

From 25 May 2018 onwards, the **General Data Protection Regulation**, also known as the GDPR, will apply throughout the European Union. It contains regulations applicable to the processing and protection of your personal data.

This overview provides you with all important information regarding data protection:

1. Who is responsible for processing my personal data?

BOSS GP GmbH
Filblingstrasse 1
A-5330 Fuschl am See, Austria,
Managing Director S. Stieger

Contact for requests relevant to data protection:
Management of BOSS GP GmbH, Siegfried Stieger
Filblingstrasse 1, A-5330 Fuschl am See
board@bossgp.com

2. Is there a data protection officer?

In our case, there is no need for a data protection officer. You can contact the management for any questions regarding data protection.

3. For which purposes and on what legal basis are my personal data processed?

The following personal data – which were usually provided by yourself or are provided by third parties (eg sports association, race organizer, press releases, motor sport authorities) – are processed by BOSS GP:

a) Execution and organization of the racing series

Purpose: Registration and administration of drivers and teams for the racing series, creation of starter lists, organization and execution of individual racing events, communication with participants regarding organizational aspects of the racing series.

Legal Basis:

- Art. 6 (1) (b) GDPR (Performance of a contract):
Processing is necessary for the performance of the participation contract for the racing series or for taking steps at the request of the data subject prior to entering into a contract.
- Art. 6 (1) (f) GDPR (Legitimate interests):
Our legitimate interest lies in the proper and safe execution of the racing series.

b) Creation and Publication of Results and Driver Data

Purpose: Recording of race results, creation of championship standings, publication of results, lap times, and selected driver information (eg name, team, nationality, vehicle) on our website and, if applicable, in press releases or social media channels to inform the public and other participants.

Legal Basis:

- Art. 6 (1) (f) GDPR (Legitimate interests):
Our legitimate interest lies in sports reporting, the transparency of the racing series, and informing the public. We assume that the interest of the drivers in participation and visibility in motorsport does not override this. (A careful balancing of interests is necessary here. For more sensitive data or more extensive profiles, consent could be considered.)
- Art. 6 (1) (a) GDPR (Consent):
For the publication of photos or detailed driver profiles that go beyond the mere presentation of results, we may obtain consent.

c) Operation of the website and provision of information

Purpose: Provision of information about the racing series, dates, regulations, results, and news on our website. Ensuring the technical functionality and security of our website.

Legal Basis:

- Art. 6 (1) (f) GDPR (Legitimate interests):
Our legitimate interest lies in the external presentation of our racing series, the provision of information for interested parties and participants, and ensuring the stability and security of our website.
- Art. 6 (1) (b) GDPR (Performance of a contract or pre-contractual measures):
If contacting us via the website serves to initiate or execute a contract (e.g., registration for the racing series).
- Art. 6 (1) (a) GDPR (Consent):
For certain functions such as sending a newsletter or the use of certain cookies.

d) Transfer of data to track operators and organizers of race weekends

Purpose: Enabling participation in racing events organized by external organizers on rented race tracks. This includes the transmission of necessary participant data for accreditation, safety briefings, timekeeping, creation of participant lists for the organizer and the track operator, and possibly for insurance purposes and compliance with safety regulations of the respective track/organizer.

Legal Basis:

- Art. 6 (1) (b) GDPR (Performance of a contract):
The transfer is necessary to enable your participation in the respective racing events as part of the racing series, which is part of the participation contract. Without this transfer, participation in racing events organized by third parties is not possible.
- Art. 6 (1) (f) GDPR (Legitimate interests):
Our legitimate interest, as well as the legitimate interest of the organizers and track operators, in the safe and orderly conduct of the racing events and compliance with the respective track regulations and safety provisions.
- Art. 6 (1) (c) GDPR (Compliance with a legal obligation):
If legal requirements or official orders require the transfer of certain data (e.g., in the context of safety concepts).

e) Promotion of the racing series and public relations

Purpose: Creation, use, and publication of photo and video material from racing events, participants, vehicles, and the general activities surrounding the racing series for public relations, reporting, and promotional purposes for the racing series. This includes publication on our website, our social media channels (e.g., Facebook, Instagram, YouTube), in press releases, print media, and other marketing materials. Selected material may also be made available to the respective event organizer of the race weekend or the operator of the race track, so they can also use the material for their own promotional purposes in connection with the joint events or the promotion of motorsport at their venues.

Legal Basis:

- Art. 6 (1) (a) GDPR (Consent):
For photo and video recordings where individuals are clearly identifiable and are the main subject, and which are intended for specific advertising and marketing purposes, especially when they are also passed on to event organizers or track operators for their own promotional purposes. In these cases, we will ask for your explicit consent, clearly informing you about the precise purpose of use, the scope of publication, and any potential sharing. Consent can be withdrawn at any time.
- Art. 6 (1) (f) GDPR (Legitimate Interests):
For photo and video recordings depicting the general event atmosphere, large groups of people (e.g., spectator areas), or vehicles on the track where the identification of individuals is not the primary focus, or individuals appear only incidentally to the main event. Our legitimate interest here lies in documenting and promoting our racing series, increasing its visibility and the attractiveness of motorsport, as well as reporting on our events. A legitimate interest also exists in cooperating with event

organizers and track operators for the joint promotion of the events. We assume that the interest of participants and visitors in attending a public event such as a racing series implies the creation and use of such general recordings for the stated purposes, and that the interests or fundamental rights and freedoms of the data subjects do not override these interests.

