



Privacy Notice

updated November 5, 2018

1 Introduction

Cellum Group, in its capacity as data controller and, in the case of certain services, data processor

1. agrees to be bound by the stipulations of this privacy notice;
2. warrants that its data controlling and/or processing practices, rendered in connection with its services, shall comply with the requirements set forth in this privacy notice and in other relevant legislation, particularly with **Regulation (EU) 2016/679 of the European Parliament and of the Council**, and with the requirements set forth in the relevant Hungarian legislation, including **Act CXII of 2011 on Informational Self-Determination and Freedom of Information**, and **Act C of 2003 on Electronic Communications**;
3. makes this privacy notice publicly available on its www.cellum.com website;
4. reserves the right to amend this privacy notice at its own discretion at any time, in which case it will publish an appropriate announcement relating to the concerned amendments on the www.cellum.com website;
5. is committed to the protection of the personal data of its partners and users, and holds in high regard its clients' right to informational self-determination;
6. handles all personal data it collects and/or receives confidentially and takes all security, technological and organizational measures in order to guarantee the security of such data ("**data security**");
7. publishes its data processing principles in this document and presents the requirements that it has set forth for itself as a data controller and/or (as the case may be) data processor, and which it abides by;
8. declares, that its privacy notice is in compliance with the applicable data protection legislation at all times, in particular with:
 - i. Act CXII of 2011 on Informational Self-Determination and Freedom of Information ("**Privacy Act**")
 - ii. 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, "**GDPR**")
 - iii. Act V of 2013 on the Civil Code ("**Civil Code**")
 - iv. Act C of 2000 on Accounting ("**Accounting Act**")
 - v. Act CXXXVI of 2007 on preventing and stopping money laundering and the financing of terrorism ("**Anti-Laundering Act**")
 - vi. Act CCXXXVII of 2013 on loan providers and financial institutions ("**Banking Act**").

2 Lawfulness of processing

2.1. With regards to Cellum Group's data processing operations, personal data shall only be processed if at least one of the following applies:

- i. the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- ii. 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;
- iii. processing is necessary for compliance with a legal obligation to which the controller is subject;
- iv. processing is necessary in order to protect the vital interests of the data subject or of another natural person;

- v. processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.
- 2.2. In cases where a third party discloses someone else's personal data to Cellum Group, it is that party's obligation to seek consent from the data subject. Cellum Group excludes all liability for the absence of such consent.

3 Principles relating to processing of personal data

- 3.1. The following principles apply to Cellum Group's data processing practices. Personal data shall be:
- i. processed lawfully, fairly and in a transparent manner in relation to the data subject ("**lawfulness, fairness and transparency**");
 - ii. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with Article 89 (1) of the GDPR, not be considered to be incompatible with the initial purposes ("**purpose limitation**");
 - iii. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ("**data minimisation**");
 - iv. 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 ("**accuracy**");
 - v. 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; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89 (1) of the GDPR subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject ("**storage limitation**");
 - vi. 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 ("**integrity and confidentiality**").
- 3.2. Personal data can only be forwarded to third parties, and various data processing operations can only be combined, if the data subject has given its consent thereto, or if it is permitted by the law, and if the requirements and conditions for data processing are met for each piece of personal data.
- 3.3. Cellum Group shall be responsible for, and be able to demonstrate compliance with, paragraph 3.1 ("**accountability**").

4 Transfers of personal data to third countries

- 4.1. Transfers on the basis of an adequacy decision

A transfer of personal data to a third country or an international organisation may take place where the European Commission has decided that the third country, a territory or one or more specified sectors within that third country, or the international organisation in question ensures an adequate level of protection. Such a transfer shall not require any specific authorisation.

4.2. Transfers subject to appropriate safeguards

In the absence of a decision pursuant to paragraph 4.1, Cellum Group may transfer personal data to a third country or an international organisation only if it has provided appropriate safeguards, and on condition that enforceable data subject rights and effective legal remedies for data subjects are available.

