

# Privacy Policy

## **I. Introduction**

Nowadays data protection has an ever growing importance and the extension of its significance is indisputable. And this is indeed necessary considering that these days almost all the services on all walks of life require the provision of some kind of personal data and thus communicate such information on us that are alone or perhaps by connecting them to an earlier or later provided other data may reveal even more important personal characteristics of ours that may be used by others possibly even against our will or in the absence of our consent thereto. Personal data is construed quite broadly by the laws. Based on that *‘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; Article 4 of the General Data Protection Regulation*). The General Data Protection Regulation also defines the other central notion of this Privacy Policy namely the “data processing”. According to that *“data 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;”*

Hereinafter personal data and data processing shall have the meanings above.

In order that the persons contacting me for a legal service, know from contacting me for the very first time, during a certain attorney’s agency or perhaps in the course of a long term cooperation, the processing of their personal data, of its method, of its duration and of their rights in relation to the data processing and of other questions in relation to the data processing as well as in accordance with the data regulations set out in national and international laws hereby this Privacy Policy is set out.

## **II. Laws applied**

It is almost common knowledge that the attorney-at-law is obliged to maintain confidentiality in relation to the information and data that has come to his/her knowledge in the course of acting on the behalf of his/her client. In Hungary this is regulated by Act LXXVIII. of 2017 on Legal Practice (hereinafter: Act on Legal Practice). However this Policy is also takes into account and is in accordance with other relevant laws.

The following laws shall be highlighted:

- Act CXII of 2011 on Informational Self-Determination and Freedom of Information;
- REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (hereinafter: GDPR);
- Act V of 2016 on the Civil Code of Hungary
- Act C of 2000 on Accounting

### **III. Data of the data controller**

Name: Gergely Zsolt Szabo, attorney-at-law

Bar identification number: 36078542

Registered office HU-1021 Budapest, Labanc út 29/b.

Phone: +36 30 220 7209

E-mail: legal@szabogado.com

(Hereinafter referred to as: Data Controller)

### **IV. The principles of data processing**

The GDPR sets out obligatory principles for the data processing which shall be observed by all data controllers and which shall be taken into account at all times during the processing. The processing of the Client's data shall also be carried out along with these principles.

1. Lawfulness, fairness and transparency: the data shall be processed lawfully, fairly and in a transparent manner at all times.
2. Purpose limitation: means that your data shall only be processed to the extent that it is necessary for the management of your case and for the legal agency itself and only in compliance with the laws, i.e. your data shall not be used for any other purposes.
3. Data minimization: means that the data processing shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed, i.e. the completion of the assignment of the attorney-at-law.
4. Accuracy: means that we 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.
5. Storage limitation: the data shall be stored no longer than is necessary for the purposes for which the personal data are processed. However with regard to the particular characteristics of the activity of attorneys-at-law the laws may determine a specific time period for the storage in which case the duration of the time period of the data storage shall be in accordance with the requirements of these laws.
6. Integrity and confidentiality: the data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures.
7. Accountability: The controller shall be responsible for, and be able to demonstrate compliance with the principles above.

## V. The processed data and the legal basis of the processing

The processed data and the legal basis of the processing may differ depending on the request of the client or the nature of the attorney's agency contract with the client. In the chart below we present the most frequent cases at the same time determining the processed data and the legal basis of the data processing.

