

**DATA PROTECTION NOTICE OF  
Hi5 HUNGARY KORLÁTOLT FELELŐSSÉGŰ TÁRSASÁG**

## **1. Introduction**

The purpose of this present policy is to lay down data protection and data management rules applied by

**Hi5 Hungary Korlátolt Felelősségű Társaság**

Registered office: H-1051 Budapest, 11. Dorottya utca 2. floor 6.

Registration number: 01 09 306718

VAT number: 26188296-2-41

Web: [www.hi5apartments.com](http://www.hi5apartments.com)

Email: [booking@hi5apartments.com](mailto:booking@hi5apartments.com)

Telephone: +36 70 947 7494

Represented by: Gyögy Balogh managing director

hereinafter: **Controller**,

and to provide relevant information on the processing and protection of their personal data to visitors of the Controllers website, the guests of quarters which operated by the Controller, business partners and others who concerned.

Call attention of reading to Data Protection Notice, please.

When formulating the present rules the Controller took into special consideration

- ✓ the Fundamental Law of Hungary;
- ✓ Act CXII of 2011 on information self-determination and freedom of information (Infoact.);
- ✓ Law V of 2013 on the Civil Code (Civil Code);
- ✓ Act C of 2000 on accountancy (Accountact.);
- ✓ Act VI of 1998 on publication of the Convention for the protection of individuals with regard to automatic processing of personal data done in Strasbourg on 28th January 1981;
- ✓ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (GDPR regulation);
- ✓ Decree 239/2009. (X.20.) on detailed conditions of host activity and procedure of issue a working permit for quarter;
- ✓ Decree 388/2017 (XII.13.) on the data collections and data receptions of the National Data Collection Programme;
- ✓ Act CLV of 1997 on Consumer Protection.

This Data Protection Notice is permanently accessible and review at [www.hi5apartments.com](http://www.hi5apartments.com) in Hungarian and in English, and on paper at the quarters which operated by the Controller.

The Controller is not obliged to appoint data protection officer according to Section 37 of GDPR.

## **2. Definitions and terms used in the Notice**

Data processing: any technical operation performed relating to data management;

Data management: any operation or set of operations performed on personal data irrespective of the means, such as, in particular, collecting, registering, recording, classifying, storing, altering, using, querying, transferring, disclosing, aligning or combining, blocking, erasing and destroying, as well as preventing their further use, taking photographs, making audio or visual recordings;

Controller: the natural or legal person, or an organization with legal personality, who alone or jointly with others determines the purposes of the processing of data, makes decisions on the processing of data (including the means of use) and implements or have them implemented by the data processor;

Transfer of personal data: making available the personal data to a determined third party;

Data erasure: making the data unrecognisable so that they will be irretrievably lost;

Privacy incident: a security breach resulting accidental or unlawful destruction, loss, alteration or unauthorised disclosure of, or access to the data transferred, stored or processed by other means;

eDM (electronic Direct Mail): A method of direct marketing, spam, marketing message. A previous consent of Data subject, Controller send him/her promotion and marketing message in email. The offer of Controller is personal for every Data subject;

Data subject: the natural person whose personal data are concerned by the processing of data;

Supervisory authority: a Member State establishes an independent public authority according to Section 51 of GDPR. This authority in Hungary is the Hungarian National Authority for Data Protection and Freedom of Information;

Third party: a natural or legal person, or any organization other than the data subject, the controller, the data processor or the persons authorised to manage personal data under direct control of the controller or the data processor;

Consent: freely given, specific and informed consent of the data subject that gives explicit agreement to the processing of their personal data – fully or only extending to certain operations;

Personal data: any information relating to an identified natural person – in particular his or her name, identification number, also one or more factors specific to the physical, physiological, mental, economic, cultural or social identity of the natural person -, as well as any conclusion on the person that is made on the basis of the data and does not constitute information of public interest or publicly available information on grounds of public interest. Name, address and email address, among others, constitute personal data;

Objection: the Data subject's declaration in which he or she objects to the processing of their personal data and requests further processing to be ceased and the data erased;

Profiling: any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

### **3. Principles relating to processing of personal data**

Data management carried out by Controller complies with the GDPR and Infoact. data processing principles, which are as follows:

Principles of lawfulness, fairness and transparency: Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the subject matter.

