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INFORMATION ON DATA MANAGEMENT.

Prepared in accordance with EU **General Data Protection Regulation 2016/679 (GDPR)**
GDPR GDPR Recommendations

Approved by:

Dr. György Schmideg Head of
Practice, Specialist Dentist

György György, Head of Department, György György György, 24 May 2018.

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1. CHAPTER 2 - Introduction

1. *Legal, regulatory background*

- REGULATION (EU) No 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 April 2016 (27 June 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 Regulation (EC) No 95/46/EC (General Data Protection Regulation, "GDPR")
- Act CXII of 2011 on the Right to Informational Self-Determination and Freedom of Information
- Act XLVII of 1997 on the processing and protection of health and related personal data (Eüat)
- Act CLV of 1997 on Health Care
- Act XLVII of 2008 prohibiting unfair commercial practices against consumers
- Act XLVIII of 2008 on the Basic Conditions and Certain Restrictions on Commercial Advertising.

2. *The purpose of this Information Notice is*

REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Regulation (EC) No 95/46/EC (hereinafter the "Regulation") requires that the Controller takes appropriate measures to provide the data subject with all information relating to the processing of personal data in a concise, transparent, intelligible and easily accessible form, in a clear and plain language, and to facilitate the exercise of the data subject's rights.

The obligation of prior information of the data subject is also provided for in Act CXII of 2011 on the Right to Informational Self-Determination and Freedom of Information.

The following information is provided to comply with this legal obligation.

3. About the Data Controller

The healthcare provider

Name: LIFE DENT Ltd.
Registered office: 1132 Budapest, Váci út 6. 4.
Company registration number: 01-09-901724
Place of business: 1132 Budapest, Váci út 6. II . em. 4.
ÁNTSZ engedélysz.: 5263/2011/1/13

Responsible for the implementation of data management

Responsible manager: Dr. György Schmideg
Phone number: 06 20/975-1861
Your email address: info@lifedent.hu

4. Introduction to Data Processors (register)

The data processors involved in the personal data processing activities of the Practice and their details are listed in **the Register of Data Processors** managed by the Practice, which is available for consultation at the Practice.

2. CHAPTER 3 - INFORMATION ON CERTAIN DATA PROCESSING

5. Information on the processing of health data, documentation

1. The data subject may provide his/her treating physician with his/her past and present health data and documentation (X-rays, findings, test results) in order to substantiate the requested service. The data controller collects, stores, records and processes health data and medical records during the examination of the data subject using its own means and methods.
2. The collection of health data and documentation is part of the provision (treatment) of the service. The treating physician decides which health data must be recorded and stored in accordance with the professional rules.
3. The health data and documentation of the person concerned are provided voluntarily and the person voluntarily consents to the tests.
4. The direct purpose of the processing is to confirm which of the Data Controller's services is appropriate for the data subject, to provide an offer, to answer the data subject's questions and to maintain contact.
5. The medical data necessary for the provision of the service may be processed by the doctor and by the staff member carrying out the activities related to the treatment of the data subject in accordance with the instructions of the doctor providing the treatment and to the extent necessary for the performance of his or her tasks.
6. Duration of data processing.

6. Information on data processing based on the consent of the data subject

1. Where the Practice intends to carry out processing based on consent, the data subject's consent to the processing of his or her personal data shall be obtained by means of the content and information of the data request form set out in the Data Protection Policy.
2. Consent shall also be deemed to be given if the data subject ticks a box when visiting the website of the Office, if he or she makes the relevant technical settings when using information society services, or by any other statement or action which, in the specific context, unambiguously indicates the data subject's consent to the intended processing of his or her personal data. Silence, ticking a box or inaction therefore does not constitute consent.

3. Consent covers all processing activities for the same purpose or purposes. Where processing is carried out for several purposes at the same time, consent must be given for all the purposes for which the processing is carried out.
4. Where the data subject gives his or her consent in the context of a written statement which also relates to other matters, such as the conclusion of a sales or service contract, the request for consent must be presented in a manner clearly distinguishable from those other matters, in a clear and easily accessible form, in clear and plain language. Any part of such a statement containing the consent of the data subject which is in breach of the Regulation shall not be binding.
5. The Agency may not make the conclusion or performance of a contract conditional on the giving of consent to the processing of personal data which are not necessary for the performance of the contract.
6. The withdrawal of consent shall be made possible in the same simple manner as the granting of consent.
7. If the personal data have been collected with the consent of the data subject, the controller may process the collected data for the purpose of complying with a legal obligation to which the data subject is subject, unless otherwise provided by law, without further specific consent and even after the data subject's consent has been withdrawn.

