

**KOVÁCS RÉTI SZEGHEŐ ATTORNEYS AT LAW
DATA PRIVACY POLICY**

related to the provision of legal- and legal related services

Effective from 25th May 2018

Kovács Réti Szegheő Attorneys at Law, as controller (hereinafter referred to as “**Controller**”) carries out legal- and legal related services with regards to the prevailing regulations on data protection – particularly the Act CXII. of 2011 on Informational Self-determination and Freedom of Information (hereinafter referred to as: „**Information Act.**”) and Regulation No. 2016/679/EU 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 (“**GDPR**”). The Controller processes the data of its contracting parties for legal services (hereinafter referred to as: „**Clients**”) – as well as the contact persons of said parties – confidentially, and ensures the safety of such data by taking all necessary technical and organizational measures and implement such procedural rules that ensure the compliance with the GDPR and other data-, and confidentiality regulations.

1. The Controller: Kovács Réti Szegheő Attorneys at Law (registered seat: 41 Zugligeti út, 1121 Budapest, phone no.: +36 1 275 27 85, web: www.krs.hu)

2. Location: The Controller processes data primarily on paper format and secondarily by automatic processing, the location of both being the registered seat of the Controller. The personal data involved in the processing may vary depending on the performance of the service, but is primarily the personal data provided by the Client in the service agreement and its annexes, furthermore any further information provided during the performance/acquired by the Client, which may include sensitive data of the Client or other natural persons (hereinafter together referred to as: “**data subject(s)**”), with regard to this document and the relevant legislation.

3. Scope of data processed, purpose, duration, and legal basis

3.1. Regarding the provided service, the Controller processes the personal data of the Client and third parties in order to fulfill the Client’s orders and all operations that are directly related to the aim of the service and in the interest of the Client, and to comply with prevailing laws and regulations, including the fulfillment of judicial or administrative decisions or other normative acts issued by any entitled person, organisation or public body. With regard to the facts above, the legal basis of the processing of the data are the following sections of Paragraph 1 of Article 6 of the GDPR:

- a) *„the data subject has given consent to the processing of his or her personal data for one or more specific purposes” -*
- b) *„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”-*
- c) *„processing is necessary for compliance with a legal obligation to which the controller is subject”-*
- d) *„processing is necessary in order to protect the vital interests of the data subject or of another natural person”-*
- f) *„processing is necessary for the purposes of the legitimate interests pursued by the 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”;

while regarding sensitive data, the following sections of Paragraph 2 of Article 9 of the GDPR:

- a) „the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject”-
- f) „processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity” –
- g) „processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject”.

Activity	Data subject(s)	Processed data	Purpose	Duration	Legal Basis
A. Identification check of the Client (JÜB identification in case of countersigning)	Client, Opposing Party, other participants of the procedure	<ul style="list-style-type: none"> a) first name and surname b) birth name (first and surname) c) mother’s name d) registered address e) birthplace and birthdate f) ID card number g) Certificate of domicile number h) tax ID number i) personal ID number j) passport number k) copy of ID card and certificate of domicile l) copy of passport 	Identification check of the Client (JÜB identification in case of countersigning)	for 5 years following the termination of the service assignment, for 10 years in case of electronic documents – for 10 years in case of data and documents requiring countersigning	Section c) of Paragraph 1 of Article 6 of the GDPR, compliance with a legal obligation to which the controller is subject to
B. Due diligence check	Client, Opposing Party, other participants of the procedure	<ul style="list-style-type: none"> a) first name and surname b) birth name (first and surname) c) mother’s name d) registered address e) registered place of stay f) birthplace and birthdate g) ID card number h) Certificate of domicile number i) tax ID number j) personal ID number k) passport number l) copy of ID card and certificate of domicile m) copy of passport n) nationality o) if the subject is a politically exposed person p) source of monetary assets in case the subject is a politically exposed person 	Due diligence check	for 8 years following the termination or performance of the service assignment	Section c) of Paragraph 1 of Article 6 of the GDPR, compliance with a legal obligation to which the controller is subject to