Purpose limitation principle: Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.

According to Section 89 (1) of GDPR it is not qualified incompatible with processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

Data minimisation principle: Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

Accuracy principle: Personal data shall be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.

Storage limitation principle: Personal data shall be kept 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. The Personal data shall be kept longer for this period comes to that if Section 89 (1) of GDPR realized especially processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes and take into consideration of the technical and organisational measures of execution for the sake of the protection Data subject's rights.

Integrity and confidentiality principle: 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.

Accountability principle: The controller shall be responsible for, and be able to demonstrate compliance with principles.

Besides principles relating to processing of personal data, the common requirement for providing adequate information is laid down, since the Controller shall provide information to data subjects on data processing performed on any legal basis.

#### **4. Scope of personal data processed, purpose of data processing, legal basis and duration of data processing**

##### **4.1 Ask quotation**

Guests have a chance to ask quotation from the Controller in electronic way ([booking@hi5apartments.com](mailto:booking@hi5apartments.com)) and opt for full knowledge of the facts.

<b>Scope of personal data processed</b>	Name and e-mail address of the Data subject, time of arriving and departure and voluntary granted data
<b>Purpose of data processing</b>	Contact between Data subject and Controller, identify the Data subject, distinguish the guests from each other, intentional service, information about the prices and conditions of Controller's service
<b>Legal basis of data processing</b>	Freely given consent of the data subject to process personal data for purpose limitation principle (Section 6 (1) a) of GDPR)
<b>Duration of data processing</b>	Personal data is going to delete immediately in case of fail or waive the reservation without consequence.

##### **4.2 Contact through website**

Data subjects can contact the Controller through [www.hi5apartments.com](http://www.hi5apartments.com) website and can send email to [booking@hi5apartments.com](mailto:booking@hi5apartments.com).

<b>Scope of personal data processed</b>	Name and email of Data subject and voluntary granted personal data
<b>Purpose of data processing</b>	Contact between the Data subject and the Controller
<b>Legal basis of data processing</b>	Freely given consent of the data subject to process personal data for purpose limitation principle ( Section 6 (1) a) of GDPR)
<b>Duration of data processing</b>	Until Data subject requests the delete of personal data

#### 4.3 Booking online and on phone

Guests can booking in online through the website of Controller (www.hi5apartements.com).

Controller sales its apartments on phone but the guests have to confirm their reservation in written.

The personal data which granted through reservation convey up to Sabeapp (thePass Korlátolt Felelősségű Társaság; registration number: 01 09 172346) which is a softwer applied by the Controller.

<b>Scope of personal data processed</b>	Name, adress, phone number and email of Data subject and data about reservation (time of arriving and departure, number of children and their age, data of credit card)
<b>Purpose of data processing</b>	Contact between the Data subject and Controller, identify the Data subject, distinguish the guests from each other, intentional service, information about the prices and conditions of Controller's service, suit billing and accountancy demand, enforce occurent claim
<b>Legal basis of data processing</b>	<ul style="list-style-type: none"> <li>a) Freely given consent of the data subject to process personal data for purpose limitation principle ( Section 6 (1) a) of GDPR)</li> <li>b) Perform the contract - processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract (Section 6 (1) b) of GDPR)</li> <li>c) Perform legal duty - processing is necessary for compliance with a legal obligation to which the controller is subject (Section 6 (1) c) of GDPR; 166. § (3) and 169. § (2) of Accountact.</li> </ul>
<b>Duration of data processing</b>	<ul style="list-style-type: none"> <li>a) Delete the personal data in case of waive without consequence;</li> <li>b) In case of accountancy certificate from invoice to 8 years;</li> <li>c) Until the guest withdraw his/her consent.</li> </ul>

#### 4.4 Check- in to apartments

The guest (Data subject) fulfill announce paper with personal data when arrives the booked and confirmed apartment. Personal data from announce paper will be managed in Sabeapp softwer by the Controller and stores.

