

## **Data Privacy Information**

### **1. Name of the Data Controller**

Name of the Data Controller: OPT-X-PENSE Limited Liability Company

Abbreviated name: OPT-X-PENSE Kft.

Principal office: H-2040 Budaörs, Ifjúság str. 36, 2nd Floor 6

Contact details of the representative: Dr. Gergely Kavalecz Tel: +36-23-610-776

Tax Identification Number: 25089084-2-13

Company Registration Number: 13-09-173024

Website: [www.opt-x-pense.com](http://www.opt-x-pense.com)

E-mail and Customer Service: info@opt-x-pense.com

Name and Principal Office of the Hosting Provider: BD-Team Bt., H-4031

Debrecen, Derék str. 94, 2/6

Contact details of the contact person in relation to data protection: Dr. Gergely Kavalecz

Tel: +36-23-610-776

### **2. Introduction**

- 2.1.** The high-priority objective of OPT-X-PENSE Limited Liability Company (hereinafter referred to as OPT-X-PENSE, service provider or data controller) is to protect personal data provided by the visitors of [www.opt-x-pense.com](http://www.opt-x-pense.com), to ensure the visitors' and clients' rights to informational self-determination.
- 2.2.** OPT-X-PENSE commits to the processing of personal data of visitors and clients in a way that fully complies with the relevant laws and contributes to the establishment of the visitors' opportunities for secure internet use. OPT-X-PENSE handles visitors' and clients' personal data confidentially and for the purpose of its successful business activities and uses them to exercise their related rights and to fulfill their obligations in accordance with the legal regulations in force. OPT-X-PENSE only uses personal data that are essential for the attainment of the above-mentioned objectives. OPT-X-PENSE ensures the accuracy, completeness and up-to-dateness of the processed data during data processing.
- 2.3.** It shall also ensure the security of data, especially the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of personal data stored or otherwise processed, or any other security measures that lead to unlawful access to personal data and shall take the technical and organizational measures and shall adopt the procedural rules that are required to give effect to the legislative provisions and other recommendations.
- 2.4.** OPT-X-PENSE shall also adopt internal procedures and shall establish internal rules that are provided by the supervisory authorities, the relevant laws and other sectoral recommendations.
- 2.5.** OPT-X-PENSE provides its activities through its website while using its website. It handles personal data provided by clients and other interested parties for the provision of services.
- 2.6.** The personal data provided constitute business secrets for OPT-X-PENSE. Business secrets are granted special protection by the relevant laws. The data controller preserves the right to change this information unilaterally at any time. It notifies its clients and the users of the published data of any change fully through the website.

- 2.7. In this Information, we determine the principles that determine our policy related to the protection of personal data and our standard practice during which personal data are requested from our visitors and clients.
- 2.8. We also define for what purposes and how such data are processed, and how we ensure the retention and protection of personal data.
- 2.9. At the request of our visitors or clients, according to their request, we provide detailed information on the processed personal data, the purpose, legal ground, duration of data processing, as well as on the activities related to data processing in each case.
- 2.10. OPT-X-PENSE undertakes to keep the visitors of [www.opt-x-pense.com](http://www.opt-x-pense.com) informed of any changes in advance if it modifies its principles and practice in relation to the protection of personal data so that visitors should always be definitely and continuously aware of the principles and the practice of data processing that are in effect, throughout the whole [www.opt-x-pense.com](http://www.opt-x-pense.com) website.
- 2.11. OPT-X-PENSE also undertakes that this Information on the processing and protection of personal data always reflects the actually applied principles and the actual practice.

### 3. **Definitions and interpretations related to personal data**

- 3.1. **data controller:** 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;
- 3.2. **data processing:** any operation or a set of operations which is performed on personal data or sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, deletion or destruction;
- 3.3. **data transfer:** ensuring access to the data for a third party;
- 3.4. **cross-border processing:**
- a) processing of personal data which takes place in the context of the activities of establishments in more than one Member State of a controller or processor in the Union where the controller or processor is established in more than one Member State; or
  - b) processing of personal data which takes place in the context of the activities of a single establishment of a controller or processor in the Union but which substantially affects or is likely to substantially affect data subjects in more than one Member State.
- 3.5. **data deletion:** making data unrecognizable in a way that it can never again be restored;
- 3.6. **data tagging:** marking data with a special ID tag to differentiate it;
- 3.7. **restriction of processing:** the marking of stored personal data with the aim of limiting their processing in the future;
- 3.8. **data destruction:** complete physical destruction of the storage medium containing the data;
- 3.9. **data processing:** performing technical tasks in connection with data control operations, regardless of the method and means used for executing the operations;

as well as the place of execution, provided that the technical task is performed on the data;

