

PRIVACY STATEMENT

on the controlling of personal data in connection with public domains under.hu ccTLD

We, Council of Hungarian Internet Providers and ISZT Nonprofit Kft. as Registry, engaged in keeping records of public domains under .hu, joint data controllers for the purposes of registering and keeping records of domains under .hu, agree to be bound by the contents of this legal notice.

We assume responsibility for ensuring that all data controlling in relation to our activity shall meet the expectations set out in this notice and in the applicable laws and regulations.

Our updated notice on our data controlling activity will always be available at the address <http://www.domain.hu/datacontrolling.pdf>.

We reserve the right as data controller to amend the contents of this legal notice from time to time. Of course, we will always notify the relevant parties of any change in time.

In performing our data controlling activity we will be committed to controlling your personal data in a lawful, fair and transparent way and ensuring the assertion of your right of self determination, and we will take all organisational and technical measures necessary for the secure controlling of your personal data.

Our data controlling practices will be in line with the provisions of the following statutory regulations:

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 controlling of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation GDPR);

Act CXII of 2011 on Informational Self-Determination and Freedom of Information ("Privacy Act")

Act V of 2013 on the Civil Code (ACC)

Act CLV of 1997 on Consumer Protection (ACP)

Act XC of 2017 on Criminal Procedure (ACrP)

Act C of 2000 on Accounting (AA)

Act CVIII of 2001 on certain issues of electronic commerce services and information society services (AECS)

Act C of 2003 on electronic communication (AEC)

I. PARTICULARS OF DATA CONTROLLERS

Council of Hungarian Internet Providers

Registered seat: 1132 Budapest, Victor Hugo utca 18-22.

Tax number: 18086247-2-41

Registration number: 01-02-0007581, Budapest Regional Court of Justice

Represented by: Dr. Béla Bödecs, Attila Miszori as legal representatives

e-mail address: titkarsag@iszt.hu

telephone: +36 1 238 0115

ISZT Nonprofit Kft.

Registered seat: 1132 Budapest, Victor Hugo utca 18-22.

Tax number: 20763091-2-41

Commercial register number: 01 09 905452, Budapest Court of Justice – Court of Registration

Represented by: János Zsakó, managing director

e-mail: titkarsag@iszt.hu

telephone: + 36 1 238 0115

II. DATA CONTROLLING RELATING TO THE APPLICATION FOR AND MAINTAINING OF DOMAINS

2.1. Scope of data controlled in relation to the application for and maintaining of domains under .hu ccTLD and the purpose of data controlling:

You as domain applicant will provide your personal data on the application form under the contract with the Registrar on domain delegation and maintenance and it will be forwarded by your Registrar to the Registry. We will not control but such personal data as you have provided on the application form.

To fulfil your request and to ensure that the domain name chosen by you does not get used by any other person against your will, we need to verify your identity clearly as well as to contact you as and when necessary. To this end we shall maintain a complete, accurate and up-to-date database of domain names registered under .hu ccTLD whereby we can establish and maintain a reliable and more secure internet environment.

Therefore, when you apply for a domain name we will ask you to provide the following information:

a.) Particulars of the domain applicant

- Natural person as domain applicant :name, postal address, e-mail address, telephone number, identity document number (number of identity card, passport, driving licence or permanent residence permit)
- Legal entity as domain applicant: name of legal representative, full details contained in his or her specimen signature or sample signature, details in the resolution of registration
- Individual entrepreneur as domain applicant: postal address, e-mail address, telephone number, tax number
- Minor as domain applicant: name, postal address, e-mail address, telephone number, identity document number (identity card, passport, number of driving licence or permanent residence permit), consent by the person exercising the parental rights, name, postal address, e-mail address, telephone number, identity document number (identity card, passport, number of driving licence or permanent residence permit)
- Heir of a deceased registrant, domain applicant: postal address, e-mail address, telephone number, identity document number (identity card, passport, number of driving licence or permanent residence permit, tax number, grant of probate or certificate of succession or statement of succession, death certificate)
- By persons allowing the name usage: name, residential address, identity document number
- For the verification of name usage: birth certificate(s) and death certificate(s)

b.) Details of the administrative and the technical contact persons

To ensure the proper functioning of the Internet you are required to designate such persons in applying for a domain as are authorised to act on your behalf in administrative and technical matters relating to the domain.

