

## DATA PRIVACY NOTICE

Controllers: **Zsuzsanna Ilona Bányai EV. and Marianna Kosztyu EV. private entrepreneurs** (as the representatives of “The ArtSommelier” arts management)

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### GENERAL INFORMATION

#### **Purpose of the data privacy notice:**

The aim of this notice is to provide information on the Controller’s data protection and data processing principles and rules regulating the processing of the personal data of natural persons contacting the Controller.

When drafting the provisions of this privacy notice, the Controller took into account, in particular, the provisions of 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, hereinafter: GDPR), Act CXII of 2011 on informational self-determination and freedom of information (hereinafter: Privacy Act) and other relevant legal regulations.

#### **1. TERMS RELATED TO PROCESSING**

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The definitions arising in the processing of personal data are specified by the GDPR. For the sake of transparency and clarity, Controller stipulates the most important terms in this section as set out in the GDPR.

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. **“special data”** means any personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation. By default, the processing of such data shall be prohibited;
3. **“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;
4. **“restriction of processing”** means the marking of stored personal data with the aim of limiting their processing in the future;
5. **“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;
6. **“processor”** means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;
7. **“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;
8. **“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 authorised to process personal data;
9. **“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;

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10. “**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;

11. “**supervisory authority**” means an independent public authority which is established by a Member State pursuant to Article 51 of the GDPR;

## **2. PRINCIPLES RELATED TO PROCESSING**

- Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject.

- Personal data shall be processed for specified purposes and on a specific legal basis, for exercising rights or for compliance with a legal obligation.

- Processing shall comply with the purpose in all stages, the recording and processing of data shall be fair and lawful. Only those personal data may be processed which are inevitable for fulfilling the purpose of processing and are suitable for achieving such purpose.

- Personal data shall only be processed to the extent and for the period necessary for achieving the purpose.

- Processing by the Controller shall be accurate and up to date. Controller shall take every reasonable step to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.

- Controller shall keep personal data in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed, taking the storage obligations set out in the relevant legal regulations into account. Personal data shall be 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.

Controller shall be responsible for, and be able to demonstrate compliance with the aforesaid principles.

## **3. PURPOSE, LEGAL BASIS AND MEANS OF PROCESSING**

### **3.1. PROCESSING RELATED TO CONTACTING AND COMMUNICATION**

#### **3.1.1. Contacting by e-mail and via online contact form**

##### **Purpose of processing:**

Based on the Data Subject’s query, contacting and communicating with the Data Subject. The Controller uses the data provided by the Data Subject for a limited purpose, only for contacting the Data

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Subject. Unless there is a binding legal regulation governing this, personal data may only be provided to third parties with the Data Subject's prior express consent.

## **Legal basis of processing:**

pursuant to Article (6) (1) a) of the GDPR, the freely given consent of the Data Subject

Data processing is performed on the basis of the freely given, informed consent of the Data Subject, which is given by the Data Subject by sending the query and the data contained in it to the Controller for the purpose of answering the query and arranging the related requests (e.g. providing information).

The Data Subject gives his/her consent by providing the concerned data freely, and in case of a form, by completing it/ticking the relevant checkbox.

## **Processed personal data:**

- name (first and last name)
- email address
- phone number

The Controller does not check the received personal data. The person providing such data shall be exclusively responsible for the truthfulness of the data.

## **Duration and means of processing:**

Within the framework of contacting and communication, the provided personal data are processed:

- until the Data Subject withdraws the consent,
- or for one year from the date of providing the data at the latest.

The data are stored electronically.

### **3.1.2 Contacting by phone**

#### **Purpose of processing:**

The Data Subject may also contact the Controller by phone. In such case, the Controller learns the first and last names and the phone number of the caller. The purpose of processing is contacting and communicating with the Data Subject, based on his/her query.

When contacting by phone, the Controller informs the Data Subject orally on the availability of this notice, and draws the attention of the caller to the fact that it may only process his/her data if the caller confirms in writing that he/she has learned and accepts the contents of this notice.

