

## PRIVACY POLICY - FOR VARIOUS GEOGRAPHIES

**IMPORTANT:** This document or link (however it is being received), contains the Privacy Policies for various geographies and jurisdictions. It is your responsibility as the user and or reader to find and understand the Privacy Policy specific to your respective geographic location and jurisdiction.

## PRIVACY POLICY - UK & EU

### Notes & Definitions

**Please note:** Any reference to the trading name ‘Muso’ or ‘Surreal’ refers to same company, incorporated under the legal entity as shown in Contact Details below.

**Muso** means Muso – We Hear You Pty Ltd ACN 612 338 011 and including any of its subsidiaries, affiliates, employees, officers and agents and us collective referred to as “Muso” or “Surreal”, “us”, or “we”; (as referred to in the Platform Terms and Conditions listed at <https://muso.live/uk/terms-and-conditions> or otherwise at <https://surreal.live> when available)

**Surreal** means Muso – We Hear You Pty Ltd ACN 612 338 011 and including any of its subsidiaries, affiliates, employees, officers and agents and us collective referred to as “Muso” or “Surreal”, “us”, or “we”; (as referred to in the Platform Terms and Conditions listed at <https://muso.live/uk/terms-and-conditions> or otherwise at <https://surreal.live> when available)

Welcome to Surreal’s Privacy Policy (**Policy**).

We respect your privacy and we are committed to protecting your personal data. This Policy will inform you as to how we look after your personal data when you visit and use our Platform (defined below) and tell you about your privacy rights and how the law protects you. References to “we”, “us”, or “our” in this Policy mean Surreal.

We ask that you read this Policy carefully.

This Policy is divided into the following sections:

### Section 1: Privacy Policy

- Who we are, purpose of this privacy policy, and our processing role
- Contact details:
- Our collection and use of your personal data
- How we use your personal data and our lawful basis
- Transfers of your personal data out of the UK and EEA
- Marketing
- Your rights
- Keeping your personal data secure
- How to complain
- Changes to this Policy



**Who we are, purpose of this Policy and our processing role:**

Surreal operates an entertainment management platform (hereafter, the **Platform**) that facilitates the booking of artists. For more information see <https://muso.live/about/> or <https://surreal.live>

As such, we collect and use the personal data of three categories of data subjects:

1. Visitors to our Platform;
2. Artists with accounts and guest accounts on the Platform; and
3. Employees and authorised representatives of the hirers who are registered to contact and engage artists via the Platform.

Our Platform is not intended for use by children, and we do not knowingly collect data relating to children. If you are under the age of 18, you must not use our Platform.

We collect, use and are responsible for certain personal data about you. When we do so we are regulated under the **UK GDPR** (consisting of the UK Data Protection Act 2018, as amended and updated in light of the UK's departure from the European Union) and the **EU GDPR** (the General Data Protection Regulation (EU) 2016/79, as amended from time to time), as applicable based on your location in the United Kingdom or the European Union and we are responsible as '**controller**' of that personal data for the purposes of those laws.

Throughout the Platform, we may link to other websites owned and operated by certain trusted third parties to make additional products and services available to you, or provide external services. These other third party websites may also gather information about you in accordance with their own separate privacy policies. For privacy information relating to these other third party websites, please consult their privacy policies as appropriate.

**Contact details:**

If you have any questions about this Policy or our privacy or tracking practices, please contact us using the following details:

Full Name of Legal Entity: Muso – We Hear You Pty Ltd

Email Address: [hello@muso.live](mailto:hello@muso.live)

Postal Address: 11 Wilson Street, South Yarra, Melbourne, Australia

You have the right to make a complaint at any time to your local supervisory authority. If you are based in the United Kingdom, then this will be the Information Commissioner's Office (the ICO), who is the UK regulator for data protection issues. For more information, please visit [www.ico.org.uk](http://www.ico.org.uk).

If you are based in the European Union, please consult the following website to find out the details of your local supervisory authority, [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en).

