



Address: Apáczai Csere János u. 17, Budapest 1052, Hungary

E-mail: info@ecnl.org

Phone: +36 1 318 6923

Web: www.ecnl.org

Twitter: @enablingNGOLaw

ECNL Európai Nonprofit Jogi Központ
Szolgáltató Nonprofit Kft. (European
Center for Not-for-Profit Law)

Privacy Notice

Effective: as of 25 May 2018



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1. Data of the Controller:

Name: ECNL Európai Nonprofit Jogi Központ Szolgáltató Nonprofit Kft. (European Center for Not-for-Profit Law)

Registered address: H-1052 Budapest, Apáczai Csere János utca 17.

Mailing address: H-1052 Budapest, Apáczai Csere János utca 17. 1. em. 1.

Company registration number: Cg. 01-09-921425

Telephone: +36 1 318 6923 / 483 177

Website: <http://ecnl.org>

Twitter page: <https://twitter.com/enablingNGOLaw>

2. Purpose and term of the Privacy Notice:

This Privacy Notice aims to ensure in terms of the data processed by ECNL Európai Nonprofit Jogi Központ Szolgáltató Nonprofit Kft. (European Center for Not-for-Profit Law) as data controller (hereinafter: "Controller" or "controller"), the enforcement of data protection principles and data security requirements, to prevent unauthorised access, changing and unauthorised disclosure of data, and to establish the rules of maintaining data protection-related records kept by the Controller.

This Notice applies to all personal, sensitive and public data held by the Controller and its organisational units, and the full scope of data processing operations performed on them, regardless of their origin, use, place of processing or form of display. The Controller accepts the content of this Notice as binding upon itself, and undertakes the obligation to ensure compliance of all data processing with the laws in effect.

3. Legal background to the Privacy Notice:

The Controller processes data and ensures their protection in accordance with its own internal privacy policy, and the following laws:

- Act CXII of 2011 on Informational Self-Determination and Freedom of Information ("Privacy Act");
- Act LXVI of 1992 on Keeping Records on the Personal Data and Address of Citizens;
- Act C of 2000 on Accounting;
- Act V of 2013 on the Civil Code ("Civil Code");
- Act I of 2012 on the Labour Code ("Labour Code");
- Act C of 2003 on Electronic Communications;
- Act CL of 2017 on the Rules of Taxation.
- Act LXXX of 1997 on the Eligibility for Social Security Benefits and Private Pensions and the Funding for these Services
- Act LXXXIII of 1997 on the Benefits of Compulsory Health Insurance.

4. General principles of data processing:

The Controller will perform data processing complying with the following aspects (principles):

- **Lawfulness, fair processing and transparency:** Personal data must be processed lawfully, fairly and in a transparent manner in relation to the data subject.
- **Purpose limitation:** Personal data may only be processed for a specified reason. Personal data may only be collected for a specified, explicit and legitimate purpose, and the controller may not process them in a manner incompatible with these purposes. Further processing for



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archiving purposes in the public interest, scientific or historical research purposes or statistical purposes will not be considered to be incompatible with the initial purposes.

- **Data minimisation:** Personal data may only be processed if adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed. Personal data may only be processed to the extent and for the time necessary for the realisation of the purpose.
- **Data quality (accuracy):** The controller always has to record the personal data obtained from the data subject accurately. The data must be accurate and complete, and they must be kept up to date where necessary.
- **Storage limitation:** Personal data must be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed. Personal data may only be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, subject to implementation of the appropriate technical and organisational measures required in order to safeguard the rights and freedoms of the data subjects. If the purpose of data processing has been achieved, the processed personal data must be erased.
- **Integrity and confidentiality:** Data processing operations must be designed and implemented in a manner that ensures appropriate security of the personal data, and the protection of the privacy of data subjects (including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage) using appropriate technical or organisational measures. The controller, or within its scope of activities, the processor must ensure the security of data and, taking the state of the art into account, it must take the technical and organisational measures and establish the rules of procedure that are necessary to ensure data security.
- **Accountability:** The controller is responsible for, and must be able to demonstrate compliance with the above-detailed principles and aspects of data processing.

5. Data processing and data transmissions

From all data processing operations performed by the Controller, this Notice provides adequate information on data processing under the Controller's own internal policy, in accordance with the provisions of the Privacy Act and the GDPR, and the applicable statements adopted by the Hungarian National Authority for Data Protection and Freedom of Information (NAIH).

