

*The following English version of the Privacy Notice is provided solely to aid in understanding. In the event of any conflicts arising about wording, the German original version shall be exclusively binding for all parties involved.*

## **SCC EVENTS GmbH Data Protection Policy** **for Participants in the 'ROAD-TO-BERLIN' challenge**

With this information, we, SCC EVENTS GmbH (hereinafter also referred to as "SCC EVENTS" or "we"), inform the participants about the processing of their personal data by SCC EVENTS GmbH and the rights to which they are entitled according to the data protection regulations in connection with their participation in the 'ROAD-TO-BERLIN' challenge contest on the Instagram fan page @berlinmarathon of SCC EVENTS GmbH.

This document only describes the aforementioned data processing procedures.

In connection with the use of the online booking portal, additional personal data is processed for the corresponding purpose. The processing activities related to the online booking portal are described in the privacy statement for the user account available at: <https://www.scc-events.com/informationspflicht>.

### **1. Responsible for data processing and data protection officer**

SCC EVENTS GmbH  
Olympiapark Berlin, Hanns-Braun-Straße 4, 14053 Berlin  
Managing directors: Christian Jost, Jürgen Lock  
e-mail: [facebook@scc-events.com](mailto:facebook@scc-events.com)  
Phone: 030 / 30 12 88 - 10  
Fax: 030 / 30 12 88 - 40

The data protection officer can be contacted by post at the above address with the keywords "Data Privacy" or by e-mail: [datenschutz@scc-events.com](mailto:datenschutz@scc-events.com).

#### **Information on joint responsibility:**

Regarding the use of the Instagram social media service, there is joint responsibility between SCC EVENTS and Meta Platforms Ireland Limited, Merrion Road, Dublin 4, D04 X2K5, Ireland (Instagram) for the use of individual functions. Instagram provides various functions that allow users to interact on Instagram (e.g. to participate in SCC EVENTS competitions). In this context, Instagram and SCC EVENTS are jointly responsible for delivering entries submitted to the SCC EVENTS Instagram fan page, as well as for deleting illegal or inappropriate posts and content on the fan page. Instagram has no influence on the processing of participation data by SCC EVENTS within the framework of this competition.

Instagram operates the entire IT infrastructure of the platform on its own responsibility and on the basis of the user agreement concluded with users (available at <https://help.instagram.com/581066165581870>) maintains its own privacy policy (available at <https://privacycenter.instagram.com/policy>), and provides additional functions. Instagram also provides additional functions and operates the platform on the basis of the user agreement concluded with users, which is available at <https://help.instagram.com/581066165581870>. Instagram is solely responsible for all questions regarding usage data, to which SCC EVENTS has no access.

### **2. Purposes and legal basis of data processing**

For the purpose of organising and conducting the contest, we process personal data from contest participants. This processing takes place based on the applicable conditions of participation, available at [https://www.scc-events.com/fileadmin/media/corporate/datenschutz/EN-DSH\\_RTB-Challenge\\_1\\_V1.pdf](https://www.scc-events.com/fileadmin/media/corporate/datenschutz/EN-DSH_RTB-Challenge_1_V1.pdf), particularly for the purpose of determining and notifying the winners.

The processing of personal data is based on the following legal bases:

- A. Article 6 (1) (b) GDPR: for the fulfilment of pre-contractual measures and/or contractual obligations based on the conditions of participation in the competition. The processing of personal data is carried out for the purpose of participation in the prize draw on the Instagram fan page and includes the processing of all personal data required for these purposes. This includes collecting the Instagram profile names of contest participants, storing submitted images (photos/screenshots), checking eligibility, determining winners and notifying the winners. After the winners have been determined, their official names, clothing and shoe sizes, and postal addresses will also be collected for the purpose of shipping the prizes.
- B. Article 6 (1) (c) GDPR: Personal data is also processed to fulfil legal obligations. These include commercial and tax law retention obligations, as well as corporate, contractual, data protection and civil law obligations. They also include regulatory and official requirements, including documentation and accountability obligations, in compliance with legal provisions. The archiving of the first and last names of the winners is required by tax law.
- C. Article 6 (1) (f) GDPR: Based on a balancing of interests, personal data is processed for the assertion of legal claims, defence in legal disputes and to ensure IT and telecommunications security. Participation data is also processed for the evaluation of participation statistics.
- D. Article 6 (1) lit. a) GDPR: In some cases, processing is carried out on the basis of consent for an explicitly stated purpose, provided that personal data is voluntarily provided by contest participants. This includes the publications of entries to the competition and participants' Instagram profile names on the SCC EVENTS Instagram fan page, @marathonberlin, based on participants' affirmative and consenting behavior. This takes into account participants' Instagram user profile settings and sharing settings. For example, this applies when posting a photo in a personal Instagram story and tagging the BMW BERLIN-MARATHON Instagram account, @berlinmarathon. It also applies to the processing of image content, for example if the photo depicts the participant (i.e. a "selfie"). In connection with Article 49(1)(a) GDPR, the personal data of participants will be transferred to and processed in a third country within the scope of joint responsibility by Instagram.
- E. Article 9 (2) lit. a) GDPR: In some cases, special categories of personal data are processed based on consent for the explicitly stated purpose and when the voluntary provision of information in the collection form is given, for example when performing the PAPS test on our website [www.paps-test.de](http://www.paps-test.de) and storing the PAPS key in the user account of the booking portal.