- 3.10. data processor:** natural or legal person, public authority, agency or other body that processes personal data on behalf of the controller;
- 3.11. personal data breach:** a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed;
- 3.12. pseudonymization:** the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures to ensure that the personal data are not attributed to an identified or identifiable natural person;
- 3.13. anonymization:** a technical procedure that ensures the definitive exclusion of recovery options of the link between the data subject and the data;
- 3.14. biometric data:** personal data resulting from specific technical processing relating to the physical, physiological or behavioral characteristics of a natural person, which allow or confirm the unique identification of that natural person, such as facial images or dactyloscopic data;
- 3.15. cookie:** an information file (usually a plain text) that comes through the user's browser to the user's hard disk drive and definitely identifies the user at the time of their next visit;
- 3.16. recipient:** a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not;
- 3.17. direct marketing:** all informational activities and additional services done through direct actions with the purposes of offering goods or services, transmitting advertisements to data subjects, informing consumers and business partners to promote commercial transactions (purchases);
- 3.18. data concerning health:** personal data related to the physical or mental health of a natural person, including the provision of health care services, which reveal information about his or her health status;
- 3.19. data subject/customer/consumer:** any natural person identified either directly or indirectly identifiable on the basis of personal data;
- 3.20. genetic data:** personal data relating to the inherited or acquired genetic characteristics of a natural person which give unique information about the physiology or the health of that natural person and which result, in particular, from an analysis of a biological sample from the natural person in question;
- 3.21. third party:** a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorized to process personal data;
- 3.22. third country:** any country that is not an EEA-country;
- 3.23. consent of the data subject:** 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;

- 3.24. disclosure:** ensuring open access to the data by anyone;
- 3.25. IP address:** Server devices have an IP address, that is, an identification number, on each network where communication runs in accordance with the TCP/IP protocol. It allows a certain device to be recognized by the network. It is well known that each computer connected to the network has an IP address through which it can be identified;
- 3.26. special data:**
- a) personal data concerning racial origin, nationality, political opinion or party membership, religious or other philosophical belief, membership in an interest representation organization, sex life,
  - b) personal data concerning health, addiction, as well as criminal personal data;
- 3.27. National Authority for Data Protection and Freedom of Information:** NAIH (hereinafter referred to as the Authority) whose legal bases and tasks are defined in Section 38 of the Information Act);
- 3.28. filing system:** any structured set of personal data that are accessible according to specific criteria, whether centralized, decentralized or dispersed on a functional or geographical basis;
- 3.29. profiling:** any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or movements;
- 3.30. personal data:** data relating to the data subject, in particular by reference to the name and identification number of the data subject or one or more factors specific to his physical, physiological, mental, economic, cultural or social identity as well as conclusions drawn from the data in regard to the data subject;
- 3.31. personal identification data of natural persons:** family and first name, name at birth, mother's maiden name, place and date of birth;
- 3.32. objection:** a declaration made by the data subject objecting to the processing of his/her personal data and requesting the termination of data processing, as well as the deletion of the data processed;
- 3.33. exclusion list:** a record with the names, addresses of those data subjects who have prohibited or who have not agreed to the use of their personal data for establishing a contact or for making a list for direct marketing, or who prohibited the further processing of their data for such purposes, despite prior request from a direct marketing entity;
- 3.34. list for direct marketing:** A list that only contains the client's name, address, gender, place and date of birth, information in relation to the client's areas of interests, and his/her family status, which serves the establishment and maintenance of contact for the purpose of advertising;
- 3.35. enterprise:** a natural or legal person engaged in an economic activity, irrespective of its legal form, including partnerships or associations regularly engaged in an economic activity.

#### **4. Rules of Data Processing**

- 4.1.** This data privacy policy will take effect on 25 May 2018 and shall remain in force until revoked.

