

## Privacy Statement

### Concerning the processing of data in the context of registration contract relating to real property and the related data request form

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### I. Preamble

LIVING I. Ingatlanfejlesztő Befektetési Alap, a LIVING II. Ingatlanfejlesztő Befektetési Alap, LIVING III. Ingatlanfejlesztő Befektetési Alap, a LIVING IV. Ingatlanfejlesztő Befektetési Alap, LIVING V. Ingatlanfejlesztő Befektetési Alap, LIVING VII. Ingatlanfejlesztő Befektetési Alap, LIVING-Szabolcs Ingatlanfejlesztő Korlátolt Felelősségű Társaság, ParkWest 2 Ingatlanfejlesztő Korlátolt Felelősségű Társaság, PW3 Ingatlanfejlesztő Korlátolt Felelősségű Társaság, V45 Kft, PARK WEST Four Ingatlanfejlesztő Korlátolt Felelősségű Társaság and, in the provision of services, LIVING-Service Szolgáltató Korlátolt Felelősségű Társaság (hereinafter collectively referred to as: LIVING), as Data Controllers, comply with the provisions of the Regulation of the European Parliament and of the Council of 2016 on the protection of individuals with regard to the processing of personal data (hereinafter referred to as the "Privacy Statement"). (EU) 2016/679 of 27 April 2016 ("GDPR") in relation to the processing of personal data.

LIVING is engaged in the construction of modern urban homes, which improve the quality of life of their residents through people-centred services and smart solutions. The LIVING brand covers a Group of Companies specialised in residential real estates.

**You are kindly requested to read this Statement, as the security of your personal data is of utmost importance for us. Should you have any question or comment in relation to this Data Privacy Statement, please get in touch with the Data Controller before using living.hu and accepting this Statement and before providing any personal data for us, by contacting us via any of the options below: [gdpr@living.hu](mailto:gdpr@living.hu)**

**Please be informed that the Data Controller has the right to amend this Statement at any time by way of its unilateral statement without seeking any consent thereto and in view of the provisions of the relevant rules of law, subject to preliminary information of the Data Subjects, if need be.**

### II. Definition of terms

**In view of the fact that Article 4 of the GDPR clearly defines some terms, we wish to provide further clarification by presenting some examples as to how they may be relevant in practice.**

Definition of terms:	Explanations and examples
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“Personal data” means any information relating to an identified or identifiable natural person; Article 4 of GDPR	Your name, phone number or any information about you, based on which you are or can be identified. In each case, the Data Controller lets you know which personal data is used and for what purpose.
“Data Subject” is an identified or identifiable natural person; Article 4 of GDPR	You or the person you name, who wishes to buy a real estate or wishes to use a service in this context
“Data processing” means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction; Article 4 of GDPR	Data processing includes any and all action performed by the Data Controllers in relation to your personal data or the personal data of a natural person you name, e.g. recording, transmission and erasure of data...
“Data Controller” means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; Article 4 of GDPR	Data controller(s) is/are a company / companies under the LIVING brand.
“Joint Data Controller” Where the purposes and means of data processing are determined by a number of data controllers jointly, they are regarded as joint Data Controllers. Article 26(1) of GDPR	Joint data controllers within the LIVING brand include a number of enterprises jointly. Joint data controllers are LIVING I. Ingatlanfejlesztő Befektetési Alap, a LIVING II. Ingatlanfejlesztő Befektetési Alap, a LIVING III. Ingatlanfejlesztő Befektetési Alap, a LIVING IV. Ingatlanfejlesztő Befektetési Alap, LIVING V. Ingatlanfejlesztő Befektetési Alap, LIVING VII. Ingatlanfejlesztő Befektetési Alap, LIVING-Szabolcs Ingatlanfejlesztő Korlátolt Felelősségű Társaság, ParkWest 2 Ingatlanfejlesztő Korlátolt Felelősségű Társaság, PW3 Ingatlanfejlesztő Korlátolt Felelősségű Társaság, V45 Kft, PARK WEST Four Ingatlanfejlesztő Korlátolt Felelősségű Társaság, LIVING- Service Szolgáltató Korlátolt Felelősségű Társaság jointly.
“Data Processor” means a natural or legal person, public authority, agency or other body who or which processes personal data on behalf of the controller; Article 4 of GDPR	Data Controllers maintain a separate list of persons and organisations who and which process personal data in the name and on behalf of the Data Controllers.
“Data Transmission” means the provision of access to personal data for a specific third party.	delivery of your personal data for data processing by the Data Controller for a specific purpose.
“Public Office” means any office of the Data Controller open for clients for personal contact	

