

Data Controlling - Information

1. General regulations

1.1. Background

Regulation (EU) 2016/679 of the European Parliament (General Data Protection Regulation, hereinafter referred to as: **Regulation** or **GDPR**) has become directly applicable in Hungary. According to the Regulation Company is a data controller, thus the Regulation applies to the data handled by Company.

1.2 The aim of the Information

The aim of the information is to state the data protection and data controlling regulations to which **Research Flow Ltd.** (hereinafter referred to as **Company** or **Data controller**) complies, and the data protection and data controlling policies.

1.3 Regulations

When defining the contents of this Information the Company considered among others the regulations of 2011/CXII. law („Infotv”), the 2013.V. Law („PTK”) and the 2008. XLVIII. law (Grtv).

1.4 Effect

The effect of the Information expands on the data controlling activities connected to market research activities of Company.

1.5. Amendment of Information

Company maintains the right to amend the Information by its own decision.

2. Definitions

2.1. ‘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, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

2.2. ‘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;

2.3. ‘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;

2.4. ‘Processor’ means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;

2.5. Data subject: natural person, who consents to disclosing the data listed in chapter 8 and 9.

2.6. ‘Third party’ means 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. The identity and activities of data controller

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4. Basic principles of data controlling

4.1. Lawfulness, fairness

Data is processed lawfully, fairly and in a transparent manner in relation to individuals. Company only processes data, which is defined in regulations, or provided by Data subjects, for the purposes defined below. The cope of personal data is proportionate with the purpose of data controlling, not expanding beyond that.

4.2. Data minimization, accuracy

Data collected is adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed. Data needs to be accurate and, where necessary, kept up to date.

4.3. Purpose limitation

Every time Company wishes to use personal data for a purpose which is incompatible with the original purpose where this data was obtained, Company notifies data subject, and obtains Data subject's preliminary, pronounced consent, and ensures the possibility to deny data usage.

4.4. Accuracy

Company does not check collected personal data. The responsibility of accuracy of personal data provided to Company lies by Data subject.

4.5. Storage limitation

Data is stored in a form that allows the identification of Data subjects only for achieving the purpose of data controlling, and only for the time frame needed to do so.

4.6. Protection of Data subjects under the age of 16

Personal data of a person under 16 years of age can only be processed with the consent of a person of age in custody of said person. Company does not have the means to check the legitimacy of the consenting person or the contents of the consent, thus Data subject and the person in custody warrants that the consent is compliant with regulations. In the absence of consent Company does not process personal data of persons under 16 years of age.

4.7. Company does not provide processed data to third parties besides the Data processors and third parties defined in this Information. Processing of data is done in a way that with the help of technical and organizational measures the appropriate safety of level of personal data is ensured.

An exception for the regulation in this chapter is the usage of data in a statistically aggregated form, which cannot contain any data that would allow the identification of a Data subject.

In certain cases – official judicial or police requests, legal procedure due to copyright, property or other infringement, or the thorough suspicion of these, which violate Company's interests or endangers the providing of services, etc. – Company may make the personal data of Data subject to a third party.

4.8. Company notifies Data subjects and all data processors to whom the data was forwarded for the purpose of data processing, about the rectification, limitation or deletion of personal data. This notification may be neglected if this does not offend the interests of Data subject in regard of the purpose of data processing.

4.9. According to the Regulation Company is not obliged to appoint a data protection officer, because Company is not a public power organization or an organization with public functions, the activities of the Company do not contain any action that would make the regular and systematic observation of Data subjects necessary, and the Company does not process special data, or data regarding decrees which state criminal responsibilities.

5. Grounds of data processing

5.1 GDPR regulates in which cases can Data subjects' personal data be processed:

- a) Data subject has given consent to processing of personal data for one or more purposes;
- b) Data processing is needed to fulfill a contract, in which one party is affected, or data processing is needed prior to the contract to fulfill steps required by Data subject;
- c) Data processing is needed to fulfill a legal obligation by data processor;
- d) Data processing is needed to protect interests of Data subject or another natural person;
- e) [...]
- f) [...]