- 4.2. The Regulation states that the processing of personal data shall be done under the principles of lawfulness and fairness. It should be transparent and traceable for natural persons. Therefore, regarding the processing of personal data, OPT-X-PENSE requests personal data of data subjects to achieve its legally justified and clearly specific goals only, and it endeavors to inform its users clearly. (Principles of lawful, fair and transparent data processing)
- 4.3. Personal data may only be gathered for specified, explicit and legitimate purposes, and data processing should be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed. Personal data to be submitted shall only be used for specific purposes, for the purposes of participation and reimbursement. (Principle of purpose limitation during data processing)
- 4.4. Personal data should be proportionate to the purposes of data processing, which means OPT-X-PENSE only processes as much data as absolutely essential for its activities. OPT-X-PENSE seeks to only request as much personal data as necessary for the fulfillment of the purposes and carries out annual reviews of the data, in accordance with the principle of data protection by design. (Data minimization)
- 4.5. OPT-X-PENSE processes the data accurately and in an up-to-date manner and definitely seeks to rectify or to delete inaccurate data. OPT-X-PENSE seeks to draw the data subjects' attention through all channels so that they should request correction or rectification of their data whenever there are any changes to their data. Otherwise, these have also been adopted in the standard contractual clauses. (Principle of accurate data processing)
- 4.6. While storing the data, OPT-X-PENSE endeavors to store the data for an adequate period of time, because the up-to-date and accurate data facilitate its activities and compliance with the laws. While storing personal data, OPT-X-PENSE pays special attention to setting appropriate time periods for data storage and, when necessary, to the review of time periods, and it seeks to delete data without purposes. (Principle of storage limitation)
- 4.7. Personal data are processed in a manner that ensures appropriate security of the data. The management of OPT-X-PENSE continuously monitors the compliance with the use of a continuous monitoring system to meet the requirements of data security. (Principle of integrity and confidential data processing)
- 4.8. OPT-X-PENSE seeks to demonstrate compliance with the data processing obligations. (For example, Data Privacy Information, interest balancing test, Privacy policy for data security and data processing, and delivery of periodic training of employees)
- 4.9. In case of mandatory data processing (for instance, identification for the purpose of anti-money laundering), the types of data to be processed, purposes and conditions of data processing, duration of data processing, access to data, and the identity of the data controller are determined by the act providing for data processing as well as by municipality rules.

## **5. Interpretative notes in relation to the processing of personal data**

- 5.1. When our users visit the pages of [www.opt-x-pense.com](http://www.opt-x-pense.com), they may use the website in a manner that their identity should not be revealed, or they should not provide any data of personal nature.
- 5.2. However, there exist cases where users are required to provide and/or to send certain personal data to fully benefit from services offered by [www.opt-x-pense.com](http://www.opt-x-pense.com).
- 5.3. Data or information suitable for personal identification means those personal data related to natural persons with which

one can be identified, one can be reached through a communication link or one's physical contact details can be determined, including but not limited to a name, address, postal address, phone number, fax number, or an e-mail address.

- 5.4.** Pieces of anonymous information that are collected with the exclusion of personal identification and may not be linked to a natural person and thus, a connection may not be established with a natural person do not constitute personal data.
- 5.5.** Personal data provided by a third party, based on a necessary consent, means those data and pieces of information suitable for personal identification that are related to the person who uses a service, that is to say, the user, but the data or pieces of information are collected and ensured by the service provider with the assistance of a third party in compliance with the applicable laws.
- 5.6.** As a general principle, we declare that in each case where personal data are requested from our users, they can freely decide about whether to provide the requested information after reading and understanding the necessary information.
- 5.7.** However, please note that if one does not provide his/her personal data, he/she may not be able to benefit from those services that require the provision of personal data.
- 5.8.** Under no circumstances, OPT-X-PENSE does collect any special data concerning racial origin, nationality, political opinion or party membership, religious or other philosophical belief, , health, addictions, sexual life, as well as prior convictions.
- 5.9.** This Information Sheet is related to the protection of personal data that are provided to OPT-X-PENSE by visitors, but not for public use. If one releases his/her own personal data or some part of those voluntarily, this information sheet does not apply to such pieces of information.
- 5.10.** Personal or other data provided by our visitors shall not be complemented with and shall not be linked to data or information coming from other sources.
- 5.11.** Personal data provided to us by our visitors shall not be transferred to a third party, under any circumstances, in the absence of a legal title.
- 5.12.** If the service provider is requested, by competent authorities in a manner that is in accordance with the laws (in case of suspected offenses, formal warrant for seizure of data), to share personal data, OPT-X-PENSE will disclose the requested and available pieces of information to meet the statutory obligations.
- 5.13.** If our visitors provide personal data to us, we will take every necessary step to ensure the security of data both via network communications (i.e., online data processing) and during data storage (i.e., offline data processing).
- 5.14.** Once the personal data have been in the IT infrastructure of OPT-X-PENSE, any actions relating to data retention and data protection will be governed by the principles, procedures and security control measures laid down in the Privacy Policy for Data Security and Data Protection of OPT-X-PENSE, with which all the workers and colleagues at OPT-X-PENSE will be responsible for ensuring compliance.
- 5.15.** Only competent employees may have access to the personal data while high-level control measures are applied.
- 5.16.** Should our visitors have any questions in relation to the security standards, please send an e-mail message to the data protection officer at our company to the below address  
Data protection: [dpo@opt-x-pense.com](mailto:dpo@opt-x-pense.com)

