

## PRIVACY POLICY

### “Contests and Marketing Activities”

#### STEFFL Betriebs AG

##### 1. Processing Activities

Organization of sweepstakes and implementation of marketing activities for customers

##### 2. Data Controller

Kaufhaus STEFFL Betriebs AG (“STEFFL”)

Headquarters: Kärntner Straße 19

A-1010 Vienna

Phone: +43-1-93056

Email: [kundenservice@steffl-vienna.at](mailto:kundenservice@steffl-vienna.at)

##### 3. Purposes of data processing

· Based on the legal grounds of contract performance or preparation

- a) Granting the opportunity to participate in sweepstakes, marketing activities, events, and surveys, as well as
- b) fulfillment of contractual obligations toward the participant(s) and
- c) Acquiring and re-engaging customers for the sale of

by STEFFL (“Products”), as well as for participation in a customer loyalty program and newsletter services through the organization of sweepstakes and the implementation of other marketing activities

· on the legal basis of STEFFL’s (overriding) legitimate interests:

Direct marketing

c) Acquisition and re-engagement of customers

d) Distribution/display of advertising for (additional) goods and services from STEFFL via direct marketing (“marketing purposes”), to the extent permitted by law

e) Enabling participation in events and surveys for the purpose of direct marketing (“marketing purposes”)

f) Analysis of user behavior and customers’ personal preferences for the targeted distribution of advertising with the aim of avoiding wasted coverage (using profiling, see Section 9)



## 2

- on the legal basis of consent

- Sending a newsletter

To send an electronic newsletter, the controller explicitly obtains consent from the customer (“double opt-in” procedure). This consent may be revoked at any time with future effect.

## 4. Data Sharing with Partner Companies

STEFFL is part of a group of companies that also includes the following restaurants

- Weingut Mayer am Pfarrplatz, Kuchelauer Hafenstraße 175, 1190 Vienna
- Mayer am Nussberg, Kahlenberger Straße 213, 1190 Vienna
- Pfarrplatz Gastronomiebetriebs GmbH, Pfarrplatz 2, 1190 Vienna

For the purpose of sending promotional materials regarding the products and services of these affiliated companies, the data controller obtains the customer’s explicit consent (via a “double opt-in” procedure) to share data with these companies when the customer registers to participate in sweepstakes or other marketing activities. This consent may be revoked at any time with future effect.

## 5. Changes in Purpose (Forwarding)

Direct marketing: STEFFL informs you that customers’ personal data is also processed for direct marketing purposes (including profiling). Through direct marketing, STEFFL aims to promote the sale of the advertised products (whether its own or those of third parties). For this purpose, this data is not disclosed to any third parties (not affiliated with the group). There is no incompatibility with the purpose of the original data collection.

## 6. Objection to processing for direct marketing purposes

The customer may object to the use of their personal data for direct marketing (including “profiling”) at any time and without providing reasons to the data controller. The objection results in STEFFL no longer processing the customer’s personal data for these purposes in the future.

## 7. Legal basis for data processing

1) Participation in a contest: Performance or preparation of a contract

2) Direct marketing (including profiling) and STEFFL’s overriding legitimate interests

(see Section 8.)

3.) Consent: Sending electronic newsletters

## 8. Description of the (overriding) legitimate interests

### 8.1. For direct marketing purposes:

STEFFL also processes customer data (excluding data from children or special categories of personal data as defined in Article 9 of the GDPR3 (“sensitive data”)) to use it for the purposes of



direct marketing for (additional) STEFFL products (see also Section 5.). STEFFL has a legitimate interest in the processing of personal data for the purpose of direct marketing (Recital 47, last sentence of the GDPR). Only those customer data that STEFFL holds from the contractual relationship and for which the retention period is still in effect are processed. This does not result in an extension of the retention period. The primary objective of data processing is customer acquisition with the aim of re-establishing a (pre-)contractual relationship and fostering customer loyalty. In doing so, STEFFL relies on its freedom of enterprise (Art. 6 StGG) and freedom of communication (in particular Art. 10 ECHR, which also protects advertising activities), both of which are protected under convention and constitutional law, as well as on the rights

- to send postal advertising;
- to make promotional calls with consent;
- to send electronic mail after obtaining consent;
- to send electronic mail in accordance with § 107(3) TKG;

When using this data, STEFFL complies with the provisions of communications law, in particular §107 TKG.