We would, however, appreciate the chance to respond to your query and deal with your concerns before you approach a supervisory authority.

**Our collection and use of your personal data:**

We collect personal data about you when you access our Platform, create an account with us, enter performance engagements via our Platform, contact us, send us feedback, post material to our Platform and complete customer surveys or participate in competitions via our Platform.

We collect this personal data from you either directly, such as when you create an account with us, contact us or use our services via our Platform or indirectly, such as your browsing activity while on our website (see our Cookie Policy for more information on the cookies we use).

The personal data we collect about you depends on the particular activities carried out through our Platform.

If you create an account (or guest account) on the Platform as an artist, we collect the following personal data:

- your name, billing and delivery address and contact details such as email address and telephone number;
- details of your past performances;
- your preferred playing location;
- social media information;
- details of any feedback you give us by phone, email, post or via social media;
- details of any correspondence you submit via the chat functions of the Platform;
- information about the services we provide to you;
- your account details, such as username, login details;
- banking details;
- tax file number;
- IP address, login data, browser type and version, operating system and platform, and device data;
- usage data on how you use our Platform, and services;
- your preferences in receiving marketing from us and your communication preferences; and
- the information that you submit as part of your Surreal profile.

If you are an employee or an authorised representative of a hirer that is registered to engage artists via our Platform, we collect the following personal data:

- your name and email address;
- your role with the hirer;
- place of employment;
- details of correspondence via phone, email, post or via communication facilities on the Platform;
- your account details, such as username, login details;
- IP address, login data, browser type and version, operating system and platform, and device data; and
- usage data on how you use our Platform, and services

If you are a visitor to the Platform, but do not have an account or do not use our services via the Platform, we only collect the following personal data about you:

- IP address, login data, browser type and version, operating system and platform, and device data;
- usage data on how you use our Platform, and services; and

- your preferences in receiving marketing from us.

We use this personal data to:

- create and manage your account with us, both when you are an artist, or when you are an employee or representative of a hirer registered to sell on the Platform;
- verify your identity;
- provide our Platform services to you;
- allow hirers to engage artists and optimise the performance of the Platform Services;
- customise our Platform and its content to your particular preferences and requirements;
- notify you of any changes to our Platform or to our services that may affect you; and
- improve our services.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your usage data to calculate the percentage of users accessing a specific Platform feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this Policy.

Sensitive personal data (also known as special category data) includes but is not limited to information related to personal data revealing racial or ethnic origin; religious or philosophical beliefs; trade union membership; and data concerning a person's sexual orientation.

Certain personal data we collect is treated as a 'special category' to which additional protections apply under data protection law. This is also known as 'Sensitive Data'. Where we process such Sensitive Data, we will also ensure we are permitted to do so under data protection laws, and any such data will be collected on the basis of your consent. Sensitive Data we collect about you, where you choose to give it to us, may include: your gender, sexual orientation or practices.

**Note:** These types of information are only collected (if consented) for the benefit of the users of the platform. A practical example may include an optional gender or sexual orientation data point so that entertainers who identify as such, can be matched with performance opportunities who prefer to book someone with such an identity, for example a venue hoping to book a 'female DJ' or an L.G.B.T.Q.I.A+ venue who prefers to book someone who identifies the same in order to support the community. Without such information collected, the users of the platform will be less likely to achieve the desired outcome.

### **How we use your personal data and our lawful basis for processing your personal data**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- If you are an employee or authorised representative of a hirer registered to sell on the Platform, we will process your personal data to perform the contract we are about to enter into or have entered into with you or your company;
- Where it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests; or

- Where we need to comply with a legal obligation.

When we process your personal data, we are required to have a lawful basis for doing so. There are various different lawful bases on which we may rely, depending on what personal data we process and why.

