

**Puchner Castle Hotel\*\*\*\***

# **Privacy Notice**

**INTRODUCTION**

The company **Hella'91 Kft.** (registered office: H-7346 Bikal, Rákóczi u. 22, Hungary, phone: +36 72 459 546, fax: +36 72 459 549, email: [info@puchner.hu](mailto:info@puchner.hu), tax number: 13359122-2-02, company registration number: 02-09-071319) (hereinafter referred to as: 'Service Provider' or 'controller') undertakes to be bound by the provisions of the following Notice.

The company hereby provides the following information in accordance with REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 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).

This Privacy Notice regulates processing on the <https://puchner.hu> website and by Puchner Castle Hotel.

The Privacy Notice is available at: <https://puchner.hu/adatkezelesi-szabalyzat>

Any amendments to the Notice shall take effect upon being published on the above website.

**THE CONTROLLER AND ITS CONTACT INFORMATION:**

Name: **Hella'91 Kft.**

Registered office: H-7346 Bikal, Rákóczi u. 22, Hungary

Email: [info@puchner.hu](mailto:info@puchner.hu)

Phone: +36 72 459 546

FAX: +36 72 459 549

## DEFINITIONS

1. 'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;
2. 'processing' means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
3. 'controller' means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;
4. 'processor' means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;
5. 'recipient' means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing;
6. 'consent' of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;
7. '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.

## PRINCIPLES RELATING TO PROCESSING OF PERSONAL DATA

Personal data shall be:

- a) processed lawfully, fairly and in a transparent manner in relation to the data subject ('lawfulness, fairness and transparency');
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with Article 89(1), not be considered to be incompatible with the initial purposes ('purpose limitation');
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');
- d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');
- e) 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 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 in accordance with Article 89(1) subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject ('storage limitation');
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

The controller shall be responsible for the above and be able to demonstrate compliance with the above ('accountability').

**INSTANCES OF PROCESSING****ROOM BOOKING, REQUESTING AN OFFER**

1. The fact of data collection, the categories of data processed and the **purpose of processing**:

<b>Personal data</b>	<b>Purpose of processing</b>
Surname and first name	Necessary for communication, requesting offers, room booking, and the issue of proper invoices.
Email address	Keeping contact.
Phone number	Keeping contact, effective consultation in the issues concerning room booking, requesting offers, and invoicing.
Invoicing name and address	Issue of proper invoices, conclusion of the contract, determination and amendment of the content thereof, monitoring performance of the contract, invoicing the relevant fees, enforcement of the relevant claims.
Data relating to room booking (date and time, date of arrival and departure, number of adults and children, age of children, room type)	Enabling room booking.
Date and time of room booking/requesting an offer	Performance of technical operations.
IP address at the time of room booking/requesting the offer	Performance of technical operations.

The email address shall not necessarily contain personal data.

2. Categories of data subjects: All data subjects booking a room/requesting an offer on the website.
3. Duration of processing, deadline for erasure of the data: After replying to the User's request for offer, the data shall be erased immediately if the User did not book the room (in this case, the controller may not send newsletters to the given User either). If the User has booked a room in the Service Provider's system, and thereby a contract has been concluded, the deadline for erasing personal data shall be different for accounting documents, as these data shall be kept on file for 8 years pursuant to Section 169 (2) of Act C of 2000 on Accounting.

*The accounting documents underlying the accounting records directly or indirectly (including ledger accounts, analytical records and registers) shall be retained for minimum 8 years, shall be legible and retrievable by means of the code of reference indicated in the accounting records.*

4. **Potential controllers entitled to receive the data, recipients of personal data:**  
The personal data may be processed by the controller's sales and marketing personnel, by honouring the above principles.
5. **Information on the rights of data subjects related to processing:**
  - The data subject may request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject, and
  - may object to the processing of these personal data, and
  - the data subject shall have the right to data portability, and the right to withdraw consent at any time.
6. **The data subject can initiate the provision of access to the personal data, the erasure, modification, restriction of processing, data portability, or objection to data processing in the following manners:**
  - by post at the address of H-7346 Bikal, Rákóczi u. 22, Hungary
  - by email at the [info@puchner.hu](mailto:info@puchner.hu) email address,
  - by telephone at the +36 72 459 546 telephone number.
7. **Legal basis for processing:** the data subject's consent, Article 6(1)(a) and (b), Section 169 (2) of Act C of 2000 on Accounting, and Section 13/A (3) of Act CVIII of 2001 on Certain Issues of Electronic Commerce Activities and Information Society Services (hereinafter: Electronic Commerce Act):