C. Submitting an offer	Enquiring person	a) first name and surname b) phone number c) e-mail address d) presented matter	Submitting an offer	for 5 years following the submission of the offer	Section b) of Paragraph 1 of Article 6 of the GDPR, performance of a contract
D. Providing legal services (providing legal advice)	Client, Opposing Party, other participants of the procedure	Data listed as in Sections A-C and further data provided regarding the case or procedure.	Performance of a contract, providing legal services	for 5 years following the termination of the service assignment, for 10 years in case of electronic documents – for 10 years in case of data and documents requiring countersigning	Section b) of Paragraph 1 of Article 6 of the GDPR, performance of a contract
E. Providing legal services (drafting documents)	Client, Opposing Party, other participants of the procedure	Data listed as in Sections A-C and further data provided regarding the case or procedure.	Performance of a contract, providing legal services	for 5 years following the termination of the service assignment, for 10 years in case of electronic documents – for 10 years in case of data and documents requiring countersigning	Section b) of Paragraph 1 of Article 6 of the GDPR, performance of a contract
F. Providing legal services (representation)	Client, Opposing Party, other participants of the procedure	Data listed as in Sections A-C and further data provided regarding the case or procedure.	Performance of a contract, providing legal services	for 5 years following the termination of the service assignment, for 10 years in case of electronic documents – for 10 years in case of data and documents requiring countersigning	Section b) of Paragraph 1 of Article 6 of the GDPR, performance of a contract
G. Providing legal services (deposition of documents or monetary assets)	Client, Opposing Party, other participants of the procedure	a) personal data in case of a natural person b) registered address c) identification number of monetary surrogate d) bank account number	Performance of a contract, providing legal services	for eight years following the termination of the service assignment, but for at least 10 years following the termination of the deposit agreement	Section c) of Paragraph 1 of Article 6 of the GDPR, compliance with a legal obligation to which the controller is subject to

3.2. Regarding processing data in relation with the website www.krs.hu Controller owns the domain krs.hu, and operates the website www.krs.hu („Website”). The free of charge content and services on the website shall not be considered as legal advice, and the Controller shall not be held liable for these. Regarding the services on the website that require payment, the Controller shall limit its liability to the remuneration received for the service.

3.2.1. Processing personal data in relation with newsletter subscription

The Controller provides a possibility to the visitors to subscribe to the KRS newsletter on the Website, thus the Controller processes the data subjects’ name, e-mail address, and the date of subscription. The legal basis of processing the data is the consent of the data subject, given by subscribing to the newsletter.



The purpose of processing the data is sending the newsletter and the duration of the processing of the personal data is from subscription until the time the consent is withdrawn/the time of unsubscribing from the newsletter. In case the subscribing visitor does not wish to receive newsletters anymore, he or she may unsubscribe free of charge without any reasoning by either communication through any of the contacts listed at www.krs.hu/elérhetőségek or by clicking the „unsubscribe” link on the bottom of any newsletter. In this case the Controller stops processing the data subject’s personal data without any further delay.

Data subject(s)	Processed data	Purpose	Duration	Legal Basis
Newsletter subscribers	a) name, b) e-mail address c) date of subscription	sending newsletter by e-mail	from subscription until the time the consent is withdrawn/the time of unsubscribing from the newsletter	Section a) of Paragraph 1 of Article 6 of the GDPR, consent of the data subject

3.2.2. Processing personal data in relation with initiating contact with the Controller

The visitors may initiate contact with the Controller through the Website. In case the visitors initiate contact with the Controller, the Controller processes all personal data provided (e-mail address, IP address, telephone number, name particularly) in order to keep contact. The legal basis of processing the data is the consent of the data subject, given by the conduct of initiating contact with the Controller. The Controller processes the data of the last entry only.