Please see the below for more information on the lawful basis that we may rely on:

- **consent:** where you have given us clear consent for us to process your personal data for a specific purpose
- **contract:** where our use of your personal data is necessary for a contract we have with you, or because you have asked us to take specific steps before entering into a contract
- **legal obligation:** where our use of your personal data is necessary for us to comply with the law (not including contractual obligations)
- **legitimate interests:** where our use of your personal data is necessary for our legitimate interests or the legitimate interests of a third party (unless there is a good reason to protect your personal data which overrides our legitimate interests)

#### Further information—the personal data we collect, when and how we use it

For further details on when we collect personal data, the type of data we collect as well as the lawful basis we rely on, please read the following table:

Purpose for processing your personal data	Type of data	Lawful basis for processing including basis of legitimate interest
To create an account for you as an artist on the Platform or as an employee or authorised representative of a hirer registered to engage artists on the Platform.	(a) Identity (b) Contact	Performance of a contract with you
To process and deliver any payments including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us and to artists)
To manage our relationship with you which will include: (a) Notifying you about changes to our Terms of Use or Privacy Policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how users interact with our Platform)
To enable you to partake in a prize draw, competition or complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers users interact with our Platform, to develop the Platform and grow our business)

To administer and protect our business and the Platform (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To deliver relevant Platform content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how customers use our services, to develop them, to grow our business and to inform our marketing strategy as well as the business interests and marketing strategy of hirers registered to engage artists on the Platform)
To use data analytics to improve our Platform, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage (c) Gig booking data	Necessary for our legitimate interests (to define types of customers for our services, to keep our Platform updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	Necessary for our legitimate interests (to develop our services and grow our business)

### Who we share your personal data with

If you are an artist on the Platform, we share your personal data such as identity, contact and transactional data with the hirers on the Platform. For more information on how hirers process your personal data, please visit their websites to view their respective privacy policies..

If you elect to receive e-mail from us or use our services through the Platform you will receive electronic communications from us via our e-marketing partner Customer.io. For more information on how Mail Chimp processes your personal data, please see the <https://customer.io/legal/privacy-policy/>

We also may share your personal data with service providers and other affiliated third parties to enable us to provide our services to you including, but not limited to, Segment (a customer data platform) Customer.io (our automated messaging platform), Amplitude (our data analytics platform), Helpscout and Pendo (customer support and customer success platforms), LiveSession, FullStory, Posthog (web analytics software with Customer/site session recordings), AyrShare (integrated social posting platform), GetStream (a user chat function platform)

This data sharing enables hirers to ensure orders are fulfilled and products are dispatched accordingly. This also allows us to recover the sums for the products owed by you. The hirers may also share your personal data with their logistics partners for the purposes of fulfilling the orders you place and delivering the products to you at the address or location you designate in your order.

Some of these third party recipients may be based outside the United Kingdom and European Economic Area — for further information including on how we safeguard your personal data when this occurs, see 'Transfer of your information out of the UK and EEA' below.

We will share personal data with law enforcement or other authorities if required by applicable law.

Where we do share your data with third parties, we will always ensure that such third parties are bound by a contract setting out how they are authorised to process data on our behalf and which contains provisions regarding data security and confidentiality, as required by applicable privacy laws.

### **Transfer of your personal data out of the UK and EEA**

We may transfer your personal data outside the United Kingdom (**UK**) and European Economic Area (**EEA**). Where we transfer your personal data outside of the UK and the EEA, we will only do so for the purposes mentioned in this Policy and any contract that we have entered into with you or the entity that you are representing.

Countries outside of the UK and the EEA do not have the same data protection laws as the UK and EEA. Therefore, when making such a transfer of data, we will always rely on a safeguard mechanism under the UK GDPR and/or the EU GDPR. We will only transfer your personal data to a country which the European Commission or the UK authorities have given a formal adequacy decision/regulation that confirms this third-country provides an adequate level of data protection similar to those which apply in the UK and EEA. If the third-country does not have an adequacy decision awarded to it, any transfer of your personal information will be subject to entering into the European Commission's Standard Contractual Clauses (the **SCCs**) which are designed to help safeguard your privacy rights and give you remedies in the unlikely event of a misuse of your personal data.