We recommend that you designate yourself as administrative contact person as inquiries and legal claims will be forwarded by us primarily to the administrative contact person. However, should you not want to be the administrative contact person, we recommend that you choose a legal entity for this purpose. If you wish to designate a natural person other than you as administrative contact person, you may only do so subject to consent by that person to your controlling his or her data for this purpose, to your transmitting his or her data to your Registrar and to the controlling of such data in the domain records.

We control the following data of the administrative contact person: postal address, e-mail address, telephone number.

We recommend that you designate such a person to be the technical contact person as is able and willing to take quick action in technical matters relating to the domain. This person is often the Registrar. In case you wish to designate a natural person other than you as technical contact person, you may only do so subject to consent by that person to your controlling his or her data for this purpose, to your transmitting his or her data to your Registrar and to the controlling of such data in the domain records.

We control the following data of the technical contact person: postal address, e-mail address, telephone number.

Where in applying for a domain you act other than by yourself, via a proxy, we will also control the following personal data contained about the proxy in the respective power of attorney: name, residential address, identity document number, name, residential address and identity document number of the witnesses.

In some cases mediators may act for multiple transfers. We control the following personal data of the mediator: name, residential address and identity document number.

2.2. Source of data:

The personal data controlled by us will thus always be provided by the domain applicant or by a person acting on his or her behalf in the application. We as data controllers neither request, nor obtain data from any other sources and nor control them in the registry.

2.3. Legal grounds for data controlling:

Personal data are required to be controlled in order to perform the contract on the application for and maintenance of domain, thus our data controlling activity is based on GDPR Article 6 section (1) item b.

In order to respect and ensure your rights to the security of your personal data and informational freedom we will not display publicly your personal data as those of a domain applicant or registrant. However, it may become necessary to disclose your name and contact information to enforce the legal interests of a third party and in such a case we will transfer such data to that third party subject to certain conditions as part of data controlling in accordance with GDPR Article 6 paragraph (1) item f.

As it will remain necessary to be able to check or retrieve information relating to a particular domain for the secure functioning of the Internet or for enforcing your or other person's legal interest even after the termination of the contract on domain maintenance, we will control data based on GDPR Article 6 paragraph (1) item f after the termination of the contract.

2.4. Who can have access to your personal data?

Personal data to be controlled in relation to the contract on domain delegation and maintenance will be provided by you to the Registrar on the application form who will forward them to the Registry via a closed access domain records system. When delegating the domain to you, the Registry will record the data relating to the particular domain name.

Your data can be accessed by the duly authorised associates and data processors of your contracted Registrar and the Registry during the term of the contract in order to perform the contract on domain delegation.

As the secure functioning and rules of the Internet require us to maintain a publicly accessible database of domain names, particular data may be retrieved by anyone from the WHOIS database accessible at <http://www.domain.hu/domain/English/domainsearch> and from the announcement list of domains the right of whose using has been granted conditionally, available at <http://www.domain.hu/domain/English/meghirdetes.html>. Where the registrant is a natural person the only designation shown is "natural person". The technical contact person will be designated by the e-mail address entered into the records.

As it may be in a third party's legal interest to contact you in certain cases on matters relating to the domain, we will make it possible on a specifically designed web interface to send messages for you to your e-mail address contained in the records and to the e-mail address of your administrative contract person. However, your data or those of your administrative contact person will not become accessible to the third party unless you provide your data to the third party by answering directly to the message sender on a voluntary basis.