## **8.2. For the purposes of data processing within the corporate group:**

STEFFL is part of a corporate group. To fulfill its extensive obligations, STEFFL also relies on affiliated companies within the group through a division of labor. STEFFL has a legitimate interest in doing so (Recital 48 of the GDPR). The individual companies to which data is transferred are listed in Section 13.1. Within the corporate group, personal data is only provided to departments that require this data to fulfill contractual and legal obligations and to safeguard legitimate interests. These departments are contractually obligated to comply with all data protection regulations.

## **9. Evaluation of personal aspects of the customer (“profiling”)**

Nature and description of data processing:

8.1. “Collection and Storage”: For the purpose of providing optimal customer service, STEFFL stores customer activities (e.g., orders, complaints, etc.) so that relevant and targeted measures can be taken to improve satisfaction and thereby customer loyalty, as well as to tailor the service to individual needs.

8.2. “Evaluation of personal interests”: To avoid wasted reach (and minimize data processing) in direct marketing, STEFFL stores demand behavior and reactions to offers, and uses this to infer certain personal interests. STEFFL uses these assessed interests to send customers targeted, interest-specific offers and advertising, particularly to foster customer loyalty, thereby avoiding wasted reach in advertising.

## **10. Objection to “Profiling”:**



## 4

The customer may object to the use of their personal data for profiling purposes at any time and without providing reasons by contacting the data controller. The objection results in STEFFL no longer processing the customer's personal data for profiling purposes in the future.

### 11. **Obligation to Provide Data**

The customer is under no obligation to provide data.

### 12. **Automated decision-making**

The customer is not subject to any automated decision that has legal effects on them.

### 13. **Types of Data Processed**

#### 13.1. Provided by the customer:

First and last name

Address(es)

Phone and fax number(s)

Email address(es)

Date of birth

Title

Registration data

Information from surveys

Public social media profile information, including usernames

Information as specified in the terms of participation, if applicable  
(e.g., license plate number, password)

Complaint

Participation in the customer loyalty program

#### 13.2. Additionally collected by STEFFL

Public social media profile information, including usernames (see Section 15)

Facebook comments posted (image, text)

Source of data

Relationship to another person

Delivery information,

Storage location

Cooperation partners from promotional offers

Campaign behavior

Interests

Title

Nature and content of the contractual relationship

### 14. **External recipients of data**



14.1. A list of the current group companies operating under “STEFFL THE DEPARTMENT STORE” under the responsibility of STEFFL and acting as recipients of data can be found below as well as on the

website: [www.steffl-vienna.at](http://www.steffl-vienna.at)

- STEFFL Handels GmbH, Kärntner Straße 19, A-1010 Vienna, FN 339387z
- SKYBOX Gastronomiebetriebs GmbH, Kärntner Straße 19, A-1010, FN 176631b
- Mythos Mozart Betriebs GmbH, Rauhensteingasse 6-8, 1010 Vienna, FN 373060v

14.2. List of recipients of data within the corporate group (based on the legal basis of consent)

- Weingut Mayer am Pfarrplatz, Kuchelauer Hafenstraße 175, 1190 Vienna
- Mayer am Nussberg, Kahlenberger Straße 213, 1190 Vienna
- Pfarrplatz Gastronomiebetriebs GmbH, Pfarrplatz 2, 1190 Vienna

### 14.3. Data processors

Categories of external service providers

Tax Advisors/Auditors

Attorneys

Banks and payment service providers

Debt collection agencies

Mail delivery services

Printing companies

Communication service providers

Logistics companies

All external recipients can be contacted uniformly regarding data protection issues through Kaufhaus STEFFL.