Data subject(s)	Processed data	Purpose	Duration	Legal Basis
Visitors who initiate contact with the Controller on the Website	a) e-mail address b) IP address, c) telephone number d) name	initiating contact with the Controller	until the time the consent is withdrawn, but the Controller will erase data after 5 years according to Section 22 of Book 6 of the Civil Code.	Section a) of Paragraph 1 of Article 6 of the GDPR, consent of the data subject

3.2.3. Processing the personal data of the registered Website visitors

To access certain content or services of the Website, registration is required. During the registration process, the visitor provides his or her name and e-mail address, in order to enable the Controller to control the access to certain content or services of the Website. During the registration process, the visitor may provide personal data related to his or her employer, thereby helping the development of the Controller’s services. Upon registration, the Controller sends a confirmation to the e-mail address provided, with a link to confirm the registration. The visitor confirms and finalizes the registration by clicking on the link in the e-mail. The purpose of processing the personal data provided upon registration is to control the access to certain services of the Website that require registration, and to prevent abuse of rights. The duration of processing the personal data provided upon registration is 2 years after the last



login. The registered visitor may access both free of charge content on the Website and services that require payment. In case the visitor proceeds to use services or access content that require payment, the Website redirects the visitor to the online platform of the bank conducting the payment procedure in order to issue the payment, where providing further personal data is required. In this case, the controller of said personal data will be the bank and not the Controller, the Controller is not aware of such data and thus regarding the processing of these, the data subject can enquire to the bank.

Data subject(s)	Processed data	Purpose	Duration	Legal Basis
Registered visitors of the Website	a) username b) password c) full name d) e-mail address <u>not mandatory:</u> a) Company name b) Company address c) Position	controlling the access to certain services of the Website that require registration, and to prevent abuse of rights	for 2 years after the last login	Section a) of Paragraph 1 of Article 6 of the GDPR, consent of the data subject

3.2.4. Cookies

We use cookies and other various programs on the Website in order to understand the Website user preferences and behaviour relating to the Website, to develop the Website further. Upon visiting the Website for the first time, while utilising the Services we place cookies within the user's browser. In general the cookie is a file consisting of letters and numbers which is sent to the device of the user. Cookies enable to recognize the final appearance of the user on the Website. A further purpose of the cookies is to identify the user in order to recognize his or her personal needs to improve the Website services and content. In case you do not consent to the use of the cookies, you can deny or disable their use in your personal browser settings. Processing data by cookies is conducted anonymously by the Controller.

4. Transfer of personal data The Controller does not transfer the personal data obtained in connection with the assignment to international organizations based in third countries (outside the European Union, to a non EEA country), only if the explicit written consent of the Data subject is given which contains the provisions of such, providing also the insurances set forth in the GDPR. The previous limitation shall not apply to the cases described in Article 45 of the GDPR, in which case a transfer of personal data to a third country or an international organisation may take place where the Commission has issued a valid „statement of adequate level of protection”. Such a transfer shall not require any specific authorisation. At the time of drafting this document, the following third countries possess valid statements of adequate level of protection: Andorra, Argentina, Faroe Islands, Guernsey, Israel, Jersey, Canada, Man – Island, Switzerland, Uruguay, USA (Privacy Shield), New Zealand. *Regarding Japan and South Korea issuing the statement is in the process.*



5. Source of data: The Controller primarily obtains the personal data of the Client from the Client, through the voluntary disclosure of the Client, or with regards to the Client, from a third party entitled to disclose such data, by the authorisation of the Client or authorisation of law.

6. Data protection impact assessment, protection officer: With reference to Section (91) of the Preamble of the GDPR, no data protection impact assessment has been conducted, and no protection officer has been appointed.

7. Security of personal data: The Controller shall ensure the safety of personal data by taking all necessary technical and organizational measures and implement such procedural rules that ensure that the recorded, stored, and processed data is protected, and can not be destroyed, misused or wrongfully altered. The Controller calls to the attention of the third parties who have access to the Data subjects' data to comply with the requirement of personal data security. The Controller ensures that the processed data can not be accessed, disclosed, transferred, altered, or deleted by unauthorised personnel. The Controller shall use its best endeavours to prevent the destruction or damage of the data. The undertakings above are mandatory also to the employees of the Controller involved in the processing of the data and the data processors acting on behalf of the Controller. In order to ensure the security of the personal data and to prevent unauthorised access to it, the Controller takes the following measures: the access to the server and the computers is password-protected. The Controller stores the sensitive data in a separate database.

8. Notifying the Data subjects of the personal data breach

Personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.