After the termination of the contract on domain maintenance any and all archived materials relating to the particular domain will only be accessible to the Registry.

2.5. Where and under what security measures will we store your personal data?

We store your personal data in electronic format in our databases on outstandingly secure servers located within the territory of the European Union, and they can be accessed through our specifically designed network connections and a firewall from pre-approved IP addresses.

We operate and update our security measures in order to help protect in this way your personal data and other information from unauthorized access, loss, destruction and alteration. We will do our best to store all information securely and require registrars and our data processors to implement such security measures as meet our expectations.

2.6. Who we will transmit your personal data to?

We will never sell your personal data to anyone.

In certain cases we will have to provide data to fulfil our legal obligations pursuant to a statutory obligation or upon being called to do so by an authority or court.

As the publicly accessible database does not display the data of natural persons as registrants, we may disclose the data of the registrant to a person wishing to be adequately informed in order to assert a legal interest relating to the particular domain as described in the data controlling section "Relating to legal disputes".

III. DATA CONTROLLING IN RELATION TO LEGAL DISPUTES

3.1 Inquiries outside of procedures

We may be contacted by e-mail, telephone or mail in relation to certain domains. In such cases the personal data provided by the inquirer will be obtained and held by us.

Data received by e-mail will be stored by us in our electronic mailing system while those received by mail will be stored physically as hard copies and also scanned.

We will retain the data as long as required according to the subject matter of the inquiry.

We will not forward the data to a registrar but in case its action is required to be asked for.

Data may be accessed by the duly appointed associates of the Registry.

Legal grounds for data controlling: Consent by the party concerned as per GDPR Article / paragraph (1) item a.)

3.2 Request of data based on legal interest

For a domain name delegated for use by a natural person it may become necessary for a third person to request information on the identity and contact information of the registrant to assert his or her legal interest before commencing the claim assertion procedure. In such a case we will transfer the following data on the particular registrant after the adequate identification of the inquirer and the authentic verification of the legal interest: name, postal address, e-mail address. The written inquiry will be entered and stored in the records in relation to the particular domain.

Source of data: data provided by the inquiring person.

Legal grounds for data controlling: consent by the concerned party as per GDPR Article 6 paragraph (1) item a.).

3.3 Procedures of the Alternative Dispute Resolution Forum (Consulting Board)

Purpose of data controlling, the scope of data controlled: According to Article 9 of the Domain Registration Rules and Procedures a complaint may be submitted against the particular claim for domain by such persons as have rightful interest in establishing that delegation to the particular domain applicant of the domain in conditional use infringes upon the Rules and Procedures. The complaint will be forwarded by the Registrar chosen by the complainant and then entered in the records in relation to the particular domain, thus the Registry will control the following data of the complainant: complainant's name, residential address, e-mail address and additional information provided by him or her in the complaint

Purpose of data controlling: review of the complaint and requesting accordingly the opinion of the Alternative Dispute Resolution Forum on whether the domain may be delegated or not

Legal grounds for data controlling: the submission of the complaint will constitute a contract as per Article 9 of the Domain Registration Rules and Procedures between the Registrar, the Registry and the Alternative Dispute Resolution Forum and the Complainant on the subject matter of the legal dispute for the conducting of the procedure, thus the legal grounds for data controlling is the performance of the contract as per GDPR Article 6 paragraph (1) item b.

As it will remain necessary to be able to check or retrieve information relating to a particular domain for the secure functioning of the Internet or for enforcing your or other person's legal interest even after the termination of the contract on domain maintenance, we will control data based on GDPR Article 6 paragraph (1) item f after the termination of the contract.

Source of data: In relation to the procedure by the Consulting Board we will control solely such data as have been provided by you and not obtained from other sources.