Transfers of personal data from the UK to the EEA shall be done on the basis of the adequacy regulation awarded to the European Union by the UK pursuant to the withdrawal of the UK from the European Union which was granted in June 2021.

If you would like further information please contact us using the details provided at the start of this Policy. We will not otherwise transfer your personal data outside of the UK and the EEA or to any organisation (or subordinate bodies) governed by public international law or which is set up under any agreement between two or more countries.

### **Marketing**

We would like to send you information about the Platform, our services, the products on sale and any special offers, which may be of interest to you. Where we have your consent or it is in our legitimate interests to do so, we may do this by post, email, telephone, text message (SMS) or automated call.

We will ask whether you would like us to send you marketing messages when you provide consent to such marketing, or where you sign up to our Platform.

If you have previously agreed to being contacted in this way, you can unsubscribe at any time by:

- contacting us using the detail provided at the beginning of this Policy;
- using the 'unsubscribe' link in emails; or
- updating your marketing preferences on our Platform within your account.

### **Your rights**

Under the UK GDPR and the EU GDPR, you have a number of important rights free of charge. In summary, those include rights to:

- fair processing of information and transparency over how we use your use personal data

- access to your personal data and to certain other supplementary information that this Policy is already designed to address
- require us to correct any mistakes in your personal data which we hold
- require the erasure of personal data concerning you in certain situations
- receive the personal data concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations
- object at any time to processing of personal data concerning you for direct marketing
- object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you
- object in certain other situations to our continued processing of your personal data
- otherwise restrict our processing of your personal data in certain circumstances

For further information on each of those rights, including the circumstances in which they apply, see the [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals' rights under the General Data Protection Regulation](#).

If you would like to exercise any of those rights, please email or write to us using the details provided at the beginning of this Policy.

We will require information from you to allow us to identify you. We will endeavour to respond to all requests with 30 days of receipt.

### **Keeping your personal data secure**

We have appropriate security measures in place to prevent personal data from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal data to those who have a genuine business need to know it. Those processing your personal data will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

### **Changes to this Policy**

This Policy was last updated on 28/02/2023.

We may change this Policy from time to time, when we do, we will update this Policy on the Platform. It is your responsibility to ensure you are always up to date of the latest policy in force.



## PRIVACY POLICY - AUSTRALIA & NEW ZEALAND

### Notes & Definitions

**Please note:** Any reference to the trading name ‘Muso’ or ‘Surreal’ refers to same company, incorporated under the legal entity as shown in Contact Details below.

**Muso** means Muso – We Hear You Pty Ltd ACN 612 338 011 and including any of its subsidiaries, affiliates, employees, officers and agents and us collective referred to as “Muso” or “Surreal”, “us”, or “we”; (as referred to in the Platform Terms and Conditions listed at <https://muso.live/uk/terms-and-conditions> or otherwise at <https://surreal.live> when available)

**Surreal** means Muso – We Hear You Pty Ltd ACN 612 338 011 and including any of its subsidiaries, affiliates, employees, officers and agents and us collective referred to as “Muso” or “Surreal”, “us”, or “we”; (as referred to in the Platform Terms and Conditions listed at <https://muso.live/uk/terms-and-conditions> or otherwise at <https://surreal.live> when available)

Welcome to Surreal’s Privacy Policy (**Policy**).

We respect your privacy and we are committed to protecting your personal data. This Policy will inform you as to how we look after your personal data when you visit and use our Platform (defined below) and tell you about your privacy rights and how the law protects you. References to “we”, “us”, or “our” in this Policy mean Surreal.

We ask that you read this Policy carefully.

This Policy is divided into the following sections:

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- Keeping your personal data secure
- How to complain
- Changes to this Policy

#### Who we are, purpose of this Policy and our processing role:

Surreal operates an entertainment management platform (hereafter, the **Platform**) that facilitates the booking of artists. For more information see <https://muso.live/about/> or <https://surreal.live>

As such, we collect and use the personal data of three categories of data subjects:



1. Visitors to our Platform;
2. Artists with accounts and guest accounts on the Platform; and
3. Employees and authorised representatives of the hirers who are registered to contact and engage artists via the Platform.

