

# **PRIVACY POLICY**

## **BABYGARDEN DAYCARE**

2

### **DATA PROCESSOR**

This Data Management Notice (hereinafter: Notice) covers the following data manager:

BabyGarden Daycare Family Nursery (hereinafter: Data Controller)

Headquarters: 1026 Pasaréti út 3. fszt. 3rd,

Represented by: Anna Bodó Virág, head of institution,

Her email address is info@babygardendaycare.com

### **AMENDMENT OF THE NOTICE**

The Data Controller reserves the right to unilaterally modify the Information, about which modification the Data Controller informs the Data Subject according to its available possibilities, and makes the modified Information available to the Data Subject. The purpose of this reservation of rights is to enable the Data Controller, on the one hand, to keep the Information Sheet up-to-date, with the help of amendments in line with legislative changes, on the other hand, to fill in any gaps and correct errors, and on the third hand, to flexibly review and develop the established practice based on the experience gained, within the legal framework.

### **GENERAL PROVISIONS**

The Data Controller manages the Data Subject's personal data in accordance with the provisions of the current legislation, especially the legislation indicated below, in accordance with the provisions of this Data Management Notice (hereinafter referred to as: Notice).

The Data Controller informs the Data Subject that the provisions relating to the legality of data management are a priority

– Regulation (EU) 2016/679 of the European Parliament and of the Council (General Data Protection Regulation, hereinafter: GDPR) and – CXII of 2011 on the right to information self-determination and freedom of information. Act (hereinafter: Infotv.) contain.

In addition, legislation relating to other special areas and legal relationships also establishes data protection rules, e.g.

– XXXI of 1997 on the protection of children and guardianship administration. law, – 328/2011 on the reimbursement fee for basic child welfare services and child protection specialist services providing personal care and the evidence that can be used for their application in relation to child feeding. (XII. 29.) Government decree, respectively – in relation to those in a different legal relationship with the Data Controller (e.g. an employee relationship), the legislation governing the given legal relationship (e.g. Act XXXIII of 1992 on the legal status of public employees).

### 3

The purpose of the Notice is to define the scope of the Data Subject's personal data managed by the Data Controller, the purpose, legal basis and method of data management. The purpose of the Information is also for the Data Subject to become familiar with his rights related to data management, as well as the possible ways of enforcing his rights.

In addition to all this, the Data Controller takes into account the information provided by the authority responsible for data protection (National Data Protection and Freedom of Information Authority), as well as the published judicial practice. The Data Controller considers it particularly important to comply with the requirement of public understanding and transparency highlighted in the National Data Protection and Freedom of Information Authority's recommendation on the data protection requirements of advance information, and that the Data Subject can thereby obtain as complete and comprehensive a picture of the handling of his personal data as possible.

For the sake of public understanding and transparency, the Data Controller tries to present the most important details and elements of the data management it carries out in the form of questions and answers, and to inform the Data Subject about them.

## MORE IMPORTANT CONCEPTS

### **Who is the Data Subject mentioned several times in the Information Sheet?**

In the event that a natural person, i.e. a human being, is identified or can be identified on the basis of some (any kind of) information, he or she must be considered the Data Subject. In practice, this means that the Data Controller has data that can be linked directly or indirectly to the Data Subject.

***Example:** If someone is only given a list without any kind of context, on which one can see consecutive birth times (dates), then they probably won't be able to extract any further information from it. However, if additional data is included next to each date of birth (e.g. name, place of birth, mother's name, etc.), then these are already data on the basis of which*

*the people in the table can be identified, and additional information can be obtained from the data shown there. .*

**This is fine so far, but in this case, from the point of view of the Information, who are considered Data Subjects?**

Although it is difficult to answer this question comprehensively, there are still groups of Data Subjects that are characteristic of the Data Controller involved in this Notice, which are as follows:

- a child receiving nursery care at the Data Controller (hereinafter: **Child**), regardless of the fact that he is otherwise not entitled to make a legal declaration due to his incapacity due to his minor age,
- the legal representative of the Child (hereinafter: **Parent**), on the one hand acting on behalf of the Child, on the other hand in relation to his own personal data, as well as - a public servant, case manager, physical employee, public employee working for the Data Controller, a person who has a contractual relationship with the Institution, as well as a person employed within the framework of another legal relationship for work (hereinafter: **Employed**).