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## **Legal basis of processing:**

pursuant to Article (6) (1) a) of the GDPR, the freely given consent of the Data Subject

Data processing is performed on the basis of the freely given, informed consent of the Data Subject, which is given by the Data Subject by sending the query and the data contained in it to the Controller for the purpose of answering the query and arranging the related requests.

The Data Subject gives his/her consent by providing the concerned data freely.

## **Processed personal data:**

- name
- phone number

The Controller does not check the received personal data. The person providing such data shall be exclusively responsible for the truthfulness of the data.

## **Duration and means of processing:**

Within the framework of contacting and communication, the provided personal data are processed:

- until the Data Subject withdraws the consent,
- or for one year from the date of providing the data at the latest.

The data are stored electronically.

### **3.1.3. Contacting via social media platforms**

#### **Purpose of processing:**

For offering an option for online contacting, for publishing posts, for advertising the enterprise and its activities, the Controller operates an Instagram page (<https://www.instagram.com/theartsommelier/>).

When commenting the posts of the enterprise, the Controller learns the first and last names and the comments of the commenters, which are accessed on the basis of consent.

Messages may also be sent on the Instagram page. During messaging, the Controller learns the first and last names of the senders, which are accessed on the basis of the sender's consent. In case of contacting in the form of Instagram messages, the Controller informs the Data Subject in writing about this privacy notice and draws his/her attention to the fact that his/her personal data may only be processed if the sender confirms in writing that he/she has learned and accepted the contents of this notice.

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## **Legal basis of processing:**

pursuant to Article (6) (1) a) of the GDPR, the freely given consent of the Data Subject

Processing is performed on the social media website, and therefore, the duration, means of processing, as well as the possibilities of erasing and modifying data are governed by the regulations of the given social media site.

The privacy notice of Instagram (as a Meta product) is available at the following link:  
[https://help.instagram.com/help/instagram/155833707900388/?locale=en\\_GB](https://help.instagram.com/help/instagram/155833707900388/?locale=en_GB)

## **Processed personal data:**

- Name of the user registered on the social media site;
- Public profile photo of the user;

The Controller does not check the received personal data. The person providing such data shall be exclusively responsible for the truthfulness of the data.

The data are stored electronically.

## **Duration and means of processing:**

Within the framework of contacting and communication, the provided personal data are processed until the Data Subject withdraws the consent.

If the Data Subject withdraws the consent, the Controller shall, without delay, erase all data related to contacting on the basis of the data erasure options provided by Instagram.

### **3.1.4. Contacting via registration at events**

#### **Purpose of processing:**

The Data Subject has the possibility to register at events organised by the Controller, indicating his/her intention to contact the Controller. Prior to registration, the Controller provides the Data Subject with the privacy notice – with the purpose of learning it – and informs the Data Subject of the online availability of this notice.

Purpose of processing: based on the Data Subject's registration, contacting and communicating with the Data Subject. The Controller uses the data provided by the Data Subject for a limited purpose, only for contacting the Data Subject. Unless there is a binding legal regulation governing this, personal data may only be provided to third parties with the Data Subject's prior express consent.

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## **Legal basis of processing:**

pursuant to Article (6) (1) a) of the GDPR, the freely given consent of the Data Subject

Data processing is performed on the basis of the freely given, informed consent of the Data Subject, which is given by the Data Subject during registration, by providing his/her data to the Controller.

The Data Subject gives his/her consent by providing the concerned data freely.

## **Processed personal data:**

- name (first and last name)
- email address

The Controller does not check the received personal data. The person providing such data shall be exclusively responsible for the truthfulness of the data.

## **Duration and means of processing:**

Within the framework of contacting and communication, the provided personal data are processed:

- until the Data Subject withdraws the consent,
- or for one year from the date of providing the data at the latest.

The data are stored electronically.

## **3.2. PROCESSING RELATED TO ARTS MANAGEMENT AND SALES**

### **Purpose of processing:**

“The ArtSommelier” team places great emphasis on talent management and its long-term development. The ArtSommelier is also involved among others in selling artworks, organising exhibitions, art fairs and auctions, career counselling, life coaching.

