

## Preamble

This Privacy Statement is to provide the Users of the Website (www.efisz.hu) of **Electronic Payment Service Providers Association** (hereinafter referred to as the Data Controller, EFISZ) with the basic information concerning the processing of their personal data, the technical and organizational measures taken to protect such data, the related rights of the Users and the method of exercising thereof.

This Privacy Statement may be subject to subsequent amendments at any time, and Users shall be required to check the Website to receive information on any such changes.

## 1. Details of Data Controller

**Name: Electronic Payment Service Providers Association (EFISZ)**

**Registration number:** 01-02-0016481

**Registered seat:** Kapás street 6-12. 1027 Budapest

**Contact details:** info@efisz.hu

**President:** Mihály VERES

**General Secretary:** Gábor DÁVIDHÁZY

## 2. The statutory basis of data processing

- Act CXII of 2011 on Informational Self-Determination and Freedom of Information (hereinafter referred to as the Privacy Act)
- Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)
- Act V of 2013 on the Civil Code (hereinafter referred to as the Civil Code)

## 3. Principles of data processing

Data Controller

- shall process the personal data shall lawfully, fairly and in a transparent manner in relation to the data subject (lawfulness, fairness and transparency)
- shall process the personal data for specified, explicit and legitimate purposes and shall not process such data in a manner incompatible with those purposes (purpose limitation).
- shall process the personal data in a manner that is adequate, relevant and limited to in relation to what is necessary (data minimization). In accordance with this, it shall not collect or store more data that is absolutely necessary for the realization of the purpose of the processing.

- shall ensure that processing shall be accurate and up to date, and every necessary measure shall be implemented to ensure that the personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (accuracy).
- shall keep the personal data 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, having regard to the storage obligations determined by law (storage limitation);
- shall process the personal data in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures (integrity and confidentiality).
- shall be responsible for and be able to demonstrate compliance with the principles detailed above (accountability).

#### **4. Legal basis of the processing**

The processing of the personal data is lawful only if and to the extent that at least one of the following applies:

- the Data subject has given consent to the processing of his or her personal data for one or more specific purposes (processing based on consent).
- processing is necessary for the performance of a contract to which the Data subject is party or in order to take steps at the request of the Data subject prior to entering into a contract (processing based on contract).
- processing is necessary for compliance with a legal obligation to which the data controller is subject (processing based on legal obligation).
- processing is necessary in order to protect the vital interests of the Data subject or of another natural person (hereinafter as processing based on vital interests).
- processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the company (hereinafter as processing based on official authority).
- processing is necessary for the purposes of the legitimate interests pursued by the data controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the Data subject which require protection of personal data, in particular where the Data subject is a child (processing based on legitimate interests).

#### **5. The scope of personal data processed in relation to the website, the purpose, legal basis and duration of the processing**

EFISZ processes the technical personal data that are automatically generated upon your visit to the website. With respect to the establishment and maintenance of Internet connection, such data shall include information concerning the type of your browser, your Internet protocol address (IP address and port number), domain name (URL), the date of your visit and the list of the pages you browsed (log files).

The purpose of the data processing is to collect statistical information for the purpose of analyzing the number of visits to the website, the use of the website (statistical purpose), as well as to prevent any eventual misuse and to facilitate the investigation thereof (information security purpose).

The legal basis of the processing is Data Controller's legitimate interest, the duration of the processing is one year.

The Data Controller uses cookies - information packages that are stored on the computer of the person visiting the website - to collect data related to the visits to the website, if it is permitted by the browser settings of the data subject. The person using the computer may ban the use of the cookies - by changing the settings of his or her computer - or may remove the cookies already installed on his or her computer at any time.

The cookies are used with the purpose of collecting the statistical information necessary for the development of the website and for the analyses related to the number of visits and usage. Cookies cannot be associated with the individual browsing of the website; only anonymous data can be collected allowing trends to be drawn up which are necessary for the further development of the website.