Our Platform is not intended for use by children, and we do not knowingly collect data relating to children. If you are under the age of 18, you must not use our Platform.

We collect, use and are responsible for certain personal data about you. When we do so we are regulated under the **UK GDPR** (consisting of the UK Data Protection Act 2018, as amended and updated in light of the UK's departure from the European Union) and the **EU GDPR** (the General Data Protection Regulation (EU) 2016/79, as amended from time to time), as applicable based on your location in the United Kingdom or the European Union and we are responsible as '**controller**' of that personal data for the purposes of those laws.

Throughout the Platform, we may link to other websites owned and operated by certain trusted third parties to make additional products and services available to you, or provide external services. These other third party websites may also gather information about you in accordance with their own separate privacy policies. For privacy information relating to these other third party websites, please consult their privacy policies as appropriate.

#### **Contact details:**

If you have any questions about this Policy or our privacy or tracking practices, please contact us using the following details:

Full Name of Legal Entity: Muso – We Hear You Pty Ltd

Email Address: [hello@muso.live](mailto:hello@muso.live)

Postal Address: 11 Wilson Street, South Yarra, Melbourne, Australia

You have the right to make a complaint at any time to your local supervisory authority. If you are based in the United Kingdom, then this will be the Information Commissioner's Office (the ICO), who is the UK regulator for data protection issues. For more information, please visit [www.ico.org.uk](http://www.ico.org.uk).

If you are based in the European Union, please consult the following website to find out the details of your local supervisory authority, [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en).

We would, however, appreciate the chance to respond to your query and deal with your concerns before you approach a supervisory authority.

#### **Our collection and use of your personal data:**

We collect personal data about you when you access our Platform, create an account with us, enter performance engagements via our Platform, contact us, send us feedback, post material to our Platform and complete customer surveys or participate in competitions via our Platform.

We collect this personal data from you either directly, such as when you create an account with us, contact us or use our services via our Platform or indirectly, such as your browsing activity while on our website (see our Cookie Policy for more information on the cookies we use).

The personal data we collect about you depends on the particular activities carried out through our Platform.

If you create an account (or guest account) on the Platform as an artist, we collect the following personal data:

- your name, billing and delivery address and contact details such as email address and telephone number;
- details of your past performances;
- your preferred playing location;
- social media information;
- details of any feedback you give us by phone, email, post or via social media;
- details of any correspondence you submit via the chat functions of the Platform;
- information about the services we provide to you;
- your account details, such as username, login details;
- banking details;
- tax file number;
- IP address, login data, browser type and version, operating system and platform, and device data;
- usage data on how you use our Platform, and services;
- your preferences in receiving marketing from us and your communication preferences; and
- the information that you submit as part of your Surreal profile.

If you are an employee or an authorised representative of a hirer that is registered to engage artists via our Platform, we collect the following personal data:

- your name and email address;
- your role with the hirer;
- place of employment;
- details of correspondence via phone, email, post or via communication facilities on the Platform;
- your account details, such as username, login details;
- IP address, login data, browser type and version, operating system and platform, and device data; and
- usage data on how you use our Platform, and services

If you are a visitor to the Platform, but do not have an account or do not use our services via the Platform, we only collect the following personal data about you:

- IP address, login data, browser type and version, operating system and platform, and device data;
- usage data on how you use our Platform, and services; and
- your preferences in receiving marketing from us.

We use this personal data to:

- create and manage your account with us, both when you are an artist, or when you are an employee or representative of a hirer registered to sell on the Platform;
- verify your identity;
- provide our Platform services to you;
- allow hirers to engage artists and optimise the performance of the Platform Services;
- customise our Platform and its content to your particular preferences and requirements;

- notify you of any changes to our Platform or to our services that may affect you; and
- improve our services.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your usage data to calculate the percentage of users accessing a specific Platform feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this Policy.