4

**It was said that if the Data Controller has data that can be linked directly or indirectly to a person, then this person must be considered the Data Subject. Exactly what kind of data are we talking about in this case?** These are called personal data precisely because they can be linked to a natural person (human). Answering the question in more detail: practically any information and data relating to the Data Subject, as well as the conclusions that can be drawn from them, are considered personal data. This means that the concept must be interpreted broadly, one and the most important element is that the data can be linked to the Data Subject. The various laws (Infotv., GDPR) also mention specific examples, e.g. Personal data includes, among others, the Data Subject

- name,
- identification mark,
- different properties, such as
  - physical (*e.g. body weight*)
  - physiological (*e.g. functioning of basic life functions, existence of certain diseases*) • genetic (*e.g. gender, skin color*)
  - intellectual (*e.g. mental state, intelligence level*)
  - economic (*e.g. financial situation, income*)
  - cultural (*e.g. belonging to an ethnic group*)
  - social (*e.g. marital status*) properties.

Among the various properties characteristic of the Data Subject, there are also those that are considered special data, and these enjoy enhanced protection even compared to the previous one.

**Why, what are special data?**

Personal data includes special data, the unauthorized access to which could cause significant damage to the Data Subject's interests, such as atrocities from others, negative perception, disadvantages related to finding a job, etc. These are therefore "more intimate" data, which are subject to increased protection. It can be classified here

- to racial origin,
- belonging to a nationality,
- to political opinion or party affiliation,
- to religious or other worldview beliefs,
- for interest representation organization membership,
- for sex life,
- on the state of health,
- personal data on pathological passion, as well as
- the criminal personal data.

**What does the term data management mean? If I am the Data Subject, what can they do with my personal data?**

5

Data management on personal data or data files (*the data set consists of logically related, jointly managed data*) any action or set of actions performed by the Data Controller (or the data processor on behalf of the Data Controller). This includes data in particular

- collection,
- recording,
- systematization,
- segmentation,
- storage,
- transform or change,
- query,
- viewing (viewing the data),
- use,
- communication,
- forwarding,
- distribution or otherwise making available,
- coordinate or connect,
- restriction,
- deletion, respectively
- destruction.

## **LEGAL BASIS OF DATA MANAGEMENT**

**When will the Data Controller be entitled to manage my personal data?**

There are several possible conditions and legal grounds for data processing, at least one of which is required for data processing to be legal. On the one hand, the Data Subject himself

can also consent to the processing of his personal data [GDPR Article 6(1)(a)]. In this case, this voluntary consent creates the legal basis for the Data Controller.

On the other hand, personal data may be processed for certain other purposes even in the absence of the Data Subject's express consent.

The Data Subject's personal data may be processed even in the absence of the Data Subject's express consent, if – data processing is necessary for the performance of a contract in which the Data Subject is one of the parties, or it is necessary for taking steps at the Data Subject's request prior to the conclusion of the contract;

– data management is necessary to fulfill the legal obligation of the Data Controller; – data processing is necessary to protect the vital interests of the Data Subject or another natural person;

– data management is necessary for the performance of a public interest task, or

– data processing is necessary to enforce the legitimate interests of the Data Controller or a third party, unless these interests are overridden by interests or fundamental rights and freedoms of the Data Subject that require the protection of personal data, especially if the Data Subject is a child [Article 6(1)(b)-f) GDPR].

## 6

## GENERAL PRINCIPLES OF DATA MANAGEMENT

**Then the Data Controller can handle my personal data in any way he likes, the point is that he has a legal basis for doing so?**

No. It is important to emphasize that the Data Subject's personal data may only be processed for specific, clear and lawful purposes, so even if the Data Subject gives his consent to the processing of his personal data, this does not necessarily mean that the data processing is legal.

*Example:* The data controller's data management is not legal if it uses the personal data to commit a crime (e.g. it provides the Data Subject's data instead of its own), even if otherwise the Data Subject provided its personal data voluntarily. It is also important that general data management without a specific purpose does not meet the criteria of legality either. In other words: data processing is not legal if the data controller processes the Data Subject's data "just like that", for a specific purpose that is not specified in advance, or only in broad outlines, in a way that is not exactly transparent.

**What happens if the data controller acts appropriately at the beginning, only handles my data for the specified purpose, and then uses it for other purposes?** This is also not legal.

In fact, the data processing must meet the given purpose at all stages, and the processing of personal data must be carried out legally and fairly, in a transparent manner for the Data Subject.