### **III. Details of data processing relating the data request form and the entering into the registration contract**

With a view to ensuring clarity and transparency, the following table provides a detailed overview of the particulars of data processing relating the data request form and the entering into the registration contract:

<b>Particulars of data processing relating the data request form and the entering into the registration contract</b>			
<b>The main purpose of data processing</b>	To enter into the registration contract and ensuring contact in relation to performance of contract		
<b>Supplementary information:</b>	<p>In the context of the original purpose, using the data recorded in the contract, if required under the contract, the relevant accounting document (invoice) will be drawn up and sent to the Data Subject. The contracting natural person is understood to be the person intending to purchase the property, including, where applicable, the beneficial owner, proxy, agent for service of process, depending on the content and the stage of the legal relationship, depending on who is acting as agent for the conclusion of the contract. In the event that the party is represented by an interpreter, the interpreter's personal details must also be recorded during the transaction, for which detailed information is provided in the table below. In view of the fact that the registration contract will be recorded in a private document with full probative force, the personal data of the witnesses will also be processed.</p> <p>The draft of the registration contract will be prepared on the basis of the data request form.</p>		
<b>Description of processed personal data in case of entering into the registration contract</b>	<b>purpose</b>	<b>legal grounds</b>	<b>Retention period</b>
Data Categories under Sections 7-11 of Act LIII of 2017 on the prevention and combating money laundering and terrorism (Pmt. Act)	Fulfilment of the obligation to ascertain the identity of the client under the Pmt Act	(Fulfilment of the legal obligation as per Article 6(1)(c) of GDPR (as imposed by Articles 7-11 of Pmt Act.	Eight years as from the termination of the contract, and ten years in cases Defined in the Pmt Act). (Articles 56-59 of the Pmt Act)
natural person entering the contract name, birth name	Identification of the natural person entering the contract, where the contracting party is a natural person	Article 6(1)(b) of GDPR (entering into a contract and fulfilment of the same)	1 The Data Controller stores the data recorded in the contract until the contract is to be retained. Pursuant to Article 166 (1) of Act C of 2000 on Accounting, it means that contracts are to be deemed as accounting documents, and for this reason, they are to be retained for 8 years as per Article 169 (2) of the Act, and thus data recorded therein are also to be retained for 8 years.
birth name of the mother of the natural person entering the contract			
place and date of birth of the natural person entering the contract			
residential address and address for notices of the natural person entering the contract			
phone number of the natural person entering the contract	Contacts		
e-mail address of the natural person entering the contract			