<b>Scope of personal data processed</b>	Name, number of ID card, email, phone number, adress, nationality of the Data sublect, time of arriving and departure.
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<b>Purpose of data processing</b>	Process the reservations, link the determined room and the Data subject, identify the Data subject, distinguish the guests from each other, intentional service, perform data service demand, fulfill keeping a register demand, suit billing and accountancy demand, enforce occurrent claim
<b>Legal basis of data processing</b>	<ul style="list-style-type: none"> <li>a) Freely given consent of the data subject to process personal data for purpose limitation principle ( Section 6 (1) a) of GDPR)</li> <li>b) Perform the contract - processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract (Section 6 (1) b) of GDPR)</li> <li>c) Perform legal duty - processing is necessary for compliance with a legal obligation to which the controller is subject (Section 6 (1) c) of GDPR; 166. § (3) and 169. § (2) of Accountact.</li> </ul>
<b>Duration of data processing</b>	<ul style="list-style-type: none"> <li>a) Delete the personal data in case of waive without consequence;</li> <li>b) In case of accountancy certificate come into being from invoice to 8 years;</li> <li>c) The date when obsoletes the right of stating tax;</li> <li>d) until the guest withdraw his/her consent.</li> </ul>

Because of the Controller is not operated camera system in any apartment the guest's ID card is going to asked for present (only in case the Data subject is not pay security deposit) to make sure of the actuality of personal data. The legal basis of the presentation of ID is the purposes of the legitimate interests pursued by the Controller. (Section 6 (1) f))

#### 4.5 Visitor's book

The Controller insures that the guests (Data subject) express their opinion in the visitor's book of the apartments, write reflection while grant their personal data.

<b>Scope of personal data processed</b>	Name of Data subject and voluntary granted personal data
<b>Purpose of data processing</b>	Contact with Data subject, keep in connection and later serving
<b>Legal basis of data processing</b>	Freely given consent of the Data subject to process personal data for purpose limitation principle ( Section 6 (1) a) of GDPR)
<b>Duration of data processing</b>	Until the guest withdraw his/her consent.

#### 4.6 Complaint handling

The Controller insures that the guests write note to book of complaints of the apartments, write complain which is needed to investigate, while the Data subject granted his/her personal data and Controller draws up a minute.

<b>Scope of personal data processed</b>	Name of Data subject and voluntary granted personal data
<b>Purpose of data processing</b>	Serving the complaints which emerged because of the Controller's service
<b>Legal basis of data processing</b>	<ul style="list-style-type: none"> <li>a) Freely given consent of the Data subject to process personal data for purpose limitation principle ( Section 6 (1) a) of GDPR)</li> </ul>

	b) Perform legal duty - processing is necessary for compliance with a legal obligation to which the controller is subject (Section 6 (1) c) of GDPR; 166. § (3) and 17/A. § of Consumer Protection Act.
<b>Duration of data processing</b>	From the time of Controller draws up a minute/ from the complain until 5 years.

#### 4.7 Data of owners of real estate

Because of Controller leases real estates of third persons it is needed to managed the personal data of these owners.

<b>Scope of personal data processed</b>	Name, address, phone number, email, VAT number of the Data subject
<b>Purpose of data processing</b>	To perform service which is necessary to operate an apartment
<b>Legal basis of data processing</b>	Perform the contract - processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract (Section 6 (1) b) of GDPR)
<b>Duration of data processing</b>	a) In case of accountancy certificate come into being from invoice to 8 years; b) Personal data until the operation of appartement.

#### 4.8 Job advertisements

The Controller does not advertise jobs anonymously and deletes unsolicited applications without delay unless they require further handling. Where an applicant is recruited, they are asked for consent to the processing of their data.

In case of unsuccessful application – because of later contact – the Controller stores the CVs, if the Data subject contributed it.