*In order to render the service, the service provider may process those personal data that are technically indispensable for the provision of the service. In circumstances where other conditions are identical, the service provider shall select and operate the tools used for rendering the information society services in such a way as to ensure that personal data are not processed unless it is indispensable for the provision of the service and the fulfilment of the purposes specified in this act, and even in such cases, only to the extent and for the duration as necessary.*
8. Please note that
  - processing **is based on your consent.**
  - **you are obliged** to provide the personal data, so that we can book a room for you or reply to your request for offer.
  - **as a consequence** of your failure to provide data we will be unable to process your room booking/request for offer.

## THE DATA PROCESSORS USED

### Web hosting provider

1. Activity performed by the processor: Web hosting
2. Name and contact details of processor:  
  
Bábelhal Webstudio Kft.  
H-8360 Keszthely, Honvéd utca 17/2, Hungary
3. The fact of processing, categories of data processed: All personal data provided by the data subject.
4. Categories of data subjects: All data subjects using the website.
5. The purpose of processing: To ensure the availability and proper operation of the website.
6. Duration of processing, deadline for erasure of the data: Immediately upon the deletion of registration.
7. The legal basis for processing is: the User's consent, Section 5 (1) of the Info Act, Article 6(1)(a), and Section 13/A (3) of Act CVIII of 2001 on Certain Issues of Electronic Commerce Activities and Information Society Services.

## MANAGEMENT OF COOKIES

1. The fact of processing, categories of data processed: Unique identifier, dates, times
2. Categories of data subjects: All data subjects visiting the website.
3. The purpose of processing: Identification of users, and monitoring of visitors.
4. Duration of processing, deadline for erasure of the data:

Cookie type	Legal basis for processing	Duration of processing	Data category processed
Session cookies	Section 13/A(3) of Act CVIII of 2001 on Certain Issues of Electronic Commerce Services and Information Society Services ('E-commerce Act')	The period ending upon the relevant visitor session ending	connect.sid
Persistent or saved cookies	Section 13/A(3) of Act CVIII of 2001 on Certain Issues of Electronic Commerce Services and Information Society Services ('E-commerce Act')	until deletion by the data subject, but not more than 30 days	

5. Potential controllers with right of access: The use of cookies does not involve the processing of personal data by the controller.
6. Information on the rights of data subjects related to processing: Data subjects can delete cookies in the Tools/Settings menu of their browser, generally among the settings of the Privacy menu.
7. Legal basis for processing: The data subject's consent is not required if the exclusive purpose of using cookies is to communicate through the electronic communications network, or its use is indispensable for the service provider to render an information society service expressly requested by the subscriber or the user.



## USE OF GOOGLE ANALYTICS

1. This website uses Google Analytics, a web analytics service offered by Google, Inc. ('Google'). Google Analytics uses 'cookies' that are text files placed on the User's computer and which help analyse how Users use the site.
2. The information generated by the cookie about the User's use of the website is generally transmitted to and stored by Google on servers in the USA. If, however, IP anonymisation is activated on the website, Google will beforehand shorten the User's IP address within Member States of the European Union or in other states that are party to the Agreement on the European Economic Area.
3. Only in exceptional cases will the full IP address be transmitted to a Google server in the USA and shortened there. Google will use this information on behalf of the operator of this website to evaluate the User's use of the website, to compile reports on the website activities and to provide further services associated with the use of the website and the Internet for the website operator.
4. The IP address that the User's browser transmits as part of Google Analytics will not be associated with any other data held by Google. The User can prevent the storage of cookies by selecting the corresponding setting in his or her browser, but please note that in such a case the User may not be able to use all the functions on this website. The User can also prevent Google's collection and use of data generated by the cookie and related to the User's use of the website (including the User's IP address) as well as the processing of this data by downloading and installing the browser plugin available at <https://tools.google.com/dlpage/gaoptout?hl=hu>

## CUSTOMER RELATIONSHIPS

1. The fact of data collection, the categories of data processed, and the purpose of processing:

Personal data	Purpose of processing
Name, email address, telephone number.	Communication, identification, performance of contracts, business purpose.

