser when the website is called up again.

We use cookies to make our website more user-friendly. Some elements of our website require that the calling browser can be identified even after a page change.

The following data is stored and transmitted in the cookies:

- (1) Log-in information
- (2) Whether the cookie notification was viewed
- (3) Invoice address if desired

We use cookies on our website which enable an analysis of the user's surfing behaviour.

In this way, the following data can be transmitted:

- Frequency of page views
- Survey of the Austrian Web Analysis (ÖWA)

The user data collected in this way is pseudonymised by technical precautions. Therefore, it is no longer possible to assign the data to the calling user. The data will not be stored together with other personal data of the users.

When you visit our website, an information banner informs you about the use of cookies for analytical purposes and refers you to this data protection statement.



## 2. Legal basis for data processing

The legal basis for the processing of personal data using cookies is Art. 6 para. 1 lit. f GDPR.

## 3. Purpose of data processing

The purpose of using technically necessary cookies is to simplify the use of websites for users. Some functions of our website cannot be offered without the use of cookies. For this it is necessary that the browser is recognized even after a page change.

We need cookies for the following applications:

Log-in information

- Remember the billing address
- Non-display of cookie notifications

The user data collected by technically necessary cookies are not used to create user profiles.

The analytics cookies are used to improve the quality of our website and its content. Through the analytics cookies we learn how the website is used and can thus continuously optimize our offer.

The analytics cookies count the visitors to the websites and record the behaviour on our website. This allows us to optimize our websites so that users can find the most frequently used functions more quickly.

For these purposes, our legitimate interest also lies in the processing of personal data in accordance with Art. 6 para. 1 lit. f GDPR.

## 4. Duration of storage, possibility of objection and elimination

Cookies are stored on the user's computer and transmitted to our site. Therefore, you as a user also have full control over the use of cookies. You can deactivate or restrict the transmission of cookies by changing the settings in your Internet browser. Cookies that have already been saved can be deleted at any time. This can also be done automatically. If cookies are deactivated for our website, it may no longer be possible to use all functions of the website.

# VI. Contact Form and E-Mail Contact

## 1. Description and scope of data processing

There is a contact form on our website which can be used for electronic contact. If a user takes advantage of this possibility, the data entered in the input mask will be transmitted to us and stored. This data is:

- First name
- Last name
- Street
- ZIP Code
- City
- E-Mail
- Phone



- Subject
- Message

At the time the message is sent, the following data is also stored:

- The IP address of the user
- Date and time of registration

Your consent is obtained for the processing of the data within the scope of the sending process. Alternatively, you can contact us via the e-mail address provided. In this case, the user's personal data transmitted by e-mail will be stored. In this context, the data will not be passed on to third parties. The data is used exclusively for processing the conversation.

## **2. Legal basis for data processing**

The legal basis for the processing of data is Art. 6 para. 1 lit. a GDPR if the user has given his consent. The legal basis for the processing of data transmitted in the course of sending an e-mail is Art. 6 para. 1 lit. f GDPR. If the e-mail contact aims at the conclusion of a contract, then additional legal basis for the processing is Art. 6 exp. 1 lit. b GDPR.

## **3. Purpose of data processing**

The processing of the personal data from the input mask serves us only for processing the contact. In the event of contact by e-mail, this also constitutes the necessary legitimate interest in the processing of the data.

The other personal data processed during the sending process serve to prevent misuse of the contact form and to ensure the security of our information technology systems.

## **4. Duration of storage**

The data will be deleted as soon as they are no longer necessary to achieve the purpose for which they were collected. For the personal data from the input mask of the contact form and those that were sent by e-mail, this is the case when the respective conversation with the user is finished. The conversation is terminated when it can be inferred from the circumstances that the facts in question have finally been clarified.

The additional personal data collected during the sending process will be deleted after a period of seven days at the latest.