	<i>Nature of the case</i>	<i>The processed data</i>	<i>The purposes of the processing</i>	<i>The legal base of the processing</i>	<i>The period of data processing</i>
<b>A</b>	Contacting	name, e-mail address, phone number	Contacting, communication	The consent of the data subject	In the event that neither an attorney agency contract will be concluded nor further cooperation or any other communication will occur then the data shall promptly be erased if the client so requests. In the absence of such request the data shall be erased after the passing of the 6th month following the last communication.
<b>B.</b>	Attorney agency contract	All the data in <b>line A</b> and name at birth, place and date of birth, mother's name, address	Performance of the attorney's agency contract	<ul style="list-style-type: none"> <li>• Compliance with a legal obligation</li> <li>• Performance of a contract</li> </ul>	According to Section 53 Subsection 3 of the Act on Legal Practice the attorney-at-law as data controller shall process the personal data of the client which has come to his knowledge for five years following termination of the agency, for ten years following countersigning documents in the case of countersigning documents, for ten years following registration of the right in the cases concerning registration of rights applying to real property in certified public records.
<b>C</b>	A legal transaction prior which the attorney-at-law is required by statutory law to check certain personal data from a public register (please see more details in Chapter VII.)	The data indicated in lines <b>A</b> and <b>B</b> and <i>a) in case of a Hungarian national:</i> personal identification number, gender, nationality, place of residence, type of documentation (e.g. identification card), identification number of the document and the photo of the client stored in the JÜB (for more details please see Chapter VII.) registry <i>b) in case of a foreigner national:</i> passport number, photo of a passport	Performance of the agency contract	<ul style="list-style-type: none"> <li>• Compliance with a legal obligation</li> <li>• Performance of a contract</li> </ul>	According to Section 53 Subsection 3 of the Act on Legal Practice the attorney-at-law as data controller shall process the personal data of the client which has come to his knowledge for five years following termination of the agency, for ten years following countersigning documents in the case of countersigning documents, for ten years following registration of the right in the cases concerning registration of rights applying to real property in certified public records. According to Section 53 Subsection 5 of the Act on Legal Practice in the case of countersigning documents, the attorney shall retain the document countersigned by him and other documents created in the matter entailed in countersigning the document - if law does not stipulate any longer period of safeguarding or the parties did not agree in safeguarding for any longer period - for ten years from countersigning.
<b>D</b>	Issuance of invoice	Name, tax number, address	Indication of data on the invoices as required by the Act on Accounting	<ul style="list-style-type: none"> <li>• Compliance with a legal obligation</li> </ul>	According to Section 169 Subsection 2 of the Act C of 2000 on Accounting the duration of the processing of these data is 8 years.

## **VI. Keeping record of cases and handling documents**

The Act on Legal Practice prescribes that the attorney-at-law shall keep records of the cases performed on the basis of the agency - to ensure checking adherence to the rules applying to legal practice and to protect the clients' rights in the case of termination of the right to practice the legal profession. The records maintained about the cases shall include the following information: the case number given by the attorney-at-law, the client's name, the subject matter of the case, the date of concluding the agency contract, and registration numbers of the court proceedings related to the case, or the filing numbers of other proceedings. The attorney-at-law shall process these data which come to his knowledge in relation to the agency for five years following termination of the agency, for ten years following countersigning documents in the case of countersigning documents, for ten years following registration of the right in the cases concerning registration of rights applying to real property in certified public records.

The purposes of the data processing and its legal base is indicated in chapter V. in rows B and C.

## **VII. More on data processing in order to comply with a legal obligation; the obligation to identify the client**

It was mentioned earlier that there are certain legal transactions prior which the acting attorney-at-law based on statutory law must check certain personal data of the client from a public registry; a process which is called in legal terms the identification of the client. These transactions are typically the sale and purchase of real estate or business share(s) or transactions related to a change in a company. In these cases the acting attorney-at-law, i.e. in this case the Data Controller, in case of a Hungarian national, shall search for the data certifying the data of the natural person client in the so called Data Provision System for the Security of Legal Transactions (in Hungarian: Jogügyletek Biztonságát Erősítő Adatszolgáltatási Keretrendszer; hereinafter: JÜB) operated by the Ministry of Interior, by using the client's name, personal identification number and identification card number. The JÜB system is a database in which after providing at least two sequential numbers which may identify the natural persons (e.g. the personal identification number and the identification card number) the following further data of the client become accessible: personal identification number, name, birth name, mother's name, date of birth, gender, country of birth, place of birth, nationality, address, place of residence, type of documentation (e.g. identification card), identification number of the document and the photo of the client stored in the JÜB registry. In the course of those legal transactions where the acting attorney-at-law is obliged to carry out such identification process the data sheet that is downloaded through this JÜB service shall be stored for ten years by the acting attorney-at-law as Data Controller in accordance with the Act on Legal Practice and the Act LIII. 2017 on the Prevention and Combating of Money Laundering and Terrorist Financing (hereinafter: Pmt.).

In case of a non-Hungarian citizen client the client identification process is carried out by using the client's passport.

The purposes of the data processing and its legal base is indicated in chapter V. in rows B and C.