<b>Scope of personal data processed</b>	Name, telephone, e-mail and address of the Data subject, the languages spoken, previous workplace(s) and freely given personal data stated in his/her CV
<b>Purpose of data processing</b>	Contact between the data subject and the Controller, establishment of an employment relationship
<b>Legal basis of data processing</b>	Freely given consent of the Data subject to process personal data for purpose limitation principle (Section 6 (1) a) of GDPR)
<b>Duration of data processing</b>	unless they require further handling data are deleted without delay

#### 4.9 Newsletter

The Controller contact with the guests (Data subject) in newsetter, where call their attention to services of Controller, news about operation of apartments and inform them about sales.

<b>Scope of personal data processed</b>	Name and email of Data subject
<b>Purpose of data processing</b>	Inform Data subject about sales, preference and relevant information about the Controller

<b>Legal basis of data processing</b>	Freely given consent of the Data subject to process personal data for purpose limitation principle (Section 6 (1) a) of GDPR)
<b>Duration of data processing</b>	Until discribe the newsletter, which is accessible in the link „discribe” in the newsletter

#### 4.10 Social media platforms

The Controller manages the Hi5 Apartments Budapest Facebook page and hi5apartments Instagram page.

The Data subject can follow the news feed posted on the timeline by clicking the „like” or „tetszik” button on the Facebook pages and and by clicking the „follow” or „követem” button on the Instagram.

<b>Scope of personal data processed</b>	Name of Data subject and voluntary granted personal data
<b>Purpose of data processing</b>	Contact, news and current information relating to the Controller
<b>Legal basis of data processing</b>	Freely given consent of the Data subject to process personal data for purpose limitation principle ( Section 6 (1) a) of GDPR)
<b>Duration of data processing</b>	The Data subject can unfollow the Controller’s Facebook page by clicking the „dislike” or ”nemetszik” button, and unfollow the Controller’s Instagram page by clicking „unfollow” or „kikövetés” buttonor; delete unwanted news posted on the timeline by setting news feed preferences.

The Facebook and Instagram accomplish data services independent of Controller. The Data subject can recognise these data protection notices on the website of Facebook and Instagram.

Data protection notice of Facebook: <https://www.facebook.com/privacy/explanation>

Data protection notice of Instagram: <https://help.instagram.com/519522125107875>

#### 4.11 Contact with partners

Where the Controller and his partner enter a contractual relationship the parties indicate contact persons’ personal data which is necessary to fulfill to contractual commitments.

<b>Scope of personal data processed</b>	Name, phone number, position and e-mail address of the Data subject
<b>Purpose of data processing</b>	Contacts between undertakings, performing the contract
<b>Legal basis of data processing</b>	Justifiable intent to perform the contract and justifiable intent to contacts between undertakings (Section 6 (1) f of GDPR)
<b>Duration of data processing</b>	until the termination of the contractual relationship or for a duration defined in accordance with the provisions of the relevant legislation

#### 4.12 Purpose of data of creditcards

The Controller allows of paying by credit card after the service.

Because of the Data subject can grants his/her personal data and data of his/her credit card in independent reservation system from the Controller (booking.com), these system can forward the

data mentioned above to the Controller. Therefore the Controller gets to know data of the credit card and can manage it by debit with determined amount. (cost which is not reimbursed)

<b>Scope of personal data processed</b>	Name the owner (Data subject) of the credit card, number, CVV code, expiration date
<b>Purpose of data processing</b>	Subserve the financial performance
<b>Legal basis of data processing</b>	Freely given consent of Data subject
<b>Duration of data processing</b>	Time of obsolete when right and obligation enforceable from the legal relation which is apropos to Controller's data processing, data which is on certificate and support accountancy, the duration of data processing is 8 years according to 169.§ (2) of Accountact

## 5. Data processor

The following data processors can get access as necessary to certain groups of personal data bearing in mind the relating principles of data processing.