Access to data: Data entered in relation to the particular domain may be viewed by the Registrar of the particular domain, the Registrar of the Complainant as well as by the duly designated associates of the Registry. In order to make transparent the practice of jurisdiction we will publish the opinion of the Consulting Board under http://www.domain.hu/domain/tt/egyedi_allasfoglalasok/ and indicate therein the particular domain name as well as the name of the domain applicant and the Complainant and also such information as is considered relevant for resolving the particular case.

Term of data controlling: We will control the data relating to the particular domain in the records during the term of the contract on domain maintenance, and then we will store them in the archives.

Transmission of data: Upon commencing the procedure by the Consulting Board the data and the complaint, the presentation of the domain applicant and the uploaded attachment will be forwarded to the Alternative Dispute Resolution Forum for conducting the procedure.

3.4 Procedures of the Alternative Dispute Resolution Forum (Registration Decision-maker)

The registration decision maker's procedure will be conducted by the Alternative Dispute Resolution Forum independently. However, in the records we will enter with the particular domain the commencement of the procedure and restrict the ownership transfer thereof. We will also enter the resolution of the Registration Decision-maker in the records, which will be carried out by us as per article 10 of Domain Registration Rules and Procedures.

Purpose of data controlling: to fulfil obligations stipulated in the Domain Registration Rules and Procedures in relation to the dispute resolution procedure for the particular domain (enter the restriction of transfer, carry out the decision).

Source of data: We will control data sent by the Alternative Dispute Resolution Forum.

Legal basis for data controlling: an agreement will be entered into according to article 10 of the Domain Registration Rules and Procedures Domain by and between the Registry and the Alternative Dispute Resolution Forum and the Applicant and the Registrant Applyee on the subject matter of the legal dispute for conducting the procedure, thus the legal grounds for data controlling will be the performance of the agreement as per GDPR Article 6 paragraph (1) item b.

Access to data: Data entered in relation to the particular domain may be viewed by the Registrar of the particular domain and by the duly designated associates of the Registry.

Term of data controlling: We will control the data relating to the particular domain in the records during the term of the contract on domain maintenance, and then we will store them in the archives.

Transmission of data: We will forward the data received from the Alternative Dispute Resolution Forum to the competent authority or court only under obligations stipulated by law. (Typically but not exclusively in case of inquiries from an investigating authority, misdemeanour authority, the National Authority for Media and Communications, a court or an inquiry for an interior legal aid.)

3.5 Data controlling in relation to judicial procedures

Upon being notified of a judicial procedure we will restrict the transferability of the domain name according to article 7.3 of the Domain Registration Rules and Procedures and as per article 2.3.6 of the Domain Registration Rules and Procedures we will enforce the enforceable resolution of the court even without being a party to the litigation.

Purpose of data controlling: to fulfil the obligations as per article 7.3 and 2.3.6 of the Domain Registration Rules and Procedures.

Source of data: the person forwarding the court resolution to the Registry.

Legal grounds for data controlling: performance of the agreement under GDPR Article 8 paragraph (1) item b) with a view to the fulfilment of the obligations under article 7.3 and article 2.3.6 of the Domain Registration Rules and Procedures.

Access to data: Data entered in relation to the particular domain may be viewed by the Registrar of the particular domain and by the duly designated associates of the Registry.

Term of data controlling: We will control the data relating to the particular domain in the records during the term of the contract on domain maintenance, and then we will store them in the archives.

Transmission of data: We will forward the data received from the Alternative Dispute Resolution Forum to the competent authority or court only under obligations stipulated by law. (Typically but not exclusively in case of inquiries from an investigating authority, misdemeanour authority, the National Authority for Media and Communications, a court or an inquiry for an interior legal aid.)

IV. HOW PERSONAL DATA IS STORED

4.1 Where and according to what security measures will we store your personal data?

We store your personal data in electronic format in our databases on outstandingly secure servers located within the territory of the European Union, and they can be accessed through our specifically designed network connections and a firewall from pre-approved IP addresses.

We operate and update our security measures in order to help protect in this way your personal data and other information from unauthorized access, loss, destruction and alteration. We will do our best to store all information securely and require registrars and our data processors to implement such security measures as meet our expectations.