## **6. Personal data, purposes, titles and duration of data processing**

Data processing activities relating to the provision of services by OPT-X-PENSE are based on the data subject's prior, informed and voluntary consent, conclusion of a contract, or the data controller's legitimate interest.

However, processing, storage or transfer of some of the data provided is required by law in certain cases. In certain cases, OPT-X-PENSE may also process the data of a third party whose direct consent is only available for the clients of OPT-X-PENSE (e.g., beneficiary in case of death, relatives, etc.). Thus, in such a case, the data controller is liable and responsible for obtaining prior, informed and voluntary consent from such third party.

### **6.1. Logging of the www.opt-x-pense.com server**

When the www.opt-x-pense.com website is visited, the activity of a user is automatically logged by the webserver.

**Purposes of data processing:** the service provider records the visitors' data during the visit of the website for control of service operations, for customized service purposes and prevention of misuses.

**Legal base for data processing:** the data subject's consent and Section 13/A. § (3) of Act CVIII of 2001 on certain issues of information society services.

**Data processed:** date, time, IP address of the user's computer, browser data of the user's computer, and the address of the page visited.

**Duration of data processing:** five days after the visit of the website

**Data processor:** Opt-X-pense employs a data processor to perform these activities.

**Data processor:** BD-Team Bt., H-4031 Debrecen, Derék str. 94, 2/6

**Product developer:** Opt-X-pense Kft., H-2040 Budaörs, Ifjúság str. 36, 2nd floor 6

**Hosting provider:** BD-Team Bt., H-4031 Debrecen, Derék str. 94, 2/6

OPT-X-PENSE does not link the data that emerge during the review of the logs to other pieces of information and does not endeavor to identify the user.

The IP address is a series of numbers with which the computers of the users connecting to the internet can be unambiguously identified. With the use of IP addresses, a user using a given computer may even be geographically located. The title of the visited pages, the date and time, by themselves, are not suitable for the identification of a data subject, but when they are linked to other data (i.e., data submitted during registration) they will be sufficient to allow conclusions to be drawn relating to a user.

### **6.2. Control of cookies of the www.opt-x-pense.com website**

For customized service purposes, OPT-X-PENSE deposits a bit of information, a so-called cookie, on the user's computer, and the cookie will be read back at the time of a subsequent visit. If the browser sends a previously saved cookie back, the service provider that handles the cookie will be able to make a link between the user's actual and previous visits, but solely in relation to its own contents.

**Purposes of data processing:** identification of users, distinguishing the users from each other, recognition of the actual sessions of the users, storage of data provided during sessions, and prevention of loss of data.

**Legal base for data processing:** consent from the data subject.

**Data processed:** identification number, date, time.

**Duration of data processing:** until the end of session.

**Data processor:** OPT-X-PENSE employs a data processor to perform these activities.

**Data processor:** BD-Team Bt., H-4031 Debrecen, Derék str. 94, 2/6

**Product developer:** Opt-X-pense Kft., H-2040 Budaörs, Ifjúság str. 36, 2nd floor, 6

**Hosting provider:** BD-Team Bt., H-4031 Debrecen, Derék str. 94, 2/6

The cookie that is valid until the end of the session will only be on the computer until the browser is closed.