Temporary and qualifying cookies that facilitate the use of the website are deleted after the browsing session, functional cookies are stored on the user's computer for a period of three months, statistical cookies for a period of two years, unless the data subject removes them earlier.

The legal basis of the processing is the consent of the Data subject. The withdrawal of the consent shall not affect the lawfulness of the processing prior to the withdrawal.

The Data Controller provides information on the news and events related to its activities through its website, in relation to which certain personal data (some of which are in public domain) of Data subjects are also processed (e.g. name, biographical data from professional CVs, photographs).

The legal basis of the processing is the consent of the User. Data Controller processes the personal data until the consent is withdrawn. You may withdraw your consent at any time in an email sent to [info@efisz.hu](mailto:info@efisz.hu).

Users may access the information displayed on the website without providing their personal data. You may send a message to the Data Controller via the "Contact" menu.

The processed data are the surname, family name, email address, the purpose of data processing is sending replies and communicating through the website.

The legal basis of the data processing is the consent of the User, the Data Controller shall process the persona data until the consent is withdrawn. You may withdraw your consent at any time in an email sent to [info@efisz.hu](mailto:info@efisz.hu).

## **6. Persons having access to data, data processors**

The data will be processed exclusively by the authorized employees of the Data Controller (general secretary and the relevant assistant of the Controller).

The data shall be transferred to a third party by the Data Controller only if such data transfer is required by compulsory legal provisions or if the User has granted his or her consent thereto in a certifiable manner.

Upon the assignment granted by the Data Controller, the website is operated by Bike&Com Szervező és Szolgáltató Kft. (9090 Pannonhalma, Rákóczi Ferenc u. 34.) (hereinafter referred to as the Data Processor). The Data Processor is not authorized to have access to personal data or to transfer thereof to any third party.

## **7. Data security**

The Data Controller shall process the personal data with the highest care and diligence, in a strictly confidential manner, solely to the extent required for the use of the services and, in case of data processing based on consent, in compliance with the data subject's instructions.

The Data Controller pays extra attention and care to the safe and secure processing of the personal data; thus, it has taken the technical and organizational measures and formulated the operating rules that are required to ensure the compliance of data processing with the prevailing data protection laws and regulations. The Data Controller will revise the referred measures and rules regularly and amend them if required.

## **8. The rights of the Users related to the processing of their personal data and the method of exercising such rights**

### **8.1. The right to withdraw consent**

Where processing is based on consent, the User has the right to withdraw his or her consent at any time. The withdrawal of the consent shall not affect the lawfulness of the processing carried out based on the consent prior to its withdrawal.

### **8.2. Rights of information (right to access)**

User shall have the right to obtain information from Data Controller whether personal data concerning him or her is being processed and if his or her personal data is being processed, he or she has the right to gain access to the personal data and the following information:

- the purposes of the processing;
- the categories of the personal data processed;
- the recipients or the categories of recipients to whom or to which the personal data has been or will be transmitted, especially recipients in third countries, and international organizations;

- where applicable, the planned duration of the storage of the personal data, or if this is not possible, the criteria based on which this duration is determined;
- Data subject's right to obtain from the Data Controller the rectification or erasure, or the restriction of the processing of the personal data concerning him or her, and his or her right to object to such processing of such personal data
- the right to lodge a complaint with a supervisory authority
- the existence of automated decision-making, including profiling, or at least in these cases meaningful information on the logic applied and the significance of the processing and the envisaged consequences of such processing for the Data subject,
- if the data was not collected from the Data subject, every available information regarding their source
- if personal data is transmitted to third countries or to an international organization, Data subject has the right to obtain information on the suitable guarantees with regard to the transmission.

The Data Controller shall provide the User with the information listed above within the shortest possible time after the receipt of the request, but not later than within 25 days, in writing, using plain language.

### **8.3. Right to rectification:**

The User shall have the right to obtain from the Data Controller without undue delay, but not later than within 15 days, the rectification of inaccurate personal data concerning the User. Having regard to the purpose of the processing, the User shall have the right to request incomplete personal data to be completed, among other means, by way of a supplementary declaration.