- I. Data processing related to activities pursued online and/or offline
 - Information request
 - Cookies
 - Data processing related to the use of electronic hosting
 - Data processing realised to maintain contact with customers
- II. Data transmission:
 - Data transmission to the parent company

Information request (inquiry)

In addition to contact via phone, customers can request information from the controller (inquiry) primarily via the post or by electronic means (email). Primary contact details of the controller are its mailing address and email address specified in section 1 of this Notice, which correspond to those



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posted on the controller's website at <http://ecnl.org/contact/>. In the inquiry, the data subject may choose to provide his/her email address and first and/or last name(s) by writing these in the letter heading or making the sender's email address visible to the controller.

The primary purpose of processing is to identify the interested person or customer so that the controller can contact him/her with regard to the inquiry. The controller processes personal data received in this way separately, in a closed manner, and may only store them on paper if the inquiry has also been made on paper. Inquiries received electronically must be stored electronically, and will only be printed if it is necessary for the applicable record management requirements. If the request is not received in an email but via the post (on paper), processing occurs according to the way the request was sent: if the request is received at the mailing address in hard copy, the requester's name, or if indicated on the envelope or in the letter heading, the sender's data (sender's name and address) are to be regarded as the processed personal data.

The controller will process personal data thus received until the realisation of the purpose, i.e. until the request is responded to, while in the case of ongoing communication (correspondence) until finalisation of the communication but, in any case, no longer than the 14th calendar day from sending the last letter.

The controller does not process inquiries received in any way other than the above (e.g. via Twitter or other online interface). Such inquiries are deleted as soon as technically practicable after learning of their submission/receipt without a reply.

At the URL <http://ecnl.org/contact/>, the contracting company calls on the users of the website to follow the controller on Twitter ("Follow us on Twitter") and to connect with the controller on LinkedIn ("Connect us on LinkedIn"). Through these interfaces, the controller does not perform processing since, similarly to the followers and connecting users, the controller is only a user of these websites. Such calls are regarded as passive advertising, which are statements generally made globally and, with regard to the personal data displayed there, the controller does not perform any processing operation (apart from the operations pertaining to the general use of these websites).

Taking into account that, in the event of a request, the data subject provides his/her personal data clearly shown in the request, thereby making them public subject to the legal provisions applicable to trade secrets and that this processing is necessary and proportionate to the realisation of its purpose (responding to an information request or inquiry), the controller declares that the processing concerned has a lawful legal ground, referring to **Section 5 para. (1) (d) of the Privacy Act**: *"In a legal relationship subject to this Act, personal data may be processed if (...) the data subject has explicitly made the personal data public and the processing is necessary and proportionate to its purpose."*

Data processing does not have a registration number, as it meets the criteria of customer contact. For this reason, NAIH does not keep any record of such processing.

Data processing via information request (inquiry):				
Personal data	Purpose of processing	Legal ground of processing	Source of data	Duration of processing



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First and last name	Serves the purpose of identification and the maintenance of customer contact	Section 5 para. (1) (d) of the Privacy Act	Collected directly from the data subject (normally contained in the inquiry)	Until realisation of the purpose, but no later than the 14 th calendar day from the last correspondence
Email address or the sender's details	Serves the purpose of identification and the maintenance of customer contact	Section 5 para. (1) (d) of the Privacy Act	Collected directly from the data subject (normally contained in the inquiry)	Until realisation of the purpose, but no later than the 14 th calendar day from the last correspondence

Cookies

To ensure customised service and to track user habits, the controller sends small pieces of data called cookie to the user's computer and re-reads them: cookies are small data files posted to the user's computer by the website visited. The cookie serves to facilitate the specific infocommunication or internet-based service and to do it more comfortably. Generally, they can be classified into two main groups. The first one is temporary cookies, which are posted by the website only for the duration of the ongoing session (e.g. during security identification in internet banking), while the second one is permanent cookies (e.g. the language settings of a website), which remain on the computer until the user deletes them. Based on the directives of the European Commission, [unless they are indispensable for the use of the service concerned] cookies may only be sent to the user's device with the user's authorisation. They help to track the user's browsing habits. If the browser returns a formerly saved cookie, it is possible for the service provider handling the cookie to link the user's current visit with the earlier ones, but only regarding its own content.

Generally, cookies serve to save preferences and information provided by the users, e.g. a basket in a webstore, and provide anonymous data to third parties as seems reasonable from a data processing perspective. Cookies based on the user's consent may not be installed until the website operator obtains the necessary consent.