phone number of the natural person entering the contract	entering the contract, subsequent verification		<p>2 If the data recorded in the contract are used - in connection with the original purpose - for the purpose of issuing and/or sending an accounting document (e.g. invoice) to the Contracting Party, the Data Controller must also process the data recorded therein for 8 years.</p> <p>Data for maintaining contact held in separate electronic and/or paper records are kept by the Data Controller until they are changed or erased, also when done so at the request of the data subject.</p>
signature of the natural person entering into contract	Entering the contract, subsequent verification		
Personal data in the statements related to the withdrawal from the contract and the agreement of termination, as well as the bank account number needed for refunding.	To apply the legal sanctions related to the exercise of the right to withdraw from the contract and the agreement of termination.		
Tax ID number of the natural person entering the contract	preparation of the real estate contract	Article 6 (1)(f) of GDPR (legitimate interest on the part of the Data Controller in preparing the real estate contract.)	
Phone number and e-mail address of the person acting as an interpreter	contacts	Article 6(1)(f) of GDPR (legitimate interest of the data controller to maintain contact (and subsequently to ensure evidencing)	
Personal data of the person acting as an interpreter in entering the contract, namely: Birth name, place and date of birth, mother's maiden name, residential address, ID card number, residential cardno., citizenship	Validly entering the contract, and subsequent verification of its content	Article 6(1)(f) of GDPR (legitimate interest of the data controller and third party for the validity of the contract)	
Personal data of the person acting as a witness in entering the contract, namely: Name, residential address, signature			
Name of representative or contact person of the non-natural person contracting party	Identification of the representative or contact person	Article 6(1)(f) of GDPR (legitimate interest of the data controller to maintain	

position of representative or contact person of the non-natural person contracting party		contact (and subsequently to ensure evidencing)	
phone number of representative or contact person of the non-natural person contracting party	Maintaining contact with the representative or contact person		
E-mail address of representative or contact person of the non-natural person contracting party			
signature of representative or contact person of the non-natural person contracting party	Entering the contract, subsequent verification		
Name, phone number and e-mail address, residential address and apartment number of the data subject	Transmission of personal data	Article 6(1)a of GDPR (Consent of the data subject)	Until the consent is revoked, or lackin such revocation, until transmission to a third party.
Name, phone number and e-mail address, residential address and apartment number of the data subject	Transmission of personal data	Article 6(1)b of GDPR (Fulfilment of contract)	Until the termination of contract.
Name, place and date of birth of data subject, signature	Subsequent evidencing of consent given to transmission of data	Article 6(1)(f) of GDPR (legitimate interest of the data controller to enforce legal claims and confirmation of compliance)	The general period of limitation as per the Civil Code of Hungary - five years - as from the date of delivery of data (or the revocation of the consent)
<b>Data subjects include:</b>	any natural person who can be identified or is identified on the basis of the data provided during the conclusion of the contract, such as a natural person contracting party, contracting party's non-natural person representative, contact person, including an employee or representative of the Data Controller.		
<b>Source of data:</b>	The data so processed are provided by the data subject.		
<b>Persons with a right to access data:</b>	Employees of the Data Controllers who are authorised to manage the contractual file and to communicate with the data subject and who may process the data only to the extent strictly necessary for the performance of their tasks.		
<b>Transmission of data:</b>	1) a) The following data (Client's name, telephone number, e-mail address, postal address, apartment number) must be transferred to the third party providing the smart home service in the context of the basic package in order to fulfil the contract between the Data Subject and the Data Controller.		

	<p>b) The following data (client name, telephone number, e-mail address, postal address, apartment number) will be transferred to the third party provider of the smart home service (system) in connection with the extension of the smart home service (system), subject to the consent of the Data Subject.</p> <p><b>Third party providing smart home service:</b></p> <ul style="list-style-type: none"> <li>- description: Boston Technologies Korlátolt Felelősségű Társaság</li> <li>- registered seat: H-1015 Budapest Hattyú utca 18. 3. em. 5.;</li> <li>- Tax ID number: 14418321-2-41;</li> <li>- Co. reg. number: 01-0992980.</li> <li>- E-mail address: <a href="mailto:hatvani.zilia@immonova.hu">hatvani.zilia@immonova.hu</a></li> </ul> <p>2) On the basis of the Data Controller's legitimate interest in the realisation of the project, the following data of the Data Subject (name, apartment number) will be transferred to the project financing bank.</p>
<b>Automated decision-making, profiling:</b>	Not performed.