**What happens if my data is processed that is not related to the purpose of data processing?**

Only personal data of the Data Subject may be processed that are appropriate and relevant for the purposes of the data management, are absolutely necessary for the realization of the purpose of the data management, and such data management can only be continued to the

extent and for the time necessary for the realization of the purpose. In addition to all of this, the accuracy and up-to-dateness of personal data must be ensured during data management, and in connection with the above, the Data Subject can only be identified for the time necessary to achieve the purpose of data management. If these data management principles are ignored, the activity of the data controller also does not meet the requirement of legality.

## **PURPOSE OF DATA MANAGEMENT**

### **For what purpose can the Data Controller process my data?**

As a general rule, the Data Controller carries out its data management activities in order to provide the nursery education and care activities as a public task as efficiently and to the highest standard as possible, as well as to fulfill its legal obligations in this regard. Later on, the Information will include the purpose of data management, indicated separately under the various legal titles.

7

The Data Controller performs data management based on the Data Subject's consent in most cases in order to make the work performed by the Data Controller more efficient and to facilitate it. In addition to the general purpose described here, the Data Controller informs the Data Subject of the exact purpose of the data processing before giving consent in the case of data processing based on consent.

## **PERSONS AUTHORIZED TO KNOW THE DATA**

### **Can the Data Controller share my data with anyone?**

The Information will mention cases in which the Data Controller is entitled to forward the Data Subject's data. However, it is important to highlight a special case: the Data Controller is entitled to transmit and make available the data to the deputy head of the institution in the necessary scope, and in the framework of the performance of its public duties, the territorially competent Government Office and the inspection bodies cooperating with it may also handle this data.

**If I understand correctly, the Data Controller is not a specific person, but the nursery itself, which is an inanimate thing. As a result, my question is, in terms of practice, who are the specific persons who are authorized to manage my personal data?** The authorized employees of the Data Controller. It is particularly important to highlight among them the person responsible for the education and supervision of the Child as Data Subject, as well as the professional manager of the Data Controller, as well as the manager of the organizational unit authorized to handle specific data based on the internal regulations and the administrator appointed by the manager. The exercise of the employer's authority, as well as the person assisting the exercise of the employer's authority in this activity, are entitled to manage the Employee's personal data.

In addition to all of this, if necessary, the data protection officer of the Data Controller is also

entitled to access personal data to the extent necessary for his work. In each of these cases, it is an essential principle that only employees of the Data Controller are authorized to perform data management activities and only to the extent that this activity is absolutely or significantly necessary for their direct tasks and duties.

**What happens if, for example, a close relative of mine works for the Data Controller and is not authorized to manage my personal data, but he knows them?** Since this Notice does not cover data processing based on a personal relationship, and in the case described in the question, data processing stems from a personal relationship between the parties, the absence of a legal basis according to this Notice does not constitute an obstacle to this type of data processing. However, personal relationship-based and official data management must be carried out separately by the person performing the data management.

## **DATA MANAGEMENT BASED ON THE CONTRIBUTION OF THE DATA SUBJECT**

**Returning to the legal basis of data management: what exactly does it mean that I, as a data subject, consent to the management of my personal data?**

For data processing based on the Data Subject's consent, it is necessary that the Data Subject voluntarily and

8

clearly declare and thereby give express consent and consent to the processing of data concerning him. It is also important that the consent is preceded by specific and appropriate information, i.e. the Data Subject can decide whether he wishes to give his consent, knowing the necessary information, and be aware of exactly what he has consented to.

**What is the necessary information in this case? When can I say that I have been properly informed?**

Before giving consent, the Data Controller informs the Data Subject in an understandable and transparent manner about the details of the data management, in particular the scope of the managed data, the voluntary nature of giving consent, the purpose and duration of the data management, and further details of the data management.

**What is meant by the phrase "by his statement or by his act of unmistakably expressing the affirmation"? What is the difference between the two?**

In the former case (in the declaration), the Data Subject directly states - either in writing or orally - that he consents to the processing of his data, while in the latter case (in the case of an act that clearly expresses the confirmation) the Data Subject's behavior clearly indicates that he consents to the processing of his personal data, e.g. on his own initiative, he gives his phone number to the data controller, so that the Data Controller can reach him later.

**Is there any difference between written and verbal consent?** As a general rule, the Data Controller obtains the Data Subject's consent in writing, and in the case of special data, in all

cases in writing. If the Data Subject does not consent to the processing of his personal data in writing, in that case the Data Controller must prove the consent.