The data subject may choose to disable the authorisation of cookies on the controller's website. The easiest way to do this is to disable cookies via the controller's own browser. The users may find further information on the role of cookies on the website of the Hungarian Civil Liberties Union at www.nopara.org, the website of the European Interactive Digital Advertising Alliance, which is available at <http://www.youronlinechoices.com/hu/>, or the English language website <https://www.aboutcookies.org/>.

The two derogations specified in Article 5 para. (3) of Directive 2002/58/EC make it possible for the website operator to apply certain cookies without obtaining the users' consent. They only have to be informed of the use of these cookies.

The controller applies a cookie on its website located at <http://ecnl.org> and its subpages; more specifically, it applies **Google Analytics**, of which it informs the users of the website specified above, in accordance with the statement/information from NAIH, stating the fact that it applies cookies, its objective, and makes it possible for the user concerned to confirm receipt of the information by clicking the "OK" button.



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In addition to this cookie, the controller's website uses the cookie named Amazon Web Services Elastic Load Balancing (AWSELB) via the NGO Source file ("Badge"), which transmits the users' requests to the server. The primary aim of the cookie is imperative. The user may find information on this cookie at the following link: <https://cookiepedia.co.uk/cookies/AWSELB>.

The objective of using and handling cookies is to identify the users' current session, to save data provided during the session and to prevent data loss in order to measure the success of user communications.

Pursuant to Section 154 para. (1) of Act C of 2003 on Electronic Communications, the operator may process the data which are necessary and sufficient for identifying the user or subscriber for the purpose of creating a contract on electronic communications service, determining or amending its content, monitoring its performance, invoicing fees arising under the contract and enforcing related claims. In accordance with Section 155 para. (4) of the referenced act, data may only be stored or accessed on a subscriber's or user's electronic communication terminal equipment with the consent of the user or subscriber concerned given after the explicit and comprehensive provision of information, including on the purpose of processing. Taking into account that, following the appropriate information provision, the data subject has the possibility to grant consent to the processing, and Section 154 para. (1) and Section 155 para. (4) of the referenced Act C of 2003 authorise the controller to process the data in the appropriate manner, provided that the processor also obtains individuals' data for processing, the processing is lawful based on **Section 5 para. (1) (a) of the Privacy Act:** *"It is indispensable for the performance of the controller specified by law and the data subject has explicitly consented to the processing of personal data."*

After submitting the request for entry in the official register, the controller has received information from NAIH, according to which processing does not affect the personal data of individuals, in accordance with the information in NAIH-142788 (Filing no: 1171041; Time stamp: ECNL 636582078772279081).

Data processing related to the application of cookies:				
Data category	Purpose of processing	Legal ground of processing	Source of data	Duration of processing
Cookie	Identification of the users' current session, saving data provided during the session, preventing data loss in order to measure the success of user communications.	Section 155 para. (4) of Act C of 2003 on Electronic Communications	The controller's website	Until termination of the session.

Data processing related to the use of electronic hosting

The personal data are obtained by the controller electronically using services provided by the respective web hosting companies. The controller does not possess a server; it stores the data on Network Attached Storage and saves data backups at specified intervals, which are located electronically via a cloud service. Cloud service for backups is provided by Microsoft Azure.

The controller also performs processing via the Google Drive application in the following cases:

- In the course of registration for events
- Sharing files



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Obviously, the controller grants access for the external IT operator company to the relevant electronically stored personal data, while another IT company performs spam filtering based on a contract made with the controller. Email service is operated by an IT company appointed by the controller's parent company. Their names and addresses are contained in the annex of its internal policy (list of third parties).

Data processing does not have a registration number, as it meets the criteria of customer contact. For this reason, the Authority does not keep any record on such processing.

Data processing performed to maintain contact with customers

The controller will keep electronic records of its customers' contact details, i.e. the availability data of all individuals (whether they proceed on behalf of or in the representation of a legal person or in his/her own name) with whom it gets into contact while organising an event or performing a project within its own system for the purpose of maintaining customer contact and communication. As a part of this processing, the controller processes the first and last names, email addresses and phone numbers of the data subjects. In this case, the controller processes the titles and positions of data subjects and the names of legal persons represented by them. The controller processes the data within its own IT system, which is only accessible to authorised employees and is not publicly accessible.

