

## SECTION 9 -PRIVACY NOTICE FOR THE ONLINE VOTING IN THE JESC

*The following privacy notice will be made available on the JESC website, it being understood that the EBU reserves the right to amend them if deemed necessary.*

The following information is intended to provide you as a participant in the online audience voting (**Online voting**) of the Junior Eurovision Song Contest (JESC) with an overview of the personal data We collect and process about you when you vote online via the website [www.vote.junioreurovision.tv](http://www.vote.junioreurovision.tv) or [www.jesc.tv](http://www.jesc.tv) ("**Online voting application**") and about your rights under data protection law.

As joint data controllers, "**We**"/"**Us**" the European Broadcasting Union, L'Ancienne-Route 17A, 1218 Le Grand-Saconnex, Genève, Switzerland (the **EBU**), jointly with the Broadcasters having entered a contestant in the JESC (the "**Participating Broadcasters**")

are committed to protect your personal data and respect your privacy in compliance with applicable data protection laws notably the EU General Data Protection Regulation 2016/679 (GDPR) and the German Federal Data Protection Act (BDSG). We will not process your personal data for any other Purposes that the ones set below.

We have executed specific and separate joint controllers' arrangement pursuant to Article 26 of GDPR, the key content of which is available on demand at the premises of the EBU.

### What categories of personal data are being processed?

We will process only the personal data which We receive when you cast your vote online via the Online voting application.

When doing so, We will gather and process the following categories of data from you:

- user Agent (hashed)
- your country of origin
- IP-address (hashed)
- the Act you have voted for derived from the contestant ID
- timestamp.

### What are the Purposes of processing and what is the legal basis for this?

We collect and process your personal data (listed above) on the basis of our **legitimate interest** (Art. 6 Para. 1 (f) GDPR) for the Purposes of:

- identifying your geographical location and check the voting validity;
- facilitating the online voting in relation to the JESC, ensuring the collection and delivery of valid votes and providing valid and official voting results to Us which will include counting alongside checking for any voting irregularities
- generating aggregated statistics on the voting in the JESC
- publishing aggregated and anonymized results

Your participation in the voting is voluntary and by taking part in the Online voting, you **consent** (Art. 6 (1)(a) GDPR) that We collect and process your personal data (listed above) for the Purposes of:

- calculating and generating valid and official results of the JESC on the basis of the votes casted by the audience (including yours) to determine the ranking of the songs entered in the JESC and the winner thereof.

### Who will have access to your personal data?

We work with digame GmbH, Schanzenstrasse 38, D-51063 Cologne, Germany (hereinafter referred to as the "Company") who is our data processor and is contracted by the EBU to provide the Online voting application. The Company can only use your personal data within the parameters set by Us. The Company will collect your personal data in order to provide a valid and official vote result for the JESC and will only use your personal data on our behalf and not independently of Us.

Your personal data is accessible to various staff members acting under the Company's authority and in accordance with our instructions. Whilst the EBU and the Participating Broadcasters are joint controllers with regard to the Online voting, the Company will not transfer your personal data to Us and We will receive from the Company only anonymized results for the purposes listed above. Only the aggregated and anonymized results will be published.

We have entered into a data processing agreement (DPA) in accordance with Article 28 GDPR with the Company which will process your data for the purposes set out above.

In addition, the Company will use Sub-processors for data storage and Content Delivery Network to respectively store the data collected through the Online voting application and optimize the global availability and performance of the Online voting application.

When the Company engages Sub-processors, this will always be done in accordance with a data processing agreement (DPA) that meets the requirements of the GDPR. The Company will require all its Sub-processors to take appropriate technical and organizational (including security) measures to protect your Personal Data in line with this notice.

When personal data are transferred to countries outside the European Economic Area that are considered by the European Commission as not providing an adequate level of protection for personal data, Standard Contractual Clauses approved by the European Commission will be used to ensure adequate protection. For further information, including a copy of the documents used to protect your personal data, please contact Us at [privacy@ebu.ch](mailto:privacy@ebu.ch).

## Use of Cookies

**No cookies are used for Online voting** application. Whenever the Online voting application would use cookies requiring your consent, a “cookie banner” will allow you to provide your consent to the use of specific cookies or to reject them and manage cookies preferences.

## How long will my personal data be kept by Us?

The Company will process and store your personal data for as long as required to fulfil our contractual and legal obligations.

Once the personal data is no longer required to fulfil contractual or legal obligations, it will regularly be erased unless its further processing – for a fixed period of time – is required for the following purposes:

- Fulfilment of commercial- and tax-law related storage obligations,
- The German Commercial Code (HGB), Tax Code (AO), Money Laundering Act (GwG).

These laws generally specify storage periods for archiving and documentation purposes ranging from two to ten years.

## What are your rights?

You have the right to review your personal data, and to request that they are corrected in the event of inaccuracy or deleted in the event that they are no longer necessary in relation to the purposes for which they were collected and processed.

In some cases, you have the right to ask for a restriction of processing, for data portability or to object to processing. Any consent you give to the processing of your personal data by Us may be withdrawn at any time. Please note that the withdrawal of consent will only apply for the future. Processing which took place before the withdrawal of consent will not be affected by it.

You may exercise your rights by fulfilling a specific request form accessible on our dedicated **Data Subject Rights online platform**. When You submit Your request, please mention that Your request concerns the Online Voting for the 2022 JESC and your country.

If you believe that the processing of your personal data constitutes a violation of the data protection law(s), you have the right to file a complaint with a supervisory authority, in particular in the Member State of the European Union of your usual place of residence, your place of work or the place where the violation occurred.

## How can you contact our Data Protection Officer?

If you have any questions or concerns about this Privacy Notice you may contact:  
The EBU Data Protection Officer at [dpo@ebu.ch](mailto:dpo@ebu.ch)

## Effective date and Changes

This Privacy Notice is effective from 01 December 2022

We reserve the right, at our complete discretion, to change, modify, add, or remove portions of this Privacy Notice at any time if there are significant changes to how We use your personal data.