The Data Controller employs the following Processors in the context of the registration contract and the data request form:

Processors	Activities
CollabIT Zrt. <i>(registered seat: 1119 Budapest, Nagyenyed utca 77/C; company reg. number: 01-10-140165)</i>	To operate the SharePoint system for the storage of personal data.
WING Ingatlanfejlesztő és Beruházó Zártkörűen Működő Részvénytársaság <i>(registered seat: H-1095 Budapest, Máriássy utca 7. Co. reg. number: 01-10-042336)</i>	To store personal data
Attention CRM Consulting Kft. <i>(registered seat: 1075 Budapest, Madách Imre út 13-14. TAX ID: 23350849-2-42)</i>	To provide IT services related to the CRM system (customer relationship management system)

identiGO Korlátolt Felelősségű Társaság  <i>(registered seat: 1054 Budapest, Honvéd utca 8. 1. em. 2. ajtó; Co. reg. number: 01-09-952872; Tax ID: 23098608-2-41)</i>	To operate the sanctions monitoring system
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#### IV. Personal data relating to children and third parties

As regards online services relating to information society, the validity of a legal statement by a minor aged over 16 years is not subject to the consent or subsequent approval of his/her lawful representative (parent). No minor below 16 years of age may provide any personal data about himself/herself, except where she/he has received a consent from his/her lawful representative (parent).

The use of the website is considered by the Data Controller as proper consent having been given by the lawful representative. By virtue of providing the personal data, you represent and warrant that you have acted with due heed to the above, and your capacity to provide personal data and information is not restricted.

Where you do not have the legal right to provide any personal data, you must obtain the consent of the third party concerned (e.g. legal representative, guardian, other person on whose behalf you are acting) or provide another legal grounds for providing the data. In this respect, you must take into consideration whether the consent of a third party is necessary in the context of the provision of the particular personal data, in which case the Data Controller bears no liability. The Data Controller has the right to check whether there is a proper grounds for the processing of a personal data, and so the Data Controller has the right to request you produce your authorisation and/or the consent of the Data Subject for proper data processing as regards the particular case, if you act on behalf of a third party.

We make every reasonable effort to erase any and all information that were provided to use unlawfully, and we ensure that this information will not be transmitted to any third party, and will not be used by us either (either for advertising or for other purposes).

**Please notify us immediately when you have found that a child has provided any personal data about himself/herself or a third party about you.**

What rights do you have in the context of the processing of your personal data

The purpose of this chapter is to inform you about the rights and remedies you have in relation to your personal data, which are ensured by the Data Controller to you irrespective of the legal grounds of data processing.

The interconnection of rights Data Subjects have and the legal grounds is shown in the following table, for the Data Subjects to be clear what rights they have in the case of application of the various legal grounds.

	Right for preliminary information	Right of access	Right of rectification	Right of erasure	Limitation	Data portability	Objection	Withdrawal of consent
Consent	✓	✓	✓	✓	✓	✓	✗	✓

Agreement	✓	✓	✓	✓	✓	✓	×	×
Legal obligation	✓	✓	✓	×	✓	×	×	×
Material interest	✓	✓	✓	✓	✓	×	×	×
Public obligation, public body powers	✓	✓	✓	×	✓	×	✓	×
Legitimate interest	✓	✓	✓	✓	✓	×	✓	×

In view of the fact that LIVING has appointed a Data Controller to act as a contact entity, the Data Subject may exercise his or her data subject rights in relation to this Data Controller with regard to joint processing, as provided for in this Privacy Statement. The response or action of the designated Data Controller is deemed to be a joint response or action of the joint Data Controllers. You may exercise your rights as Data Subject by contacting the Data Controller in accordance with the contact methods set out in Chapter III.

The Data Subject have the right to obtain, without a specific request, information on the facts relating to the processing prior to the start of the processing. The Data Controllers intend to fulfil this obligation by issuing and continuously updating the Data Processing Information relating to the data processing performed by them. These Data Privacy Statements will be published at the place of establishment of the Data Controllers or, where the actual place of processing is different from the place of establishment, on paper or in electronic form on the website. In the case of paper-based information, the Data Controllers must place or attach the information notice on the processing of the data in the paper form, and will also enter the reference in the paper form. The Data Controllers also publish the relevant Data Privacy Statement in an organised manner on its website.