The controller obtains the data processed in this way from public sources, completed electronic forms, submitted information requests (see: Information request) and attendance lists (see: Attendance lists). In this case, the data processed are accessible to the Controller's IT operator and hosting service provider, i.e. these operators can obviously obtain the personal data uploaded to the cloud storage or the server in the course of operation. From this aspect, the operators specified above are regarded as separate controllers, and their data processing is subject to their own data processing policies.

The Controller processes the personal data concerned with the consent of the data subjects, by maintaining a database. The consent is procured in different ways:

- By filling in the forms, the data subjects have the possibility to declare that they have studied the rules of processing and accept that the Controller may process their data provided accordingly.
- At events where the data subject provides his/her personal data personally in writing, by filling in an attendance list, the Controller will obtain a written statement on the provision of personal data so that the attending data subjects can learn the rules of processing and accept that the Controller may process their data accordingly.
- At personal meetings, the Controller will enter the data displayed on business cards handed over by the individuals representing legal persons to its own system in the appropriate manner.
- In the course of electronic correspondence and exchange of letters (see: Information request), the Controller will enter the sender's data into its own system in the appropriate manner.

Data processing does not have a registration number, as it meets the criteria of customer contact. For this reason, the Authority does not keep any record on such processing.

In addition to the data listed below, the Controller will not process or keep records of any other personal data collected and processed in the course of the customer relationship.

Data processing performed to maintain contact with customers



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Personal data	Purpose of processing	Legal ground of processing	Source of data	Duration of processing
First and last name	Contact maintenance, communication with customers	The data subject's consent	Collected directly from the data subject	Until erasure upon the data subject's request
Email address	Contact maintenance, communication with customers	The data subject's consent	Collected directly from the data subject	Until erasure upon the data subject's request
Telephone number	Contact maintenance, communication with customers	The data subject's consent	Collected directly from the data subject	Until erasure upon the data subject's request
Title, position	Contact maintenance, communication with customers	The data subject's consent	Collected directly from the data subject	Until erasure upon the data subject's request
Represented body	Contact maintenance, communication with customers	The data subject's consent	Collected directly from the data subject	Until erasure upon the data subject's request

Data transmission to the parent company:

The controller transmits a specific scope of the personal data subject to processing by the controller to its parent company located in a third country for the purpose of ensuring the conditions of controllability and accountability, due to the dependent relationship between the companies. The parent company exercises a dominant controlling influence, as defined in Section 6 (18) of Act CCXXXVII of 2013, on the controller, based on which:

- a) the parent company can decide on the distribution of the controller's profits, the reallocation of its profit or loss to another company and its strategy, business policy or sales policy;
- b) regardless of whether the agreement has been included in the statute (deed of foundation) or in any other written contract, it becomes possible to harmonise the management of the controller with the management of another company for a common objective,
- c) joint control is realised through the wholly or partially (to an extent sufficient to ensure a majority for decisions) identical composition of the management and/or supervisory board; or
- d) the parent company exercises significant influence on the operation of another company without capital ties;



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With regard to the fact that international data transmission is necessary to realise the purpose of data processing, and the conditions for data processing prescribed in Section 5 of the Privacy Act are met, and the appropriate level of protection of personal data transmitted is ensured for the controller or processor performing data processing in a third country or within the framework of an international organisation, the processor realises the data transmission concerned in accordance with Section 10 (1) (a) and (b) of the Privacy Act.

Data transmitted to the parent company:				
Type of data transmitted	Purpose of transmission	Name of recipient of data transmission	Full address of recipient of data transmission	Source of data
Data processed in the framework, of data processing related to activities pursued online and/or offline	Ensuring control over the parent company specified in the deed of foundation.	International Center for Not-for-Profit Law	1126 16th St NW #400, Washington, DC 20036, United States	Data processing specified in this policy
CVs of employees employed by the Controller	The performance of tendering activities by the parent company specified in the founding deed (project applications)	International Center for Not-for-Profit Law	1126 16th St NW #400, Washington, DC 20036, United States	The set of files stored in the system of the controller, which is expanding due to data processing under this Policy

6. Rules of data processing:

Right of data subjects:

I. The data subject has the right, in connection with his or her personal data processed by the controller or a processor acting on its behalf or upon its instructions, in accordance with the terms specified in the Privacy Act:

- a) to receive information on the facts related to processing prior to the start of processing (right to prior information),
- b) at his/her request, to receive his/her personal data and information on their processing from the controller (right of access),
- c) at his/her request, and in the other cases specified in this chapter, to have the controller rectify or supplement his/her personal data (right to rectification),
- d) at his/her request, and in the other cases specified in this chapter, to have the controller restrict the processing of his/her personal data (right to restrict data processing),
- e) at his/her request, and in the other cases specified in this chapter, to have the controller erase his/her personal data (right to erasure),
- f) to initiate a procedure by the Authority (right to administrative legal remedy); and