The user is able to delete the cookie from his/her own computer or may disable the use of cookies in their browser. In general, it is possible to manage cookies under the names of cookie or tracking in the Data protection/History/Individual settings menu within the Tools/Settings menu of the browsers.

Type of cookies	Title of data processing	Purposes of data processing	Duration of data processing	Controlled data
Session cookies	The provision laid down in Section 13/A § (3) in Act CVIII of 2001 on certain issues of electronic commerce services and information society services (Electronic Commerce Act)	To ensure the proper functioning of the website	A time period that lasts until the end of the user's session	PHPSESSID VISIMP

### 6.3. Cost accounting of data subjects participating in clinical studies, carried out with an online cost accounting system, by OPT-X-PENSE

Upon enrollment in clinical studies, data subjects may use the services of OPT-X-PENSE through online applications by entering a contract agreement in relation to the financial compensation related to the examinations.

**Purposes of data processing:** assistance in reimbursements and payments of expenses for data subjects, under a specific service contract, as specified in the contract.

**Legal base for data processing:** Article 6 of GDPR Section 1) processing is necessary for the performance of a contract

Data processed

- Personal data of a natural person: name, address (permanent, residential), scanned calligraphy of their signature
- financial data: bank account number, name of the account holder
- Contact details: e-mail address, phone number, e-mail address and phone number of a family member



- identification number: study protocol number and unique patient number of the patient
- data relating to reimbursements: traveling, accommodation, meals, visit fees, parking fees, reimbursement of cab fares

**Duration of data processing:** five years after termination of the contract

Regarding the data necessary for invoicing, according to Section 169 § (2) of the Act on accounting, the retention period is eight years after issuance.

**Source of data:** data subject

**Data processor:** OPT-X-PENSE employs a data processor to perform these activities.

**Data processor:** BD-Team Bt., H-4031 Debrecen, Derék str. 94, 2/6

**Product developer:** Opt-X-pense Kft., H-2040 Budaörs, Ifjúság str. 36, 2nd floor, 6

**Hosting provider:** BD-Team Bt., H-4031 Debrecen, Derék str. 94, 2/6

#### 6.4. Electronic communication with the Clients by OPT-X-PENSE (contact during the study)

The use of the contact form in the contact menu option serves the communication (through contact details including electronic mail address). Contact is kept during the study for the conclusion and performance of the contract.

OPT-X-PENSE categorizes e-mail submitted by Clients or other data subjects based on the e-mail contents (e.g., general information, management of complaints, handling payment orders, conclusion of a contract and amendment to a contract electronically, reporting a change, etc.).

OPT-X-PENSE makes the assumption that the sender has transferred the personal data included in the submitted e-mail to OPT-X-PENSE voluntarily while being informed. OPT-X-PENSE deletes the sender's name, e-mail address and other voluntarily disclosed personal data no more than five years after data disclosure. In certain cases, shorter or longer periods of time may be defined by law.

**Purposes of data processing:** identification of users, distinguishing users from each other, keeping in contact, assistance, enforcement of the rights of the client and the data controller, ex-post evidentiary process, conclusion and fulfillment of a contract.

**Legal base for data processing:** Article 6 (1) a.) and b.) of GDPR, consent from the data subject and conclusion of a contract

**Data processed:** date, time, name, phone number, address, e-mail address, contact information, data required for data accuracy

**Duration of data processing:** Until the goal is achieved, or it is based on the general statute of repose, which is five years, in accordance with Act on the Civil Code.

**Data processor:** BD-Team Bt., H-4031 Debrecen, Derék str. 94, 2/6

**Product developer:** Opt-X-pense Kft., H-2040 Budaörs, Ifjúság str. 36, 2nd floor

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**Hosting provider:** BD-Team Bt., H-4031 Debrecen, Derék str. 94, 2/6

#### 6.5. Telephone answering

Contact is kept with the use of an answering machine out of business hours so that the client should keep in touch directly with OPT-X-PENSE, regarding their requests, questions and other complaints.

**Purposes of data processing:** Identification of users, distinguishing users from each other, communication, assistance, enforcement of the rights of the client and the data controller, ex-post evidentiary process, conclusion and fulfillment of a contract.