Please note that, in order to protect your rights, the Data Controllers are obliged to verify, after the submission of the request, that the party submitting the request is indeed the Data Subject and is identical with the party seeking to exercise the right of Data Subject. In other words, in case of doubt, the identity of the Data Subject must always be verified and the exercise of the data subject's rights is therefore subject to the identification of the Data Subject

### **The right to withdraw consent**

Data Subjects have the right to withdraw any consent they have given. If a Data Subject withdraws his/her consent, such withdrawal does not affect the legitimacy of the processing of personal data performed before such withdrawal. The Data Controller informs Data Subjects that the withdrawal of a consent is not retrospective in nature, and the statement of withdrawal will cover data processing activities to be performed in the future.

If the conditions so allows, the Data Controller must erase personal data relating the Data Subject after the withdrawal of the consent from the data file associated with the particular data processing.

With a view to ensuring compliance with the principle set forth in Article 5 (2) of the GDPR, the Data Controller will store the consent statement by the end of the statutory limitation period (currently 5 years) from the date of withdrawal, on account of the burden of proof on the part of the Data Controller.



### **Right of access**

The Data Subject has the right to receive from the Data Controller at his/her request all information about the processing of his/her personal data..

Under this obligation, the Data Controller provides information about the following facts:

1. the purpose of data processing,
2. the personal data processed by the Data Controller and the categories of such data,
3. the recipient and categories of recipients,
4. the recipients to whom the personal data have been or will be disclosed,
5. in case of transmission of data to a third country, the compulsory components and the appropriate safeguards as set forth in Article 46 of GDPR,
6. the legal grounds of data processing,
7. the period of data processing, and where it is not possible, the factors considered in determining the period of data processing,
8. if the personal data are not directly provided by the Data Subject, then all information determined in this context as set forth in GDPR,
9. the rights that Data Subject have under GDPR, and the manner these rights may be exercised,
10. where the Data Controller applies automated decision-making, including profiling, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject,
11. The data security incident, where the conditions set forth in the GDPR Directive are present.

The Data Controller must provide copy of the personal data undergoing processing to the Data Subject at his/her request. Where the data subject makes the request by electronic means, and unless otherwise requested by the Data Subject, the information must be provided in a commonly used electronic form, except where the Data Subject asks his/her request to be completed in some other way. Where any further copies are requested by the Data Subject, the Data Controller reserves the right to charge a reasonable fee on the grounds of compensation for costs, which is based on the administrative burden and extra costs arising in fulfilling the request.

The Data Controller will limit or reject to provide information on the basis of the principle of necessity and proportionality, where the request made by the Data Subject adversely affects the rights and freedoms of others, or where the rights of the Data Subject under the law is to be limited in accordance with law, for the fulfilment of a legal obligation or in accordance with an international treaty, and where special data processing is to be made (for national security, state security, defense, criminal case data processing, or examination of ethical or disciplinary breach of duties, etc.), and where it is necessary to ensure the efficiency of procedures or investigations specified by the Data Subject.

### **Right of rectification**

Data Subjects have the right to obtain from the Data Controller without undue delay the rectification of inaccurate personal data concerning him or her, as claimed by such Data Subject. When a Data Subject finds that the range of data processed by the Data Controller are incomplete, they have the right to have the incomplete personal data completed, including by means of providing a supplementary statement, taking into account the purposes of the processing,

Where the personal data processed by the Data Controller are incomplete, incorrect or deficient, then at the request of the Data Subject, the Data Controller will complete, correct or supplement the particular data without any delay, where it is not limited by law.

The Data Controller is entitled to rectify personal data concerning the Data Subject within its own competence, if the circumstances giving rise to the rectification are detected by the Data Controller itself. If the personal data is not accurate and the accurate personal data is available to the Data Controller, the Data Controller must rectify the personal data even when the Data Subject has not requested such rectification. The Data Controller must inform in writing the Data Subject about their data having been rectified, and also the Data Controller engaged in the processing the corrected data and the Data

Controller to whom the original data was transmitted. The Data Controller informs the Data Subject in writing and in case of involvement of the Data Processor, also the Data Processor, and if need be, the Data Controller about the completion of the data rectification, and in case of the two latter actors, about the necessity of the rectification.

