

KCG Partners Law Firm

Privacy Policy

On data processing of KCG Partners Law Firm

25. 05. 2018.

Table of contents

- Privacy Policy 0
- 1. Preamble 2
- 2. GENERAL PROVISIONS** 2
- 3. Special provisions applied to OUR DATA processing 3
 - 3.1. Processing for marketing purposes 3
 - 3.1.1. KCG Partners’ legal newsletter service 3
 - 3.1.2. Sending invitations and other marketing materials in connection to the professional events of KCG Partners 3
 - 3.1.3. Processing for the purpose of business relationship management 4
 - 3.2. Processing on www.kcgpartners.com website 4
 - 3.2.1. Logging on the kcgpartners.com server 4
 - 3.2.2. Cookies at www.kcgpartners.com 4
 - 3.3. Other processing 5
- 4. METHOD OF STORING PERSONAL DATA, SECURITY OF processing 5
- 5. Rights of the data subject 6
 - 5.1. Transparent information 6
 - 5.2. Right of access by the data subject 6
 - 5.3. Right to rectification 7
 - 5.4. Right to erasure 7
 - 5.5. Right to restriction of processing 7
 - 5.6. Right to data portability 8
 - 5.7. Right to object 8
 - 5.8. Right to withdraw a consent 8
 - 5.9. Procedural provisions 8
 - 5.10. Right to compensation 9
 - 5.11. Remedies 9
 - 5.11.1. Right to a judicial remedy 9
 - 5.11.2. Right to lodge a complaint with a supervisory authority 9

1. PREAMBLE

We inform you that your personal data is processed by **joint controllers** namely by **Kamocsay-Berta Law Firm** (seat: H-1054 Budapest, Széchenyi rakpart 8., III.), **Gálik Law Firm** (seat: H-1054 Budapest, Széchenyi rakpart 8., III.), **Csengery Law Firm** (seat: H-1054 Budapest, Széchenyi rakpart 8., III) and **Párkányi Rita Law Firm** (seat: H-1054 Budapest, Széchenyi rakpart 8., III.) (collectively referred to as “**KCG Partners**”).

The highest level of protection of personal data is a priority for KCG Partners (seat: H-1054 Budapest, Széchenyi rakpart 8., contact details: info@kcgpartners.com, +36 1 30 131 30).

This Privacy Policy aims to give information to the visitors of www.kcgpartners.com website (hereinafter referred to as the „**Website**”) on the data processing related to the operation of KCG Partners. KCG Partners’ data processing is in accordance with the 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 referred to as the „**GDPR**”) and the Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information (hereinafter referred to as the „**Privacy Act**”).

KCG Partners, as data controller, accepts the content of this legal notice as mandatory. KCG Partners commits to comply its data processing to the present Privacy Policy and to the legislation in force.

We hereby inform you on the main aspects of our data processing:

2. GENERAL PROVISIONS

The principles of KCG Partners data processing comply with the existing data protection legislation, in particular:

- GDPR,
- Privacy Act.,
- Act V of 2013 on the Civil Code (“**Civil Code**”),
- Act CVIII of 2001 on Electronic Commerce and on Information Society Services,
- Act C of 2003 - on Electronic Communications,
- Act XLVIII of 2008 on the Basic Requirements and Certain Restrictions of Commercial Advertising Activities.

The legal basis of KCG Partners’ data processing related to our **marketing activities** (see Section 3.1 of this Privacy Policy) are the **freely given consent** of the data subject (Article 6 (1) (a) of GDPR).

KCG Partners **does not process special categories of personal data** for the purposes specified in this Privacy Policy.

KCG Partners only processes your collected personal data until it is compatible with its purposes, but **no later than the withdrawal of consent** by the data subject.

Please note that withdrawal of consent and the erasure or modification of personal data can be requested on the following contact details:

- e-mail: info@kcgpartners.com
- address: H-1054 Budapest, Széchenyi rakpart 8.