V. TRANSMISSION OF DATA

5.1 Who we will transmit your personal data to?

We will never sell your personal data to anyone.

In certain cases we will have to provide data to fulfil our legal obligations pursuant to a statutory obligation or upon being called to do so by an authority or court.

As the publicly accessible database does not display the data of natural persons as registrants, we may disclose the data of the registrant to a person wishing to be adequately informed in order to assert a legal interest relating to the particular domain as described in the data controlling section "Relating to legal disputes".

We are informing you that the data controller may be contacted by a court, a prosecutor, an investigating authority, a misdemeanour authority, the National Authority for Media and Communications, another public administrative authority, Hungarian National Authority for Data Protection and Freedom of Information and other bodies authorised by law to request information, the disclosure and transmission of data and the provision of documents. We will disclose to the authorities – provided that they have specified the specific purpose and the scope of data - only as many data and only to such an extent as is essential for the realisation of the purpose of the inquiry.

VI. YOUR RIGHTS REGARDING THE CONTROLLING BY US OF YOUR PERSONAL DATA

6.1 Right to be informed

You may ask us to inform you of your data controlled by us. At your relevant request and upon the authentic verification of your identity and upon identifying you we will provide the information to you out of turn, not later than within 30 days, in a concise, transparent, comprehensible and easily accessible form, with clear and plain wording.

6.2 Right of access

You have the right to access our information relating to the controlling of your personal data:

- the scope of your personal data controlled by us and who we have received it from;
- the purpose we control your data for;
- whether we forward them to other data controllers or data processors, and if yes, to whom and subject to what guarantees;
- how long we will store or plan to store your data;
- your rights and how you can exercise them;
- the right to file complaint addressed to the supervising authority;
- the fact if we use automated decision making and/or profiling, the logics applied and their expected effects for you

Most of our information listed is available to you in the current notice but at your request and upon the authentic verification of your identity and upon identifying you we will provide you with the copy of data controlled about you and with our listed information in electronic format out of turn, not later than within 30 days.

In the event you ask to be provided with a hard copy of your data, we may charge a reasonable administration fee.

6.3 Right of correction

Under the Domain Registration Rules and Procedures it is the registrant's duty to have such data for the identification of his/her person and such contact information registered in the Records as is genuine and up to date, and the default of such duty may result in the revocation of the domain name under article 6.1.g.

Therefore you have the right and the contractual obligation to request correction of any erroneous data registered or altered which we will carry out without delay after the authentic verification of your identity and upon identifying you subject to the authentic proof of the contents of your request, and we will inform you thereof.

6.4 Right of deletion

The registrant shall not request the deletion of his/her data during the term of the agreement on domain delegation as the performance of the agreement is the legal grounds for data controlling.

When you request the deletion of the data of the administrative contact person and the technical contact person, we will delete them upon the authentic verification of the identity and upon identifying the requesting person. However, maintaining a delegated domain is subject to the registration of an administrative contact person and

of a technical contact person for the particular domain, so prior to fulfilling his/her request we have to call the registrant's attention to the need to designate a new contact person as for the lack thereof may result in the revocation and deletion of the domain. Therefore in such a case we have to set a reasonable deadline of 30 days for the registrant to avoid the revocation of the particular domain against his/her will.

After the designation of a new contact person the data of the requesting concerned party will be deleted by us from the records.

However, the data will not be deleted by us from the archives with a view to the archiving purpose in public interest and to data controlling based on legitimate interest.

6.5 Right to restrict data

Restriction of data may be requested in the following cases:

- the person concerned disputes the accuracy of personal data, in which case the restriction will apply for such period as makes it possible to verify the accuracy of the personal data;
- the data controlling is unlawful and the party concerned opposes to the deletion of the data and asks instead for the restriction thereof;
- the data controller no longer needs the personal data for data controlling but the party concerned needs them for the presentation, enforcement or protection of legal claims; or
- the party concerned has protested against the data controlling; in such a case the restriction will apply for the period it takes to determine whether the legitimate reasons of the data controller have preference over the legitimate interests of the party concerned.