7. Information on the processing of customer data, contractual partners, contacts

1. For the purposes of the conclusion, performance, termination and the granting of contractual benefits, the Clinic processes the name, name at birth, date of birth, mother's name, address, tax identification number, tax number, entrepreneur's or self-employed person's identity card number, personal identity card number of the natural person contracted as a customer or supplier, address, address of the registered office, address of the establishment, telephone number, e-mail address, website address, bank account number, customer number (customer number, order number), online identifier (list of customers, suppliers, frequent buyer lists). This processing is also considered lawful if the processing is necessary to take steps at the request of the data subject prior to the conclusion of the contract. Recipients of personal data: employees of the Office performing customer service tasks, employees performing accounting and tax tasks, and data processors. Duration of storage of personal data: 5 years after termination of the contract.
2. The legal basis for the processing of the data of the natural person contracting party for accounting and tax purposes is the fulfilment of a legal obligation, in this context the storage period is 8 years.
3. The personal data of the natural person who is acting on behalf of the legal person who has entered into the contract with the legal person who has signed the contract, as well as his/her address, e-mail address, telephone number and online identification number, are processed by the Health Insurance Fund for the purposes of maintaining contact, exercising rights and obligations arising from the contract and maintaining contact, on the basis of legitimate interest. The storage period of these data is 5 years after the termination of the contract. In the case of processing based on legitimate interest, the data subject has the specific right to object to the processing.
4. The name, address, telephone number, e-mail address, online identifier of the natural person - not a signatory - indicated as the contact person in the contract concluded with the Health Insurance Provider shall be used by the Health Insurance Provider for the purposes of contacting, from the contract

rights and obligations arising from the contract, taking into account that the contact person is in an employment relationship with the contracting party, so that this processing does not adversely affect the rights of the data subject. The Contracting Party declares that it has informed the contact person concerned of the processing relating to his capacity as contact person. The storage period of these data shall be 5 years after the contact point has been established.

5. For all data subjects, the recipients of the personal data are: the manager of the Practice, its employees performing customer service tasks, its contact persons, its employees performing accounting and tax tasks, and its data processors.

6. The personal data may be transferred for processing to the accounting office commissioned by the Clinic for tax and accounting purposes, to the Hungarian Postal Service or the commissioned courier service for postal delivery purposes, and to the Clinic's security agent for asset protection purposes.

7. The processing shall be considered lawful if it is necessary in the context of a contract or the intention to conclude a contract (Preamble 44) if it is necessary for the purposes of taking steps at the request of the data subject prior to the conclusion of the contract (Article 6 (1) b.). When the offer is made or received, the Provider must inform the offeror or the offeree of the offer.

8. Information on the processing of data based on the performance of a legal obligation

1. In the case of data processing based on a legal obligation, the scope of the data to be processed, the purpose of the processing, the duration of the storage of the data and the recipients are governed by the provisions of the underlying legislation.

2. The processing based on the performance of a legal obligation is independent of the consent of the data subject, as the processing is determined by law. In such cases, the data subject must be informed before the processing starts that the processing is mandatory and must be provided with clear and detailed information on all the facts relating to the processing of his or her data, in particular the purposes and legal basis of the processing, the identity of the controller and of the processor, the duration of the processing, whether the controller is processing the data subject's personal data on the basis of a legal obligation to which the data subject is subject and the persons who may have access to the data. The information should also cover the rights and remedies of the data subject in relation to the processing. In the case of mandatory processing, the information may also be provided by making public a reference to the legal provisions containing the foregoing information.

9. Information on processing for tax and accounting obligations

1. For the purpose of fulfilling its legal obligations, the Clinic processes the data of natural persons who have business relations with it as customers and suppliers, as defined by law, for the purpose of fulfilling its tax and accounting obligations (accounting, taxation). The data processed are in accordance with Articles 169 and 202 of Act CXXVII of 2017 on Value Added Tax, in particular:

tax number, name, address, tax status, pursuant to Article 167 of Act C of 2000 on Accounting: name, address, identification of the person or organisation ordering the transaction, the signature of the person ordering the transaction and the person certifying the execution of the order, and, depending on the organisation, the signature of the controller; the signature of the recipient on stock movement vouchers and cash management vouchers, and of the payer on counterfoils, pursuant to Article 167 of Act C of 1995 on Personal Income Tax. CXVII of 1995: entrepreneur's identity card number, self-employed person's identity card number, tax identification number.