2. Categories of data subjects: All data subjects communicating by phone/email/in person, or in a contractual relationship with the controller.
3. Duration of processing, deadline for erasure of the data: Processing shall end upon termination of the legal relationship between the controller and the data subject or, in the case of claims, upon the expiry of 5 years following the contract.
4. **Potential controllers entitled to receive the data, recipients of personal data:** The personal data may be processed by the controller's personnel, by honouring the above principles.
5. **Information on the rights of data subjects related to processing:**
  - The data subject may request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject, and
  - the data subject shall have the right to data portability, and the right to withdraw consent at any time.
6. **The data subject can initiate the provision of access to the personal data, the erasure, modification, restriction of processing, or data portability in the following manners:**
  - by post at the address of H-7346 Bikal, Rákóczi u. 22, Hungary
  - by email at the [info@puchner.hu](mailto:info@puchner.hu) email address,
  - by telephone at the +36 72 459 546 telephone number.

## 7. Legal basis for processing:

7.1. Points (b) and (c) of Article 6(1) of the GDPR.

7.2. Pursuant to Section 6:21 of Act V of 2013 on the Civil Code 5 years for exercising claims arising from the agreement.

*Section 6:22 [Statute of limitations]*

*(1) Unless otherwise provided for in this Act, claims shall lapse after five years.*

*(2) The period of limitation commences upon the due date of the claim.*

*(3) An agreement for changing the limitation period shall be executed in writing.  
(4) Any agreement excluding prescription shall be null and void.*

8. Please note that

- **processing is required for the performance of the contract and for giving an offer.**
- **your are obliged** to provide the personal data to allow performance of your order/other request.
- **as a consequence** of your failure to provide data we will be unable to process your order/other request.

## REQUESTING AN OFFER FOR THE ORGANISATION OF CONFERENCES / PERSONALISED OFFERS FORM

1. The fact of data collection, the categories of the data processed, and the **purposes of processing**:

Personal data	Purpose of processing
Name	Identification
Phone number	Keeping contact, communication
Email address	Keeping contact, necessary to send the offer (reply).
Message	Necessary for preparing and personalising the offer.
Date of requesting the offer	Performance of technical operations.
IP address at the time of requesting the offer	Performance of technical operations.

The email address shall not necessarily contain personal data.

2. **Categories of data subjects:** All data subjects requesting an offer on the website.
3. **Duration of processing, deadline for erasure of the data:** Until the data subject's erasure request. About the erasure of any specified personal data, the controller shall inform the data subject by electronic means as stipulated in Article 19 of the GDPR. If the data subject's erasure request also extends to the email address given by the data subject, upon the delivery of the information the email address shall also be erased by the controller.
4. **Potential controllers entitled to receive the data, recipients of personal data:** Personal data may be processed by the authorised employees of the controller pursuant to this notice.
5. **Information on the rights of data subjects related to processing:**
  - The data subject may request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject, and
  - the data subject shall have the right to data portability, and the right to withdraw consent at any time.
6. **The data subject can initiate the provision of access to the personal data, the erasure, modification, restriction of processing, or data portability in the following manners:**
  - by post at the address of H-7346 Bikal, Rákóczi u. 22, Hungary
  - by email at the [info@puchner.hu](mailto:info@puchner.hu) email address,
  - by telephone at the +36 72 459 546 telephone number.

7. **Legal basis for processing:** Article 6(1)(b) of the GDPR.
8. Please note that
  - **processing is required for giving an offer.**
  - **your are obliged** to provide the personal data, so that we can send you an offer.
  - **as a consequence** of your failure to provide data we will be unable to send you a customised offer.