**Legal base for data processing:** Article 6 (1) a.) of GDPR: consent from the data subject

**Data processed:** phone number, name, other data submitted

**Duration of data processing:** Until the goal is achieved, but for no more than 30 days

**Data processor:** BD-Team Bt., H-4031 Debrecen, Derék str. 94, 2/6

**Product developer:** Opt-X-pense Kft., H-2040 Budaörs, Ifjúság str. 36 2nd floor  
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**Hosting provider:** BD-Team Bt., H-4031 Debrecen, Derék str. 94, 2/6

#### **6.6. Processing of personal data of study participants other than the data subjects and the processing of personal data of other users**

**Purposes of data processing:** Identification of users, distinguishing users from each other, communication, assistance, ex-post evidentiary process

**Legal base for data processing:** Article 6 (1) b.) of GDPR

**Processed data:** name, e-mail address, contact details, scanned calligraphy of their signature

**Duration of data processing:** It is based on the general statute of repose, that is five years, in accordance with the Act on the Civil Code.

**Data processor:** BD-Team Bt., H-4031 Debrecen, Derék str. 94, 2/6

**Product developer:** Opt-X-pense Kft., H-2040 Budaörs, Ifjúság str. 36 2nd floor 6

**Hosting provider:** BD-Team Bt., H-4031 Debrecen, Derék str. 94, 2/6

#### **6.7. Mode of data sharing with other responsible entities**

Your personal data may also be shared with third parties.

It may happen that the third party with which your personal data are shared may determine the purposes and the mode of data processing of your personal data, and by doing so, it will be legally responsible for ensuring that the data processing should be carried out in compliance with the principles of data processing and the rules of this privacy policy statement and the applicable laws.

Your personal data may be shared with the following third parties:

- ✓ Data processors who process your data on behalf of us;
- ✓ Law enforcement authorities if we are required to cooperate for law enforcement purposes.

#### **6.8. How are your personal data protected?**

Security of your personal data will be ensured with the following measures:

The server of OPT-X-PENSE can be found on the isolated, dedicated server of the hosting provider while being protected and locked.

The operator shall protect the stored personal data with appropriate data security measures (technical and organizational measures). Technical measures include appropriate protection mechanisms, i.e., the use of a firewall and other protection protocols. Administrative measures include password-protected access, proper periodic reviews of the rights,

forcing a password change every 90 days.

Such control mechanisms include, but are not limited to, the monitoring of access to data and the data storage infrastructure, and an agreement concluded with a third party that is obliged to comply with the relevant laws and regulations. The implementation of appropriate data protection safeguards is taken into account even at the early development stage of our services.

#### **6.9. How long are your personal data stored?**

As mentioned in the data protection principles relating to third parties, your personal data shall only be stored for lawful purposes and for no longer than necessary for the fulfillment of those purposes. If we no longer need your personal data, those will be destructed in a secure manner.

For the provision of our services, we, however, need to have up-to-date data; thus, the stored data will be cleaned after expiry of the storage time period indicated above, will be updated, and the inactive data will be deleted. The operator performs deletion of the data and shall draw up minutes in relation to that, in accordance with the principle of accountability. The protocol on the deletion will be stored for 10 years.

#### **6.10. Your rights:**

It is important that you should be aware of your rights in relation to data protection. For this purpose, we will make a non-exhaustive list of the data protection rights you may exercise in relation to your data provided to us:

- 6.10.1. **Right to withdraw your consent:** If you consented to the use, processing and sharing of your personal data, you may withdraw your consent at any time provided it is not related to the data necessary for the provision of services.
- 6.10.2. **Right to access to the data:** You have the right to be appropriately informed via our contact details whether your data are being processed, and if so, you may have the right to access your personal data stored by us, and you may request a copy of them and you may request information on how your personal data are processed.
- 6.10.3. **Upon request of information, you will be provided with the following pieces of information:**
  - ✓ what is the purpose of data processing;
  - ✓ which personal data are concerned;
  - ✓ who are the recipients of the transferred data;
  - ✓ how long the data are stored;
  - ✓ you may have the right to request rectification, erasure or restriction of the data, or you may object to data processing;
  - ✓ you may lodge a complaint with the supervisory authority ([www.naih.hu](http://www.naih.hu))
  - ✓ if the data were obtained from a third party, you may have the right to access any relating information.
- 6.10.4. **Right to rectification:** You shall have the right to obtain from OPT-X-PENSE, without undue delay, the rectification, correction of inaccurate data or to request the supplementation of incomplete data.
- 6.10.5. **Right to erasure:** You shall have the right to obtain from us, without undue delay, the erasure of certain personal data of yours, stored by us, where one of the following applies:

- ✓ the personal data are no longer necessary for us;
- ✓ you withdraw your consent in relation to the processing of certain data;
- ✓ you object to the processing of your personal data;
- ✓ they have to be erased for compliance with a legal obligation in law;
- ✓ you are concerned about the legal basis for the processing of your personal data carried out by us.

6.10.6. **Right to restriction of processing:** If you have questions or are concerned about the accuracy, reasonability or lawfulness of the processing of your personal data, carried out by us, you shall have the right to obtain restriction of certain data processing activities.

You may request restriction if we no longer need your personal data, but you, as a data subject, may request your data for the establishment, exercise or defense of legal claims. You may also request restriction if you have doubts about the legal basis for the processing of data on the basis of a legitimate interest.

When processing has been restricted, data processing operations may not be carried out, with the exception of data storage. You shall be informed by OPT-X-PENSE before the restriction is lifted.

**6.11. You may have the possibility of a legal remedy or may lodge a complaint with the Hungarian National Authority for Data Protection and Freedom of Information**

Principal office: H-1055 Budapest, Falk Miksa str. 9-11.

Address for correspondence: H-1363 Budapest, P.O. Box 9.

Telephone: +36-1-391-1400

Fax: +36-1-391-1410

E-mail: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)

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**6.12. Right to a judicial remedy**

The data controller should be able to provide evidence that the processing of data is in compliance with the laws and regulations. The data recipient should be able to demonstrate the lawfulness of data transfer. The court of justice has jurisdiction to adjudicate on the matter. The data subject should have the choice to file a lawsuit in the court of justice according to either the place of domicile or the place of residence of the data subject.

Any person can be a party of the lawsuit even if he/she lacks legal capacity to sue. The authority may intervene in favor of the data subject to succeed in the lawsuit.

If the court grants the request, the data controller is called upon by the court to provide information, to rectify the data, to block the data, to annul the decision on the automated data processing, to respect the data subject's right to object, and to provide the data requested by the data recipient.

If the court rejects the data recipient's request, the data recipient is obliged to erase the data subject's data within three days of the date of notification of the decision. The data controller should erase the data even if the data recipient does not bring the matter before the court within the specified time limit. The court may order the public disclosure of its resolution, together with the identification information of the data controller, if is required for data protection interests and the protected rights of a greater number of data subjects.

**6.13. Compensation and compensatory damages**

The data controller shall be liable for all damages resulting from the unlawful processing of the data subject's data or violation of the requirements of data security.

If the data controller infringes the data subject's personal rights by processing the data subject's data unlawfully or by violating the requirements of data security, the data subject may claim compensatory damages from the data controller.

The data controller shall be liable to the data subject for any damage caused by the data processor, and the data controller shall pay compensatory damages to the data subject for the infringement of the data subject's personal rights by the data processor. A data controller shall be exempt from liability for damages and shall be released from paying compensatory damages if it proves that it is not in any way responsible for the event giving rise to the damage.

No compensation shall be claimed and no compensatory damages shall be paid if the damage or the infringement of the data subject's personal rights has resulted from the purposeful actions or severe negligence of the data subject.

**Budapest, 22 Nov 2020**

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## Appendix 1

During the creation of this Information, attention was paid to the relevant laws and regulations in force and the major international recommendations, with special emphasis on the following:

- 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 (Information Act);
- Act C of 2003 on Electric Communications;
- Act V of 2013 on the Civil Code of the Republic of Hungary;
- Act CLV of 1997 on Consumer Protection;
- Act C of 2000 on Accounting;
- Act of CVIII of 2001 on Certain Issues of Electronic Commerce Services and Information Society Services;
- Act C of 2003 on Electronic Communications;
- Act XLVIII of 2008 on the Basic Requirements and Certain Restrictions of Commercial Advertising Activities