Sensitive personal data (also known as special category data) includes but is not limited to information related to personal data revealing racial or ethnic origin; religious or philosophical beliefs; trade union membership; and data concerning a person's sexual orientation.

Certain personal data we collect is treated as a 'special category' to which additional protections apply under data protection law. This is also known as 'Sensitive Data'. Where we process such Sensitive Data, we will also ensure we are permitted to do so under data protection laws, and any such data will be collected on the basis of your consent. Sensitive Data we collect about you, where you choose to give it to us, may include: your gender, sexual orientation or practices.

**Note:** These types of information are only collected (if consented) for the benefit of the users of the platform. A practical example may include an optional gender or sexual orientation data point so that entertainers who identify as such, can be matched with performance opportunities who prefer to book someone with such an identity, for example a venue hoping to book a 'female DJ' or an L.G.B.T.Q.I.A+ venue who prefers to book someone who identifies the same in order to support the community. Without such information collected, the users of the platform will be less likely to achieve the desired outcome.

### **How we use your personal data and our lawful basis for processing your personal data**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- If you are an employee or authorised representative of a hirer registered to sell on the Platform, we will process your personal data to perform the contract we are about to enter into or have entered into with you or your company;
- Where it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests; or
- Where we need to comply with a legal obligation.

When we process your personal data, we are required to have a lawful basis for doing so. There are various different lawful bases on which we may rely, depending on what personal data we process and why.

Please see the below for more information on the lawful basis that we may rely on:

- **consent:** where you have given us clear consent for us to process your personal data for a specific purpose

- **contract:** where our use of your personal data is necessary for a contract we have with you, or because you have asked us to take specific steps before entering into a contract
- **legal obligation:** where our use of your personal data is necessary for us to comply with the law (not including contractual obligations)
- **legitimate interests:** where our use of your personal data is necessary for our legitimate interests or the legitimate interests of a third party (unless there is a good reason to protect your personal data which overrides our legitimate interests)

**Further information—the personal data we collect, when and how we use it**

For further details on when we collect personal data, the type of data we collect as well as the lawful basis we rely on, please read the following table:

<b>Purpose for processing your personal data</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
To create an account for you as an artist on the Platform or as an employee or authorised representative of a hirer registered to engage artists on the Platform.	(a) Identity (b) Contact	Performance of a contract with you
To process and deliver any payments including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us and to artists)
To manage our relationship with you which will include: (a) Notifying you about changes to our Terms of Use or Privacy Policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how users interact with our Platform)
To enable you to partake in a prize draw, competition or complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers users interact with our Platform, to develop the Platform and grow our business)
To administer and protect our business and the Platform (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To deliver relevant Platform content and advertisements to you and measure or understand	(a) Identity (b) Contact (c) Profile (d) Usage	Necessary for our legitimate interests (to study how customers use our services, to develop them, to grow our business and to inform our marketing strategy as well as the

the effectiveness of the advertising we serve to you	(e) Marketing and Communications (f) Technical	business interests and marketing strategy of hirers registered to engage artists on the Platform)
To use data analytics to improve our Platform, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage (c) Gig booking data	Necessary for our legitimate interests (to define types of customers for our services, to keep our Platform updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	Necessary for our legitimate interests (to develop our services and grow our business)

### Who we share your personal data with

If you are an artist on the Platform, we share your personal data such as identity, contact and transactional data with the hirers on the Platform. For more information on how hirers process your personal data, please visit their websites to view their respective privacy policies..

If you elect to receive e-mail from us or us our services through the Platform you will receive electronic communications from us via our e-marketing partner Customer.io. For more information on how Mail Chimp processes your personal data, please see the <https://customer.io/legal/privacy-policy/>

We also may share your personal data with service providers and other affiliated third parties to enable us to provide our services to you including, but not limited to, Segment (a customer data platform) Customer.io (our automated messaging platform), Amplitude (our data analytics platform), Helpscout and Pendo customer support and customer success platforms), LiveSession, FullStory, Posthog (web analytics software with Customer/site session recordings), AyrShare (integrated social posting platform), GetStream (a user chat function platform)

This data sharing enables hirers to ensure orders are fulfilled and products are dispatched accordingly. This also allows us to recover the sums for the products owed by you. The hirers may also share your personal data with their logistics partners for the purposes of fulfilling the orders you place and delivering the products to you at the address or location you designate in your order.