## **15. Transfers to third countries**

In the context of contests, sweepstakes, and other marketing activities, personal data is only transferred to recipients to the extent necessary to carry out the respective campaign and where there is a legal basis under data protection law pursuant to Art. 6 GDPR. The transfer of personal data to recipients in countries outside the European Union or the European Economic Area takes place exclusively in compliance with the requirements of Art. 44 et seq. GDPR, in particular on the basis of an adequacy decision by the European Commission, appropriate safeguards (e.g., standard contractual clauses), or another legally permissible basis.

For contests, sweepstakes, and other promotions conducted via social media platforms (currently, in particular, Facebook, Instagram, TikTok, and LinkedIn), special conditions apply, which are listed in the terms and conditions of the respective promotion. When using these platforms, it cannot be ruled out that personal data may be processed by the respective platform operators outside the European Union or transferred to recipients in third countries. The organizer has no influence over this data processing by the respective platform operators.



Further information on this can be found in the privacy notice regarding “Social Plug-ins” as well as in the cookie policy. Additional information regarding the processing of personal data by the respective platform operators can be found in their privacy policies.

The organizer of the respective campaign is exclusively the company designated in the terms and conditions. The social media platforms or their operators (e.g., Meta Platforms Ireland Limited for Facebook and Instagram, TikTok Technology Limited, or LinkedIn Ireland Unlimited Company) are not the organizers of the respective contests or sweepstakes, unless expressly stated otherwise in the terms and conditions.

## 16. Participation in Contests

16.1. STEFFL also relies on technical platforms and services provided by social media providers for the conduct and administration of contests, currently including Facebook, Instagram, TikTok, LinkedIn, or comparable social networks or communication platforms (“platform operators”). The operators responsible for the respective platform and their contact information can be found in the privacy policy of the respective platform.

16.2. STEFFL notes that the use of respective social media pages, profiles, channels, or other presences and their functions is the customer’s own responsibility. This applies in particular to the use of interactive functions (e.g., commenting, sharing, rating). The data collected in this context is processed by the respective platform operators and may be transferred to countries outside the European Union. The information received by the respective platform operators and how it is used is set forth in the privacy and data usage policies of the respective platform.

16.3. When visiting the respective social media presence, the platform operators collect, among other things, the IP address as well as other information that is stored on the user’s device in the form of cookies. This information may be used to provide STEFFL, as the operator of the respective presence, with statistical information regarding the use of the page, profile, or channel. Further details can be found in the privacy policies of the respective platform operators.

16.4. For the purpose of conducting contests, STEFFL collects those personal data of participants that are publicly visible on the respective platform (in particular, user or profile name and any personal data disclosed in the course of participation or interaction with the contest, such as by clicking “Like,” “Follow,” “Share,” or similar functions, subscribing to a profile, posting comments, or other interactions).

In addition, data that participants voluntarily provide when contacting us or during prize processing may be processed. All participants have agreed to the respective terms of use and privacy policies of the relevant platform in order to use it.

### 16.5. Processing of Personal Data by STEFFL

As the provider of the information service, STEFFL also collects and processes data from the use of its pages that is made available to STEFFL by the respective platform operator:



This information includes statistics on visits to our profile, reports on the playback time of our videos, user interactions such as “Likes,” comments, or subscribers, as well as information about individual users who actively interact with our page, e.g., by subscribing or using Instagram’s communication features. We use this information regularly to ensure communication with customers and to tailor our published content in terms of its reach and target audience.

The legal basis for processing is a legitimate interest pursuant to Art. 6(1)(f) GDPR for the aforementioned purposes.