- other: <https://www.kcgpartners.com/en/contact/>

For processing your personal data, KCG Partners only use the following processors:

- **KCG Partners Limited Liability Company** (seat: 1054 Budapest, Széchenyi rakpart 8. III., company registration number: 01-09-191864, tax number: 24961507-2-41),
- **The Rocket Science Group LLC** (675 Ponce de Leon Ave NE, Suite 5000, Atlanta, GA 30308 USA) for sending our newsletters by operating the MailChimp platform as defined in Point 3.1.1 below (legal newsletter service),
- **Arteries Stúdió Kft.** (1138 Budapest, Váci út 175.) as web hosting service provider for operating our website and
- **Hugyák Andrea sole entrepreneur** (1096 Budapest, Sobieski J. u. 39.) for providing IT support in relation to the operation of our website.

KCG Partners only discloses your processed personal data to the members and employees of KCG Partners whose access to your personal data is vital to the achievement of the purpose of processing.

KCG Partners processes your personal data in **confidence** and implements **appropriate technical and organisational measures** to ensure their protection. Furthermore, KCG Partners creates appropriate procedures provisions that are necessary to implement the regulations of GDPR, the Privacy Act and other domestic and international data protection laws.

KCG Partners reserves the right to modify the present Privacy Policy at any time. Naturally, we will notify our partners and customers in sufficient time of any changes.

3. SPECIAL PROVISIONS APPLIED TO OUR DATA PROCESSING

3.1. Processing for marketing purposes

3.1.1. KCG Partners' legal newsletter service

We regularly send legal newsletters to our clients and business partners and other interested audiences and build a database for business purposes.

Purpose of the processing: to inform our clients on the latest changes of the legislation in force, awareness raising and relationship management.

The scope of the processing: name, e-mail address, the position of the data subject, the name of the company and the consent of the data subject (declaration of consent).

Data transfer: To the **Rocket Science Group LLC d/b/a MailChimp** acting as data processor (seat: 675 Ponce De Leon Ave NE, Suite 5000, Atlanta, Georgia 30308 hereinafter referred to as the „**Data Processor**”) that is part of the **EU-U.S. Privacy Shield Framework Agreement**.

KCG Partners uses the servers of the Data Processor that are located in a third country.

Due to the fact that Data Processor is part of the **EU-U.S. Privacy Shield Framework Agreement**, the appropriate level of protection of personal data is ensured.

3.1.2. Sending invitations and other marketing materials in connection to the professional events of KCG Partners

We regularly organise professional events for our clients, business partners and other interested audiences. In order to create and organise these events, we send out invitations and other materials for them.

Purpose of the processing: assessing the customer's needs, consideration of the comments, client

relationship management, informing our clients on the latest changes of the legislation in force.

Scope of the processing: name, phone number, e-mail address, position of the data subject, name of the company and the consent of the data subject (declaration of consent).

3.1.3. Processing for the purpose of business relationship management

Purpose of the processing: client relationship management and facilitating to get in contact with KCG Partners. In case you would like to contact us, you can do it on our contact details indicated in this Privacy Policy and on our website, or directly on our website at the following link:

direct contact: <https://www.kcgpartners.com/hu/kapcsolat/>

Scope of the processing: name and contact details (phone number and e-mail address) of the data subjects, other personal data placed on a business card (position, company name), documents provided by the requesting party, the description of the request and the consent of the data subject (declaration of consent).

3.2. Processing on www.kcgpartners.com website

3.2.1. Logging on the kcgpartners.com server

When visiting www.kcgpartners.com, the webserver does not record any personal data.

Data logging for external service providers:

The portal's html code contains links to external servers that are independent from KCG Partners. The external service provider's server is directly connected to the user's computer. Please be aware of the fact, that the aforementioned service providers are able to collect user data (e.g.: IP address, browser, operating system details, cursor movement, name of the visited page and the date of the visit) due to the direct communication with the user's browser.

Google Analytics, as an external service provider assists the independent measurement and audit of the visits of the website and other web analytic data on kcgpartners.com. **Map information** is provided on the website by an external service provider that is available at www.maps.google.com.