### **8.4. The right to the erasure ('the right to be forgotten')**

The User shall have the right to obtain from the Data Controller the erasure of personal data concerning him or her without undue delay, but not later than within 15 days, where one of the following grounds applies: the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;

- the Data subject withdraws his or her consent on which the processing is based and there is no other legal ground for the processing
- the Data subject objects to the processing and there are no overriding legitimate grounds for the processing
- the personal data have been unlawfully processed
- the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the Data Controller is subject
- the personal data have been collected in relation to the offer of information society services

The personal data cannot be erased to the extent that processing is necessary:

- for exercising the right of freedom of expression and information;
- for compliance with a legal obligation which requires processing of the personal data by Union or Member State law to which the Data Controller is subject (e.g. for the preservation of invoicing data), and in the public interest;
- for the establishment, exercise and defence of legal claims.

### **8.5. Right to restriction of processing**

User shall have the right to obtain from the Data Controller the restriction of the processing if any of the following applies:

- Data subject contests the accuracy of the personal data, in this case the restriction lasts for the period that enables the Data Controller to verify the accuracy of the personal data;
- the processing is unlawful and Data subject objects to the erasure of the data and instead requires the limitation of their processing;
- the Data Controller no longer needs the personal data for the purposes of the processing, but the Data subject requires them for the establishment, exercise or defence of legal claims; or
- Data subject has objected to the processing, in this case, processing shall be restricted for the period until it can be verified whether the legitimate grounds of the Data Controller override the legitimate interests of the Data subject.

Where processing has been restricted subject to the above, such personal data shall, with the exception of storage, only be processed with the Data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

Data subject who has obtained restriction of processing shall be informed by the Data Controller before the restriction of processing is lifted.

The Data Controller shall communicate any rectification or erasure of personal data or restriction of processing referred to above to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort.

### **8.6. Right to data portability**

User has the right to receive the personal data concerning him or her provided to Data Controller in a structured, commonly used and machine-readable format and, in addition, has the right to transmit those data to another Data Controller if:

- the processing is based on Data subject's consent or based on contract; and
- processing is carried out by automated means.

### **8.7. Right to object**

User shall have the right to object to the processing of his or her personal data on grounds relating to his or her particular situation in the following cases:

- Where the legal basis of the processing is the pursuing of legitimate interests of the Data Controller or third parties, except in cases where processing is compulsory. In this case the Data Controller may no longer process the personal data, unless Data Controller can demonstrate that processing is justified by such compelling legitimate reasons that override the interests, rights and freedoms of the Data subject, or that are related to the establishment, exercise and defence of legal claims.
- Where personal data are processed for the purposes of direct marketing, without the consent of the Data subject. Where Data subject objects to the processing of his or her

personal data for direct marketing purposes, the personal data shall no longer be processed for such purposes.

- Where the personal data are processed for scientific or historical research purposes or statistical purposes, the data subject, on grounds relating to his or her particular situation, shall have the right to object to processing of the personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

Data controller shall review the objection within the shortest possible time after the request has been submitted, but not later than within 15 days, and shall decide on the merits of the case and shall inform Data subject of its decision in writing.

If the Data Controller fails to fulfil Data subject's request for the rectification, restriction or erasure, Data Controller shall communicate the factual and legal reasons for rejecting the request for rectification, restriction or erasure within 25 days of receiving such request.

## **9. Legal remedies**

The User may lodge his or her complaints related to data processing with the Hungarian National Authority for Data Protection and Freedom of Information (address: 1125 Budapest, Szilágyi Erzsébet fasor 22/c.; phone: +36-1-391-1400; email: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu); honlap: [www.naih.hu](http://www.naih.hu)).

The User may turn to the competent court in case of infringement of his or her rights. The regional courts shall have the competence to decide in such cases. The court case may be initiated before the court having jurisdiction either at the place of the temporary or the permanent residence of the Data subject. On request, the Data Controller shall provide information to User on the available forms of legal remedy.