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- g) to initiate a court procedure (right to judicial remedy);

II. In accordance with the paragraph above, the data subject is entitled to request:

- a) information on the processing of his/her personal data
 1. The data subject has the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the relevant information.
- b) rectification of personal data:
 2. The data subject has the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking the purposes of the processing into account, the data subject has the right to have incomplete personal data completed, including by means of providing a supplementary statement.
- c) erasure and blocking of his/her personal data:
 3. The data subject has the right to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller has the obligation to erase personal data without undue delay provided that the other conditions are met.
- d) restriction of the processing of personal data:
 4. The data subject has the right to obtain the restriction of processing from the controller where one of the following applies:
 - i. the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data;
 - ii. the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
 - iii. the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment or exercise of or defence against legal claims; or
 - iv. the data subject has objected to processing pending the establishment of whether the legitimate grounds of the controller override those of the data subject.

In order to facilitate the exercise of the data subjects' rights, the controller may provide them with templates (forms) containing the substantive content elements of the requests.

5.

III. Furthermore, the data subject is entitled to:

- a) receive his/her personal data in a machine-readable format:

The data subject has the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and has the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where processing is based on voluntary consent or contract and is automated.
- b) object against data processing:

Where personal data are processed for direct marketing purposes, the data subject has the right to object at any time to the processing of personal data concerning him or her for such marketing, which includes profiling, to the extent that it is related to such direct marketing. Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.



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- c) not to be subject to a decision based solely on automated processing:

The data subject has the right not to be subject to a decision which is based solely on automated processing, including profiling, which produces legal effects concerning him or her or affects him or her to a similarly significant degree.

6.

Enforcement of the data subject's rights:

- I. In order to enforce the data subject's rights, the controller:

- a) gives any notification and information to be sent to the data subject in the cases specified in the Privacy Act and in this Notice in an easily accessible and readable format, in a concise, clear and easily understandable manner.

7. The controller makes the privacy notice available by electronic means on its website, either as a separate attachment or as a subpage, and in its online registration forms as a link, as well as in hard copy at places where the data subjects can find it upon the commencement of processing.

- b) it adjudicates the request submitted by the data subject for the enforcement of his or her rights within the shortest possible time from submission, but in any case, within 25 days at most, and communicates its decision to the data subject in writing or electronically, if the data subject has submitted its request by electronic means.

8. The controller receives requests for the enforcement of the data subject's rights at any of its contact points specified in main section 1 of this Notice.

Right of information:

Information provided at the time when personal data are obtained:

- I. Where personal data relating to a data subject comes under the processing of the controller from the data subject, the controller will, at the time when personal data are obtained, provide the data subject with all of the following information:

- a) the identity and the contact details of the controller and of the controller's representative;
b) the purposes of the processing for which the personal data are intended, as well as the legal basis for their processing;
c) if personal data are not obtained from the data subject: categories of the personal data concerned;
d) the recipients or categories of recipients of the personal data, if any.

- II. In addition to the information mentioned in section I, the data subject must also be informed of the following additional details:

- a) the retention period applicable to the personal data or, if that is not possible, the criteria used to determine that period;
b) the existence of the right to request, from the controller, access to and rectification or erasure of personal data or restriction of processing concerning the data subject or to object to processing, as well as the right to data portability;
c) where the processing is based on voluntary consent, the data subject has the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal;



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- d) the right to lodge a complaint with the supervisory authority;
 - e) whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the data subject is obliged to provide the personal data and of the possible consequences of failure to provide such data
- III. The rules of procedure referred to in sections I and II constitute the controller's information provision practice. Before starting the processing, the controller makes information provision possible publicly, with understandable and transparent content by publishing the effective (and former, if any) privacy notice(s) on its website, which it also provides to the data subject in hard copy upon the start of processing, i.e. when the personal data are obtained.
- IV. In addition, the controller will 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. At his or her request, the controller informs the data subject of the recipients of the data transmissions concerned.
- V. The controller communicates any personal data breach to the data subject without undue delay if a personal data breach is likely to result in a high risk to the rights and freedoms of natural persons within the controller's system.
- VI. If the controller or the processor acting on its behalf or upon its instructions denies the data subject's request specified in paragraphs I and II of the chapter on "the data subject's rights" in this Notice for the rectification, erasure or restriction of processing, it will promptly inform the data subject in writing of
- a) the fact of denial, its legal and factual reasons, and
 - b) the rights granted to the data subject by the Privacy Act, as well as the way to exercise them, in particular that the data subject can also exercise his or her right to rectification, erasure or the restriction of processing of the personal data processed by the controller or the processor acting on behalf of it and upon its instructions with the involvement of the Authority.