In addition to the above:

- **Processing for the contract performance:** You enter into a contract with us by submitting your entry application for one or more racing events. We therefore need all data requested in order to perform this contract.
- **Processing for the fulfilment of a legal obligation:** We have legal obligations resulting from the nature of a motor racing event. These legal obligations are imposed by the respective national and international motor sport authorities, FIA, AMF, etc.
- **Processing due to a legitimate interest:** A legitimate interest in data processing performed by ourselves or third parties exists when, for example, an accident causing personal injury and/or material damage has taken place during a racing event and relevant data have to be provided or exchanged. The processing of personal data for the purpose of direct marketing may also constitute a legitimate interest.
- **Processing on the basis of consent:** If there is neither a contract nor a legal obligation or legitimate interest, the data processing may still be legitimate in cases in which you have consented to and/or approved of the scope and content of this data processing. This may concern, among others, general information on you or video, image and audio data that could be used for the promotion of racing series organised by us.
In this context, we should draw particular attention to the fact that you have the right to withdraw your consent at any time and that such data will no longer be processed by us in the future. However, you cannot retroactively withdraw your consent.

The provision of certain personal data (e.g. name, contact details, license information) is required for participation in the race series and the fulfilment of the participation contract. Participation is not possible without the provision of this data. The provision of other data (e.g. for optional information in the driver profile) is voluntary. Failure to provide this data will have no negative impact on your participation in the race series, but you may not be able to use certain additional services.

4. What is the source of my personal data?

In general, we receive your personal data from you. We also receive it from public sources, produce it ourselves (e.g. photos in the context of races), receive it from the organizer of race weekends or track operator or receive it from authorities, international organisations or other third parties (e.g. injured parties, other participants).

5. Who are recipients or categories of recipients of my personal data?

Your personal data may be disclosed to the following recipients or categories of recipients:

- Internal departments/employees:** insofar as this is necessary to fulfill the above-mentioned purposes.
- Track operators, Organizers of race weekends:** For the organization of the racing events on the respective race track, including registration, booking slots for the race series on the race tracks and co-organize the race events, recording and evaluation of race results (see 3.d above).
- International organisations:** provided that we are under a contractual (regulation, etc.) obligation (FIA, DMSB, AMF, etc.)
- IT service provider:** For the maintenance and support of our IT systems and website.
- Press and media:** As part of public relations work and reporting on the race series (usually aggregated data or publicly accessible information such as results) (see 2.b and 2.e above)
- Insurance companies:** In the event of claims settlements.

g) Authorities, institutions and public bodies: Insofar as there is a legal obligation to do so (e.g. in the event of accidents, by order, obtaining permits).

h) Public: By publishing results and selected driver data on our website (see 2.b and 2.e above).

We ensure that all recipients, in particular processors, comply with data protection requirements and treat your data confidentially.

6. Are my personal data transferred to a third country?

At the moment, no data is being transferred to a third country without your written consent!

7. For how long are my personal data stored?

In all cases, your personal data will be stored for as long as it is necessary for the fulfilment of the relevant purposes. Moreover, the period for which we must store the data is also legally stipulated. This obligation may still exist if the business relationship has already ended and you no longer want to race. An overview of the legal storage obligations applicable in Austria can be found, for example, at <https://www.wko.at/service/wirtschaftsrecht-gewerberecht/eu-dsgvo-speicher-und-aufbewahrungsfristen.html>. In addition to this, we reserve the right to store data for possible compensation claims until the general limitation period under Austrian law (30 years) expires.

8. What are my rights?

The GDPR grants the following rights concerning your personal data:

- a)** The right to be **informed** about the processing of your personal data;
- b)** The right to **access** your personal data according to Article 15 GDPR;
- c)** The right to **rectification** of your personal data according to Article 16 GDPR;
- d)** The right to **erasure** of your personal data according to Article 17 GDPR;
- e)** The right to **restrict** processing of your personal data according to Article 18 GDPR;
- f)** The right to data **portability** according to Article 20 GDPR;
- g)** The right to **object** to processing of your personal data and the right to **withdraw consent** according to Article 7 and 21 GDPR;
- h)** The right to file a **complaint** with the Austrian data protection authority according to Art. 77 GDPR (Wickenburggasse 8, 1080 Vienna; Tel.: +43 1/52 152-0; email: dsb@dsb.gv.at; web: <https://www.dsb.gv.at>)

In order to exercise your rights, you can send us a request by letter or email (see contact details above). However, to make sure that we only grant authorized people access to your data, we always need a respective proof of identity.

9. Are you carrying out automated decision-making (profiling)?

As we do not, in any case, process your data as part of any decision-making which is exclusively based on automated processing, including profiling, we protect your right according to Article 22 GDPR.

10. Where do I find more information?

Additional information and important notes on the right to data portability can be found at:

General Data Protection Regulation (GDPR):

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32016R0679>

Data Protection Act 2018: https://www.ris.bka.gv.at/Dokumente/Erv/ERV_1999_1_165/ERV_1999_1_165.html

Austrian Data Protection Authority: <https://www.dsb.gv.at/>

European Commission:

https://ec.europa.eu/commission/priorities/justice-and-fundamental-rights/data-protection/2018-reform-eudata-protection-rules_en