## **VIII. Client-identification procedure through electronic communications network**

If at a certain legal transaction the client identification process is obligatory by statutory law it is permitted by the Act on Legal Practice and the Pmt., that the client identification procedure may occur via electronic communications network. In such case – in accordance with the decision no. 1/2019. (VII.31.) of the president of the Hungarian Bar Association - the acting attorney-at-law may carry out the remote identification procedure through Skype program. In the course of this the attorney-at-law as Data Controller and the client communicates through a device that transmits and records the moving picture and the voice

at the same time, to simply put it a video conference, during which the client shows clearly to the camera his/her identification documents (address card with the personal identification number, identification card or passport). According to Section 44 Subsection 2 of the Act on Legal Practice the countersigning attorney will retain the recording as described above together with the countersigned documents, i.e. for 10 years.

The purposes of the data processing and its legal base is indicated in chapter V. in row C.

#### **IX. The rights of the data subject (the client) in relation to the data processing**

Under the scope of this Privacy Policy and in relation to the attorney's agency you as the data subject of the data processing in accordance with the existing laws you have the following rights below. You may exercise these rights at any time by contacting the Data Controller at any of his availabilities indicated in this Privacy Policy, and the Data Controller shall perform your request based on the rights below concerning the data processing without undue delay, unless the laws stipulate otherwise.

1. Rights of information: you have the right at all times to request information on your data which is being processed, which information shall be provided to you without undue delay.
2. Right to rectification: if you notice that one of the personal data you have provided earlier has been provided inaccurately or it was processed later on in an inaccurate form then you shall have the right to request the rectification and/or the completion of the relevant personal data.
3. Right to restriction of processing: you have the right to request the restriction of the processing of your data if you contest the accuracy of the personal data; the processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead; we no longer need your personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defence of legal claims.
4. Right to erasure: you shall have the right to obtain the erasure of personal data concerning you without undue delay and we shall erase these personal data without undue delay unless the retention of such data is required by law and in the period set out by the law.
5. Right to data portability: if the processing is based on your consent, or is needed for the completion of the contract entered between you and the Data Controller then you shall have the right to receive the copy of the data you have provided and request to have these data sent in a structured, commonly used and machine-readable format to you or to third persons.
6. Right to object: in the event that you consider that your data is being processed unlawfully you have the right to protest against that. Based on the protest we revise the data processing and if there is no legal base, based on which we must continue the data processing then we act according to the protest.
7. Right to withdraw consent: You have the right to withdraw your consent to the processing of your data at any time for the future. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal and if the data processing may be continued based on another legal bases especially if it is prescribed by the law, the withdrawal of consent shall not effect the continuation of the data processing based on this other legal base. This is typically the case if a certain law, for instance the Act on Legal Practice or the Pmt. prescribes an obligatory period during which the attorney-at-law shall store the data.
8. Right to lodge a complaint with a supervisory authority: if you consider that the processing of your data infringes the regulations on data protection or you think that your data protection rights have been infringed in any way they you may lodge a complaint with a supervisory authority.

The name and the contact information of the supervisory authority in Hungary is:

**Hungarian National Authority for Data Protection and Freedom of Information**

registered office: HU-1055 Budapest, Falk Miksa utca 9-11.

postal address: H-1372 Budapest, Pf. 450. 9.

Phone: 06/1/391-1400

Fax: 06/1/391-1410

E-mail: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu) URL: <http://naih.hu>

**X. Transfer of data to third persons**

We only transfer your personal data to third persons in as much as it is absolutely necessary for the completion of the attorney's assignment. Such cases are in particular:

11.1. If the purpose of the attorney's assignment is the bringing about such a legal consequence for which the provision of certain personal data and their indication on the document to be countersigned and on other documents related thereto in relation to the proceeding in question is needed then your personal data shall be transferred to the authority which shall take the measure or make the decision based on which the attorney's assignment may be completed. The most frequent cases are in particular where the transfer of your personal data is essential for the execution of the following procedures are:

- a) procedures in connection to real property where the your personal data are transferred to the competent land registry office,
- b) procedures aiming company registration, amendment registration or transactions in relation to business share where your personal data are transferred to the competent Court of Registration,
- c) claim recovery procedures where your personal data are transferred to the competent notary public or executor,
- d) litigation procedures where your personal data are transferred to the competent court.

In this regard please note that the persons participating in these procedures, possibly also the opponents, may gain knowledge of certain personal data of yours which were provided in order to initiate and to carry out the relevant procedure. However the Data Controller shall be in no way responsible for the data processing of these third persons.