The Data Controller is exempted from the obligation of rectifying, correcting and supplementing data if the accurate, correct or incomplete data is not available, and they are not provided by the Data Subject either, or where the authenticity of the personal data provided by the Data Subject may not be established beyond doubt.

### **The right to erasure (the right to be forgotten)**

The Data Controller herewith informs the Data Subjects about the fact they may not exercise their right in an unlimited manner. The right of Data Subjects to have their data erased may be limited in the following cases:

- when exercising the right of freedom of expression and information,
- when exercising the right of being informed,
- in compliance with a legal obligation which requires processing by Union or Member State law to which the Data Controller is subject,
- when submitting, enforcing or defending legal claims,
- when performing a task carried out in the public interest or in the exercise of official authority vested in the Data Controller
- for reasons of public interest in the area of public health,
- for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in so far as the right is likely to render impossible or seriously impair the achievement of the objectives of that processing.

Data Subjects have the right to obtain, at their request and without undue delay, the erasure of personal data relating to them where the personal data are no longer necessary for the purposes for which they were collected or otherwise processed by the Data Controllers.

Data Subjects have the right to withdraw any consent they have given. When a data subject has withdrawn any consent they have formerly given, and the processing of personal data has no other legal grounds, the Data Controller must erase the data, except where there is another ground for the processing of personal data. When the consent to data processing is withdrawn or a request for the erasure of data has been submitted, the Data Controllers need not erase the data when:

- 6.8.1. the data processing is ordered by law or - in case of data not deemed as special or criminal personal data for public purposes under a decree of a local municipality under the powers granted by law; or
- 6.8.2. the data processing is necessary for the protection of the vital interest of the data subject or another person or for the prevention or elimination of direct dangers jeopardising the life, integrity or assets of persons, and it is proportionate for that purpose or
- 6.8.3. the data processing is inevitably necessary for the implementation of an international contract promulgated in a law, and it is proportionate for that purpose, or when the Law so orders for the enforcement of a fundamental right as per the Fundamental Law of Hungary, or for national security, the prevention, discovery or combating of acts of crime or protection of the home land.

Data Subjects have the right to obtain, upon their request, the erasure of personal data relating to them without undue delay where the data subject objects to processing based on legitimate interest pursuant to Article 21(1) of the GDPR and there exist no overriding legitimate grounds for the processing, or where the data subject objects to processing for direct marketing purposes pursuant to Article 21(2) of the GDPR.

Data Subject have the right to obtain, upon their request, the erasure of personal data relating to them without undue delay where the personal data have been unlawfully processed. The concept of unlawful processing includes, but is not limited to, the case where the processing is in breach of the principles set out in Article 5 of GDPR, the purpose for which the personal data are processed has ceased to exist or the further processing of the personal data is no longer necessary for the purposes for which the

processing was intended.

Data Controllers are required to delete personal data without undue delay where the period for which the personal data were processed, as defined by law, international treaty or EU binding legal act, has expired or the legal basis for processing the personal data has ceased to exist and there is no other legal basis for processing the data.

Without undue delay, Data Controllers must erase personal data when such data must be erased in accordance with a legal obligation under an EU or Member State law applicable to the Data Controller, including the case when the erasure of data has been ordered under a law, an Act of the European Union, an authority or a court of justice.

Without undue delay, Data Controllers must erase personal data when such data has been collected in the context of direct offering information society services to children in accordance with Article 8(1) of directive number EU 2016/679.