## **5. Possibility of opposition and elimination**

The user has the possibility to revoke his consent to the processing of personal data at any time. If the user contacts us by e-mail, he can object to the storage of his personal data at any time. In such a case, the conversation cannot be continued.

A revocation of the consent and a contradiction of the storage can take place at any time over [datenschutz@compass.at](mailto:datenschutz@compass.at)

All personal data stored in the course of contacting us will be deleted in this case.



## VII. Web Analysis by Matomo (formerly PIWIK)

### 1. scope of the processing of personal data

On our website we use the open source software tool Matomo (formerly PIWIK) to analyse the surfing behaviour of our users. The software places a cookie on the user's computer (see above for cookies). If individual pages of our website are accessed, the following data is stored:

- Two bytes of the IP address of the user's calling system
- The accessed website
- The website from which the user has accessed the accessed website (referrer)
- The sub-pages accessed from the accessed website
- The time spent on the website
- The frequency with which the website is accessed

The software runs exclusively on the servers of our website. The personal data of users is only stored there. The data will not be passed on to third parties.

The software is set so that the IP addresses are not completely stored, but 2 bytes of the IP address are masked (e.g.: 192.168.xxx.xxx). In this way it is no longer possible to assign the shortened IP address to the calling computer.

### 2. Legal basis for the processing of personal data

The legal basis for processing users' personal data is Art. 6 para. 1 lit. f GDPR.

### 3. Purpose of data processing

The processing of users' personal data enables us to analyse the surfing behaviour of our users. We are in a position to compile information about the use of the individual components of our website by evaluating the data obtained. This helps us to continuously improve our website and its user-friendliness. For these purposes, it is also in our legitimate interest to process the data in accordance with Art. 6 para. 1 lit. f GDPR. By anonymizing the IP address, users' interest in protecting their personal data is sufficiently taken into account.

### 4. Duration of storage

The data will be deleted as soon as they are no longer needed for our recording purposes.

### 5. Possibility of opposition and elimination

Cookies are stored on the user's computer and transmitted to our site. Therefore, you as a user also have full control over the use of cookies. You can deactivate or restrict the transmission of cookies by changing the settings in your Internet browser. Cookies that have already been saved can be deleted at any time. This can also be done automatically. If cookies are deactivated for our website, it may no longer be possible to use all functions of the website in full.



We offer our users on our website the possibility of an opt-out from the analysis procedure. You have to follow the corresponding link (<https://piwik.compass.at/index.php?module=CoreAdminHome&action=optOut&language=en&backgroundColor=&fontColor=&fontSize=&fontFamily=>). In this way, another cookie is placed on your system, which signals to our system not to store the user's data. If the user deletes the corresponding cookie from his own system in the meantime, he must set the opt-out cookie again. More information about the privacy settings of the Matomo software can be found under the following link: <https://matomo.org/docs/privacy/>.

## VIII. Rights of the Data Subject

The following list includes all rights of the persons concerned according to the GDPR. Rights that are not relevant for the own website need not be mentioned. In this respect, the list can be shortened.

If your personal data are processed, you are affected within the meaning of the GDPR and you have the following rights vis-à-vis the controller:

### 1. Right of access

You can ask the person in charge to confirm whether personal data concerning you are processed by us.

If such processing has taken place, you can request the following information from the controller:

- the purposes for which the personal data are processed;
- the categories of personal data being processed;
- the recipients or categories of recipients to whom the personal data concerning you have been or are still being disclosed;
- the planned duration of the storage of the personal data concerning you or, if specific information on this is not possible, criteria for determining the storage period;
- the existence of a right to rectification or deletion of personal data concerning you, a right to limitation of processing by the controller or a right to object to such processing;
- the existence of a right of appeal to a supervisory authority;
- any available information on the origin of the data if the personal data are not collected from the data subject;
- the existence of automated decision-making including profiling in accordance with Art. 22 para. 1 and 4 GDPR and - at least in these cases - meaningful information on the logic involved and the scope and intended effects of such processing for the data subject.