Such appropriate safeguards may include:

- i. a legally binding and enforceable instrument between public authorities or bodies;
- ii. binding corporate rules in accordance with Article 47 of the GDPR;
- iii. standard data protection clauses adopted by the Commission in accordance with the examination procedure referred to in Article 93(2) of the GDPR;
- iv. standard data protection clauses adopted by a supervisory authority and approved by the Commission pursuant to the examination procedure referred to in Article 93(2) of the GDPR;
- v. an approved code of conduct pursuant to Article 40 of the GDPR together with binding and enforceable commitments of the controller or processor in the third country to apply the appropriate safeguards, including as regards data subjects' rights; or
- vi. an approved certification mechanism pursuant to Article 42 of the GDPR together with binding and enforceable commitments of the controller or processor in the third country to apply the appropriate safeguards, including as regards data subjects' rights.

4.3. Data transfer to member states of the European Economic Area shall be considered as if it was data transfer within the territory of Hungary.

5 Scope of personal data, objective, legal basis and duration of data processing

5.1. All data processing relating to the data subject, taking place as part of Cellum Group's various services shall be based on the consent of the data subject.

5.2. Data processing in relation to mobile payment (technical) services

5.2.1. Cellum Group shall, during the course of providing its various mobile payment (technical) services to a corresponding white label wallet of a wallet-provider, (A) process (in its capacity as data processor), and within this scope, (B) transmit to (a) the merchants and (c) acquirer banks/financial institutions, participating in the clearance and completion of the given mobile payment transaction, the following personal data only, provided by the end-user through the corresponding client side mobile application platform. Such data shall be processed merely for the purpose of (i) using the corresponding mobile transaction/payment service by the end-user of the service, (ii) completing and (iii) keeping track of the transactions by the entities/service providers, participating in the relevant solution's architecture:

- i. the mobile phone number of the service user;

- ii. the card number, security code (CVV2/CVC2/CSC = the 3-digit number next to the signature field on the back of the bank card, or the PCSC, which is a 4-digit number on the front) and the maturity (i.e.: “Good Thru”) date of the bank card of the service user;
- iii. the name of the service user (as it appears on the bank card);
- iv. e-mail address, delivery address and billing address.

5.2.2. These data are stored by Cellum Group until the service user deletes them from the mobile phone, or until the bank card expires. In these events, the data listed in section 5.2.1 are deleted from the system.

5.2.3. In accordance with the above, Cellum Group sends to the service user’s mobile phone the notifications as well as the information about the transactions, as specified in the General Terms and Conditions.

5.3. Personal data of visitors to Cellum Group’s website

5.3.1. Cellum Group’s website, cellum.com can be visited – subject to the provisions set out in Sections 5.4 and 5.5 – without giving away any kind of personal data. The visitor can learn about Cellum Group’s services through the website.

5.3.2. In order for Cellum Group to be able to provide personalized services to the visitor, Cellum Group may place a data package called cookie on the visitor’s computer, in order to be able to remember the settings saved by the visitor. The visitor can delete the cookie anytime or set his/her browser to block cookies.

5.3.3. Cellum Group uses Universal Analytics by Google to analyze traffic to and on its website. Universal Analytics uses “cookies” to collect statistics on how visitors use the website, which helps Cellum Group to improve its website’s user experience. Such statistics are anonymized and do not concern any personal data of users of mobile payment applications developed by Cellum Group. Detailed information on Universal Analytics is available from Google through the following link:

<https://support.google.com/analytics/answer/2838718>.

5.4. Email marketing service

5.4.1. Visitors can subscribe to Cellum Group’s email marketing service on Cellum Group’s website. Cellum Group sends emails about its latest news and offers to users who have opted in or consented to receiving these emails.

5.4.2. In order to provide the email marketing service, Cellum Group requires subscribers to provide certain personal data using a dedicated form, including but not limited to: name, e-mail address, country, and business segment. The provision of these data by the subscriber is voluntary and based on the subscriber’s explicit consent. Cellum Group does not collect any other information about subscribers than those set out above.

5.4.3. Cellum Group may use third-party service providers to provide the email marketing service. This includes the storage of subscriber data, analytics and content personalization, using parties located in third countries. These third parties are listed in Section 8.2.

5.4.4. Visitors who wish to subscribe to Cellum Group’s email marketing service are duly notified on the dedicated subscription form before submitting their personal data that their personal data shall become transferable to the third parties described in Section 5.4.3, for the sole purpose of sending the marketing emails, pursuant to the conditions set out in Section 3.3 above. A visitor may only subscribe to the email marketing service if he/she explicitly approves such transfer of his/her personal data, set out in Section 5.4.2 above. Cellum Group undertakes to ensure that the name, country and

email address of the subscriber is transferred only to a third-country data controller and/or data processor whose country of location guarantees due level of protection of the transferred personal data during the management and processing.