When the personal data breach is likely to result in a high risk to the rights and freedoms of natural persons, the Controller shall communicate the personal data breach to the data subject without undue delay. The communication to the data subject shall not be required if any of the following conditions are met:

- a) the Controller has implemented appropriate technical and organisational protection measures, and those measures were applied to the personal data affected by the personal data breach, in particular those that render the personal data unintelligible to any person who is not authorised to access it, such as encryption;
- b) the Controller has taken subsequent measures which ensure that the high risk to the rights and freedoms of data subjects referred to in paragraph 1 is no longer likely to materialise;
- c) it would involve disproportionate effort. In such a case, there shall instead be a public communication or similar measure whereby the data subjects are informed in an equally effective manner.



9. Information regarding data subjects' rights

The data subjects may exercise the following rights regarding the data processing described in this document:

Right to information and right of access by the data subject

The data subject shall have 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 following information:

- a) the purposes of the processing;
- b) the categories of personal data concerned;
- c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- e) the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- f) the right to lodge a complaint with a supervisory authority;
- g) where the personal data are not collected from the data subject, any available information as to their source;
- h) the existence of automated decision-making, including profiling, and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

Where personal data are transferred to a third country or to an international organisation, the data subject shall have the right to be informed of the appropriate safeguards relating to the transfer.

The Controller shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, the controller may charge a reasonable fee based on administrative costs. Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form.

The right to obtain a copy referred to in the previous paragraph shall not adversely affect the rights and freedoms of others.

The rights above may be exercised through the contacts listed in Section 1. above.

Right to rectification

The Controller shall rectify the inaccurate personal data of the data subject upon his or her request without undue delay. Taking into account the purposes of the processing, the data subject shall have the



right to have incomplete personal data completed, including by means of providing a supplementary statement

Right to erasure ('right to be forgotten')

The data subject shall have the right to, upon request, obtain the erasure of personal data concerning him or her from the Controller without undue delay, where one of the following grounds applies:

- a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- b) the data subject withdraws consent on which the processing is based, and there is no other legal ground for the processing;
- c) the data subject objects to the processing and there are no overriding legitimate grounds for the processing, or the processing is used for direct marketing purposes;
- d) the personal data have been unlawfully processed;
- e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;
- f) the personal data have been collected in relation to the offer of information society services.

The right of erasure shall may not be exercised to the extent that processing is necessary:

- a) for exercising the right of freedom of expression and information;
- b) for compliance with a legal obligation which requires processing by Union or Member State law or for the performance of a task carried out in the public interest;
- c) for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional, and these data are processed by or under the responsibility of a professional subject to the obligation of professional secrecy under Union or Member State law or rules established by national competent bodies or by another person also subject to an obligation of secrecy under Union or Member State law or rules established by national competent bodies;
- d) for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;
- e) for reasons of public interest in the area of public health and these data are processed by or under the responsibility of a professional subject to the obligation of professional secrecy under Union or Member State law or rules established by national competent bodies or by another person also subject to an obligation of secrecy under Union or Member State law or rules established by national competent bodies;



- f) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes if the right to erasure would probably seriously risk or make impossible such data processing¹; or
- g) for the establishment, exercise or defense of legal claims.

Right to restriction of processing

Upon data subject's request, the Controller restricts the processing of data subject's personal data where one of the following applies:

- a) the accuracy of the personal data is contested by the data subject, in this case the restriction is for a period that enables the data subject to verify the accuracy of the personal data;
- b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- c) 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, exercise or defense of legal claims;
- d) the data subject has objected to the Controller's processing pursuant to public interest or compelling legitimate grounds, in this case the duration of the restriction is for the time period needed for the verifying whether the legitimate grounds of the controller override those of the data subject.

Where processing has been restricted for the aforementioned reasons, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defense 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.

A data subject who has obtained restriction of processing pursuant to the aforementioned reasons shall be informed by the Controller before the restriction of processing is lifted.

Right to data portability

The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to the Controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the Controller to which the personal data have been provided, where:

- a) the processing is based on consent pursuant to contract; and
- b) the processing is carried out by automated means.

In exercising his or her right to data portability pursuant to the aforementioned, the data subject shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible.

