

## **Privacy policy of the Basketball Arbitral Tribunal (BAT)**

The Basketball Arbitral Tribunal (BAT) is committed to protecting your privacy. This privacy policy explains how the BAT („we“) will collect and use your personal data and which rights you may have in this respect.

### **Who is responsible for your personal data?**

Martens Rechtsanwalts GmbH, a limited liability company under German law (seat: Munich; commercial registry number: HRB 196079; legal representative: Dr. Heiner Kahlert) is the entity operating the BAT. Therefore, they are responsible for your personal data.

Contact details:

Dr. Heiner Kahlert  
Martens Rechtsanwalts GmbH  
Agnesstr. 14  
80798 Munich  
Germany  
E-Mail: bat@martens.legal

### **Which personal data do we collect?**

We collect personal data when it is provided to us in the context of carrying out BAT arbitrations or BAT payment order procedures. Personal data may be provided to us by parties to BAT arbitrations or BAT payment order procedures, by the BAT President, the BAT Vice-President, BAT Arbitrators and their respective assistants and, in certain cases, also by third parties. We may also collect personal data from publicly available sources.

The personal data we collect may include, for example, contact information (such as your name, job title, postal address, telephone number, mobile phone number, fax number and email address), date of birth, gender and salary. In rare cases, and depending on the subject-matter of the arbitral proceeding in question, we may also collect special categories of personal data such as information about your health, in particular if contained in submissions made to the BAT.

### **For which purposes and on what legal basis will we use your personal data?**

We may use your personal data for the following purposes (the „Permitted Purposes“):

- Administering the BAT arbitration procedure or the BAT payment order procedure in the framework of which your personal data was provided to us;
- Responding to messages sent to us;
- Conducting conflict checks in relation to other BAT arbitrations;
- Safeguarding the consistence of BAT jurisprudence;

- Compiling statistics (in anonymous and aggregate form) about BAT arbitrations and BAT payment order procedures;
- Monitoring and assessing compliance with internal policies and standards;
- Informing you about important developments related to the BAT, e.g. the enactment of new Arbitration Rules;
- Complying with our legal and regulatory obligations and requests anywhere in the world, including reporting to and/or being audited by national or international state authorities or regulatory bodies; and
- Dealing with any legal disputes, claims or appeals.

We are entitled to collect and process your personal data for the Permitted Purposes under Article 6(1)(1) lit. b), c), d), e) and/or f) of the General Data Protection Regulation of the European Union (“GDPR”).

### **With whom will we share your personal data?**

In pursuing the Permitted Purposes, we may share your personal data with the following persons and entities:

- The BAT President, BAT Vice-President, the BAT Arbitrator appointed to the respective arbitral proceeding and their respective assistants. In certain circumstances foreseen by the Arbitration Rules of the BAT, we may share your personal data also with other BAT Arbitrators;
- FIBA (the international basketball federation), in the context of publishing on FIBA’s website the arbitral awards rendered by the BAT;
- Courts, arbitral tribunals, law enforcement authorities, relevant sports governing bodies (such as FIBA) or public or private regulators where (i) we are required to do so by law or (ii) this is requested in the framework of appeal or enforcement steps or proceedings in relation to an arbitral award rendered by the BAT; and
- Our trusted third party service providers (including information technology providers); when we share your information with our service providers, we will ensure that your data is kept secure and used only in accordance with this notice.

### **Will your personal data be transferred abroad?**

We will transfer your personal data abroad only if required for the Permitted Purposes. In particular, we will need to transfer any personal data contained in the case file of a BAT arbitration to the BAT President, the BAT Vice-President and the BAT Arbitrator appointed to the respective case. In addition, we will need to transfer any personal data contained in the case file of a BAT payment order procedure to the BAT President and the BAT Vice-President.

The country to which your personal data is transferred may not provide the same level of protection as the laws of your home country, or as the laws of the European Union.

When we transfer your data outside of the European Economic Area to a country which the European Commission does not deem to have adequate data privacy laws, we will ensure that such transfers are

made subject to appropriate or suitable safeguards as required by the General Data Protection Regulation (EU) 2016/679 or other relevant laws. This includes entering into the EU Standard Contractual Clauses which are available [here](#). You may contact us anytime by email to [bat@martens.legal](mailto:bat@martens.legal) if you would like further information on such safeguards.

### **For how long do we retain your personal data?**

We will only retain your personal data for as long as necessary to fulfil the Permitted Purposes.

### **What rights do I have in relation to my personal data?**

You have certain rights over your personal data. Under the GDPR, you may have the right to:

- require us to rectify the personal data we hold about you, where that data is incorrect;
- require that we restrict the processing of your personal information in certain circumstances;
- request access to the personal data that we hold about you;
- require that, in certain circumstances, we delete the personal information we hold about you;
- require that we provide you with the information that we hold about you in a structured, commonly used and machine-readable format; and/or
- lodge a complaint with a supervising authority.

However, the existence and scope of those rights is subject to applicable laws and rules which may give rise to exceptions. Such exceptions may apply, for example, to safeguard the confidentiality of the arbitral proceedings.

If you wish to exercise any right in relation to your personal data, please contact us at [bat@martens.legal](mailto:bat@martens.legal).

This privacy policy was issued on 1 February 2024. It may be amended from time to time.