**As a parent, it is important for me to know: can my child also give consent to the processing of his data?**

You can't. Since here children of nursery age, i.e. mainly under 3 years of age, are involved in the data processing carried out by the Data Controller, the rules applicable to incapacitated persons are applicable in their case. The incapacitated (*under 14 years of age or under guardianship with incapacity*) The data subject cannot independently make a statement of assent, consent or any other legal declaration in connection with the processing of his personal data. Instead, on his behalf, his legal representative (the Parent) can make legal declarations, so he can also consent to the management of his child's personal data.

**How long can the Data Controller process my data based on my consent?** Before giving consent, the Data Controller must inform the Data Subject about the duration of data management. However, it can also be stated that the duration of the data management must be aligned with the purpose of the data management, i.e. the Data Controller is only entitled to manage the data as long as it is necessary to achieve the purpose of the data management.

9

**And what happens if I have given my consent once, but later change my mind? Do I have to wait for the data management period to expire?** No, consent to data management can be withdrawn at any time. However, it is important that the revocation does not affect the legality of the data processing carried out on the basis of consent before the revocation, so as long as the Data Subject does not decide otherwise and the legal basis for the data processing exists, the Data Controller is entitled to process the data. In addition, it is worth considering what is described under the heading "DATA PROCESSING BASED ON ARTICLE 6 (1) POINT F) OF THE GDPR".

**BASED ON THE LAW, NAMED. MANDATORY DATA MANAGEMENT**

**It was said that in certain cases my personal data can be processed even if I do not consent to it. What exactly do you need to know about this?**

Among these other legal bases, it is important to highlight those cases where specific legislation creates the possibility for data management. This is also called mandatory data management, since the data controller is not only entitled to data management in this case, but the legislator designates data management as an obligation and a task to be performed.

The Data Controller included in this Notice manages the Data Subject's data on the basis of the following legal authorizations:



	<b>Nursery education and care</b>	<b>Employment, management of labor data</b>
<b>Data handling its legal basis ascertaining place of law</b>	the children on protection and guardianship about administration XXXI of 1997 Act § 134	- Act XXXIII of 1992 on the legal status of civil servants. Section 20 (2d), (2e) of the Act, No. 5 annex, - the job I of 2012 on the Code of Law Act § 10 (2) and 44/A. § - the children on protection and XXXI of 1997 on guardianship administration.

10

		Act § 15 (8) paragraph
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<p><b>Managed data circle</b></p>	<p>– the child's name, place of birth and ideas, dumb, TAJ number, nationality, mother tongue, place of residence, address of place of residence, non-Hungarian á.p. stay in the territory of the Republic of Hungary legal title and the name, number, family document of residence permit legal status;  – name of the Parent, place of residence, address of your place of residence, a personal identification number, and social Security identification signs, phone number, financial situation, workplace, education, relations, a related to child rearing, thus especially for living, educational behavior, data on your health, criminal</p>	<p>– employee name, birth name, Place of birth, date of birth, mother's name, permanent residential address, temporary address, telephone number, marital status, TAJ number, tax identification number, personal ID card, moral certificate, other certificates (school certificate, vocational qualification certification certificate), for previous and current work data of his legal relations, residential current account number, details of your children (name of your child, TAJ number, tax identification number, permanent address), - personal operational registration number and e-mail</p>
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	record, etc.; - the child with his nursery development	address of persons providing care, phone number, - sentenced to life without employment the data specified by law regarding prohibition
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	and nurseries with his legal relationship related data, as well as the admission of the Child related data; – the educational one care task to which the legal relationship of the Child is directed, as well as with the suspension of the legal relationship, with its termination related data; - the child by omission related data; – data on Children who require special attention; - data on child accidents	
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<b>Purpose of data management</b>	the legal obligation of the Data Controller fulfillment, a children care during the day, providing and taking measures, during the control of all these, as well as ensuring the enforcement of the rights defined by law facilitating	for the provision of nursery education and care tasks insurance, that is Employees record keeping
<b>Custom register way of</b>	"Your customers." Register (KENYSZI), - Your service providers Register, - paper-based, - electronic (computer, hard disk, CD,	you are paper based electronic

	flash drive, external winchester stb.)	
<b>Data handling duration</b>	the archival custody equal to time (5-10-50 years). duration	until the termination of the employment relationship, a wage payment on which it is based in the case of data, for 50-70 years

In the cases described above, the Data Controller processes the Data Subject's personal data

directly in the manner and for the purpose prescribed by law, the Data Subject's voluntary consent is not required for the legality of the data processing. At the same time, the Data Subject may object to the processing of his personal data by the Data Controller as described later.