**Where consent has been given (including through implied action) to process personal data for specific, previously stated purposes, the lawfulness of this processing is based on consent. Consent given can be withdrawn at any time. The revocation of consent does not affect the lawfulness of processing carried out prior to the revocation.**

### **3. Recipients or categories of recipients of personal data**

For the organisation and implementation of the competition, only employees/departments within SCC EVENTS who require the personal data to fulfil

the respective purpose will have access to it. To fulfil our contractual services and legal obligations, personal data is partly processed by external service providers or, if necessary, by authorities, provided that this is permitted by law and necessary for the aforementioned purposes. We always comply with data protection regulations when doing so, particularly with regard to processing by service providers commissioned by us, which only takes place after the conclusion of contracts with appropriate confidentiality clauses.

Recipient	Purpose of disclosure
Postal and shipping service providers	transport of postal items, parcels and letters
IT and telecommunications service providers	Maintenance, care and upkeep of the IT and telecommunications systems (hardware and software)
Telecommunication providers	Transport and storage of communication data
Meta Platforms Ireland Limited	provision of the Instagram social media platform; operation of the Instagram fan page @berlinmarathon; provision of posts to the competition; and provision of statistics
E-mail providers	Transport of e-mails and attachments, newsletter dispatch
Data destruction service provider	Disposal of files and data media
Data Protection Officer	Fulfilment of the audit and control mandate, assistance with data protection matters

It is possible that personal data may be transferred to countries outside the European Economic Area (EEA) (so-called third countries). Further information on the transfer of data to third countries is described in section 6.) of this document.

#### 4. Duration of data storage

We process the personal data of participants for the purpose of conducting the competition during the competition period. The competition ends on 3 August 2025 at 23:59 (CET).

All participation data will be stored until the final winners are determined in the prize draw, and will be deleted no later than four weeks after the winners have been fully determined. Winners' data will be archived for ten years from the calendar year in which the prizes were sent.

Direct messages and communications relating to our Instagram fan page, @berlinmarathon, are regularly deleted from our user profile, at the latest after six months. Publicly available posts on our Instagram fan page will generally not be deleted unless their content violates applicable law or is obviously factually incorrect. However, posts will also be deleted if a deletion request is received from the person who made the post, provided they cannot delete it themselves. Information on how to delete posts can be found at: <https://help.instagram.com/711062676142607>. The right to object and/or revoke consent for affected persons remains unaffected.

Personal data may be stored for the purpose of asserting, exercising or defending legal claims, which may extend the storage period.

We store data processed on the basis of consent until it is revoked or the respective purpose is fulfilled. The revocation of consent does not affect the legality of the data processed prior to revocation.

We permanently store statistical evaluations. These evaluations do not contain any personal references. The right to object remains unaffected.

Instagram user accounts and all associated activities will be deleted 90 days after the user profile is deleted on Instagram. Further information on data storage at Instagram is available at <https://privacycenter.instagram.com/policy/?subpage=7.subpage.9-EraseYourInformationYou>.

Data protection requests: Requests for information, rectification, erasure or restriction of processing that we respond to, as well as other requests from data subjects or supervisory authorities on data protection issues, are archived for accountability purposes for a period of 3 years from the end of the action.

## 5. Data subjects' rights

All data subjects have the right to access the personal data referred to in Art. 15 GDPR, the right to obtain rectification of their inaccurately stored data according to Art. 16 GDPR, the right to obtain the erasure of personal data according to Art. 17 GDPR, the right to obtain the restriction of the processing of their data according to Art. 18 GDPR and the right to receive their personal data according to Art. 20 GDPR. Given consent can be withdrawn at any time. The withdrawal of consent does not affect the lawfulness of the processing performed until the withdrawal.

### Right to object:

In accordance with Art. 21 GDPR, data subjects also have the right to object at any time to the processing of personal data concerning them.

#### A) Individual right to object (Art. 21 (1) GDPR)

Data subjects have the right to object at any time, on grounds relating to their particular situation, to the processing of personal data concerning them which is based on Article 6(1)(f) GDPR (data processing based on a balancing of interests). If the data subject objects, we will no longer process the personal data unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or the processing serves the establishment, exercise or defence of legal claims.

#### B) Right to object to the processing of data for direct marketing purposes (Art. 21 (2) GDPR)

If we process personal data for direct marketing purposes (e.g. by post or email), data subjects have the right to object at any time to the processing of their personal data for these purposes. SCC EVENTS does not intend to process personal data for this purpose in connection with the competition.

Data subjects may send their requests to exercise their data protection rights informally by post or e-mail, stating their full name, to: SCC EVENTS GmbH, Olympiapark Berlin, Hanns-Braun-Straße 4, 14053 Berlin or [datenschutz@scc-events.com](mailto:datenschutz@scc-events.com).