5.4.5. The personal data submitted by subscribers pursuant to Section 5.4.2 will only be used by Cellum Group for the intended purpose, namely for providing the email marketing service. Cellum Group will not forward or sell these data, with the exception stated in Section 5.4.3, to any third parties, not including the members of the company group, without the knowledge and consent of the subscriber. The content of individual emails may vary depending on the data provided by the subscribers.

5.4.6. Cellum Group may include in its marketing emails offers from its member companies as well as from its clients.

5.4.7. Cellum Group provides the possibility to unsubscribe from the email marketing service at any time. After unsubscribing, no personal data of the subscriber shall be managed anymore by Cellum Group, and those data will be destroyed within a reasonable time.

5.5. Data handling concerning Cellum Group's restricted access PR, demo and other marketing purpose materials

5.5.1. Cellum Group publishes certain exclusive content, such as PR, demo and marketing purpose materials, that is available only to subscribers of the email marketing service detailed in Section 5.4. These restricted resources may only be copied and redistributed with the written express consent of Cellum Group.

5.5.2. In order to access these restricted resources, visitors must first subscribe to Cellum Group's email marketing service by providing certain personal data, as described in Section 5.4.2. Furthermore, Cellum Group also records the title of the downloaded resource.

5.6. Data processing for the purpose of keeping contact

5.6.1. Visitors can contact Cellum Group via e-mail using the contact form on its website.

5.6.2. In order to contact Cellum Group using the contact form, the visitor must fill out the contact form with his/her personal data, including but not limited to: name, country and e-mail address.

5.6.3. Personal data submitted in the above way shall be used by Cellum Group only for the specific goal requested by the visitor, and will not be used to provide the email marketing service detailed in Section 5.4. Cellum Group will not transfer or sell such personal data to third parties – not including members of the company group – without the consent of the data subject.

5.6.4. Cellum Group will archive the above personal data following the final resolution of the matter and will store them for a period of no more than one (1) year from the date of submission.

5.7. Data processing related to Cellum Group's clients

5.7.1. Personal data submitted by clients shall be used by Cellum Group only for the intended business purpose. Cellum Group will not transfer or sell such personal data, with the exceptions stated in Section 1, to third parties – not including members of the company group – without the knowledge and consent of the data subject.

5.7.2. The data in question shall be destroyed by Cellum Group once the client relationship is terminated.

5.8. Miscellaneous data processing

5.8.1. In the case of any other type of data processing activities not listed in this document, Cellum Group will provide complete information when recording the data from the user/client.

5.8.2. Cellum Group hereby informs all data subjects that pursuant to Article 71.§ of the Act no.: XIX. of 1998 on Criminal Procedure, courts, public prosecutor's offices and investigation authorities may contact Cellum Group requiring the handover of information, the dissemination/transmission of data, and the provision of documents, by setting a minimum eight (8), maximum thirty (30) days compliance deadline. Cellum Group is obligated to restore all encrypted or other data made unreadable for human eyes in any other manner into its original form before the handover, and make the content of the data accessible to the inquiring party. Cellum Group is required, unless otherwise provided by law, to comply with the inquiry within the set deadline or state the reason of its hindrance.

5.8.3. Cellum Group will hand over personal data – provided that the authority has indicated specifically in its inquiry the exact objective and the scope of data – exclusively to the authorized authorities, and only to the extent that is essential for the purpose of achieving the objective of the given inquiry.