Purpose of processing:

- management of artists;
- fulfilment and the settlement of the prices of products sold and services provided by the Controller.

### **Legal basis of processing:**

1. In case of the management of artists embraced by The ArtSommelier team, the freely given, informed consent of the Data Subject pursuant to Article (6) (1) a) of the GDPR

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The consent is given by the data subject by providing his/her data voluntarily.

If a contractual relationship is established between the Controller and the Data Subject artist, then the legal basis of processing is Article 6 (1) b) of the GDPR: performance of a contract

2. In case of any service provided or product sold by the Controller, Article 6 (1) b) of the GDPR: performance of a contract

The Data Subject has the option to request home delivery of the ordered product.

In case of the order and delivery of a product, if the person purchasing the product and the person indicated as the addressee for the delivery are different, the buyer shall have appropriate legal basis for transferring the addressee's data.

## **Processed personal data:**

- name (first and last name) of the Data Subject
- email address
- address;
- phone number;

## **Duration and means of processing:**

1. In case of artist management:
  - when concluding a contract, for 5 years following the expiry of the contract, or
  - until the Data Subject withdraws the consent;
2. In case of ordering products/using services:
  - 5 years following the placing of the order/using the service.

The data are stored electronically.

## **3.3. PROCESSING RELATED TO INVOICING**

### **Purpose of processing:**

Settling the price of the product sold/service provided by the Controller, issuing and keeping the financial document;

In the absence of the data content required by law for invoicing, the invoicing obligation and processing cannot be performed.



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## **Legal basis of processing:**

Article 6 (1) c) of the GDPR (legal obligation) and Sections 165 and 169 of Act CXXVII of 2007 on value added tax.

## **Processed personal data:**

- Name (first and last name)
- Address;
- Email address;
- Phone number;

## **Duration and means of processing:**

Pursuant to Section 169 of Act C of 2000 on accounting, the data shall be kept for 8 years.

The data are stored electronically.

## **3.4. PROCESSING RELATED TO PHOTO AND VIDEO RECORDING AND THE USE THEREOF**

### **Purpose of processing:**

The purpose of processing is to promote the Controller and its services on its website and social media site (Instagram), and in case of events, to record and promote it, and to inform the public.

### **Legal basis of processing:**

A. In the case of recordings made in a crowd, the processing of data – pursuant to Article 6 (1) e) of the GDPR and Article 5 (1) b) of the Information Act – is based on statutory provisions. The statutory provision is as follows: Section 2:48 (2) of the Civil Code, according to which the consent of the data subject is not required for recording his/her likeness or voice, and for the use of such recording if made of a crowd or in a public event.

Recordings made in a crowd show a crowd of people, the people depicted are not seen as individuals but as part of the crowd. If the image does not show individuals drawing attention individually, but as a crowd, it is considered a recording made in a crowd.

B. If the recording is not made in a crowd, then the freely given consent of the Data Subject is required for making and processing photo and video recordings.

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Processing is performed on the basis of the freely given consent of the Data Subject pursuant to Article 6 (1) a) of the GDPR and Section 2:48 (1) of the Civil Code [Right to likeness and voice recording]

By giving his or her consent, the data subject agrees that the Controller may take photos and make video recordings in connection with its activities and may publish these. By giving his/her consent, the data subject acknowledges that the Controller is the producer and owner of the photographs. By giving his or her consent, the data subject agrees that the Controller may make the photographs or videos taken in accordance with this notice available to the public, distribute them without any limitation in space or in time, and subsequently modify them, and such consent shall also apply to the result or product of the editing. By giving his/her consent, the data subject expressly waives any claim for remuneration in relation to the use of the image or recording and, to the extent permitted by the effective legal regulations, waives any claim for compensation or damages arising from use. The data subject shall have the right to withdraw his/her consent at any time, but the withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

## **Processed personal data:**

Photos or video recordings of the data subjects.