The right to be forgotten has particular importance especially when a data controller in performing its data processing activities has made a personal data public online (on its website, community media account, etc.) for some reasons, and the data subject requests that their data be erased. In the latter case, the data controllers must make all reasonable technical and other steps and measures allowed by appropriate technology - also with due heed to the costs that may incur - to ensure that other data controllers involved in processing personal data are duly informed about the steps and measures to be taken to erase all copies and secondary copied of personal data.

### **The right to restrict and block data processing**

Data Controllers undertake, unless one of the following or other grounds for exclusion applies, to inform the Data Subject without undue delay, but no later than 15 (fifteen) days from receipt of the Data Subject's request, of the possibility of complying with the request and/or to restrict (block) the data or to take all technical, administrative or other measures necessary to ensure that the data subject's request can be properly complied with.

Data Subjects have the right to seek from the Data Controller restriction of processing where one of the following applies:

1. the Data Controller no longer needs the personal data for the purposes of the processing, but they are required by the Data Subject for the establishment, exercise or defence of legal claims,
2. the accuracy, correctness and completeness of the personal data is contested by the Data Subject, and the accuracy, correctness and completeness of the personal data may not be established beyond doubt. In such cases, the Data Subjects may request that the processing of their personal data be limited until such time when the doubt is clarified,
3. Data processing is unlawful for some reason and the Data Subject objects to the deletion of the data, and the data subject rather request a restricted use of these data rather than their deletion;
4. the Data Subject has objected to processing pursuant to Article 21(1), and in this case the restriction applies to the period of time pending the verification whether the legitimate grounds and interests of the Data Controller override those of the Data, Subject,
5. the personal data should be erased, but there are reasonable grounds to consider, on the basis of a written declaration by the Data Subject or on the basis of information available to the Data Controllers, that the erasure of the data would undermine the legitimate interests of the Data Subject, for the duration of the legitimate interest not to erase the data,
6. the data should be erased because of unlawful processing, but it is necessary to preserve the data as evidence in the course of investigations or proceedings carried out by or with the participation of the Data Controller or another public authority, as provided for by law, pending the final or binding outcome of such investigations or proceedings.

## **The right to object**

The Data subject has the right to object the processing of their personal data when:

1. the personal data is processed for direct marketing purposes, including profiling;
2. the personal data is processed for legitimate interest of the Data Controllers or a third party, including profiling;
3. these data are necessary when the data processing is for the public interest or are used for the completion of its duties performed under the public authority conferred to the data controller, including profiling,
4. the personal data is handled for scientific and historic research or statistical purposes, the data subject has the right to object to the processing of personal data for reasons relating to their own situation, except where the data processing is necessary for the completion of duties for public purposes. (Article 89(1) of GDPR)

## **Procedural rules relating the exercise of data protection rights**

### **The right to lodge complaints and to obtain remedies**

The Data Controllers, without undue delay or within one month of receiving a request at the latest must inform the Data Subject about the measures they have taken in response to the request from the Data Subject concerning their intention to exercise their rights. In need be, and in view of the complexity of the request and the number of requests, this turnaround time may be extended by a further two month period. The Data Controller will inform the Data Subject about the extension of the deadline, with concurrent indication of the cause of the delay, within one month of receiving the request.

Where a Data Subject makes the request by electronic means, and unless otherwise requested by the Data Subject, the information must be provided in an electronic form. Where the Data Controller fails to take any measure at the request of the Data Subject, then - without undue delay or within one month of receiving the request at the latest - the Data Controller will inform the Data Subject about the reasons for not taking any measure, and about the right of the Data Subject to lodge a complaint to a competent supervisory authority, and to seek judicial remedy.