6 Data storage, data security

- 6.1. The user's personal data are stored in an environment supervised by Cellum Group. Cellum's information technology systems are supported by **Cellum Innovációs és Szolgáltató Zrt.** (address: Derkovits utca 3-5, 1126 Budapest, Hungary) and **MPP Magyarország Informatikai Zártkörűen Működő Részvénytársaság.** (address: Derkovits utca 3-5, 1126 Budapest, Hungary), and **Maxer Hosting Korlátolt Felelősségű Társaság** (address: 9024 Győr, Répce utca 24. 1st floor no.: 3., Magyarország, branch office: 1132 Budapest, Victor Hugo u. 18-22., Court Registration no.: Cg.: 08-09-013763). The above defined business companies can only access data managed by Cellum and or Cellum's clients, in their quality as data processors and/or subordinated data processors, pursuant to the terms and conditions, and under the covenants, set forth in (i) the GDPR compliant data processing agreement, entered into between the respective parties, servicing the relevant solution, and (ii) the data management principles, set forth in this Privacy Policy.
- 6.2. For data management, Cellum Group chooses and operates the equipment used while providing its service in a way that ensures that the managed data:
- i. can be accessed only by the authorized parties;
 - ii. is authentic and authenticated;
 - iii. its uniformity can be verified;
 - iv. is protected against unauthorized access.
- 6.3. During its data management procedures, Cellum Group ensures that data shall always be kept
- i. secret: as per the above, it protects the information so that only authorized parties can access them;
 - ii. uncompromised: it protects the accuracy and completeness of the information and the method of processing;
 - iii. available: it ensures that the authorized user can access the required information within reasonable time, whenever he/she needs to, by using the equipment available for this purpose.
- 6.4. Cellum Group's information technology system and network are protected against computer fraud, espionage, sabotage, vandalism, fire and flood, as well as computer viruses, hacker attacks and denial-of-service attacks. Cellum Group ensures security with server-side and application-side protection methods.
- 6.5. Cellum hereby advises users that messages sent over the internet and/or mobile networks, regardless to the applied protocol (e.g.: e-mail, web, ftp, SMS, MMS, push, etc.) are vulnerable to threats that strive for

or lead to fraudulent activity, the questioning of the validity/effectiveness of a contract or aim to solicit or modify information. Cellum Group will take every precaution it can in order to prevent such threats, including the continuous upgrading of its systems, as well as maintaining its PCI DSS compliance and certificate.

7 Details and contact information of the data controller

Name: **Cellum Global Zrt.**
Address: Pálffy utca 46., 6725 Szeged, Hungary
Company registry number: Cg.: 06-10-000501
Tax number: 23471625-2-06
Email: contact@cellum.com

8 Data forwarding

8.1. Cellum Group's website is hosted by the following subcontractor/service provider:

Company name: **MAXER Hosting Kft.**
Court Registration no.: Cg.: 08-09-013763
Tax no.: 13670452-2-08
Registered address: 9024 Győr, Répce utca 24. 1. em. 3., Hungary
Branch office: 1132 Budapest, Victor Hugo utca 18-22., Hungary

Maxer Hosting Kft. performs data processing activity only in respect of the personal data collected through Cellum Group's website, as set out in Section 5.5, and only to the extent of its hosting activity related thereto.

8.2. Cellum Group's email infrastructure is provided by the following subcontractor/service provider:

Company name: **Microsoft Corporation**
address: One Microsoft Way, Redmond, WA 98052-7329, USA
privacy notice: <https://privacy.microsoft.com/en-us/privacystatement>
contact form: <https://support.microsoft.com/contactus/>
Fax: (425) 706-7329

Cellum Group uses Office 365 by Microsoft to send and receive emails. When you contact us via email, your message is sent through and stored on Microsoft's servers.

8.3. Cellum Group, pursuant to Sections 5.4, 5.5, 5.5 and 5.7 above, will forward the personal data of data subjects to the following enterprises/subcontractors, and only for the purpose of (i) providing the email marketing service:

- i. name of the data processor: **Cellum Innovációs és Szolgáltató Zrt.**
address: Derkovits utca 3-5, 1126 Budapest, Hungary
- ii. name of the data processor: **The Rocket Science Group, LLC**
address: 675 Ponce de Leon Ave NE, Suite 5000, Atlanta, GA 30308 USA
contact form: <https://mailchimp.com/contact/>
- iii. scope of the personal data transfer: the user's (i) name, (ii) e-mail address, (iii) company name, (iv) business segment, (v) position held and (vi) country.
- iv. purpose of the personal data transfer: providing the email marketing service, which the user may unsubscribe from and/or opt out of via email or a dedicated online form, without further conditions, at any time.