16.6. If registration for contests and other marketing activities takes place via a STEFFL landing page, the following data is collected and processed via a form:

- Title
- First and last name
- Email address
- Phone number
- Club number (only for participants who are members of the customer club)
- Other information required to conduct the contest

## 17. Participation in events

The controller regularly organizes events for members of STEFFL The Club as well as for other interested parties and customers. Invitations are sent primarily via the club newsletter, marketing campaigns, or through cooperation partners; registration takes place via an online registration page (landing page). The following personal data is processed in this context:

- Title
- First and last name
- Email address
- Phone number
- Club number (only for members of the customer club)

Depending on the type of event, additional information may be collected, in particular:

- Information about an accompanying person
- Allergies or intolerances
- Other information necessary for the event
- Photographs and video recordings

Data processing is carried out for the purpose of organizing, conducting, and following up on the respective event, as well as for communicating with participants. The legal basis is Article 6(1)(b) GDPR or Article 6(1)(f) GDPR.

The link to the registration page may also be made available to marketing and cooperation partners. In such cases, in addition to members of STEFFL The Club, individuals who are not members of STEFFL The Club may also register for the respective event.



To the extent that information regarding allergies, intolerances, or other health data is provided during registration, such data is processed exclusively for the purpose of organizing and conducting the event based on the data subject's explicit consent pursuant to Article 9(2)(a) of the GDPR.

To the extent that photos and videos are taken, these will be used to document the event as well as for the controller's reporting and public relations purposes and may be published, in particular, on websites, social media, newsletters, and other print and online media.

The processing is based on the controller's legitimate interest in documenting and promoting its events and activities in accordance with Article 6(1)(f) of the GDPR.

To the extent that the recordings do not exclusively concern the presentation of the event as a whole, data subjects have the right to object at any time to the processing of their personal data for reasons arising from their particular situation.

## **18. Retention Period**

All participants: The data is generally processed by STEFFL on the basis of the legal grounds mentioned above for 24 months following the drawing/conclusion of the campaign and is subsequently deleted (in any case, the personal reference).

Winners/beneficiaries: The data is processed by STEFFL on the basis of the legal grounds mentioned above for a maximum of 30 months after the prize is awarded or the benefit from the marketing campaign ends (= 24 months for potential contractual claims for damages + max. 6 months for the service of a lawsuit), and is subsequently deleted (in any case, the personal reference). Thereafter, any invoice data will be processed on a personal basis until the end of the statutory retention period (currently generally 7 years).

## **19. Customer Rights Basis Content**

Art. 15 GDPR "Right of Access": The data subject has the right to request information regarding whether their personal data is being processed.

Art. 16 GDPR "Rectification": The data subject has the right to request the immediate rectification of inaccurate personal data or its completion.

Art. 17 GDPR "Erasure": The data subject has the right to request that personal data be erased without undue delay, provided that the grounds specified in Art. 17(1) GDPR are met.

Art. 18 GDPR "Restriction": The data subject has the right to request that the processing of personal data be restricted, provided that the grounds specified in Art. 18(1) GDPR are met.

Art. 21 GDPR "Objection": Objection to profiling: The data subject has the right to object at any time to the processing of their personal data for the purpose of profiling. Objection to direct marketing: The data subject has the right to object at any time to the processing of their personal data for the purpose of direct marketing.

Article 20 GDPR "Data Portability":



The data subject has the right to receive their personal data in a structured, commonly used, and machine-readable format.

## 20. Right to lodge a complaint, Art. 77 GDPR, § 24 DSG

Every data subject has the right to lodge a complaint with the supervisory authority if they believe that the processing of their personal data violates this Regulation.

## 21. Supervisory Authority: Austrian Data Protection Authority

Barichgasse 40-42, 1030 Vienna

Phone: +43 1 52 152-0

Email: [dsb@dsb.gv.at](mailto:dsb@dsb.gv.at)

## 22. General Information and Definitions

If terms referring to natural persons are used in the masculine form only in this privacy policy, they refer to both women and men equally. When applying the term to specific natural persons, the gender-specific form must be used.

The term "customers" refers to both consumers and business entities.

Direct marketing is the direct contact with the data subject for advertising purposes, such as sending letters or brochures, via telephone calls or electronic messages.

General Data Protection Regulation, available at <http://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX%3A32016R0679>

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**Notice: This text is a translation of the original German version. In the event of any discrepancy, inconsistency, or ambiguity between the German version and this English translation, the German version shall prevail.**