2. The period of storage of personal data is 8 years after the termination of the legal relationship giving rise to the legal basis.
3. Recipients of the personal data: employees and data processors of the Clinic performing tax, accounting, payroll and social security tasks.

10. Information on data processing by the paying agents

1. For the purposes of fulfilling its legal obligations, the Clinic processes the personal data of the data subjects - employees, their family members, workers, recipients of other benefits - with whom it is associated as a paying agent (Act CL of 2017 on the Tax Code (Art.), Article 7.31.), for the purposes of fulfilling its statutory tax and contribution obligations (tax, advance tax, contributions, payroll, social security, pension administration). The scope of the data processed is defined in Art. Article 50 of the Act defines the data processed, specifically highlighting the following: the natural person's natural person identification data (including previous name and title), gender, nationality, tax identification number, social security number (social security number). If the tax laws impose a legal consequence, the Clinic may process data relating to employee health care (Section 40 of the Social Security Act) and trade union membership (Section 47(2) b) of the Social Security Act) for the purposes of tax and contribution obligations (payroll accounting, social security administration).

2. The storage period of personal data is 8 years after the termination of the legal relationship giving rise to the legal basis.
3. Recipients of personal data: employees and data processors of the Clinic performing tax, payroll, social security (payer) functions.

11. Information on the processing of documents of lasting value under the Archives Act

1. In order to fulfil its legal obligation, the Practice shall process documents of permanent value pursuant to Act LXVI of 1995 on public records, public archives and the protection of private archives (Archives Act), in order to ensure that the permanent part of the archives of the Practice is preserved intact and in a usable condition for future generations. Duration of storage: until the transfer to the public archives.

2. Recipients of the personal data: the head of the Registry, the employee who manages the records, the archivist, the staff of the public archives.

3. CHAPTER 2 - VISITOR DATA PROCESSING ON THE WEBSITE OF THE REGISTRY - INFORMATION ON THE USE OF COOKIES

12. *General information on cookies*

1. Visitors to the website must be informed of the use of cookies on the website and must be asked for their consent.

2. A cookie is a piece of data that the visited website sends to the visitor's browser (in the form of a variable name value) so that it can store it and later load its content on the same website. A cookie can be valid until the browser is closed, or indefinitely. In subsequent HTTP(S) requests, the browser will also send this data to the server. In this way, the data on the user's computer is modified.

3. The point of the cookie is that website services inherently need to be able to tag a user (e.g. that they have entered the site) and manage them accordingly. The danger is that the user may not always be aware of this and may be tracked by the website operator or other service provider whose content is embedded in the site (e.g. Facebook, Google Analytics), thereby creating a profile of the user, in which case the cookie content may be considered personal data.

4. Types of cookies:

4.1. Technically essential session cookies: without which the site would simply not function, these are needed to identify the user, e.g. to manage whether they have logged in, what they have added to the shopping cart, etc. This is typically a session-id stored, the rest of the data is stored on the server, which is more secure. There is a security aspect, if the session cookie value is not generated correctly then there is a risk of a session hijacking attack, so it is imperative that these values are generated correctly. Other terminology calls session cookies all cookies that are deleted when you exit the browser (a session is a browser session from start to exit).

4.2. Usage cookies: this is the term used to describe cookies that remember the user's choices, for example, how the user would like to view the page. These types of cookies are essentially the preferences data stored in the cookie.

4.3. Performance cookies: although they have little to do with 'performance', this is usually the name given to cookies that collect information about the user's behaviour, time spent on a website, clicks and clicks. These are typically third-party applications (e.g. Google Analytics, AdWords, or Yandex.ru cookies). They can be used to profile the visitor.

You can find out about Google Analytics cookies here:

<https://developers.google.com/analytics/devguides/collection/analyticsjs/cookie-usage> You can find out about Google AdWords cookies here:

<https://support.google.com/adwords/answer/2407785?hl=hu>

5. Accepting or authorising the use of cookies is not mandatory. You can reset your browser settings to reject all cookies or to indicate when a cookie is being sent. While most browsers automatically accept cookies by default, these can usually be changed to prevent automatic acceptance and will offer you the choice each time.