Please visit <http://www.google.com/intl/hu/policies/> for the details on processing measurement data.

3.2.2. Cookies at www.kcgpartners.com

KCG Partners and other service partners install cookies (small piece of information) in order to identify and track users and to read them back during internet usage. If your browser returns a previously saved cookie, the cookie operator has the capacity to link the user's current visit to the previous ones for websites where KCG Partners or the external service providers' cookies are installed.

KCG Partners uses cookies for the technical operation of the Website, for sending targeted newsletters and for statistical purposes. We inform you that cookies do not damage your computer and they do not contain viruses.

When visiting www.kcgpartners.com, Google Analytics uses cookies to operate the site's web analytical system.

For further information on Google Analytics' (www.google.com/analytics) processing, please visit <http://www.google.com/intl/hu/policies/>.

Document called „How Google uses information from sites or apps that use our services” is available at the following link: <http://www.google.com/intl/hu/policies/privacy/partners/>.

Cookies can be deleted from your computer and be blocked in your browser. To manage cookies, generally you can visit the menu point Tools / Preferences of your browser, then you shall visit the

Privacy / History / Custom Settings menu point where cookies are found under the name of cookies or tracing.

The following external service providers have installed cookies on our website:

- **Google Analytics:** independent servers assist the measurement and audit of the visitation of our website and other web analytical data (google.com/analytics).

3.3. Other processing

We provide information about processing that is not listed in this Privacy Policy at the time when personal data are obtained. We inform our partners and clients that courts, prosecution, investigating authorities, the authority dealing with administrative offences, administrative authorities, the National Data Protection and Freedom of Information Authority and other organs under the provisions of the applicable law may contact KCG Partners in order to receive notification or that KCG Partners discloses, transfers personal data or provides documents to them. ¹

KCG Partners will only provide information to the authorities -if they have indicated the exact purpose and scope of the personal data – that is **strictly necessary to the purpose of the inquiry**.

4. METHOD OF STORING PERSONAL DATA, SECURITY OF PROCESSING

We and our processors by taking into account the state of the technology, the costs of the execution, the nature, scope, context and purposes of processing as well as the risks of varying likelihood and severity for the rights and freedoms of natural persons, **implement appropriate technical and organisational measures to ensure the appropriate level of data protection.**

We choose and operate IT tools for data processing so that the processed personal data:

- is accessible to the authorised person (**availability**);
- its authenticity and authentication is ensured (**credibility of processing**);
- can be verified that there is no change in the data (**data integrity**);
- is protected against unauthorised or unlawful access (**confidentiality of data**).

We protect your data with appropriate measures against unlawful access, alteration, transfer, disclosure, erasure or destruction, as well as accidental loss, damage, and the accidental unavailability due to the change of the used technic.

In order to protect the electronic processed personal data that are stored in our various registries, we provide appropriate technical measures to ensure that the stored personal data - unless it is permitted by law - **cannot be directly linked and assigned to the data subjects.**

The provided technical and organisational measures are in accordance with the current state of technology and they are compatible with the level of risks associated to ensure the security of processing.

During processing we respect and maintain

- **confidentiality:** protecting the information so that it can only be accessed by those who are entitled to it;
- **integrity:** protecting the accuracy and completeness of information and processing methods;
- **availability:** ensuring that when the data subject needs it, he/she can actually access the information and she/he has procedures for it.

¹ GDPR Preamble (111)

KCG Partners and our partners' IT systems are protected against computer-aided fraud, espionage, sabotage, vandalism, fire and flood, as well as computer viruses, computer intrusion and denial-of-service attacks. The operator provides security through server-level and application-level security procedures. We inform you that electronic mails apart from the protocols (email, web, ftp etc.) that are transferred through the Internet are vulnerable to network threats that may lead to fraudulent activity, challenge of the contract and disclosure or modification of information. We shall take all the precautionary measures to protect you from such threats. Systems are monitored so that we could record all security dangers and provide evidence of any security incident. System monitoring also allows the controlling of the efficiency of the precautionary measures.