## **DATA MANAGEMENT BASED ON ARTICLE 6, PARAGRAPH (1) POINT F) OF THE GDPR**

**Is it possible that the Data Controller continues to process my personal data despite the fact that its data processing was based on my previous consent and I have since withdrawn this consent?**

As a general rule, in case of withdrawal of consent, the Data Controller is obliged to delete the Data Subject's personal data, and may no longer process them.

However, an exception to this is possible, which is one of the previously listed legal bases for data management: the processing of personal data is legal if the data processing is necessary to enforce the legitimate interests of the Data Controller or a third party, unless the interests of the Data Subject take precedence over these interests or fundamental rights and freedoms that require the protection of personal data, especially if the Data Subject is a child.

In this case, the legitimate interest of the Data Controller (or a third party) conflicts with the Data Subject's right to request the deletion of their data in the case of data processing based on their consent.

In this case, the Data Controller is obliged to carry out an interest balancing test and use this to determine which right is stronger than the other. The balance of interests test consists of three steps:

1. identification of the legitimate interest of the Data Controller,
2. as opposed to this, the exploration of the interest of the Data Subject and the related fundamental right, also examining the fact whether the Data Subject is a child,
3. finally, based on the weighting, determining whether the personal data can be processed.

**How do I find out that, in my opinion, the Data Controller should delete my data, but they don't?**

The Data Controller is obliged to inform the Data Subject about the result of the test and the data management based on it. The information must be provided in a way that is clearly based on it

13

the Data Subject can determine, on the basis of which legitimate interest, and exactly why it can be considered a proportionate restriction that the Data Controller processes his personal data without his consent.

**What can I do if I do not agree with the result of the test performed by the Data**

**Controller?** If you do not agree with the processing of your data in this manner, on a legal basis, you may object to the data processing as described below under the headings "RIGHTS OF THE DATA SUBJECT, LEGAL ENFORCEMENT OPPORTUNITIES" and "THE RIGHT

OF THE DATA SUBJECT TO REMEDY".

## OTHER CASES OF DATA MANAGEMENT

**What rules apply to the other data management legal bases described above?** In order to fulfill its legal obligations, the Data Controller shall, in compliance with its legal obligations, keep the accounting documents directly and indirectly supporting the bookkeeping (including ledger accounts, analytical and detailed records) for at least 8 years.

In addition, Act XXXI of 1997 on the protection of children and guardianship administration. Based on the provisions of § 17, paragraph (2) of the Act, early childhood educators, nursery school nannies and employees who directly support educational and care activities are obliged, through the head of the nursery care institution, to immediately report to the competent child welfare service provider in the event of the child being at risk, and also to the authorities to initiate a procedure in case of abuse or serious neglect of the child or the existence of other serious endangering reasons, as well as the child's self-inflicted serious endangering behavior. In this situation, the consent of the Data Subject or the person otherwise entitled to access the data (i.e. the Parent) is not required for data transfer.

All in all, it can be said that if the purpose of data management is to fulfill a legal obligation, conclude or fulfill a contract, the provision of the data necessary to fulfill the purpose by the Data Subject is mandatory. In the case of a contract, in the absence of this, the contract cannot be concluded.

## DATA TRANSFER

**Data transmission has already been discussed above. What does this term mean? Can the Data Controller send my personal data to anyone?**

First of all, it is important to clarify the meaning of the term. Data transmission is making personal data managed by the Data Controller available to third parties. And who

14

does it count as a third party exactly? The natural or legal person, public authority, agency or any other body that is not the same as the Data Subject, the Data Controller, the data processor or the persons who have been authorized to process personal data under the direct control of the Data Controller or data processor.

It is also worth recalling that data transmission is one of the many sub-rights of data management. Therefore, when someone forwards the Data Subject's personal data, they also perform data management.

As for the other half of the question, the Data Controller does not "distribute" the Data Subject's personal data; they may be forwarded to a third party only if one of the legal grounds

specified in the Information under the heading "LEGAL BASIS FOR DATA PROCESSING" exists.