Where the Data Subject disagrees with any decision of the Data Controller or where the Data Controller fails to observe the deadline applicable to the Data Controller, the Data Subject may submit a complaint to the following authority. (hereinafter: Authority)

### **National Authority of Data Protection and Freedom of Information**

[www.naih.hu](http://www.naih.hu)

E-mail/Mailing address: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu); 1363 Budapest, Pf.: 9

Authority: Abbreviated name: NAIH; KR ID: 429616918

Address: H-1055 Budapest, Falk Miksa utca 9-11

Phone: +36 (30) 683-5969; +36 (1) 391 1400

Data Subjects have the right to lodge a complaint with the Authority if they hold the view that the processing of personal data relating to them infringes the provisions of the GDPR or that there is a direct risk of a breach of the law relating to the processing of their personal data. The Authority performs the investigation free of charge, and the costs are advanced and borne by the Authority. No one may suffer any disadvantage on account of the fact that s/he has lodged a complaint with the Authority. The identity of the person having made the report may be disclosed by the Authority only when the procedure would not be possibly conducted without such identification. The identity of the person having made the report may be disclosed by the Authority even when such person so requests and the procedure would not be possibly conducted without such identification.

Data Subjects are herewith informed that if a request submitted by a Data Subject cannot be identified by reason of its form or content as to the purpose of the statement, but at the same time the Data Subject

objects to a personal data processing operation by the Controller on the basis of an element of the request, if the Controller cannot identify it by any other means of redress, it will be treated as a complaint.

The requested data and information must be provided free of charge. Where the request of the Data Subject is clearly unsubstantiated or is excessive due to its repeated nature, the Data Controller - with due heed to the administrative costs arising from the provision of requested information or guide or taking the requested measure - may charge a reasonable fee or may refuse to take measures in response to the request. The burden to prove that the request is clearly unfounded or excessive rests with the Data Controller.

The Data Controller must communicate any rectification or erasure of personal data or restriction of processing to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort. The Data Controller shall inform the Data Subject about those recipients if the Data Subject requests it.

The Data Controller must provide a copy of the personal data subject to data processing on the data subject. The Data Controller may charge a reasonable administrative fee for further copies requested by the data subject. The Data Controller may take reasonable steps to ascertain the identity of the data subject.

Data Subjects may resort to court action in case their rights are infringed. By default, such action falls within the jurisdiction of courts as per the registered seat of the Data Controller, and court action may also be instituted at courts as per the residence or place of abode of the Data Subject, at the discretion of the Data Subject concerned. The regional court conducts the procedure with priority. The competent court of justice conducts the procedure with priority.

Any person having suffered pecuniary or non-pecuniary damage as a result of a breach of the GDPR will be entitled to compensation from the Data Controller or the processors for the damage suffered, in accordance with the rules laid down in the GDPR. If the Data Controller violates the personality rights of a Data Subject by unlawful processing of their personal data or by violating the rules of data security, the Data Subject may seek to receive compensation for injury from the Data Controller. The Data Controller will be exempted from the liability for damage and the obligation to pay compensation for injury, when it can prove that the damage or violation of the personality right of the Data Subject was caused by an unavoidable cause beyond its control, in other words, where it is under no liability for the event having caused the damage. No damages are payable and no grievance award may be claimed to the extent that the damage or the grievance caused by violation of personality right was caused by the wilful or grossly negligent conduct of the Data Subject.

### **Right to data portability**

Data Subjects have the right to receive the personal data concerning them which they have provided to a Data Controller, in a structured, commonly used and machine-readable format, and have the right to transmit those data to another Data Controller without hindrance from the Data Controller to which the personal data have been provided, where the processing is based on consent or on a contract and the processing is carried out by automated means. In exercising his or her right to data portability, Data Subjects have the right to have the personal data transmitted directly from one Data Controller to another, where technically feasible.

The data subject must accept that exercising the right to data portability:

- may not prejudice the right to delete data and may not be prejudicial to the rights and liberties of other persons; and
- may not be pursued when these data are necessary when the data processing is for the public interest or are used for the completion of its duties performed under the public authority conferred to the data controller.

## **V. Miscellaneous provisions**

This Statement, and all content herein is protected by copyright and all related rights are held by the Data Controller, and this content may be used subject to preliminary approval from the Data Controller in writing.

This Data Protection Statement is governed by Hungarian law. Matters not regulated herein are primarily governed by the provisions of GDPR and other relevant Hungarian laws.