## **Duration and means of processing:**

The Controller will process the photo or video recordings (on its own internal platform, social media platforms, etc.) only as long as they are of interest and of relevance, and after that they will be deleted, or deleted also if the data subject withdraws his/her consent.

The data are stored electronically.

## **3.5. PROCESSING RELATED TO SENDING NEWSLETTERS**

### **Purpose of processing:**

The purpose of processing is to send mails promoting the objectives of the team and providing information to those interested.

### **Legal basis of processing:**

pursuant to Article (6) (1) a) of the GDPR, the freely given consent of the Data Subject

The freely given, informed, express consent of the data subject, which is given by subscribing (ticking the checkbox).

## **Processed personal data:**

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- First and last name;
- Email address

## **Duration of processing:**

Until the withdrawal of the consent by the data subject, which can be done by clicking on the unsubscribe button at the end of the newsletter.

## **4. PARTIES TO WHOM THE DATA ARE DISCLOSED, DATA TRANSFER, PROCESSING**

Those employees of the Controller are entitled to know the data whom the data subject has contacted, or who needs to know and process the data as part of his/her work tasks.

Processors:

BlazeArts Kft.	Registered seat: 1096 Budapest, Thaly Kálmán utca 39. Company registration number: 01-09-389087 VAT number: 12539833-2-43	Web hosting provider (for the proper operation of the website)
National Tax and Customs Administration	Registered seat: 1054 Budapest, Széchenyi utca 2.	Data required for the invoices to be issued for the Data Subjects are transferred, which are stored by the processor in an online system, and issues an invoice on behalf of the controller with the parameters provided by the controller
PRO 2000 Kft.	Registered seat: 1223 Budapest, Húr utca 9/A 4. lház. 2. em. 5. ajtó Company registration number: 01-09-076049 VAT number: 10534186-2-43	accounting activity

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## **5. RIGHTS OF THE DATA SUBJECT**

**Rights of data subjects:** the data subject

- a) may request information on the processing of his/her personal data, and access to such data,
- b) may request the rectification of the data,
- c) may request the erasure of the data,
- d) may request the restriction of the processing of the personal data,
- e) may object to the processing of the personal data,
- f) may exercise his/her right to data portability,
- g) and may exercise his/her right to remedy.

The Data Subject may file a complaint to the Hungarian National Authority for Data Protection and Freedom of Information (hereinafter: NAIH), or may turn to the competent court in accordance with the requirements set out at the end of this notice.

## **6. DATA SUBJECTS' RIGHTS PERTAINING TO PROCESSING**

The Controller guarantees that the data subjects' rights can be exercised as follows.

The Controller offers the possibility to the data subject to file his/her request pertaining to the exercising of the data subjects' rights in any manner specified below, to the contact details contained herein: (i) by mail, (ii) by email, (iii) by phone.

Phone: +3670-938-5454 or +3620-368-4224

Email: [info@artsommelier.com](mailto:info@artsommelier.com)

Mailing address: 1133 Budapest, Váci út 78/B 6/22.

The Controller responds to requests from the data subject without undue delay and at the latest within 30 days following the receipt of the request, and informs the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language. The Controller shall make a decision on rejecting the request within the same deadline, and shall notify the data subject on the rejection, on the reasons thereof and on the related remedy options.

As a rule, the Controller shall fulfil the data subject's request by email, unless otherwise requested by the data subject. At the data subject's request, information may only be provided by phone if the data subject has confirmed his/her identity. The Controller does not use the data subjects' mailing address or phone number for any other purpose.

For the fulfilment of the data subjects' requests detailed below, the Controller does not charge any fee or cost. However, where the Controller receives unfounded, excessive requests from a data subject repeatedly for the same set of data within one year following the previous already fulfilled request, the Controller reserves the right to charge a reasonable fee for the fulfilment of the request proportionately

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with the work done for fulfilling the request, or to reject any measures on the basis of the request at its discretion, with proper explanation.