### **What does this mean in practice?**

The Data Controller is entitled and obliged, for example, to forward all personal data managed by it to the courts or authorities, which data it is obliged to forward by law or legally binding court or official decision. (This is one of the cases of data management related to the fulfillment of a legal obligation.) However, before fulfilling official data requests, the Data Controller is obliged to check for each individual data whether the legal basis and obligation for data transmission really exists.

In addition, the Data Controller may transfer the personal data it manages - to the extent necessary, in order to exercise its rights and fulfill its obligations – data processing,

- invoicing,
- booking,
- claims management,
- delivery as well as
- for the purpose of providing legal representation for persons and companies selected by the Data Controller, and
- for bodies authorized to handle legal disputes by law, as we have seen above.

**It is understandable that in some cases my personal data will be transferred, but do I have any possibility to at least find out about this afterwards?** As a general rule, data management must be transparent for the Data Subject (with the exception of cases such as measures to be taken to protect children), so this principle also applies in this case. For this purpose, the Data Controller keeps a Data Transfer Register for the purpose of checking the legality of the data transmission and informing the Data Subject, which contains the date, legal basis and recipient of the transmission of personal data managed by the Data Controller, the designation of the transmitted personal data, as well as other data specified in the law that prescribes data management. The Data Subject therefore has the opportunity to find out about the transmission of his personal data.

### **What about these third parties? Will they also take care of my personal data?**

15

Yes, the obligations of the Data Controller apply to them as well. Those who receive the personal data according to the above act in relation to the data according to the instructions of the Data Controller and may not use the data for purposes other than this, and are subject to confidentiality and data protection obligations.

## **THE RIGHTS OF THE DATA PARTICIPANT, THE POSSIBILITIES OF RIGHTS ENFORCEMENT**

**How can I get to know the data concerning me in the Data Transfer Register?** Exercising the Data Subject's rights vis-à-vis the Data Controller is ensured by the various options

described in detail below. The Data Subject can exercise all of these options and rights through his request sent to the Data Controller, so this also applies to the case when he wants to know the contents of the Data Transfer Register.

### **How can I send my request to the Data Controller?**

The Data Subject can report his request to the Data Controller at the following e-mail address: [info@babygardendaycare.com](mailto:info@babygardendaycare.com)

The Data Subject may submit his request to the Data Controller by the

following post: 1125 Budapest, György Aladár utca 16.

### **In addition to the content of the Data Transfer Register, can I inquire about anything else at the above addresses?**

Yes, in fact, the Data Subject can not only request information from the Data Controller, but also the execution of other operations concerning his data, such as deletion, correction, restriction, etc.

### **Explained in a little more detail, what exactly can I request from the Data Controller as a Data Subject?**

The following options and rights ensure the exercise of the Data Subject's rights vis-à-vis the Data Controller. All requests for these can be sent to one of the addresses described above.

#### *Information, Access*

The Data Controller informs the Data Subject about the data concerning the Data Controller, as well as the details of the processing of the Data Subject's personal data, including, in particular, the purpose, legal basis, duration of the data processing and, in case of data transfer, its recipients. The Data Controller partially fulfills this obligation to provide information through this Notice, however, the Data Subject has the right to request individual information from the Data Controller, with the help of which the Data Controller can receive feedback from the Data Controller about the handling of his personal data, and thus gain access to these personal data and the details of their processing.

#### *Rectification*

The Data Controller corrects or completes inaccurate or incomplete personal data of the Data Subject at the Data Subject's request.

#### *Right to protest*

16

The Data Subject may object to the processing of his personal data in cases where he did not give his express consent to the processing of his personal data, but the Data Controller processes it on the basis of another legal basis. This includes, among others

- processing of personal data based on the legitimate interests of the Data Controller or a third party [*data management based on point f) of Article 6 (1) of the GDPR*],
- data management necessary for the execution of the task carried out in the public interest or in the context of the exercise of the public authority delegated to the data controller.



### *Deletion*

In the event that deletion is not precluded by legal regulations, the Data Controller shall delete the personal data at the request of the Data Subject. In particular, all of this can take place if one of the following conditions is met:

- the processing of personal data is illegal,
- revokes the Data Subject's consent,
- the Data Subject objects to data processing,
- the processing of personal data is no longer necessary, or
- deletion of personal data is required by law or court/authority decision.

### *Restriction*

The Data Controller - at the request of the Data Subject - restricts data processing if one of the following cases is met:

- the accuracy of personal data is disputed (*until the accuracy is clarified*),
- the data processing is illegal, but the Data Subject opposes the deletion and instead requests the limitation of the data processing,
- the Data Subject objects to data processing (*until the protest is considered*), - The Data Controller no longer needs the provided personal data, but requires them to protect the Data Subject's rights.