11.2. In the event that for the completion of the assignment, following your consent to the engagement of a substitute attorney, a substitute attorney will be engaged then the documents that were produced until that point and may contain your personal data shall be transferred to the substitute attorney. The processing of the personal data shall be the responsibility of the substitute attorney and the Data Controller shall not be responsible for the processing of personal data by him/her.

11.3. According to Section 53 subsection 4 of the Act on Legal Practice the following authorities and persons may have access to and request data from the records kept of the cases based on Section 53 subsection 1 of the Act on Legal Practice by the Data Controller:

- a) in the course of bar association authority revision, the person or body conducting the bar association authority revision in order to check adherence to rules applying to legal practice to the extent necessary for this purpose,
- b) the substitute attorney and the designated administrator for a law firm in order to protect the clients' rights, to the extent necessary for fulfilling their tasks.

The Data Controller shall have no responsibility for the data processing of the data that has come to the knowledge of these third persons in the course of performing their duties above.

- 11.4. According to Section 53 subsection 6 of the Act on Legal Practice the attorney-at-law (i.e. in this case the Data Controller) in the case of termination or terminating of his bar association membership or his removal from the bar association register, the attorney shall arrange for issuing documents handled by him that may not be discarded to the client or the attorney performing legal practice for the client in the given matter and entitled to handle the document and shall ensure retaining the records as specified in the Act on Legal Practice. Following such transfer the Data Controller shall not be responsible for the processing of personal data by the client, his/her representative, and/or the attorney performing legal practice for the client.
- 11.5. If on a certain document (typically on a contract) which in the frame of the attorney's assignment shall be reviewed, modified or terminated your personal data are indicated even before the sending of the document in question to the Data Controller, in the event that in the frame of the assignment you so instruct that the document shall be sent to the other party or parties, then the document containing your personal data shall be sent to the third persons designated by you, unless you expressly request that your personal data indicated on the document shall not be sent to the other party. Following this sending to third persons the Data Controller shall not be responsible for the data processing of your personal data by these third persons.
- 11.6. To the data processors specified in chapter XIII. of this Privacy Policy.

The purposes of the data processing and its legal base is indicated in chapter V. in rows B and C.

## **XI. Communication on Facebook and LinkedIn**

The contacting may occur via Facebook or LinkedIn (hereinafter together: Networks).

It is important to note that these Networks are only for entering into contact and in the event that following the connection legal services will be performed than further communication shall occur primarily by e-mail, personally or on the phone. In the event that you contact us through these Networks then indirectly you also consent to that we contact you through the profile that you entered into contact with us. However none of the data that are on your profile will be recorded, stored or processed in any way. The visibility of the profile on the Networks and their data made accessible through or after the exchange of messages and the permanent connection between the users' profile enabled by the Networks shall not be considered as data processing.

## **XII. Communication on other online communication networks (Skype, Viber or What's Up)**

Legal consultation may also be available via Skype, Viber or What's up (hereinafter jointly: Online Communication Network). In the event that the communication occurs via Online Communication Network then your name and number you are using on the Online Communication Network in question are only stored inasmuch they are indicated in the history (messages, calls) of the Online Communication Network's system. It is important to note that if, after the connection has been made via Online Communication Network, actual legal assignment will be agreed then further communication that may also contain your personal data shall be implemented primarily via email or personally regarding which other provisions of this Privacy Policy shall be applied depending on the extent of the data processing.

## **XIII. Data Processors**

14.1. Wix.com Inc.

Registered office 40 Namal Tel Aviv St., Tel Aviv, Israel

website: wix.com

E-mail: info@wix.com

It is the hosting service provider (hereinafter: Hosting Service Provider) of the website [www.szabogado.com](http://www.szabogado.com) (hereinafter: Website). In the event that you send a message on the interface of the Website the message will arrive to the storage space provided by the Hosting Service Provider in the frame of its service. (For more details on the cookies used by the Website please see the next chapter.)

14.2. Google Inc.

Registered office: 1600 Amphitheatre Pkwy, Mountain View, CA 94043, United States

The e-mails and their attachments that you send arrive to and be stored at the accounts operated by Google. For the storage of the documents the cloud computing services of Google Drive could also be used.