## CONTACT

1. The fact of data collection, the categories of data processed and the **purpose of processing**:

Personal data	Purpose of processing
Name	Identification
Email address	Communication, sending responses
Phone number	Communication
Message content	Required for response
Date of communication	Performance of technical operations.
IP address at the time of communication	Performance of technical operations.

The email address shall not necessarily contain personal data.

2. **Categories of data subjects:** Add data subjects sending messages through the contact form.
3. **Duration of processing, deadline for erasure of the data:** Until the data subject's erasure request.
4. **Potential controllers entitled to receive the data, recipients of personal data:** Personal data may be processed by the authorised employees of the controller.
5. **Information on the rights of data subjects related to processing:**
  - The data subject may request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject, and
  - the data subject shall have the right to data portability, and the right to withdraw consent at any time.
6. **The data subject can initiate the provision of access to the personal data, the erasure, modification, restriction of processing, or data portability in the following manners:**
  - by post at the address of H-7346 Bikal, Rákóczi u. 22, Hungary
  - by email at the [info@puchner.hu](mailto:info@puchner.hu) email address,
  - by telephone at the +36 72 459 546 telephone number.
7. **Legal basis for processing:** the data subject's consent, Article 6(1)(a) and (b).
8. Please note that

- **processing is based on your consent** and is necessary for communication or for providing an offer.
- **your are obliged** to provide the personal data so that you can contact us.
- **as a consequence** of your failure to provide data you will be unable to contact the Service Provider.

**GUESTBOOK**

1. The fact of data collection, the categories of data processed and the **purpose of processing**:

<b>Personal data</b>	<b>Purpose of processing</b>
Name	Identification
Email address	Keeping contact, identification.
Date and time, IP address	Performance of technical operations.

The email address shall not necessarily contain personal data.

2. **Categories of data subjects:** All data subjects writing an entry into the guestbook.
3. **Duration of processing, deadline for erasure of the data:** Until the data subject's erasure request.
4. **Potential controllers entitled to receive the data, recipients of personal data:** Personal data may be processed by the authorised employees of the controller.
5. **Information on the rights of data subjects related to processing:**
  - The data subject may request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject, and
  - the data subject shall have the right to data portability, and the right to withdraw consent at any time.
6. **The data subject can initiate the provision of access to the personal data, the erasure, modification, restriction of processing, or data portability in the following manners:**
  - by post at the address of H-7346 Bikal, Rákóczi u. 22, Hungary
  - by email at the [info@puchner.hu](mailto:info@puchner.hu) email address,
  - by telephone at the +36 72 459 546 telephone number.
7. **Legal basis for processing:** the data subject's consent, Article 6(1)(a).
8. Please note that
  - **processing is based on your consent** and
  - **you are obliged** to provide the personal data, so that you can write into the guestbook.
  - **as a consequence** of your failure to provide data you will not be able to write into the guestbook.



## NEWSLETTER, DM ACTIVITY

1. Pursuant to Section 6 of Act XLVIII of 2008 on the Basic Requirements and Certain Restrictions of Commercial Advertising Activities, the User may grant their prior and express consent to the Service Provider sending them promotional offers or other messages to their contact information provided during registration.
2. Bearing in mind the provisions of this Statement, the Customer may also consent to the Service Provider processing their data necessary for sending the promotional offers.
3. The Service Provider will not send unsolicited promotional messages, and the User may unsubscribe from the notifications without restriction, free of charge and without having to give the reasons. In such a case the Service Provider will erase all of the User's personal data – that are necessary for the sending of promotional messages – from its records, and will not send further promotional messages to the User. The User can unsubscribe from advertisements by clicking on the link in the message.
4. The fact of data collection, the categories of data processed and the **purpose of processing**:

Personal data	Purpose of processing
Name, email address.	Identification, allowing subscription to newsletter.
Date of subscription	Performance of technical operations.
IP address at the time of subscribing	Performance of technical operations.