### *Right to data portability*

The Data Subject - if the processing of his personal data is based on his consent - is entitled to receive the personal data relating to him that he has made available to the Data Controller in a segmented, widely used, machine-readable format, and is also entitled to forward this data to another data controller.

### **What happens if I request the deletion of my personal data, but the Data Controller has already forwarded it to a third party or made it public?**

If the Data Subject requests the deletion of his personal data in accordance with the above, but the Data Controller has previously disclosed the personal data, the Data Controller shall take all reasonable measures to inform all data controllers who have become aware of the Data Subject's potentially disclosed data of the Data Subject's request for deletion. , or could get to know him. This is called the Right to be Forgotten.

If the data is forwarded, the Data Controller will notify all those to whom the data was previously forwarded for the purpose of data management, in addition to the Data Subject, of the correction, deletion, or limitation of data management, unless this is impossible or requires a disproportionately large effort. The Data Subject has the right to ask the Data Controller to forgive the Data Controller

the list of recipients to whom the Data Controller previously forwarded the data for data management purposes.

**What procedural rules apply to the Data Controller if I submit my request?** The Data Controller evaluates the request submitted by the Data Subject for the enforcement of the Data Subject's rights immediately after receiving it, in the shortest possible time, but no later than

25 days, and makes a decision on whether the request can be fulfilled. The Data Controller shall notify the Data Subject of the decision made in this way, as well as the measures related to the decision, in writing – by post or electronically – depending on the way in which the Data Subject notified the Data Controller of their request. If the Data Controller does not comply with the Data Subject's request for rectification, blocking or deletion, within a maximum of one month after receiving the request, the Data Controller shall inform the Data Subject in writing of the reasons for rejecting the request for rectification, blocking or deletion, and inform the Data Subject of the judicial remedy, as well as the National Data Protection and Freedom of Information About the possibility of turning to the authorities.

**Does the same procedure apply to each of my applications?**

No, in the event of an objection by the Data Subject, the Data Controller will assess the Data Subject's request within 15 days and immediately notify the Data Subject of the decision made on the matter.

**Will the Data Controller's procedure cost me money?**

No, as a general rule, the Data Controller facilitates the enforcement of the Data Subject's rights free of charge, and cannot charge a fee for the evaluation and fulfillment of the received request. An exception to this may be the abusive legal practice of the Data Subject, especially if the Data Subject

- unjustified, unfounded or disproportionate requests (e.g. *requests the deletion of personal data from the Data Controller, which the Data Controller obviously does not manage*)
- repetitively (*i.e. several times in a row*)

deliver it to the Data Controller.

Considering that in these cases the Data Controller hinders the Data Controller from performing other work of the Data Subject, the Data Controller repeatedly causes unnecessary extra work for the Data Controller, the Data Controller can in such cases refuse to cooperate, or can charge a fee of a reasonable amount, taking into account the administrative costs incurred in connection with the provision of the information or information up. However, it is the responsibility of the Data Controller to prove that the request is unjustified, unfounded, disproportionate, or repetitive.

**RIGHTS OF THE DATA PARTICIPANT TO REMEDIES**

**What can I do if I do not agree with the Data Controller's decision or procedure, or if I feel that my rights have been violated?**

In the event of a violation of the Data Subject's rights, he may turn to the court or the National Data Protection and Freedom of Information Authority. However, it is important that the Data Controller strives to cooperate with the Data Subject, so it is worth contacting the Data Controller directly with the complaint first. It is possible that instead of a lengthy official or court procedure, the Data Controller immediately and voluntarily remedies the Data Subject's

harm.

**And what can I do if I fail to find a solution to my problem together with the Data Controller? Where exactly can I go with my complaint?**

On the one hand, you can make a legal remedy or complaint with the National Data Protection and Freedom of Information Authority:

Name: National Data Protection and Freedom of Information Authority

Headquarters: 1125 Budapest, Szilágyi Erzsébet fasor 22/C

Mailing address: 1530 Budapest, Pf. 5

Phone: 06 (1) 391-1400

Fax: 06 (1) 391-1410

Email: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)

Website: <http://www.naih.hu>

On the other hand, in order to protect the Data Subject's rights, he can go to court. The lawsuit is the court of the seat of the Data Controller (Budapest District Court contact: 1146 Budapest, Thököly út 97-101.) falls under its jurisdiction. At the option of the Data Subject, the lawsuit can also be initiated before the court of the Data Subject's place of residence (place of stay).