We, as data controller records potential personal data breaches, including facts and effects of the personal data breach and measures taken or proposed to be taken by us to address the personal data breach. We **shall notify the National Data Protection and Freedom of Information Authority** on any potential personal data breach without undue delay and, where feasible, **not later than 72 hours** after having become aware of it, unless the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons.

5. RIGHTS OF THE DATA SUBJECT

We inform you that in relation to the processing of your personal data you dispose the following rights:

- Transparent information,
- Right of access by the data subject,
- Right to rectification,
- Right to erasure ('right to be forgotten'),
- Right to restriction of processing,
- Right to data portability,
- Right to object,
- Right to withdrawal of consent,
- right to effective remedy.

5.1. Transparent information

We are obliged to provide you with information - in accordance with the provisions of the GDPR - about the processing of your personal data. We fulfil our obligation by providing the present Privacy Policy to you. Please be aware of the fact, that if you have further questions in relation to the processing of your personal data you can exercise your right of access.

5.2. Right of access by the data subject

You have the right to get information whether we process your personal data and if so, you may demand a detailed prospectus that contains the following information:

- the reason of the data processing,
- the scope of the processed personal data,
- the source of the processed data,
- the recipient of the data,

- the term of the storage of the processed personal data,
- in case of an international transfer of your personal data, the guarantees of the transfer, and
- a repeated information on your rights in relation to the processing of your personal data and your right to lodge a complaint with a supervisory authority.²

For your request we may give you a copy of your processed personal data **free of charge**.

For further copies we may charge you with a reasonable fee taking into account the administrative costs of providing such information.³ We provide information by electronic means for your request. You may exercise your right of access in writing at the following contact details:

- e-mail address: info@kcgpartners.com
- phone number: +36 1 301 3130

Upon your request, the aforementioned information may be provided orally if your identity is proven genuinely.

5.3. Right to rectification

For your request we **rectify, correct or complete your inaccurate personal data** (e.g. your date of birth is inaccurate, your e-mail address or your name has changed).⁴

5.4. Right to erasure

You may request that we erase your processed personal data without undue delay if,

- the purpose of the data processing no longer justifies the processing,
- consent is the legal basis of the processing and you have withdrawn your consent (and there is no other applicable legal basis),
- you object the processing and there are no overriding legitimate grounds for the processing,
- the personal data have been unlawfully processed, or
- the personal data have to be erased under legal obligation.

The right of erasure cannot be exercised if the processing is **necessary for exercising the right of freedom of expression and information**, the compliance with a **legal obligation** that KCG Partners is subject to, or for the **performance of a public task**, or reasons of public interest in the area of public health or archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, or for the establishment, exercise or defence of legal claims.⁵

5.5. Right to restriction of processing

If you exercise this right and according to the applicable law you shall obtain restriction of processing, we cannot process your personal data (therefore we cannot transfer or organise your data) – **with the exception of storage** – unless you consent or it is necessary for the establishment, exercise or defence of KCG Partners' legal claims.

When can you exercise this right?

- If you claim that your personal data is inaccurate, for a period while we examine the accuracy of your data.
- If the processing is unlawful but instead of erasure, you request the restriction of your data.
- If we no longer need your personal data (for the purpose of the processing) however you

² Section 15 (1) of the GDPR

³ Section 15 (3) of the GDPR

⁴ Section 16 of the GDPR

⁵ Section 17 of the GDPR

request that we store them (e.g. for the establishment, exercise or defence of legal claims).

- If you object the processing, for a period while we verify whether our legitimate grounds override those of yours.

We inform you before the restriction of the processing is lifted (e.g. your inaccurate data have been rectified or we declined your request of restriction).⁶

5.6. Right to data portability

If the legal basis of the processing is your **consent** or the **performance of a contract** and the processing is carried out **by automated means** you may request to receive the personal data that concerns you and which you provided us, in a structured, commonly used and machine-readable format You may also request that we transmit your data to another controller.⁷

We inform you that **we do not process your personal data by automated means**.