5.2. Regarding the characteristic of Company's activities the legal ground for data processing is primarily the voluntary consent of Data subject, based on appropriate information (5.1.a), a contractual contact between Company and Data subject (5.1.b) or legal obligation (5.1.c). Data subject voluntarily comes into contact with Company, voluntarily takes on contractual contact or uses Company's services. Company only processes data of Data subjects without consent if regulations specifically authorize it to do so.

5.3 If data processing is based on consent, Data processor needs to verify that Data subject has given consent to data processing of personal data.

5.4. Data subject is entitled to withdraw consent at any time, regarding all data processing which is grounded on 5.1.a. Withdrawal of consent does not affect the lawfulness of data processing before withdrawal, and the data processing grounded on 5.1.b and/or 5.1.c.

5.5. Forwarding of data to data processors can take place without the separate consent of Data subject. Forwarding of data to third party or authorities – if regulations do not regulate otherwise – can only take place based on decree of authority, or explicit, a priori consent of Data subject.

6. Purpose of data processing

Data processing must be done lawfully, fairly and transparently for Data subject. The Company strives to achieve that only such personal data is processed, which is necessary and adequate to fulfill the purpose of data processing. Personal data is only processed in relation to and until achieving the purpose.

The purposes of data processing are the following:

- identification of Data subject and maintaining contact
- informing Data subject
- creation and fulfillment of contractual relationships between Company and Data subject
- in case of services which require payment, collection of payment, invoicing
- fulfillment of obligations and rights of Data controller
- creation of analyzes, statistics, improvement of services – for this purpose Data controller only uses anonymized and aggregated data
- protection of rights and interests of Data subject

7. Sources of data

Company only processes data which was provided by Data subjects. Company does not use other, non-public data sources.

8. Extent of data processed

Company only processes personal data provided by Data subjects, which are the following:

Data can be grouped in the following groups based on the purpose of data collecting

- **Data provided during market research:** during market researches conducted by Company data provided by Data subject will be processed and used for the purposes of market research. Company is mandated to process such data based on GDPR Article 9. paragraph (2), e).
- **Invoicing data.** In case Data subject provides a paid service for Company, Company processes data connected to payment and invoicing. The ground for data processing is partly Data subject's consent, and partly regulations about taxation and accounting.
- **Data, information and photos provided to Company by application to a job advertisement.** Company informs all, who wish to fill in a position by the Company, and for this purpose provide their personal data to Company, that Company will not process their personal data, and does not regard the application as received, until applicants have learned the contents of this information, and until they have acknowledged the fact of the learning in written form (at least e-mail) to the Company.

9. Description of process of data processing

The source of data is Data subject, who provides the data when entering a contract. Providing the data needed to enter a contract is obligatory.

Data subject provides data independently, Company does not provide any obligatory guidelines, and does not create expectations regarding the content. Data subject explicitly consents to processing the data that was provided by him or her.

10. Forwarding of data

Company only forwards data to third party if Data subject unambiguously – knowing the extent of forwarded data and the third-party recipient - has given consent, or regulations authorize Company.

The company is authorized and obligated to forward authorities all available and lawfully processed data, if a legal decree obligates Company to do so. Company cannot made liable for such Data forwarding and its consequences.

Company documents all data forwarding and keeps track of these.

11. Data processing

Company may use Data processor for its activities. Data processors do not make independent decisions, they may only perform activities based on contract with and instructions of Company. Company supervises the activities of data processors. Data processors may only use further data processors with the consent of Company. Company uses only such data processors, who provide sufficient guarantees regarding the compliance of data handling and protection of Data subjects' rights, with technical and organizational measures.

Data processors may not use further data processors without Company's prior written authorization.

12. Third party service providers

Company may use third party service providers for data processing. Third party service providers' data processing is regulated by third party service providers' data protection manuals.

13. Protection of data

Company arranges all technical and organizational measures, creates manuals which are necessary to ensure sufficient data protection, which ensures the assertion of regulations. Company protects data with adequate measures to protect them from unauthorized access, change, forwarding, publicizing, deletion or destruction, or accidental deletion or damage, or becoming unavailable due to change in used technology.