Some of these third party recipients may be based outside the United Kingdom and European Economic Area — for further information including on how we safeguard your personal data when this occurs, see 'Transfer of your information out of the UK and EEA' below.

We will share personal data with law enforcement or other authorities if required by applicable law.

Where we do share your data with third parties, we will always ensure that such third parties are bound by a contract setting out how they are authorised to process data on our behalf and which contains provisions regarding data security and confidentiality, as required by applicable privacy laws.

### Transfer of your personal data out of the UK and EEA

We may transfer your personal data outside the United Kingdom (**UK**) and European Economic Area (**EEA**). Where we transfer your personal data outside of the UK and the EEA, we will only do so for

the purposes mentioned in this Policy and any contract that we have entered into with you or the entity that you are representing.

Countries outside of the UK and the EEA do not have the same data protection laws as the UK and EEA. Therefore, when making such a transfer of data, we will always rely on a safeguard mechanism under the UK GDPR and/or the EU GDPR. We will only transfer your personal data to a country which the European Commission or the UK authorities have given a formal adequacy decision/regulation that confirms this third-country provides an adequate level of data protection similar to those which apply in the UK and EEA. If the third-country does not have an adequacy decision awarded to it, any transfer of your personal information will be subject to entering into the European Commission's Standard Contractual Clauses (the **SCCs**) which are designed to help safeguard your privacy rights and give you remedies in the unlikely event of a misuse of your personal data.

Transfers of personal data from the UK to the EEA shall be done on the basis of the adequacy regulation awarded to the European Union by the UK pursuant to the withdrawal of the UK from the European Union which was granted in June 2021.

If you would like further information please contact us using the details provided at the start of this Policy. We will not otherwise transfer your personal data outside of the UK and the EEA or to any organisation (or subordinate bodies) governed by public international law or which is set up under any agreement between two or more countries.

## **Marketing**

We would like to send you information about the Platform, our services, the products on sale and any special offers, which may be of interest to you. Where we have your consent or it is in our legitimate interests to do so, we may do this by post, email, telephone, text message (SMS) or automated call.

We will ask whether you would like us to send you marketing messages when you provide consent to such marketing, or where you sign up to our Platform.

If you have previously agreed to being contacted in this way, you can unsubscribe at any time by:

- contacting us using the detail provided at the beginning of this Policy;
- using the 'unsubscribe' link in emails; or
- updating your marketing preferences on our Platform within your account.

## **Your rights**

Under the UK GDPR and the EU GDPR, you have a number of important rights free of charge. In summary, those include rights to:

- fair processing of information and transparency over how we use your use personal data
- access to your personal data and to certain other supplementary information that this Policy is already designed to address
- require us to correct any mistakes in your personal data which we hold
- require the erasure of personal data concerning you in certain situations

- receive the personal data concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations
- object at any time to processing of personal data concerning you for direct marketing
- object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you
- object in certain other situations to our continued processing of your personal data
- otherwise restrict our processing of your personal data in certain circumstances

For further information on each of those rights, including the circumstances in which they apply, see the [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals' rights under the General Data Protection Regulation](#).

If you would like to exercise any of those rights, please email or write to us using the details provided at the beginning of this Policy.

We will require information from you to allow us to identify you. We will endeavour to respond to all requests with 30 days of receipt.

### **Keeping your personal data secure**

We have appropriate security measures in place to prevent personal data from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal data to those who have a genuine business need to know it. Those processing your personal data will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

### **Changes to this Policy**

This Policy was last updated on 28/02/2023.

We may change this Policy from time to time, when we do, we will update this Policy on the Platform. It is your responsibility to ensure you are always up to date of the latest policy in force.