

## **AUDIOVISUAL LICENSING ALLIANCE (AVLA) LIMITED**

### **PRIVACY POLICY**

#### **INTRODUCTION**

The mission of Audiovisual Licensing Alliance (AVLA) Ltd (“**AVLA**”) is to establish and administer cost-effective and efficient licensing schemes (“**AVLA Licences**”) within the United Kingdom (for the sake of clarity, Great Britain and Northern Ireland, the Isle of Man and the Channel Islands, together with the territorial waters of the United Kingdom and the United Kingdom sector of the continental shelf referred to in Section 161 of the Copyright, Designs and Patents Act 1988 and British ships, aircraft and hovercraft as provided by Section 162 (2) of the Copyright, Designs and Patents Act 1988) to license the transmission of audio-visual works that are on TV channels in hotels, bed and breakfasts, motels and other serviced accommodation (“**Hotels**”).

In this Privacy Policy, references to “we” or “us” are to Audiovisual Licensing Alliance (AVLA) Ltd, a company incorporated in England and Wales under company number 14185811, whose registered office is at 5th Floor Shackleton House 4, Battle Bridge Lane, London, SE1 2HX, referred to in this policy as “AVLA”.

AVLA respects your right to privacy. This Privacy Policy sets out how your personal information is collected, used and shared when you visit or are directed to make a payment via our website (the “**AVLA Site**”). It also explains your rights and how to exercise them.

By visiting our website you are agreeing to the conditions described below and our terms of use. We recommend that before using the website and before submitting any personal information, you read this Privacy Policy.

AVLA is registered with the Information Commissioner’s Office and is the data controller of any personal data processed as described in this Privacy Policy.

#### **PERSONAL INFORMATION WE COLLECT**

##### Personal information provided by you

When you make a payment or attempt to make a payment via the AVLA Site, we collect certain information from you, including your name, titles, billing address, shipping address, payment information (including credit card numbers, email address and telephone number) date of birth.

In addition, we collect your personal information by submission of forms, including those on the AVLA Site, or by corresponding with us in writing, by telephone, email or otherwise. This includes information you provide when you correspond with us regarding the AVLA Licence, including but not limited to the name of the licensee, contact details, number of rooms and floor area of public areas with TVs/screens at the licensee's establishments, and period of operation, as well as when you report a problem with the AVLA Site. We refer to that information as "**Licence Information**". Further information on the data we collect and the purpose for its processing are below.

#### Information we collect through the AVLA Site

When you visit the AVLA Site, we automatically collect certain information about your device, including information about your web browser, IP address, time zone and some of the cookies that are installed on your device. Additionally, as you browse the AVLA Site, we collect information about the individual web pages you view, what websites or search terms referred you to the AVLA Site and information about how you interact with the AVLA Site. These cookies allow us to distinguish you from other users of the AVLA Site and allow us to collect information about your visit to the AVLA Site. We refer to this automatically collected information as "**Device Information**".

We collect Device Information using the following technologies:

- 'Cookies' are data files that are placed on your device or computer and often include an anonymous unique identifier.
- 'Log files' track actions occurring on the AVLA Site and collect data using your IP address, browser type, internet service provider, referring/exit pages and date/time stamps.
- 'Web beacons', 'tags' and 'pixels' are electronic files used to record information about how you browse the AVLA Site.

For more information on which cookies we use and how we use them see AVLA's Cookies Policy.

#### Personal information provided by third parties

We may receive personal information about you from third parties, which may include parties who provide this information in fulfilment of a legal obligation or representatives you have authorised to act on your behalf. Any information we receive about you from these third parties will only be processed for the purposes described under 'How we will use your personal information?' section below. We refer to this data as "**Third Information**".

When we talk about ‘personal information’, ‘personal data’ and ‘information about you’ in this Privacy Policy, we are talking about Licence Information, Device Information, Third Information, Licence Data and Supplier Data.

## **HOW WE WILL USE YOUR PERSONAL INFORMATION**

We use the personal information that we collect:

- for the purposes of issuing, administering and recording AVLA Licences and for managing the AVLA Licensing scheme (“**Licence Data**”). This includes contacting you to request information from you (such as details regarding your hotel, **bed and breakfast business, motel or other serviced accommodation**), to provide you with information you have requested about AVLA and the AVLA Licence, to respond to your queries and to keep a record of communications with you. The lawful basis for processing an AVLA Licence is the performance of a contract between you (or the business you are licensing) and AVLA and/or taking steps to enter into such a contract. The lawful basis for processing a declaration and/or taking steps to enter into such a declaration is the legitimate interests of our business;
- for the purposes of managing the provision of goods and services supplied to AVLA and communicating with suppliers (“**Supplier Data**”). The source of the Supplier Data is you or the company for whom you work. The lawful basis for this processing is the performance of a contract between you or the organisation with whom you are contracted and AVLA;

We use the Device Information that we collect to help us screen for potential risk and fraud (in particular, your IP address) and more generally to improve and optimize our AVLA Site (for example, by generating analytics about how our licensees browse and interact with the AVLA Site).