## DATA SECURITY

**How does the Data Controller ensure that my data is secure? Where and how do you store them?**

The Data Controller ensures that persons without access rights cannot enter the premises of the Data Controller where data processing takes place. The Data Controller stores the Data Subject's personal data on paper and/or in digital form at its headquarters or data processors, also if necessary, nlarge amounts of data are stored using cloud-based applications.

The Data Controller stores personal data both on paper and in digital form with different security solutions (*e.g. closing rooms, protecting IT devices with passwords and other devices and software, and other security protocols*) protects against unauthorized access.

The purpose of the cloud application is to facilitate the storage of large amounts of data. In the case of the cloud application, the data storage is not the user's computer / company computer center, but a server center located within the EEA. The main advantage of the cloud application is that it provides highly secure, flexibly expandable IT storage and processing capacity that is essentially independent of geographic location. The Data Controller chooses its partners providing cloud services with the greatest possible care, and does everything possible to ensure that they also take into account the data security interests of the Data Subject.

19

conclude a contract, their data management principles should be transparent to them, and data security should be checked regularly.

**Based on what criteria and goals does the Data Controller develop the IT system on which my personal data is managed?**

The Data Controller selects and operates the IT tools used during data management in such a way as to secure and preserve personal data – availability, so those entitled to access it as needed, – confidentiality, i.e. personal data should be protected against unauthorized access, and

– data integrity, which protects the integrity of personal data.

Taking advantage of the latest technical developments, the Data Controller takes the necessary measures, especially in order to prevent unauthorized access, manipulation, transmission, disclosure, deletion, destruction or damage.

## **DATA PROTECTION INCIDENT**

### **What happens if unauthorized people somehow gain access to my personal data?**

Among other things, this case also belongs to the scope of data protection incidents. A data protection incident is a breach of security that results in the accidental or unlawful destruction, loss, alteration, unauthorized disclosure or unauthorized access to personal data transmitted, stored or otherwise handled.

The Data Controller is obliged to keep records of data protection incidents. In the case of the data processor, this obligation applies in such a way that the data processor is obliged to report the data protection incident to the Data Controller without undue delay after becoming aware of it.

In addition to documenting data protection incidents, the Data Controller is obliged to apply the appropriate processes and measures in order to detect and manage security incidents in a timely manner and to prevent their recurrence in the future.

## **DATA PROCESSING**

**Who is the data processor mentioned in several places in the Information?** The data processor is a natural or legal person, public authority, agency or any other body that performs the data management operations entrusted to it by the Data Controller. In other words, the Data Controller can use help if it is needed for data management for any reason. However, this assistance is only of a technical nature: the data processor is not authorized to make decisions regarding data management.

### **Does the Data Controller also use a data processor to manage my personal data?**

20

XXXI of 1997 on the protection of children and guardianship administration, also mentioned in the table in the Information. In the mandatory data management according to the law, the Data Controller is assisted as a data processor by the Register of Claimants (KENYSZI) and the Service Provider's register, which the Data Controller complies with Act XXXI of 1997 on the protection of children and guardianship administration. Based on the data uploaded in a mandatory manner pursuant to § 44137. paragraph (1) of the Act, the Child

– name,

- German,
- place and time of birth,
- your social security identification number,
- mother's name
- residence, place of stay,
- your nationality,
- data on eligibility conditions and changes to them,
- data relating to the fulfillment, non-payment, collection or expiry of the fee payment obligation,
- the date of use and termination of the service,
- it contains the sector identifier of the service provider or network of the institution providing care and education.

The purpose of the register is to contain the maintenance, institutional, employment and children data required for national economic planning.

**Does the Data Controller cooperate with other data processors in relation to my personal data?**

Apart from the case described above, the Data Controller does not, as a general rule, use the help of additional data processors in relation to the Data Subject's personal data, the Data Controller manages and processes the data itself.

If the large amount of data or the personal, material and technical conditions make it necessary to involve a data processor, in that case the Data Controller will inform the Data Subject of the fact of involving the data processor, the person of the data processor, the scope of the affected data, and other details of the data processing.

**FINAL PROVISIONS**

This Notice is valid from January 1, 2020 until withdrawn. Budapest,

01.01.2020