You have the right to request information as to whether the personal data concerning you is transferred to a third country or to an international organisation. In this context, you may request to be informed of the appropriate guarantees pursuant to Art. 46 GDPR in connection with the transmission.

This right to information may be limited to the extent that it is likely to make it impossible or seriously impair the realisation of research or statistical purposes and the limitation is necessary for the fulfilment of research or statistical purposes.

## 2. Right of rectification

You have a right of rectification and/or completion vis-à-vis the data controller if the personal data processed concerning you are incorrect or incomplete. The controller shall make the correction without delay.

Your right to rectification may be limited to the extent that it is likely to render impossible or seriously prejudicial the achievement of the research or statistical purposes and the limitation is necessary for the fulfilment of the research or statistical purposes.

## 3. Right of restriction of processing

Under the following conditions, you may request that the processing of personal data concerning you be restricted:

- (1) if you dispute the accuracy of the personal data concerning you for a period that enables the data controller to verify the accuracy of the personal data;
- (2) the processing is unlawful and you refuse to delete the personal data and instead request that the use of the personal data be restricted;
- (3) the data controller no longer needs the personal data for the purposes of the processing, but you do need them to assert, exercise or defend legal claims, or
- (4) if you have filed an objection to the processing pursuant to Art. 21 para. 1 GDPR and it has not yet been determined whether the legitimate reasons of the controller outweigh your reasons.

If the processing of personal data concerning you has been restricted, such data may only be processed - apart from being stored - with your consent or for the purpose of asserting, exercising or defending rights or protecting the rights of another natural or legal person or on grounds of an important public interest of the Union or a Member State.

If the processing restriction has been restricted according to the above conditions, you will be informed by the controller before the restriction is lifted.

Your right to limitation of processing may be limited to the extent that it is likely to render impossible or seriously prejudicial the achievement of research or statistical purposes and the restriction is necessary for the fulfilment of research or statistical purposes.

## 4. Right to erasure

### a) Duty to delete

You may request the data controller to delete the personal data relating to you without delay and the controller is obliged to delete this data without delay if one of the following reasons applies:

- (1) The personal data concerning you are no longer necessary for the purposes for which they were collected or otherwise processed.
- (2) You revoke your consent, on which the processing was based pursuant to Art. 6 para. 1 lit. a or Art. 9 para. 2 lit. a GDPR, and there is no other legal basis for the processing.
- (3) You file an objection against the processing pursuant to Art. 21 para. 1 GDPR and there are no overriding legitimate reasons for the processing, or you file an objection against the processing pursuant to Art. 21 para. 2 GDPR.
- (4) The personal data concerning you have been processed unlawfully.





(5) The deletion of personal data relating to you is necessary to fulfil a legal obligation under Union law or the law of the Member States to which the data controller is subject.

(6) The personal data concerning you were collected in relation to information society services offered pursuant to Art. 8 para. 1 GDPR.

b) Information to third parties

If the data controller has made the personal data concerning you public and is obliged to delete it pursuant to Art. 17 para. 1 GDPR, he shall take appropriate measures, including technical measures, taking into account the available technology and the implementation costs, to inform data processors who process the personal data that you as the data subject have requested the deletion of all links to this personal data or of copies or replications of this personal data.

c) Exceptions

The right to cancellation does not exist insofar as the processing is necessary

- (1) to exercise freedom of expression and information;
- (2) for the performance of a legal obligation required for processing under the law of the Union or of the Member States to which the controller is subject or for the performance of a task in the public interest or in the exercise of official authority conferred on the controller;
- (3) for reasons of public interest in the field of public health pursuant to Art. 9 para. 2 lit. h and i and Art. 9 para. 3 GDPR;
- (4) for archiving purposes in the public interest, scientific or historical research purposes or for statistical purposes pursuant to Art. 89 para. 1 GDPR, insofar as the law referred to under a) is likely to make it impossible or seriously impair the attainment of the objectives of such processing, or
- (5) to assert, exercise or defend legal claims.