Prior information:

- I. In order to ensure the enforcement of the right to prior information, before the data processing operations performed by the controller or by the processor proceeding on its behalf or upon its instructions, or at the latest before starting the first data processing operation, the controller will promptly make the following information available to the data subject:
- a) the designation and contact details of the controller and, if a processing operation is performed by a processor, those of the processor;
 - b) the contact details of the data protection officer;
 - c) the purpose of the planned data protection; and
 - d) the rights granted to the data subject by the Privacy Act and the Controller's own policy, together with the description of the way of enforcing them.



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- II. Simultaneously with the details listed in paragraph I, the controller provides information to the data subject in the same way or addressed to the data subject on
 - a) the legal ground of processing;
 - b) the retention period of personal data processed, and how this period has been determined;
 - c) if the processed personal data are transmitted or planned to be transmitted, the scope of recipients of data transmission, including third-country recipients and international organisations;
 - d) the source from which processed personal data are collected; and
 - e) all other substantive facts in connection with the circumstances of processing.
- III. The controller may delay the provision of the information specified in paragraph II in proportion to the objective to be attained, or restrict the content of information provided, or omit the provision of information if this measure is indispensable in order to ensure:
 - a) the effective and efficient conduct of examinations or proceedings performed by it or with its involvement, in particular criminal proceedings;
 - b) the effective and efficient prevention and detection of criminal offences;
 - c) the enforcement of punishments and measures applied against perpetrators of criminal offences;
 - d) the effective and efficient protection of public security;
 - e) the effective and efficient protection of the external and internal security of the state, in particular defence and national security; or
 - f) the protection of the fundamental rights of third persons

Right of access:

- I. The data subject is entitled, at his/her request, to receive his/her personal data and information on their processing from the controller.
- 9.
- II. In order to ensure the right of access, at the data subject's request, the controller specifies whether his or her personal data are processed by the controller itself or by a processor acting on its behalf and at its instructions.
- 10.
- III. If the personal data of the data subject are processed by the controller or by a processor on its behalf and upon its instructions, in addition to the details listed in paragraph II, the controller will provide the data subject with the personal data processed by it and by a processor acting on its behalf and upon its instructions and inform him or her of
 - a) the source of the personal data processed;
 - b) the purpose of and legal ground for processing;
 - c) the scope of the personal data processed;
 - d) if the personal data processed are transmitted, the scope of recipients of data transmission, including third-country recipients and international organisations;
 - e) the retention period of processed personal data, and the way this period has been determined;



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Web: www.ecnl.org

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- f) the rights granted to the data subject by the Privacy Act, together with the description of the way of enforcing them;
- g) if profiling is applied, this fact, and
- h) the circumstances of any occurrence of personal data breaches arising in connection with the processing of the data subject's personal data, their impact and the measures taken to manage them.

11.

IV. The controller may restrict or refuse the data subject's right of access in proportion to the purpose to be attained if this measure is indispensable to pursue any interest specified in paragraph II of the chapter on "prior information" in this Notice.

12.

- V. If the measure under paragraph III is applied, the controller informs the data subject promptly of
- a) the fact that access is restricted or refused, and its legal and factual reasons, if the provision of this information to the data subject does not endanger the realisation of any interest specified in paragraph II of the chapter on "prior information" in this Notice; and
 - b) the rights granted to the data subject by the Privacy Act, as well as the way of exercising them, in particular that the data subject can also exercise his or her right of access with the involvement of the Authority.

13.

Rectification:

II. The data subject has the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking the purposes of the processing into account, the data subject has the right to have incomplete personal data completed, including by means of providing a supplementary statement.

14.

III. In order to ensure the enforcement of the right to rectification, if the personal data processed by the controller or by a processor on its behalf and upon its instructions are inaccurate, incorrect or incomplete, it will promptly rectify or correct them, especially at the data subject's request or, if it is compatible with the purpose of processing, it supplements them with additional personal data provided by the data subject or with a declaration made by the data subject concerning the processed personal data.

15.