<b>Name of data processor</b>	<b>Contact details</b>	<b>Duties</b>
Reziliens Bt.	1045 Budapest, Katona József utca 5/A	IT services
Evergreen Express Bt.	2162. Órbottyán Tó u. 111.	Airport transfer
thePass Korlátolt Felelősségű Társaság - Sabeeapp	1061 Budapest, Király utca 30-32. A. ép. 105.	Cloud system software
OTP Mobil Kft. - SimplePay	1093 Budapest, Közraktár u. 30-32	Pay by credit card
Google Ireland Limited – Google Form	Gordon House, Barrow Street, Dublin 4, Ireland	Announce paper

The Data processors duties join to the data processing is insured the technical background.

The Data processors cannot return a substantive verdict, they can expend the personal data only for the Controller's directions, expend the personal data for private aims is prohibited, moreover they must store and retain these data for the Controller's direction.

During the Controller data processing there is not automated individual decision-making and profiling, according to Section 13 (2) f) of GDPR.

## 6. Data transfer

The personal data that managed by Controller is not transferred to third persons, only the Data subject contributes to transfer or prescribe a statute.

Controller fulfill the duty of guest's personal data transferring of the National Tourism Data Supply (NTDSC) Centre through the software of booking system. NTDSC stores the data, processes, makes structured reports and analysis, furthermore transfer the data to authorities according to statutes. The system of the NTDSC behoves only statistic data processing and the Guest's personal data is not stored and received by the NTDSC.

## 7. Data security

The fundamental forum that records data is Controller's informatic system.

The Controller stores the above listed personal data at the registered office of the Company and the server of IT service.

The Controller commits to ensure data security in accordance with the provisions of the GDPR and Infoact.

In the course of operating the information systems the necessary authorisation, internal organisational and technical solutions ensure that personal data may not fall into hands of unauthorised persons and unauthorised persons can not erase, save or modify the data. The Controller shall ensure that the data processors also comply with the requirements of data security.

The Controller shall keep records of possible privacy incidents and notifies the data subject and the National Authority for Data Protection and Freedom of Information (NAIH) of the incident if necessary.

Such persons can get access to the personal data – employees and contracted parties in particular, acting in the Controller’s interest – to whom access is necessary in order to perform their duties, and who are aware of and acquainted with the obligations concerning the data processing.

The Controller commits to ensure data security by using state-of-the-art and most suitable equipment and security policy, in particular with a view to ensuring that unauthorised persons will not access the data, and to preventing any unlawful disclosure, erasure or destruction of the data. The Controller shall make every effort to prevent accidental damage or loss of the data and will also impose the above obligation on his employees who are involved in data processing activities.

The Controller shall under no circumstances collect special data, that is to say, data concerning racial origin, belonging to a national or ethnic minority, political views or party affiliation, religious or other philosophical belief, membership in interest representative organisations, health state, pathological dependence, sexual life or criminal record.

## **8. Rights of the data subject in the course of data processing**

### Right to be informed

The Controller shall provide easily accessible (online or offline) information on the relevant aspects of data management in plain and comprehensible language by appropriate means. When the Controller collects personal data from the data subject, or if he or she asks for information later, then at the time of giving the requested information the Data Protection Notice shall be made available to the data subject and the Controller shall have a declaration of consent signed, which verifies that the data subject was made aware of, understood and accepted the content of the Data Protection Notice.

The data subject is entitled to ask for information at any time concerning his or her personal data processed by the Controller. Enquiries about respective data processing can be made to the email address or postal address given in the Data Protection Notice, or also by phone. The Controller is obliged to provide the requested information within 30 days on receipt of a request.

### Right to erasure

The data subject shall have the right to obtain from the Controller the erasure of personal data concerning him or her without undue delay, and the Controller shall have the obligation to erase personal data concerning the data subject without undue delay. Where the Controller gave third parties access to the data requested to be erased, he shall be obliged to inform all the parties, to whom the data concerned were disclosed, to erase all references or personal data stored by them. This aims – unless there is a legal or reasonable barrier to it – to make the data concerned “disappear” from all existing databases.