#### **XIV. Information on the usage of cookies**

15.1. On cookies in general

The Data Controller in the course of the visiting of the Website uses so called cookies. Cookies are small pieces of data consisting of letters and numbers which are sent to your browser in order to save some of your settings, facilitate the usage of the Website and contributes to have some relevant information of statistical characteristics on the visitors of the Website. Part of the cookies do not contain personal information and are not adequate to identify a user. Other cookies will only be sent in the event of visiting certain subpages, thus only the fact and the duration of the visit will be stored no other information.

The legal background and the legal base of the cookies based on Article 6 section 1 paragraph a) of the GDPR is your consent, which you can provide when visiting the Website by clicking the Accept button on the popup cookie banner.

Please be informed that WIX which operates the Website only uses cookies in order to

- provide a great experience for your visitors and customers;
- identify your registered members (users who registered to your site), when such function will be available;
- monitor and analyze the performance, operation and effectiveness of WIX's platform;
- ensure our platform is secure and safe to use.

15.2. Classification of cookies

The cookies are mostly classified according to their type and category. We present these cookies briefly as follows:

The types of cookies

- ***Session (temporary) cookies:*** These cookies will be deleted as soon as the visitors of the Website close their browser and do not use them for collecting further information. The information will usually be stored in a session identification form which do not identify the user.
- ***Persistent (stored) cookies:*** These cookies will be stored in the hard drive of the visitor of the Website until they are expired (until a certain date of expiry) or until they are deleted. Persistent cookies help remember information, settings, preferences, that a user has previously saved. This helps create a convenient and faster website experience.



Category:

- **Essential cookies:** These are the cookies that enable that you can browse on the Website. These are also necessary for security reasons.
- **Functional cookies:** These cookies help to recognize the user when he/she revisits the Website.

15.3. Cookies that are placed by the Hosting Service Provider on the Website and their characteristics

Cookie Type	Purpose	Duration	Cookie Name
XSRF-TOKEN	Used for security reasons	Session	Essential
hs	Used for security reasons	Session	Essential
svSession	Used in connection with user login	2 years	Essential
SSR-caching	Used to indicate the system from which the Website was rendered	1 minute	Essential
_wixCIDX	Used for system monitoring/debugging	3 months	Essential
_wix_browser_sess	Used for system monitoring/debugging	Session	Essential
consent-policy	Used for cookie banner parameters	12 months	Essential
TS*	Used for security and anti-fraud reasons	Session	Essential
bSession	Used for effectiveness measurement	30 minutes	Essential
fedops.logger.sessionId	Used for stability/effectiveness measurement	12 months	Essential
wixLanguage	Used on multilingual websites to save user language preference	12 months	Functional

15.4. Deletion and blocking of cookies:

You as the User has the right to delete the cookie from his/her computer and my block the application of cookies in his/her browser.

The cookies can be managed usually in the menu of Devices/Settings under the menu Data protection and Security/History/Personal Settings of the browsers under the name cookies, or tracking.

If you wish to learn more on what kind of cookies your browser uses please visit one of the following home pages which match with your browser:

Google Chrome <https://support.google.com/chrome/answer/95647?hl=hu>

Mozilla Firefox <https://support.mozilla.org/hu/kb/sutik-engedelyezese-es-tiltasa-amitweboldak-haszn>

Windows Internet Explorer <https://support.microsoft.com/hu-hu/help/260971/description-of-cookies>

Safari <https://support.apple.com/hu-hu/guide/safari/manage-cookies-and-websitedata-sfri11471/mac>

## **XV. The Effective Date of the Privacy Policy and its amendment**

Effective Date of the Privacy Policy: 16.11.2020

The Privacy Policy may be modified from time to time. We send an information on the relevant amendment in the event that the amendment significantly or adversely influence the processing of your data. Other than that if the Privacy Policy is amended the amended version shall be published on the Website.

## **XVI. The acceptance of this Privacy Policy**

The forms of acceptance of this Privacy Policy may occur by either:

- Clicking the checkbox on the Website;
- Executing this Privacy Policy in a printed form.

Should the acceptance occur by either of the forms above by accepting this Privacy Policy you confirm that you read, understood and expressly consent to the processing of your personal data in accordance with this Privacy Policy.



Thank you for reading this Privacy Policy. Please if you have any questions or comments or if you wish to exercise any of your rights concerning the data processing please do not hesitate to contact me on any of the availabilities indicated at the data of the Data Controller.

***Gergely Zsolt Szabo, attorney-at-law***