## o **Right to information and access**

At the data subject's request, the Controller shall provide information in a concise, transparent, intelligible and easily accessible form, using clear and plain language on the following:

- whether or not personal data concerning him or her are being processed by the Controller;
- the name and contact details of the Controller;
- his/her personal data processed by the Controller and information concerning the source of such data;
- the purpose of processing the personal data and the legal basis of processing;
- the duration of processing;
- the recipients or categories of recipients to whom the personal data have been or will be disclosed;
- the data subject's rights;
- the circumstances, effects of a potential data breach and the measures taken for eliminating the breach.

## o **Right to rectification**

At the data subject's request, the Controller rectifies the inaccurate personal data concerning the data subject. The Controller shall inform all recipients on the rectification to whom the personal data have been disclosed, except where this proves to be impossible or would involve a disproportionate effort. At the data subject's request, the Controller informs the data subject on such recipients.

## o **Right to erasure ("right to be forgotten")**

At the data subject's request, the Controller shall erase the personal data concerning him or her where one of the following grounds applies:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- the data subject objects to the processing;
- the personal data have been unlawfully processed by the Controller;
- the personal data have to be erased for compliance with a legal obligation in Union or Hungarian law to which the Controller is subject.

The Controller shall inform all recipients on the erasure to whom the personal data have been disclosed, except where this proves to be impossible or would involve a disproportionate effort. At the data subject's request, the Controller informs the data subject on such recipients.

## o **Right to restriction of processing**

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At the data subject's request, the Controller shall restrict processing where one of the following grounds applies:

- the accuracy of the personal data is contested by the data subject, for a period enabling the Controller to verify the accuracy of the personal data;
- the processing is unlawful and the data subject opposes the erasure of the personal data and requests 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 the data subject for the establishment, exercise or defence of legal claims.

The Controller shall inform all recipients on the restriction to whom the personal data have been disclosed, except where this proves to be impossible or would involve a disproportionate effort. At the data subject's request, the Controller informs the data subject on such recipients.

## **o Right to data portability**

At the data subject's request, the Controller provides him/her the personal data concerning the data subject, which he or she has provided to the Controller. Furthermore, the Controller agrees that the data subject has the right to transmit those data to another controller without hindrance from the Controller.

## **o Right to remedy**

Pursuant to the relevant legal regulations, where the data subject has reasons to consider that the Controller violated his/her right to the protection of personal data during processing, he/she may opt for remedy at the competent authorities, i.e. may file a complaint to NAIH (address: H-1055 Budapest, Falk Miksa utca 9-11.; mailing address: 1363 Budapest, Pf. 9.; website: [www.naih.hu](http://www.naih.hu); email address: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu); phone number: +36-1/391-1400), or may turn to the competent court.

The Controller undertakes to cooperate with the competent court or NAIH in such procedures, and to provide the data pertaining to processing to the competent court or NAIH.

Furthermore, the Controller covenants to reimburse any and all damages caused by the unlawful processing of the data subject's personal data or by breaching the requirements of data security. In case of violating the data subject's privacy rights, the data subject may claim grievance fee. The Controller shall not be held responsible if the damage was caused by unavoidable causes beyond the scope of processing, or if the damage or the grievance caused by the violation of the privacy right arose due to the data subject's wilful or gross negligence.

## **7. DATA SECURITY MEASURES**

The Controller ensures the security of data. The Controller has taken all technical and organisational measures and developed its rules of procedure to ensure the protection of the recorded, stored and

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processed data, and to prevent the destruction, unauthorised use and unauthorised alteration of such data. Furthermore, it draws the attention of the third parties to whom the data of the data subject have been disclosed that they are also obliged to comply with the requirements of data security.

The Controller ensures that the processed data cannot be accessed, disclosed, transferred, modified or erased by unauthorised persons. The Controller shall do its best to prevent damages and destruction of the data. The Controller also requires its employees and partners participating in the data processing activities, as well as the processors acting on behalf of the Controller to comply with the aforesaid obligation.