- 8.4. Cellum Group, in relation to the mobile payment service outlined in Section 5.2 will forward the personal data of data subjects to the following enterprises/subcontractors:
- i. Name of data controller(s) (1): the acquirer bank(s) or financial institution(s), participating in the acceptance/clearing of the transactions;
Address of the data controller(s) (1): as it/they is/are set forth in the webpage of, or the contractual documentation relating to the mobile payment service;
 - ii. Name of data processor(s) (2): the merchant(s), participating in the clearing of the transactions;
Address of the data processor(s) (2): as it/they is/are set forth in the webpage of the integrated merchant, or the contractual documentation relating to such service;
 - iii. Name of the subordinated data processor (3): **MPP Magyarország Informatikai Zártkörűen Működő Részvénytársaság**;
Address of the data subordinated processor (3): Derkovits utca 3-5, 1126 Budapest, Hungary;
 - iv. Name of the subordinated data processor (4): **Cellum Innovációs és Szolgáltató Zrt.**;
Address of the data subordinated processor (4): Derkovits utca 3-5, 1126 Budapest
 - v. Scope of forwarded data:
 - a) the mobile phone number of the service user;
 - b) the card number, security code (CVV2/CVC2/CSC = the 3-digit number next to the signature field on the back of the bank card, or the PCSC, which is a 4-digit number on the front) and the maturity (i.e.: “Good Thru”) date of the bank card of the service user;
 - c) the name of the service user (as it appears on the bank card);
 - d) the transaction data, relating to the adequate mobile payment transaction, and
 - e) e-mail address, delivery address and billing address.
 - vi. Purpose of forwarded data: to carry out mobile payment transactions, and to monitor user transactions with the intent of customer care, both by the actual wallet provider.

9 Rights of the data subjects, legal remedy

The data subject may ask for (i) information about the management of his/her personal data, (ii) the correction and, save for the compulsory data management, (iii) termination, and (iv) withdrawal of his/her personal data. The data subject may also use its data carrying-, and objection rights, by applying the method, set forth at the time of collecting the personal data, or at the address of the data controller, set out above.

9.1. Rights for transparent information

- 9.1.1. Cellum Group shall take appropriate measures to provide any information referred to in Articles 13 (Information to be provided where personal data are collected from the data subject) and 14 (Information to be provided where personal data have not been obtained from the data subject) and any communication under Articles 15 to 22 (Rights of the data subjects) and 34 (Communication of a personal data breach to the data subject) of the GDPR relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language, in particular for any information addressed specifically to a child.

9.1.2. The right for information shall be exercised through the address set out in Section 7 above, or by other means, including, where appropriate, by electronic means. When requested by the data subject, the information may be provided orally, provided that the identity of the data subject is proven by other means.

9.2. Information to be provided where personal data are collected from the data subject

9.2.1. Where personal data relating to a data subject are collected from the data subject, Cellum Group shall, at the time when personal data are obtained, provide the data subject with all of the following information:

- a) the identity and the contact details of the controller and, where applicable, of the controller's representative;
- b) the contact details of the data protection officer, where applicable;
- c) the purposes of the processing for which the personal data are intended as well as the legal basis for the processing;
- d) where the processing is based on point (f) of Article 6(1) of the GDPR, the legitimate interests pursued by the controller or by a third party;
- e) the recipients or categories of recipients of the personal data, if any;
- f) where applicable, the fact that the controller intends to transfer personal data to a third country or international organization and the existence or absence of an adequacy decision by the Commission, or in the case of transfers referred to in Article 46 or 47, or the second subparagraph of Article 49(1) of the GDPR, reference to the appropriate or suitable safeguards and the means by which to obtain a copy of them or where they have been made available.

9.2.2. In addition to the information referred to in paragraph 1, the controller shall, at the time when personal data are obtained, provide the data subject with the following further information necessary to ensure fair and transparent processing:

- a) the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period;
- b) the existence of the right to request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject or to object to processing as well as the right to data portability;
- c) where the processing is based on point (a) of Article 6(1) or point (a) of Article 9(2) of the GDPR, the existence of the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal;
- d) the right to lodge a complaint with a supervisory authority;
- e) whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the data subject is obliged to provide the personal data and of the possible consequences of failure to provide such data;
- f) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) of the GDPR (activities that Cellum Group does not perform), and at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

9.2.3. Where the controller intends to further process the personal data for a purpose other than that for which the personal data were collected, the controller shall provide the data subject prior to that

further processing with information on that other purpose and with any relevant further information as referred to in Section 9.2.2. Sections 9.2.1, 9.2.2 and 9.2.3 shall not apply where and insofar as the data subject already has the information.