5. Categories of data subjects: All data subjects who have subscribed to newsletter.
6. Purpose of processing: to send electronic messages (email, SMS, push messages) containing advertisements to the data subject, and to provide information about current news, products, promotions, new functions etc.
7. Duration of processing, time limit for erasure of the data: processing continues until the consent is withdrawn, i.e. until unsubscribing.
8. **Potential controllers entitled to receive the data, recipients of personal data:**  
The personal data may be processed by the controller's sales and marketing personnel, by honouring the above principles.
9. **Information on the rights of data subjects related to processing:**

- The data subject may request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject, and
- he or she may object to his or her personal data being processed, and
- the data subject shall have the right to data portability, and the right to withdraw consent at any time.

10. **The data subject can initiate the provision of access to the personal data, the erasure, modification, restriction of processing, data portability, and may object to processing in the following manners:**

- by post at the address of H-7346 Bikal, Rákóczi u. 22, Hungary
- by email at the [info@puchner.hu](mailto:info@puchner.hu) email address,
- by telephone at the +36 72 459 546 telephone number.

11. The data subject may **unsubscribe** from the newsletter at any time, **free of charge**.

12. **Legal ground for processing:** the data subject's consent, points (a) and (f) of Article 6(1), and Section 6(5) of Act XLVIII of 2008 on the Basic Requirements and Certain Restrictions of Commercial Advertising Activities:

*Advertisers, advertising service providers and publishers of advertising shall maintain records on the personal data of persons who provided the statement of consent to the extent specified in the statement. The data contained in the aforesaid records – relating to the person to whom the advertisement is addressed – may be processed only for the purpose defined in the statement of consent, until withdrawn, and may be disclosed to third persons subject to the express prior consent of the person affected.*

13. Please note that

- processing **is based on your consent and the legitimate interest of the service provider**
- **you are obliged** to provide the personal data if you wish to receive newsletters from us.
- **as a consequence** of your failure to provide data we will be unable to send you newsletters.

## COMPLAINT HANDLING

1. The fact of data collection, the categories of data processed and the **purpose of processing**:

Personal data	Purpose of processing
Surname and first name	Identification, communication.
Email address	Keeping contact.
Phone number	Keeping contact.
Invoicing name and address	Identification, handling quality complaints, issues and problems related to the services.

2. Categories of data subjects: All data subjects submitting a complaint in connection with the hotel's services.
3. Duration of processing, deadline for erasure of the data: Copies of the minutes, memorandum recording the complaint and the response thereto shall be retained for 5 years pursuant to Section 17/A(7) of Act CLV of 1997 on Consumer Protection.
4. **Potential controllers entitled to receive the data, recipients of personal data:**  
The personal data may be processed by the controller's sales and marketing personnel, by honouring the above principles.
5. **Information on the rights of data subjects related to processing:**
  - The data subject may request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject, and
  - the data subject shall have the right to data portability, and the right to withdraw consent at any time.
6. **The data subject can initiate the provision of access to the personal data, the erasure, modification, restriction of processing, or data portability in the following manners:**
  - by post at the address of H-7346 Bikal, Rákóczi u. 22, Hungary
  - by email at the [info@puchner.hu](mailto:info@puchner.hu) email address,
  - by telephone at the +36 72 459 546 telephone number.
7. **Legal basis for processing:** the data subject's consent, Article 6(1)(c), and Section 17/A (7) of Act CLV of 1997 on Consumer Protection.
8. Please note that
  - personal data are to be provided based on **a legal obligation**.

- the processing of personal data is **a condition precedent** to the conclusion of the contract.
- **your are obliged** to provide the personal data so that we can handle your complaint.
- **as a consequence** of your failure to provide data, we will not be able to handle your complaint.