¹ Processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, shall be subject to appropriate safeguards for the rights and freedoms of the data subject. Those safeguards shall ensure that technical and organizational measures are in place in particular in order to ensure respect for the principle of data minimization. Those measures may include pseudonymisation provided that those purposes can be fulfilled in that manner. Where those purposes can be fulfilled by further processing which does not permit or no longer permits the identification of data subjects, those purposes shall be fulfilled in that manner.



The exercise of the right to data portability shall be without prejudice to the right to erasure ('to be forgotten'). That right shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

The right to data portability shall not adversely affect the rights and freedoms of others.

Right to object

The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to the Controller's processing of personal data concerning him or her where 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 Controller, processing is necessary for the purposes of the legitimate interests pursued by the Controller or by a third party, including profiling based on those provisions. In this case, the Controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defense of legal claims.

Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to 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.

Where 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 personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

Right to withdraw consent

The data subject shall have the right to withdraw his or her consent at any time if the Controller's data processing is based on consent. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

Modalities in case of request by the data subjects on the exercise of the aforementioned rights

The Controller shall provide information on action taken on a request to the data subject without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

The Controller shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay. Where the data subject makes the request by electronic form means, the information shall be provided by electronic means where possible, unless otherwise requested by the data subject.



If the Controller does not take action on the request of the data subject, the controller shall inform the data subject without delay and at the latest within one month of receipt of the request of the reasons for not taking action and on the possibility of lodging a complaint with a supervisory authority and seeking a judicial remedy.

The Controller shall provide the requested information and notification free of charge. Where requests from a data subject are manifestly unfounded or excessive, in particular because of their repetitive character, the Controller may either charge a reasonable fee taking into account the administrative costs of providing the information or communication or taking the action requested, or refuse to act on the request.

The Controller shall inform every such recipient of personal data, with whom personal data was shared, of all modification, erasure, or data processing restriction, unless this proves to be impossible, or requires an unreasonably large effort. Upon request of the data subject, the Controller shall inform him/her of these recipients.

10. Data processing

The Controller hereby notifies data subjects that relating its activity it has entered into a processing contract with the data processors described herein. The data processor does not make decisions on its own since it is only entitled to act as set forth in the processing contract and according to the instructions received. The Controller controls the works of the data processor. The data processor may only involve further data processors with the prior written consent of the Controller.

Data processor	Purpose	Data involved
Recomp Informatika Zrt. (1044 Budapest, Íves út 8. support@recomp.hu +36 1 435-1460 +36 1 435-1461)	IT support	data listed as in section 3.

11. Personal data of a third person

In case the data subject is not entitled to lawfully provide any personal data, the data subject must obtain the consent of the third person involved (such as legal representative, guardian, other person – e.g. a consumer – he or she is acting on behalf of), or provide other legal basis to provide the data. In context to this, the data subject shall determine if the providing of given personal data shall be subject to consent of a third person. The Controller may not get in personal contact with the data subject, thus the provider of the data shall ensure the compliance with this provision, and the Controller shall not be held liable in any means regarding this matter. Regardless, the Controller is entitled to check the legal basis of processing any personal data at any given time. For example, in case the person is acting on behalf of a third person – e.g. a consumer – we are entitled to ask for the authorisation of the person providing the data or for the consent of the subject to process his or her data regarding the case.

The Controller shall use its best endeavours to erase all unlawfully provided personal data. The Controller ensures, that if it becomes aware of such, the personal data involved shall not be transferred and shall not be used by the Controller.



12. Legal remedies available to the data subjects

- a) The Controller answers enquiries regarding questions and comments on data processing at the contacts listed in Section 1. of this Policy.
- b) The data subject may initiate an investigation by The National Data Protection and Freedom on Information Authority (mailing address: 1530 Budapest, Pf.: 5., phone: +36-1-391-1400, e-mail: ugyfelszolgalat@naih.hu, web: www.naih.hu) with reference to infringement or imminent threat of infringement of personal data rights; and
- c) In case of infringement of the data subject's rights, the data subject may seek judicial remedies against the Controller. The court handles the case with priority. The Controller has the burden to prove that processing of the data was in accordance with the law. The Tribunal courts have jurisdiction over data infringement cases. Legal proceedings may also be brought before the court where the data subject has domicile or residence.