### Right to lodge a complaint:

If data subjects suspect that their data is being processed unlawfully by SCC EVENTS, they may, of course, at any time seek judicial clarification of the matter. Data subjects also have every other legal option available to them. Notwithstanding the foregoing, data subjects have the right to lodge a complaint with a supervisory authority pursuant to Art. 77 para. 1 GDPR. The right to lodge a complaint pursuant to Art. 77 GDPR is available to data subjects in the EU Member State of their place of residence, their place of work and/or the place of the alleged infringement, i.e. they can choose the supervisory authority to which they turn from the above-mentioned places. The supervisory authority to which the complaint has been submitted will then inform them of the status and outcome of the complaint, including the possibility of a judicial remedy pursuant to Art. 78 GDPR.

The data protection authority responsible for SCC EVENTS is:

Berlin Commissioner for Data Protection and Freedom of Information, Website: <https://www.datenschutz-berlin.de/>  
Telephone: +49 (0)30 13889-0; Fax: +49 (0)30 2155050; Email: [mailbox@datenschutz-berlin.de](mailto:mailbox@datenschutz-berlin.de)

### Note on the publication of posts:

Once personal data has been published on the Instagram fan page, it is accessible worldwide on the internet. This means that it may be disseminated or indexed by search engines, or copied by third parties. We cannot guarantee that this data will be deleted completely.

When personal data is published on the internet, it cannot be ruled out that it may also be accessed from countries that do not have an adequate level of data protection. The permissible publication of personal data on the internet does not constitute the transfer of personal data to a third country.

For this, data subjects can contact us directly with any questions or requests concerning published posts.

## 6. Transfer of data to a third country or international organisation

As part of the organisation and execution of the Event, we may transfer personal data of Participants to third countries or international organisations. A list of these services and service providers that may be used is described in this section.

Third countries are countries outside the EEA to which the GDPR does not directly apply. The level of data protection there is not comparable to that in the EU. In order to compensate for the existing data protection deficit in the absence of an adequacy decision, we have agreed with the relevant service providers in the third country or international organisation, in addition to the standard data protection clauses, further appropriate safeguards for the processing of personal data, so that the data protection standards for these data transfers are compatible with the legal data protection provisions of the EU and an adequate level of protection is ensured for the processing of personal data.

Company name and address	Role of the company, activities/purpose of the transfer	Legal basis for the data transfer
Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland / Headquarters: Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043 USA	Processor, IT infrastructure and servers for sending, storing and archiving business transactions, documents and emails	International organisation, standard data protection clauses EU Controller to Processor: <a href="https://cloud.google.com/terms/sccs/eu-c2p">https://cloud.google.com/terms/sccs/eu-c2p</a>
Meta Platforms Ireland Ltd., Merrion Road, Dublin 4, D04 X2K5, Ireland / Headquarters: Meta Platforms, Inc., 1601 Willow Road, Menlo Park, CA 94025, USA	Joint responsibility for the operation of the social media platforms Facebook and Instagram	International organisation Standard data protection clauses EU Controller-to-Controller: <a href="https://www.facebook.com/legal/EU_data_transfer_addendum">https://www.facebook.com/legal/EU_data_transfer_addendum</a> <a href="https://www.facebook.com/legal/terms/page_controller_addendum">https://www.facebook.com/legal/terms/page_controller_addendum</a> <a href="https://www.facebook.com/legal/terms/dataprocessing">https://www.facebook.com/legal/terms/dataprocessing</a>

## 7. Voluntary provision and obligation to provide personal data

Participation in the competition is fundamentally voluntary and only possible during the competition period. In order to participate, the data required for the organisation and implementation of the respective competition in accordance with the conditions of participation and contractually stipulated must be provided. Failure to provide this data will result in exclusion from the competition. The conditions of participation are available at: [https://www.scc-events.com/fileadmin/media/corporate/datenschutz/EN-TNB\\_RTB-Challenge\\_1\\_V1.pdf](https://www.scc-events.com/fileadmin/media/corporate/datenschutz/EN-TNB_RTB-Challenge_1_V1.pdf)

You can cancel your participation in the competition at any time during the competition period. Data provided will then no longer be considered for the prize draw

#### **8. Automated decision making, profiling**

We do not exclusively use automated decision-making within the meaning of Article 22 GDPR to process competition data.

"Profiling" is a form of automated processing of personal data evaluating personal aspects relating to a natural person, in particular for the purpose of analysing or forecasting the data subject's performance at work, economic situation, health, personal preferences or interests, reliability or behaviour, location or change of location, where this produces legal effects concerning the data subject or similarly significantly affects him or her. SCC EVENTS GmbH will not process the data of participants for the purpose of profiling.

However, it cannot be ruled out that the platform operator, Meta Platforms Ireland Ltd. (Instagram) may process users' profile and behavioural data to evaluate habits, personal relationships, preferences, etc. SCC EVENTS has no influence over the processing or disclosure of this data by Instagram. Information on data processing by Instagram is available at the following link: <https://privacycenter.instagram.com/policy>