## INTERNAL DATA PROTECTION (DATASHEET)

1. **Legal basis for processing:** Article 6(1)(c) of the GDPR.
2. Purpose of processing: compliance with the legal provisions relating to tourist tax.
3. Duration of processing, time limit for erasure of the data: as long as the competent authority may audit the fulfilment of the obligations laid down in the relevant laws, furthermore, in the case of a contract, its time limit shall be 31 December of the 7th year following the subject year, in compliance with Section 169 (2) of Act C of 2000 on Accounting.
4. Categories of the data processed: name, email address, home address, ID card no., nationality, date of birth, vehicle registration number, other personal data.
5. Potential controllers with right of access: The personal data may be processed by the data controller's personnel, by honouring the above principles.
6. **Information on the rights of data subjects related to processing:**
  - The data subject may request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject, and
  - the data subject shall have the right to data portability, and the right to withdraw consent at any time.
9. **The data subject can initiate the provision of access to the personal data, the erasure, modification, restriction of processing, or data portability in the following manners:**
  - by post at the address of H-7346 Bikal, Rákóczi u. 22, Hungary
  - by email at the [info@puchner.hu](mailto:info@puchner.hu) email address,
  - by telephone at the +36 72 459 546 telephone number.

## SOCIAL MEDIA SITES

1. The fact of data collection, the categories of data processed: The user's name as registered on Facebook/Google+/Twitter/Pinterest/Youtube/Instagram or other social media sites, and the user's public profile picture.
2. Categories of data subjects: All data subjects who have signed up for Facebook/Google+/Twitter/Pinterest/Youtube/Instagram or other social media sites and have 'liked' the website.
3. The purpose of data collection: To share certain content elements of the website, or the products and promotions on the website or the website itself on these social media sites, and to promote the same, so that users 'like' them.
4. Duration of processing, time limit for erasure of the data, potential controllers entitled to receive the data, and information on the rights of data subjects related to processing: Data subjects may receive information about the sources, the processing of data, the method of data transfer and the legal grounds thereof by visiting the relevant social media site. Processing is performed on the social media sites, therefore the duration and manner of processing, and also the option of data erasure and rectification shall be governed by the policy of the relevant social media site.
5. Legal basis for processing: the data subject's voluntary consent to the processing of their data on the social media sites.

## CUSTOMER RELATIONS AND OTHER PROCESSING

1. If the data subject has any questions or problems during their use of the controller's services, they can contact the controller at its contact information (phone, email, social media sites etc.) specified on the website.
2. The emails and messages received, the data provided by telephone or via Facebook etc, including the name, email address and any other voluntarily provided personal data of the data subject will be erased by the controller within a maximum of 2 years from the date of provision.
3. Regarding any type of processing not listed herein, we will provide information at the time of recording the data in question.
4. In exceptional cases at the authorities' request, or at the request of other bodies authorised by law, the Service Provider may be obliged to provide information, disclose and transfer data, or supply documents.
5. In such cases, provided that the requesting entity has specified the exact purpose of use and the scope of the data, the Service Provider will only disclose those personal data to the requesting entity and only to such extent that is indispensable for the implementation of the purpose of the request.

## THE RIGHTS OF DATA SUBJECTS

### **1. Right of access**

You shall have the right to obtain from the controller confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to the personal data and the information listed in the Regulation.

### **2. Right to rectification**

You shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning you. Taking into account the purposes of the processing, you shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

### **3. Right to erasure**

You shall have the right to obtain from the controller the erasure of personal data concerning you without undue delay and the controller shall have the obligation to erase personal data without undue delay under certain conditions specified.

### **4. Right to be forgotten**

Where the controller has made the personal data public and is obliged to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that you have requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

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

You shall have the right to obtain from the controller restriction of processing where one of the following conditions applies:

- the accuracy of the personal data is contested by you, for a period enabling the controller to verify the accuracy of the personal data;
- the processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead;
- the controller no longer needs the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defence of legal claims;
- you have objected to processing pending the verification whether the legitimate grounds of the controller override your legitimate grounds.

## **6. Right to data portability**

You shall have the right to receive the personal data concerning you, which you have provided to a 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 (...)

## **7. Right to object**

You shall have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you (...), including profiling based on those provisions.

## **8. Objection in case of direct marketing**

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

## **9. Automated individual decision-making, including profiling**



You shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you.

The previous paragraph shall not apply if the decision:

- is necessary for entering into, or performance of, a contract between you and a data controller;
- is authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard your rights and freedoms and legitimate interests; or
- is based on your explicit consent.

#### TIME LIMIT FOR TAKING ACTION

The controller shall provide you with information on action taken on the requests above without undue delay and in any event **within 1 month** of receipt of the request.