Where the data controlling is restricted, personal data shall not be controlled other than storage but subject to consent by the party concerned or for the presentation, enforcement or protection of legal claims or for the protection of the rights of another natural person or legal entity or in an important public interest of the Union or another Member State.

6.6 Right of data portability

You may primarily ask the Registrar to receive the personal data you provided to the data controller, in a structured, commonly used and machine-readable format, and to forward such data to another data controller. However, your request will also be honoured by the Registry if you apply to it directly. We will transmit the data within 30 days after the authentic verification of your identity and upon identifying you. However, we will be compelled to refuse to fulfil your request if it is repeated within one calendar year or considered an abuse of your rights or to subject the fulfilment thereof to the reimbursement of our administrative costs.

6.7 Right to protest

You have the right to protest against the controlling of data in respect of our data controlling based on legitimate interest under GDPR Article 6 paragraph (1) item f.

We have resolved to control data as data controller or on the basis of the legitimate interest of third parties such as controlling data in archives and forwarding data to third parties for the enforcement of legal claims in accordance with a preliminary interest assessment test as a result whereof we have concluded that preference should be granted to such rights as the public interest in the secure functioning of the internet which requires the knowledge of the history of a particular domain in the archives and that it is ensured that we forward in certain cases such data as are publicly unavailable in order to treat your personal data confidentially but are

required for the enforcement of the rights of a third party. The interest assessment test can be found in the annex to this notice.

However, in case of your protest we will assess the interests again in relation to the concrete data and if we find that your interests have preference over the said interests, we will stop controlling the data concerned. We will notify you of the result of interest assessment in every case.

6.8 Procedural rules

The data controller shall notify the party concerned without undue delay but at any rate not later than within month of the receipt of the request of the measures taken pursuant to the request as per articles 15 -22 of the GDPR. If necessary, in view of the complexity of the request and the number of requests this deadline can be extended by two months.

The data controller shall notify the party concerned within one month of receipt of the request of the extension of the deadline, specifying the causes of the delay. If the request has been submitted electronically by the party concerned, the information will be provided electronically unless otherwise requested by the party concerned.

If the data controller does not take any measures upon the request from the party concerned, it shall notify the party concerned without delay but not later than within one month upon receipt of the request about the causes for omitting to take measures and that the party concerned may file complaint with a supervising authority and may seek legal remedy at court.

The data controller shall inform all recipients of all corrections, deletions or data controlling restrictions that the personal data have been disclosed to except where it proves to be impossible or requires disproportionately great efforts. Upon request from the party concerned the data controller shall inform him or her of such recipients.

VII. LEGAL REMEDIES

7.1 Complaint with the data controller

Should you believe that in our data controlling activity we have not complied with or have infringed upon the applicable statutory regulations or our obligations undertaken in this notice, please notify us about it by e-mail at adatvedelem@iszt.hu.

We will answer to your complaint out of turn but not later than within 30 days and we will remedy it if justified.

7.2 Right to apply to court:

Where the rights of the party concerned have been infringed upon, he/she can go to the law against the data controller (with the court having jurisdiction for the registered seat of the defendant or for the residential address of the party concerned as chosen by the party concerned). The court will proceed in the case out of turn. Lawsuits commenced in relation to the protection of personal data are exempt from duties.

7.3 Procedures with the data protection authority

Complaints can be filed with the Hungarian National Authority for Data Protection and Freedom of Information:
Name: Nemzeti Adatvédelmi és Információszabadság Hatóság, Registered seat: 1125 Budapest, Szilágyi Erzsébet fasor 22/C., website: <http://naih.hu>

VERSIONING

Version	Date	Change	Reason
v1.1	12 June 2018		Original translation