- IV. The controller is exempted from the rectification obligation if
- a) no accurate, correct and complete data is available, and the data subject does not make such data available either; or
 - b) the veracity of the personal data provided to it by the data subject cannot be established without doubt.
 - c)

V. If the controller rectifies the personal data processed by it or by a processor acting on its behalf and upon its instructions, it will inform the controller to which it transmitted the personal data affected by the rectification of this fact and of the rectified personal data.

16.

Restriction:



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- I. During the period of the restriction on processing, apart from storing, the controller or the processor acting on its behalf and upon its instructions may only perform any other processing operation on the personal data subject to restriction in order to enforce the data subject's legitimate interest or as specified by an act, international agreement or a binding legal act of the European Union.
- 17.
- II. If the restriction on processing is lifted, the controller will inform the data subject of this fact in advance.

Erasure:

In order to enforce the right to erasure, the controller will promptly erase the data subject's personal data if

- a) processing is unlawful, in particular if
 - i. processing is contrary to the principles of data protection;
 - ii. its purpose has ceased to exist or no further processing is necessary for the realisation of the purpose of processing;
 - iii. its duration specified by an act, international agreement or a binding legal act of the European Union has elapsed; or
 - iv. its legal ground has ceased to exist and there is no other legal ground for the processing of data;
- b) the data subject withdraws his or her consent to processing or requests the erasure of his or her personal data, except for the cases specified in the Privacy Act;
- c) a legal provision, a Union legal act, the Authority or a court orders erasure of the data; or
- d) the period specified in the relevant provision of the Privacy Act has elapsed.

The controller's internal privacy policy in effect at that time constitutes the complete regulatory background for data protection. This policy will be shared within the organisation. The policy regulates the following subtopics (rules of procedure, methods, processes):

- Legal ground of processing
- Ensuring enforcement of the data subjects' rights
- Rules on data transmission
- Rules on conducting a data protection impact assessment
- Rules on storing personal data
- Rules on keeping the controller's and processor's records and electronic logs
- Rules on conducting a data protection audit
- Rules on data destruction and erasure
- Rules on handling personal data breaches
- Delimitation of entitlements related to data processing (matrix of entitlements)
- All data processing activities of the controller (specific part)

7. Legal remedy:

Should the data subject have any question or problem in connection with the processing, he or she may contact the controller using the contact details specified in section 1 of this Notice.



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The controller assigns a filing number to the letters and customer inquiries received via post or fax, then retains them in its system for 5 years with the sender's name and the date of receipt.

The controller deletes incoming emails with the sender's name and email address, as well as any other voluntarily provided personal data, no later than after the lapse of 5 years from data provision.

The data subject may turn to the Hungarian National Authority for Data Protection and Freedom of Information with any complaint in connection with the processing:

Name of the authority: Hungarian National Authority for Data Protection and Freedom of Information

Abbreviated name of the authority: NAIH

Registered address: H-1024 Budapest, Szilágyi Erzsébet fasor 22/C.

Website: www.naih.hu

Email: ugyfelszolgalat@naih.hu

8. Closing provisions

In issues not regulated in this Notice, the provisions of the Privacy Act in effect at that time and the other laws listed in Section 3 of this Notice shall be governing. Courts, public prosecutors, law enforcement agencies, authorities dealing with administrative offences, the Hungarian National Authority for Data Protection and Freedom of Information and other bodies authorised by law may send inquiries to the controller to request the provision of information and the disclosure or transmission of data or documents.

If the authority explicitly specifies the purpose and the scope of data, the Controller will only disclose personal data to the authorities in the quantity and to the extent that is indispensable for the realisation of the purpose of the request.

The controller does not check personal data provided to it, neither at the time of obtaining them nor any time following that. The person providing the data is exclusively responsible for the adequacy of the data provided. With the provision of his/her email address, the data subject assumes liability for ensuring that he/she will be the exclusive user of the service from the email address provided.

The controller reserves the right to unilaterally amend this Privacy Notice subject to notification to the data subjects. The Controller will allow sufficient time between the announcement and the effective date of the amendment for the data subjects to become familiar with the content of the amended Policy.

Annexes:

Annex no. 1: Template for requesting rectification of personal data

Annex no. 2: Template for requesting erasure of personal data

Annex no. 3: Template for requesting information on personal data processing



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Annex no. 1:

Template for requesting rectification of personal data

Re: Rectification of personal data:

Dear Data Controller,

Exercising the right granted to me in Section 17 para. (1) of Act CXII of 2011 on Informational Self-Determination and Freedom of Information (hereinafter: "Privacy Act"), I would like to request the correct recording of my personal data processed by **[designation of controller]** and, accordingly, the rectification of the incorrect data.