This period **may be extended by 2 further months** where necessary. The controller shall inform you of any such extension **within 1 month** of receipt of the request, together with the reasons for the delay.

If the controller does not take action on your request, the controller shall inform you **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.

### SECURITY OF PROCESSING

Taking into account the state of the art, the costs of implementation and the nature, scope, context and purposes of processing as well as the risk of varying likelihood and severity for the rights and freedoms of natural persons, the controller and the processor shall implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk, including inter alia as appropriate:

- a) the pseudonymisation and encryption of personal data;
- b) the ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services;
- c) the ability to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident;
- d) a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of the processing.

#### **The controller's specific data security measures:**

The hotel uses the front office software provided by HostWare Kft. (H-1149 Budapest, Róna utca 120, Hungary, phone: +36 1 469 9000, email: [hostware@hostware.hu](mailto:hostware@hostware.hu)) to perform tasks related to bookings by guests, statistical services, as well as invoicing.

Personal data are protected through the following measures:

1. Only the hotel manager and the front office manager is authorised to access the database used by the front office system.
2. Only verified and authentic data can be entered into the system, in the case of which it can be verified that they not have been changed.
3. Data are protected against unauthorised access and unauthorised data entry.
4. It can be verified and established who and when entered the personal data into the system, and whether their content has been modified in the meanwhile.
5. In the event of a breakdown, installed IT systems can be restored and databases can be secured.

### COMMUNICATION OF A PERSONAL DATA BREACH TO THE DATA SUBJECT

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 notice delivered to the data subject shall define the nature of the personal data breach **in clear and plain language**, and it shall communicate the name and contact details of the data protection officer or other contact point where more information can be obtained; it shall describe the likely consequences of the personal data breach; describe the measures taken or proposed to be taken by the controller to address the personal data breach, including, where appropriate, measures to mitigate its possible adverse effects.

The communication to the data subject shall not be required if any of the following conditions are met:

- 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;
- the controller has taken subsequent measures which **ensure that the high risk to the rights and freedoms of data subjects is no longer likely to materialise**;
- 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.

If the controller has not already communicated the personal data breach to the data subject, the supervisory authority, having considered the likelihood of the personal data breach resulting in a high risk, may require it to do so.

### NOTIFICATION OF A PERSONAL DATA BREACH TO THE AUTHORITY

In the case of a personal data breach, the controller shall without undue delay and, where feasible, not later than 72 hours after having become aware of it, notify the personal data breach to the supervisory authority competent in accordance with Article 55, unless the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons. Where the notification to the supervisory authority is not made within 72 hours, it shall be accompanied by reasons for the delay.

## COMPLAINTS

Complaints may be filed against the controller's violation of law, if any, with the Hungarian National Authority for Data Protection and Freedom of Information:

Hungarian National Authority for Data Protection and Freedom of Information  
H-1125 Budapest, Szilágyi Erzsébet fasor 22/C, Hungary  
Mailing address: H-1530 Budapest, PO Box (Pf.) 5  
Telephone: +36 -1-391-1400  
Fax: +36-1-391-1410  
Email: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)

### CLOSING REMARKS

When preparing the information document we took into account the provisions of the following laws:

- REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 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 CXII of 2011 – on Informational Self-Determination and Freedom of Information (hereinafter: Info Act)
- Act CVIII of 2001 – on Certain Issues of Electronic Commerce Activities and Information Society Services (Section 13/A in particular)
- Act XLVII on 2008 – on the Prohibition of Unfair Commercial Practices against Consumers;
- Act XLVIII of 2008 – on the Basic Requirements and Certain Restrictions of Commercial Advertising Activities (Section 6 in particular)
- Act XC of 2005 on the Freedom of Information by Electronic Means
- Act C of 2003 on Electronic Communications (Section 155 in particular)
- Opinion 16/2011 on EASA/IAB Best Practice Recommendation on Online Behavioural Advertising
- Recommendation by the Hungarian National Authority for Data Protection and Freedom of Information on the Data Protection Requirements of Prior Information
- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 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