## **8. HANDLING DATA BREACHES**

If the Controller notices any event or act leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed by the Controller (hereinafter jointly referred to as: data breach), it shall act in accordance with Articles 33-34 of the GDPR, report the data breach to the competent data protection authority (hereinafter: NAIH), and inform the data subject or data subjects on the data breach, if it is likely to result in a high risk to the rights and freedoms of natural persons.

The person who notices a data breach as specified above in relation to the personal data transmitted, stored or otherwise processed by the Controller may notify the Controller at the following contact details:

By phone: +3670-938-5454 or +3620-368-4224

By email: [info@artsommelier.com](mailto:info@artsommelier.com)

The person submitting the report shall indicate the following in addition to the subject of the data breach:

- the name of the reporting person;
- the contact details of the reporting person: phone number and/or email address;
- whether the data breach affects the software, if yes, which part or service is affected.

The Controller shall investigate the breach within 1 business day at the latest, or if the data breach is considered serious, without delay, and – if needed – requests further data from the reporting person. The Controller provides data to NAIH within 72 hours following the reporting of the data breach.

The provided data shall include the following:

- nature of the data breach, including the categories and estimated number of data subjects, and the categories and estimated number of data affected by the data breach;
- the name and contact details of the person providing further information;
- the likely consequences arising from the data breach;
- 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.

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Where the data breach requires further investigation, the Controller shall take the necessary measures to involve the proper experts and to assess the actual and potential effects of the data breach. The experts shall prepare a report. The report shall contain proposals concerning the security measures required for eliminating the breach.

The Controller shall make decisions on taking the measures.

The Controller shall communicate to the data subject the personal data breach without undue delay, where that personal data breach is likely to result in a high risk to the rights and freedoms of natural persons.

In the communication, the Controller shall provide information in a clear and plain language on the nature of the data breach, including the following:

- name and contact details of the person providing further information;
- the likely consequences arising from the data breach;
- 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 Controller shall not inform the data subjects if:

- 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;
- the communication would involve disproportionate effort, i.e. there is such a large number of data subjects that the Controller could only inform them by making disproportionate efforts. In such case, the Controller takes measures to disclose the proper information.

## **9. REGISTRATION OF PERSONAL DATA BREACHES**

The Controller shall keep records of the data breaches.

The records shall contain:

- the scope of the affected personal data,
- the scope and number of persons affected by the data breach,
- the date of the data breach,
- the circumstances and effects of the data breach,
- the measures taken for eliminating the data breach,
- other data specified by the legal regulation requiring the processing.

The data pertaining to the data breach contained in the records shall be kept by the Controller for 5 years in case of breaches affecting personal data, and for 20 years in case of breaches affecting special data.



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## **10. RIGHT TO REMEDY**

The Controller may be contacted at the contact details set out herein in relation to any question or remark pertaining to processing.

Requests for remedy or complaints may be filed to the Hungarian National Authority for Data Protection and Freedom of Information:

Name: Hungarian National Authority for Data Protection and Freedom of Information

Registered seat: H-1055 Budapest, Falk Miksa utca 9-11.

Mailing address: 1363 Budapest, Pf. 9.

Phone: +36-1-391-1400

Fax: +36-1-391-1410

Website: [www.naih.hu](http://www.naih.hu)

Email: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)

In case of violating the data subject's rights, the data subject may turn to court against the Controller. The court gives priority to such cases. The Controller shall prove that the processing complies with the law. The lawsuit shall be assessed by the regional court. At the discretion of the plaintiff, i.e. the data subject, the lawsuit may be initiated before the court operating at the data subject's place of residence or place of stay.

The Controller undertakes to cooperate with the competent court or NAIH in such procedures, and to provide the data pertaining to processing to the competent court or NAIH.

Furthermore, the Controller covenants to reimburse any and all damages caused by the unlawful processing of the data subject's personal data or by breaching the requirements of data security. In case of violating the data subject's privacy rights, the data subject may claim grievance fee. The Controller shall not be held responsible if the damage was caused by unavoidable causes beyond the scope of processing, or if the damage or the grievance caused by the violation of the privacy right arose due to the data subject's wilful or gross negligence.

**The Controller reserves the right to amend this notice anytime.**