## 5. Right of information

If you have exercised your right to have the data controller correct, delete or limit the processing, he/she is obliged to inform all recipients to whom the personal data concerning you have been disclosed of this correction or deletion of the data or restriction on processing, unless this proves impossible or involves a disproportionate effort.

The controller shall have the right to be informed of such recipients.

## 6. Right to data portability

You have the right to receive the personal data concerning you that you have provided to the controller in a structured, common and machine-readable format. In addition, you have the right to pass this data on to another person in charge without obstruction by the person in charge to whom the personal data was provided, provided that

- (1) processing is based on consent pursuant to Art. 6 para. 1 lit. a GDPR or Art. 9 para. 2 lit. a GDPR or on a contract pursuant to Art. 6 para. 1 lit. b GDPR and
- (2) processing is carried out by means of automated methods.



In exercising this right, you also have the right to request that the personal data concerning you be transferred directly from one data controller to another data controller, insofar as this is technically feasible. The freedoms and rights of other persons must not be affected by this.

The right to data portability shall not apply to the processing of personal data necessary for the performance of a task in the public interest or in the exercise of official authority conferred on the controller.

## **7. Right to object**

You have the right to object at any time, for reasons arising from your particular situation, to the processing of personal data concerning you under Article 6 para. 1 lit. e or lit. f of the GDPR; this also applies to profiling based on these provisions.

The data controller no longer processes the personal data concerning you, unless he can prove compelling reasons worthy of protection for the processing, which outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

If the personal data concerning you are processed for direct marketing purposes, you have the right to object at any time to the processing of the personal data concerning you for the purpose of such advertising; this also applies to profiling, insofar as it is associated with such direct marketing.

If you object to the processing for direct marketing purposes, the personal data concerning you will no longer be processed for these purposes.

You have the possibility to exercise your right of objection in connection with the use of Information Society services by means of automated procedures using technical specifications, notwithstanding Directive 2002/58/EC.

You also have the right to object to the processing of personal data concerning you for scientific or historical research purposes or for statistical purposes pursuant to Art. 89 para. 1 GDPR for reasons arising from your particular situation.

Your right to object may be limited to the extent that it is likely to make it impossible or seriously impair the realisation of the research or statistical purposes and the limitation is necessary for the fulfilment of the research or statistical purposes.

## **8. Right to withdraw consent**

You have the right to withdraw consent of processing your data at any time. The revocation of consent shall not affect the legality of the processing carried out on the basis of the consent until revocation.

## **9. Automated decision in individual cases including profiling**

You have the right not to be subject to a decision based exclusively on automated processing - including profiling - that has legal effect against you or significantly impairs you in a similar manner. This does not apply if the decision

- (1) is necessary for the conclusion or performance of a contract between you and the controller,
- (2) the legislation of the Union or of the Member States to which the controller is subject is admissible and that legislation contains appropriate measures to safeguard your rights, freedoms and legitimate interests; or
- (3) with your express consent.



However, these decisions may not be based on special categories of personal data pursuant to Art. 9 para. 1 GDPR, unless Art. 9 para. 2 lit. a or g GDPR applies and appropriate measures have been taken to protect your rights and freedoms and your legitimate interests.

In the cases referred to in (1) and (3), the controller shall take reasonable measures to safeguard your rights, freedoms and legitimate interests, including at least the right to obtain the intervention of a person by the controller, to state his own position and to challenge the decision.

## **10. Right of appeal to a supervisory authority**

Without prejudice to any other administrative or judicial remedy, you have the right of appeal to a supervisory authority, in particular in the Member State where you reside, work or suspect of infringement, if you believe that the processing of personal data concerning you is contrary to the GDPR. The supervisory authority to which the complaint has been lodged shall inform the complainant of the status and results of the complaint, including the possibility of a judicial remedy under Article 78 GDPR.