The obligation to erase shall not apply where data processing is

- necessary for the purpose of exercising the freedom of expression or the right to information;
- necessary for establishment, exercise or defence of legal claims;
- necessary for compliance with legal obligations;
- necessary for archiving purposes in the public interest, for scientific or historical research purposes or statistical purposes, or where erasure would render impossible or seriously jeopardize the fulfilment of the data processing purposes.

Furthermore, the Controller shall erase the personal data in his documentation relating to the Data subject if the purposes of processing have ceased.

It shall be ensured that a record of the destruction of paper-based documentation is drawn up in order to prove subsequently to the competent authority that it was done.

#### Rectification

The Data subject has the right to claim that the personal data concerning him or her are inaccurate and request the correct data to be indicated instead. The Controller bears responsibility for the accuracy of the personal data, and shall ensure that their accuracy is checked from time to time.

#### Right to restriction of processing:

The Data subject shall have the right to obtain from the Controller restriction of processing, for instance, in case of an unsettled legal dispute. When processing is restricted the respective personal data can only be processed, except for storage, with the consent of the data subject, or for establishment, exercise or defence of legal claims, or in order to defend the rights of other natural or legal persons, or on grounds of public interest of the EU or a member state.

#### Right to data portability:

The Data subject shall have the right to receive the personal data concerning him or her in a structured, commonly used and machine-readable format (e.g. doc, pdf etc.) and to transmit those data to another controller without hindrance from the controller to which the personal data have been provided. It enables the data subject to exercise the right to have his or her personal data transmitted directly from one controller to another.

#### Right to objection

The Data subject shall have the right to object to the processing of personal data relating to him or her for specific reasons at any time where he or she has not given consent to processing data.

#### Right to withdraw

The Data subject shall have the right to withdraw his/her consent of data processing at any time, it is not respect the legal basis of data processing before the revocation.

If the Data subject takes advantage of this right he/she must communicate with the Controller, he/she is going to be identified, the Controller is going to manage his/her personal data (only the data which is managed by the Controller earlier), moreover the Data subject's complain about data processing from his/her email in the period of disposal of complain.

The Controller must answer the complain without delay, at latest 30 days.

### **9. Information about privacy incidents**

The Controller informs the Data subject about privacy incidents without delay if it has a high risk to the Data subject's right.

The Controller informs clearly and plainly the Data subject about the nature of privacy incidents, the contact person name and how can he/she be reached, the likely effect of privacy incidents, the Controller's action to remedy the incidents.

The Controller should not inform the Data subject if any of the conditions below obtain:

- a) the Controller have performed suitable technical and organizational actions (especially classification) which are used for data of privacy incidents and become these data uninterpreted for third persons;
- b) the Controller have performed actions which are ensure that the high risk for Data subject's right is not going to realize,
- c) the information seen essential undue endeavor. In this case Controller informs the Data subject with data publish publicly or render similar actions which are informed the Data subject in effective mode.

The NAIH informed the Data subject if statues the require conditions or if the Controller did not informed him/her earlier but the privacy incidents has high risk.

#### **10. Judicial remedies**

The data subject is entitled to appeal to the National Authority for Data Protection and Freedom of Information (NAIH; registered office: H-1125 Budapest, 22/C Szilágyi Erzsébet fasor; [www.naih.hu](http://www.naih.hu), Telephone: +36 (1) 391-1400, Telefax: +36 (1) 391-1410, E-mail: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)) or to assert his rights concerning the processing of personal data before a court of competent jurisdiction according to the Law CXXX of 2016 on the Civil Code.

#### **11. Final provisions**

If, however, we intend to perform further processing relating to the collected data with purposes other than those determined when the collection was carried out, we inform the data subject prior to further data processing on its purposes.

Data processing may commence only subsequently and where consent is the legal basis for processing, in addition to information provision, Data subject consent is also required to data processing.

**The Controller reserves the right to modify this present Notice or to amend it in accordance with changes in EU or Hungarian legislation.**

This Notice shall be effective as of 1st January, 2020

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**Hi5 Hungary Kft.**  
György Balogh managing director