9.3. Information to be provided where personal data have not been obtained from the data subject

9.3.1. Where personal data have not been obtained from the data subject, Cellum Group shall provide the data subject with the following information:

- a) the identity and the contact details of the controller and, where applicable, of the controller's representative;
- b) the contact details of the data protection officer, where applicable;
- c) the purposes of the processing for which the personal data are intended as well as the legal basis for the processing;
- d) the categories of personal data concerned;
- e) the recipients or categories of recipients of the personal data, if any;
- f) where applicable, that the controller intends to transfer personal data to a recipient in a third country or international organization and the existence or absence of an adequacy decision by the Commission, or in the case of transfers referred to in Article 46 or 47, or the second subparagraph of Article 49(1) of the GDPR, reference to the appropriate or suitable safeguards and the means to obtain a copy of them or where they have been made available.

9.3.2. In addition to the information referred to in Section 9.3.1. the controller shall provide the data subject with the following information necessary to ensure fair and transparent processing in respect of the data subject:

- a) the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period;
- b) where the processing is based on point (f) of Article 6(1) of the GDPR, the legitimate interests pursued by the controller or by a third party;
- c) the existence of the right to request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject and to object to processing as well as the right to data portability;
- d) where processing is based on point (a) of Article 6(1) or point (a) of Article 9(2) of the GDPR, the existence of the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal; (e) the right to lodge a complaint with a supervisory authority;
- e) from which source the personal data originate, and if applicable, whether it came from publicly accessible sources;
- f) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) of the GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

9.3.3. The controller shall provide the information referred to in paragraphs 9.3.1. and 9.3.2:

- a) within a reasonable period after obtaining the personal data, but at the latest within one month, having regard to the specific circumstances in which the personal data are processed;

- b) if the personal data are to be used for communication with the data subject, at the latest at the time of the first communication to that data subject; or
- c) if a disclosure to another recipient is envisaged, at the latest when the personal data are first disclosed.

9.3.4. Where Cellum Group intends to further process the personal data for a purpose other than that for which the personal data were obtained, the controller shall provide the data subject prior to that further processing with information on that other purpose and with any relevant further information as referred to in Section 9.3.2.

9.3.5. Sections 9.3.1 to 9.3.4 shall not apply where and insofar as:

- a) the data subject already has the information;
- b) the provision of such information proves impossible or would involve a disproportionate effort, in particular for processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, subject to the conditions and safeguards referred to in Article 89(1) of the GDPR or in so far as the obligation referred to in Section 9.3.1 above is likely to render impossible or seriously impair the achievement of the objectives of that processing. In such cases the controller shall take appropriate measures to protect the data subject's rights and freedoms and legitimate interests, including making the information publicly available;
- c) obtaining or disclosure is expressly laid down by Union or Member State law to which the controller is subject and which provides appropriate measures to protect the data subject's legitimate interests; or (d) where the personal data must remain confidential subject to an obligation of professional secrecy regulated by Union or Member State law, including a statutory obligation of secrecy.

9.4. Right of access by the data subject

9.4.1. The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information:

- a) the purposes of the processing;
- b) the categories of personal data concerned;
- c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organizations;
- d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- e) the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- f) the right to lodge a complaint with a supervisory authority;
- g) where the personal data are not collected from the data subject, any available information as to their source;
- h) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) of the GDPR (activities that Cellum Group does not perform) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged

consequences of such processing for the data subject. Where personal data are transferred to a third country or to an international organization, the data subject shall have the right to be informed of the appropriate safeguards pursuant to Article 46 relating to the transfer.

9.4.2. Cellum Group shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, Cellum Group may charge a reasonable fee based on administrative costs. Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form. The right to obtain a copy referred to above shall not adversely affect the rights and freedoms of others.

9.4.3. Cellum Group will provide the requested information within one month from the date of submitting the corresponding request by the data subject.

9.5. Right to rectification

The data subject shall have the right to obtain from Cellum Group without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

9.6. Right to erasure ('right to be forgotten')

9.6.1. The data subject shall have the right to obtain from Cellum Group the erasure of personal data concerning him or her without undue delay and Cellum Group shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- b) the data subject withdraws consent on which the processing is based according to point (a) of Article 6(1), or point (a) of Article 9(2) of the GDPR, and where there is no other legal ground for the processing;
- c) the data subject objects to the processing pursuant to Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2) of the GDPR;
- d) the personal data have been unlawfully processed;
- e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;
- f) the personal data have been collected in relation to the offer of information society services referred to in Article 8(1) of the GDPR.