## **SENSITIVE PERSONAL INFORMATION (SPECIAL CATEGORY DATA)**

We generally do not ask you to provide us with information regarding your racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, genetic data, biometric data, health, sex life or sexual orientation. However, if it is necessary to obtain this information from you in relation to our business activities or to perform a contract with you, we will only collect and process the information with your explicit written consent for either of those specified purposes.

## **SHARING YOUR PERSONAL INFORMATION**

We share your personal information with third parties to help us use your Personal Information described, above. For example, we use Google Analytics to help us understand how licensees use the AVLA Site.

We also share your personal data:

- with our business partners, suppliers, agents and sub-contractors for the purposes described under ‘How we will use your personal information’ section above. These parties may be engaged for the fulfilment of contracts we have with you and the provision of support services to us
- to comply with applicable laws and regulations, to respond to a subpoena, search warrant, other lawful request for information we receive, for the purposes of fraud prevention; or in order to enforce any agreements; or to otherwise protect our rights, the rights, property, or safety of AVLA, its licensees, or others; or obtain any related professional advice.

## **TRANSFERS OF PERSONAL INFORMATION**

We may need to transfer your personal data to parties in other countries for the purposes of processing by parties that work for AVLA or one of its suppliers. By way of example, this may happen if any of the computer services used to host the AVLA Site are located in the European Economic Area or EFTA states.

We will take all steps reasonably necessary to ensure your personal data is treated securely and in accordance with this privacy policy.

## **KEEPING YOUR PERSONAL DATA SECURE**

We will use technical and organisational measures to safeguard your personal data. All information you provide to us is stored securely.

Unfortunately, the transfer of information via the internet is not entirely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of data transmitted to our AVLA Site or email server; any transmission is at your own risk. Once we have received your personal information, we will use strict procedures and security features to try to prevent unauthorised access.

Our AVLA Site may include links to, or content embedded from third party web services providers. Please note that we have no control over these third-party websites and therefore cannot accept responsibility for the protection and privacy of any information which you provide whilst visiting such third-party websites and such websites are not governed by this privacy policy. It is your responsibility to exercise caution and note the terms of privacy policies relevant to any such third-party websites.

## **DATA RETENTION**

We will not retain your personal data for longer than is necessary in relation to the purposes for which the data was collected or otherwise processed. The criteria we use for determining the retention periods for personal data processed in the performance of a contract will be any regulatory requirements or guidance provided by HMRC or the Information Commissioners Office. The statutory limitation period for a contractual legal claim is 6 years from the date the cause of action accrued.

## **YOUR RIGHTS**

You have the right to access personal information we hold about you and to ask that your personal information be corrected, updated or deleted. If you would like to exercise this right, please contact us through the contact information below.

## **HOW TO CONTACT US**

Please contact us if you have any questions about this privacy policy or the personal information we hold about you, including making written requests to exercise any of your rights in relation to your personal data.

If you wish to contact us, please send an email to [secretariat@avla.uk](mailto:secretariat@avla.uk) or write to us: Secretariat - Audiovisual Licensing Alliance (AVLA) Limited c/o ALCS, 6th floor International House, 1 St. Katharine's Way, London, E1W 1UN.

## **COMPLAINTS**

We take your privacy very seriously and try to adhere to the highest standards when collecting and processing your personal data. However, if you think there is a problem with the way we are processing your personal data, then we encourage you to contact us directly to see if your

concerns can be addressed. Please see our Code of Conduct and our Complaints Procedure for further details on our complaints process.

If you are not satisfied with the outcome of our complaints procedure, or if you consider that your complaint has not been handled correctly, you may lodge a complaint with the Information Commissioners Office.

### **CHANGES TO THE AVLA PRIVACY POLICY**

This Privacy Policy is dated 21 November 2022. AVLA keeps its privacy practices under review and may change this Privacy Policy from time to time by posting changes on the AVLA Site. Please check regularly to see any updates or changes.