Name:

Further data required for the identification of the data subject¹:

Data processed:

Actual data:

Please note that, based on Section 18 para. (1) of the Privacy Act, [designation of the controller] is required to inform me of the rectification, just like all those persons who have previously received the incorrect data for the purpose of processing.

Pursuant to Section 18 para. (2) of the Privacy Act, should the controller fail to perform the rectification I requested, it must give the factual and legal reasons for the refusal of rectification in writing or by electronic means, within 25 days from the receipt of my request.

Please send the answer to the following address/email address:

If the obligation to rectify data specified by law is not fulfilled, based on Section 52 para. (1) of the Privacy Act, anyone may turn to the Hungarian National Authority for Data Protection and Freedom of Information to initiate an examination by claiming that his/her rights related to the protection of personal data have been violated or there is imminent danger of it.

Thank you for your cooperation.

Dated:

Signature

¹E.g. for online data processing, email address, username.

In other cases, further personal data processed by the controller as needed for identification, e.g. address, date of birth etc.



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Annex no. 2:

Template for requesting erasure of personal data

Re: Request for the erasure of personal data

Dear Data Controller,

Exercising the right granted to me in Section 17 para. (2) of Act CXII of 2011 on Informational Self-Determination and Freedom of Information (hereinafter: "Privacy Act"), I would like to request the erasure of my personal data.

Name:

Further data required for the identification of the data subject²:

Data required to be erased:

Please note that, based on Section 18 para. (1) of the Privacy Act, **[designation of the controller]** is required to inform me of the erasure, just like all those persons who have previously received the data for the purpose of processing.

Pursuant to Section 18 para. (2) of the Privacy Act, should the controller fail to perform the erasure I requested, it must give the factual and legal reasons for the refusal of erasure in writing or by electronic means, within 25 days from the receipt of my request.

Please send the answer to the following address/email address:

If the obligation to erase data specified by law is not fulfilled, based on Section 52 para. (1) of the Privacy Act, anyone may turn to the Hungarian National Authority for Data Protection and Freedom of Information to initiate an examination by claiming that his/her rights related to the protection of personal data have been violated or there is imminent danger of it.

Thank you for your cooperation.

Dated:

Signature

²E.g. for online data processing, email address, username.

In other cases, further personal data processed by the controller as needed for identification, e.g. address, date of birth etc.



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Annex no. 5:

Template for requesting information on personal data processing

Re: Request for information on
personal data processing

Dear Data Controller,

Exercising the right granted to me in Section 15 para. (1) of Act CXII of 2011 on Informational Self-Determination and Freedom of Information (hereinafter: "Privacy Act"), I would like to request information on the processing of my personal data.

Name:

Further data required for the identification of the data subject³:

Pursuant to Section 15 para. (1) of the Privacy Act, please provide information on my personal data processed by..... **[designation of the Controller]**

thus their origin / the purpose / legal ground / duration of data processing / the name, address of the processor and its activities related to data processing / if my personal data are transmitted, the legal ground for processing and the recipient / the circumstances and impact of any personal data breach and the measures taken to eliminate it (please underline the relevant part).

In this context, I have the following specific question:

Please send the information to the following address:

Please note that, pursuant to Section 15 para. (4) of the Privacy Act, the Controller is required to provide this information to me as soon as possible after submission of my request but, in any case, within 25 days, in an easily understandable form, in writing. Section 15 para. (5) of the Privacy Act states that *"information must be provided free of charge if the person making the inquiry has not yet submitted another request for information in the same year with the controller."*

Section 16 para. (1) of the Privacy Act stipulates that the controller may only refuse to provide information in the cases specified in Section 9 para. (1) and Section 19. If the controller refuses to provide information, pursuant to Section 16 para. (2) of the Privacy Act, the controller must specify in writing which provision of this Act has been the basis for the refusal.

If the information provision obligation specified by law is not fulfilled, based on Section 52 para. (1) of the Privacy Act, anyone may turn to the Hungarian National Authority for Data Protection and Freedom of Information to initiate an examination by claiming that his/her rights related to the protection of personal data have been violated or there is imminent danger of it.

Thank you for your cooperation.

Dated:

Signature

³E.g. for online data processing, email address, username.

In other cases, further personal data processed by the controller as needed for identification, e.g. address, date of birth etc.