9.6.2. Section 9.6.1 shall not apply to the extent that processing is necessary:

- a) for exercising the right of freedom of expression and information;
- b) for compliance with a legal obligation which requires processing by Union or Member State law to which Cellum Group is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in Cellum Group;
- c) for reasons of public interest in the area of public health in accordance with points (h) and (i) of Article 9(2) as well as Article 9(3) of the GDPR;
- d) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) of the GDPR in so far as the right referred

to in paragraph 9.6.1 is likely to render impossible or seriously impair the achievement of the objectives of that processing; or

- e) for the establishment, exercise or defense of legal claims.

9.7. Right to restriction of processing

9.7.1. The data subject shall have the right to obtain from the controller restriction of processing where one of the following applies:

- a) the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data;
- b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- c) the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defense of legal claims;
- d) the data subject has objected to processing pursuant to Article 21(1) of the GDPR pending the verification whether the legitimate grounds of the controller override those of the data subject.

9.7.2. Where processing has been restricted under Section 9.7.1, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

9.7.3. A data subject who has obtained restriction of processing pursuant to Section 9.7.1. shall be informed by the controller before the restriction of processing is lifted.

9.8. Notification obligation regarding rectification or erasure of personal data or restriction of processing

The controller shall communicate any rectification or erasure of personal data or restriction of processing carried out in accordance with Section 9.5, Section 9.6.1. and Section 9.7 to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort. The controller shall inform the data subject about those recipients if the data subject requests it.

9.9. Right to data portability

9.9.1. The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where:

- a) the processing is based on consent pursuant to point (a) of Article 6(1) or point (a) of Article 9(2) or on a contract pursuant to point (b) of Article 6(1) of the GDPR; and
- b) the processing is carried out by automated means.

9.9.2. In exercising his or her right to data portability pursuant to paragraph 1, the data subject shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible.

9.9.3. The exercise of the right referred to in Section 9.9.1. of this Article shall be without prejudice to Article 17 of the GDPR (Right to erasure ('right to be forgotten'), see Section 9.6 above). That right shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. The right referred to in Section 9.9.1 shall not adversely affect the rights and freedoms of others.

9.10. Right to object

- 9.10.1. **The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her which is based on point (e) or (f) of Article 6(1) of the GDPR, including profiling based on those provisions (an activity that Cellum Group does not perform). CELLUM GROUP shall no longer process the personal data unless IT demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defense of legal claims.**
- 9.10.2. **Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing (an activity that Cellum Group does not perform).**
- 9.10.3. Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.
- 9.10.4. **At the latest at the time of the first communication with the data subject, the right referred to in SECTIONS 9.10.1. and 9.10.2. shall be explicitly brought to the attention of the data subject and shall be presented clearly and separately from any other information.**
- 9.10.5. In the context of the use of information society services, and notwithstanding Directive 2002/58/EC, the data subject may exercise his or her right to object by automated means using technical specifications.
- 9.10.6. Where personal data are processed for scientific or historical research purposes or statistical purposes pursuant to Article 89(1) of the GDPR, the data subject, on grounds relating to his or her particular situation, shall have the right to object to processing of personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

9.11. Right of withdrawal

The data subject is entitled to withdraw its approval any time. The withdrawal shall not impact the lawfulness of the data management, performed prior to the date of such withdrawal.

10 Procedural rules

- 10.1. Cellum Group shall inform the data subject without undue delay, but within one (1) month from the submission of the claim, at the latest, relating to the rights of the data subjects pursuant to Articles 13-22 of the GDPR (Section 9 of this Notice, The rights of the data subjects) about the corresponding resolutions, it brought in respect of such claim(s). In case of necessity, taking into consideration the number and the complexity of the claim(s), such deadline can be extended with additional two (2) months.
- 10.2. The controller shall inform the data subject of the extension of the deadline within one (1) month from the filing of the claim, referring to the reasons thereof. If the data subject has filed the claim via electronic means, the response shall also be given in the same manner, save for the cases when the data subject requires otherwise.
- 10.3. If the controller does not take actions as a result of the data subject's claims, it will inform the data subject about the reasons why no actions were taken without undue delay, but within one (1) month from the filing date of the claim, at the latest. Such notice will also inform the data subject of its rights

to file complaint with any competent authority as well as of the fact that it may apply for legal remedy by filing petition to the court.