Company creates technical and organizational measures that guarantee the adequate level of data protection, in regard of current technology, costs, type, extent, circumstances and purposes of data processing, and risks for Data subjects' rights and liberties

Company among others:

- takes measures which protect against unauthorized access, including protection of software and hardware, and physical protection (access and network);
- takes measures which allow the restoring of data, regular backups;
- takes measures about virus protection.

14. Duration of data processing

Company deletes personal data

- a) if data is stored unlawfully, Company immediately deletes data.
- b) if Data subject requests it (except data processing based on regulations); If data deletion is denied based on regulations, Company notifies data subject about the denial of deletion and the regulation it is based on.
- c) if data is insufficient or false, and it cannot be corrected lawfully – provided deletion is not excluded by regulation;
- d) if the purpose of data processing has ended, or the duration of data storing defined in regulations has expired; Deletion can be denied if (i) regulations authorize processing of personal data; or (iii) for legal protection. If deletion request is denied, Company informs Data subject, marking the reason of denying data deletion. If personal data is deleted based on request, deleted data cannot be restored.
- e) if a court of justice or National Data protection and Information Freedom Authority has ruled so

Instead of deletion Company - with informing Data subject – locks personal data, if Data subject requests so, or based on available information it can be assessed that deletion would harm Data subject's interests. Locked personal data can only be processed until the data processing purpose exists, which barred the deletion of personal data. Company marks personal data if Data subject disputes its exactness, but this exactness cannot be determined unambiguously.

In case of deletion Company makes data unsuitable for identification.

15. Rights of Data subjects regarding data processing

15.1. Company informs Data subject about processing of data. Data subject is entitled to request information about data processing any time.

Data subject is entitled to receive feedback from Company regarding whether personal data is still processed, and if it is, Data subject is entitled to receive access to personal data, information about the purpose of data processing, the category of personal data in question, the category or categories of addressees who will receive the personal data, the planned duration of data processing, or if that is not possible, the aspects which define the duration of data processing. Data subject has the right to request the correction, deletion, locking of his/her personal data, and can protest processing such data. Data subject has the right to file a complaint to any supervising authority, or if data was not collected from Data subject, all available information about their sources.

15.2. Data subject has the right that data processor corrects inaccurate personal data upon request, without justifiable delay. Considering the purpose of data processing, Data subject may request the completion of insufficient personal data.

15.3. Data subject may request the deletion of personal data without justifiable delay, except for data processing ruled by authorities or regulations. Company informs Data subject about deletion.

15.4. Data subject may protest processing of personal data as defined in Information Law (Infotv.).

15.5. Data subject may submit request for information, deletion, correction in written form addressed to Company's seat, site, or in an e-mail addressed to info@researchflow.hu.

15.6. Data subject may request the limitation of processing of personal data, if Data subject disputes the accuracy of personal data. In such cases limitation concerns the time period, which enables Company to check for the accuracy of personal data. Company marks personal data, if Data subject disputes its correctness or accuracy, but the accuracy or correctness of disputed personal data cannot be determined unambiguously.

Data subject may request the limitation of processing of personal data in cases, if data processing is unlawful, but Data subject opposes deletion of personal data, and instead requests their limitation.

Data subject may request the limitation of processing of personal data, if the purpose of data processing has been realized, but Data subject needs Company to process data further for legal protection.

15.7. Data subject is entitled to receive personal data stored about him/her in widely used electronic form from Company and entitled to forward these data to other data controllers, without Company obstructing this.

15.8. In case Company does not fulfill Data subject's request for correction, limitation or deletion, Company, within 30 days of receiving request, informs Data subject in written form about the reasons of denying the request for deletion. In case of denying request for correction, deletion or limitation Company informs Data subject about the possibility of legal remedy, and the possibility to turn to National Information protection and Information freedom Authority.

15.9. Data subject may declare statements about any of the rights above, on Company's availabilities.

15.10. Data subject may file in complaints directly to National Information protection and Information freedom Authority (1125 Budapest, Szilágyi Erzsébet fasor 22/c.; tel: +36-1-391-1400; e-mail: ugyfelszolgalat@naih.hu; www.naih.hu) as well. Data subject has the right to turn to court based on Infotv. 22. § (1) in case Data subject's rights are violated. Upon request Company informs Data subject about the possibilities and instruments of legal remedy.