5.7. Right to object

You may object on the grounds **relating to your particular situation**, at **any time** to the processing of personal data concerning you if the legal basis of the processing is the legitimate interest of KCG partners. In this case, we will no longer process your personal data unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

If we process your personal data **for direct marketing purposes** (e.g. newsletter) you can object the processing of your personal data concerning you **at any time**. We will no longer process your personal data if you object the processing.⁸

5.8. Right to withdraw a consent

You have the right to **withdraw your consent at any time** during the processing.

We inform you that the withdrawal of your consent shall not affect the lawfulness of processing based on your consent before its withdrawal.⁹

You can exercise your right by the following methods:

- **You can unsubscribe from our legal newsletter by clicking to the following link:**

<https://kcgpartners.us11.list-manage.com/unsubscribe?u=5a2231fe44b6ad3f985e91b71&id=6b352de167&e=f86cf8fa2f&c=26555f6795>

- **Or you can notify us at the following e-mail address that you would like to withdraw your consent:**

info@kcgpartners.com

We will maintain the contact with you through the following means:

e-mail address: info@kcgpartners.com

- phone number: +36 1 301 3130

5.9. Procedural provisions

Please note that we will notify you on the action taken without undue delay, but within **one month of**

⁶ Section 18 of the GDPR

⁷ Section 20 of the GDPR

⁸ Section 21 (1) – (4) of the GDPR

⁹ Section 7 (3) of the GDPR

receipt of your request. We may **extend** the period by **further two months** if it is necessary due to the complexity and the number of the requests. We inform you on the extension within one month of the receipt of your request.

If you submit your request by electronic means, KCG Partners will give you the information by electronic means (unless you request otherwise).

If we do not take any action on your request, we inform you - without any undue delay and at the latest within one month of the receipt of your request - on its reasons and on the possibility to lodge a complaint with the Data Protection Authority and to seek a judicial remedy.

We inform you that we provide the requested information **free of charge**. If your request is clearly unfounded or excessive, in particular because of its repetitive character, we can charge you with a **reasonable fee for administrative costs** or we can refuse to take action on your request.

We communicate any rectification or erasure of personal data or rectification of processing to each recipient with whom we have provided your personal information (unless it is impossible). Upon your request, we inform you about these recipients.

5.10. Right to compensation

KCG Partners compensates your damages that we caused by unlawful processing or breaching the data protection requirements. In case of the violation of the rights relating to your personality, you are entitled to restitution in accordance with the provisions of the Civil Code.¹⁰

We inform you that KCG Partners is liable for any damages caused by a data processor that we used during the processing of your personal data. A KCG Partners shall be relieved of liability if the damage occurred in consequence of unforeseen circumstances beyond our control.

KCG Partners does not compensate your damages and you cannot claim restitution insofar as damage or impairment - caused by the violation of the right relating to your personality - is caused by your intentional or gross negligent behaviour.

5.11. Remedies

5.11.1. Right to a judicial remedy

If you consider that your rights under data protection law have been infringed (e.g. you couldn't exercise your aforementioned rights, you didn't receive any information on the processing etc.) you may file for court action against the controller before the **general court** in whose jurisdiction your **home address or habitual residence is located**.¹¹ The court shall hear such cases in **priority proceedings**. We inform you that lawsuits related to personal data protection are **free of charge**.

5.11.2. Right to lodge a complaint with a supervisory authority

If you consider that your rights under data protection law have been infringed you can choose to lodge a complaint with the National Data Protection and Freedom of Information Authority.

Contact details of the authority:

Name: National Data Protection and Freedom of Information Authority ("*Nemzeti Adatvédelmi és Információszabadság Hatóság*" in Hungarian)

Seat: 1125 Budapest, Szilágyi Erzsébet fasor 22/C.

Mailing address: 1530 Budapest, Pf.: 5.

¹⁰ Section 2:52. § of the Civil Code

¹¹ Section 22 (1) and (3) of the Information Act