- 10.4. Cellum Group will provide the requested information free of charge to the data subject. If the data subject's claim is clearly unfounded, or – due to its particularly repeated nature – exaggerating, the controller may deny to take actions in the case at hand, or may charge reasonable fee, taking into consideration the corresponding administrative costs and expenses of the response, the information or the action to be taken, respectively.
- 10.5. The controller shall inform each recipient, to whom the personal data has been disclosed, about any and all data corrections, erasure or data management restrictions it performed, save for the cases when such notice to make requires un-proportionately large efforts, or it becomes impossible. The controller, upon his/her request, shall inform the data subject about the recipients.
- 10.6. Upon request, the controller shall provide the data subject with a copy of the managed personal data. Any further copy of the personal data may be subject to reasonable fee, charged by the controller, taking into consideration of the administrative expenses. If the data subject has filed the claim via electronic means, the response shall also be given in the same manner, save for the cases when the data subject requires otherwise.

11 Compensation, grievance fees

- 11.1. Each person, who is suffered material or immaterial damage due to breach of the GDPR shall be entitled to compensation for the damage from the controller or the data processor. The data processor shall be liable for the damage suffered only in the case where it has not complied with the rules, set out in the laws expressly applicable to the data processors, or it did not comply with the instructions of the controller, or its actions were against such instructions. If (i) more controllers and data processors, or (ii) the controller as well as the data processor is involved in a given data management activity, they, in case they are responsible for the damage suffered, shall have joint and several liability for the entire damage.
- 11.2. The controller and the data processor shall be released from their liability if they prove that they are not liable for the event, causing the damage, in any way.

12 Legal remedies, complaints, courts, data protection authority

12.1. Right to file petition at the Court

In case of breach of his/her rights, the data subject may turn to the ordinary Courts.

The Court will act out of turn.

12.2. Procedure by the Data Protection Authority

The data subject may file a complaint with the Hungarian National Authority for Data Protection and Freedom of Information (in Hungarian: Nemzeti Adatvédelmi és Információszabadság Hatóság)

name:	Nemzeti Adatvédelmi és Információszabadság Hatóság
address:	1125 Budapest, Szilágyi Erzsébet fasor 22/C.
correspondence:	1530 Budapest, Pf.: 5.
tel:	06 1 391 1400
facsimile:	06 1 391 1410

e-mail: ugyfelszolgalat@naih.hu
website: <http://naih.hu/general-information.html>

13 Definitions

Terms used in this Privacy Notice are defined as follows:

- **“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;
- **“controller”** means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;
- **“processor”** means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller, including the processors, and any sub-processors, nominated by the processors pursuant to the terms and conditions of a data processing agreement;
- **“restriction of processing”** means the marking of stored personal data with the aim of limiting their processing in the future;
- **“data protection impact assessment”** means the obligation set forth by Article 35 of the GDPR;
- **“personal data breach”** means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed;
- **“consent of the data subject”** means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;
- **“Cellum Group”** means **Cellum Global Zrt.** (registered address: 6725 Szeged, Pálffy utca 46., Registration no.: Cg.: 06-10-000501, Tax no.: 23471625206), in its quality as data processor and controller, **MPP Magyarország Informatikai Zrt.** (registered address: Derkovits utca 3-5, 1126 Budapest, Registration no.: Cg.: 01-10-140000, Tax no.: 13237857-2-43), in its quality as processor, and **Cellum Innovációs és Szolgáltató Zrt.** (registered address: Derkovits utca 3-5, 1126 Budapest, Registration no.: Cg.: 01-10-049997, Tax no.: 12539242-2-43), in its quality as processor;
- **“recipient”** means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing;
- **“third party”** means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data;
- **“GDPR”** means 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;

- **“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;
- **“representative”** means a natural or legal person established in the Union who, designated by the controller or processor in writing pursuant to Article 27, represents the controller or processor with regard to their respective obligations under this Regulation;
- **“enterprise”** means a natural or legal person engaged in an economic activity, irrespective of its legal form, including partnerships or associations regularly engaged in an economic activity;
- **“group of undertakings”** means a controlling undertaking and its controlled undertakings;
- **“binding corporate rules”** means personal data protection policies which are adhered to by a controller or processor established on the territory of a Member State for transfers or a set of transfers of personal data to a controller or processor in one or more third countries within a group of undertakings, or group of enterprises engaged in a joint economic activity.