6. To find out about the cookie settings of the most popular browsers, click on the links below

- Google Chrome: <https://support.google.com/accounts/answer/61416?hl=hu>
- Firefox: <https://support.mozilla.org/hu/kb/sutik-engedelyezese-es-tiltasa-amit-weboldak-haszn>
- Microsoft Internet Explorer 11: <http://windows.microsoft.com/hu-hu/internet-explorer/delete-manage-cookies#ie=ie-11>
- Microsoft Internet Explorer 10: <http://windows.microsoft.com/hu-hu/internet-explorer/delete-manage-cookies#ie=ie-10-win-7>
- Microsoft Internet Explorer 9: <http://windows.microsoft.com/hu-hu/internet-explorer/delete-manage-cookies#ie=ie-9>
- Microsoft Internet Explorer 8: <http://windows.microsoft.com/hu-hu/internet-explorer/delete-manage-cookies#ie=ie-8>
- Microsoft Edge: <http://windows.microsoft.com/hu-hu/windows-10/edge-privacy-faq>
- Safari: <https://support.apple.com/hu-hu/HT201265>

However, we would like to point out that services may not function properly without cookies.

that some website features or

13. Information about the cookies used on the website of the Practice and the data collected during your visit

1. Data processed during the visit:

- the IP address used by the visitor,
- the browser type,
- the characteristics of the operating system of the browsing device (language set),
- time of visit,
- the (sub)page, function or service visited.
- click.

This data is kept for a maximum of 90 days and may be used primarily to investigate security incidents.

2. Cookies used on the website

2.1. Technically necessary session cookies

Purpose of processing: to ensure the proper functioning of the website. These cookies are necessary to enable visitors to browse the website, to use its functions smoothly and fully, to use the services available through the website, including, in particular, the annotation of the actions carried out by the visitor on the pages concerned *or the logged-in user's*

identification of the logged-in user during a visit. The duration of the processing of these cookies is limited to the current visit of the visitor, and this type of cookie is automatically deleted from his/her computer at the end of the session or when the browser is closed.

The legal basis for this data processing is Article 13/A (3) of Act CVIII of 2001 on certain aspects of electronic commerce services and information society services (Elkertv.), according to which the service provider may process personal data that are technically necessary for the provision of the service. The service provider must, other things being equal, choose and in any case operate the means used in the provision of the information society service in such a way that personal data are processed only if absolutely necessary for the provision of the service and for the fulfilment of the other purposes specified in this Act, but in this case only to the extent and for the duration necessary.

2.2. Cookies to facilitate use:

These remember the user's choices, such as what form the user wants the page to take. These types of cookies are essentially the preferences data stored in the cookie.

The legal basis for processing is the visitor's consent.

The purpose of the processing is to improve the efficiency of the service, To increase the effectiveness of the service, to improve the user experience and to make the website more convenient to use.

This data is rather stored on the user's computer, the website only accesses and recognises the visitor through it.

2.3. Performance cookies:

They collect information about the user's behaviour within the website visited, time spent, clicks. These are typically third party applications (e.g. Google Analytics, AdWords).

Legal basis for processing: consent of the data subject.

Purpose of processing: to analyse the website, to send advertising offers.

4. CHAPTER 2 - INFORMATION ON THE RIGHTS OF THE DATA SUBJECT

In all its data processing, the Practice is committed to ensuring the exercise of the rights of the data subject.

14. *A brief summary of the data subject's rights*

1. Transparent information, communication and facilitation of the exercise of data subject rights
2. Right to prior information - where personal data are collected from the data subject
3. Information to the data subject and the information to be provided to him/her where the personal data have not been obtained by the controller
4. Right of access of the data subject
5. Right to rectification
6. Right to erasure ('right to be forgotten')
7. Right to restriction of processing
8. Obligation to notify the rectification or erasure of personal data or restriction of processing
9. The right to data portability
10. The right to object
11. Automated decision-making in individual cases, including profiling
12. Restrictions
13. Informing the data subject of the personal data breach
14. The right to lodge a complaint with a supervisory authority (right to official redress)
15. Right to an effective judicial remedy against the supervisory authority
16. Right to an effective judicial remedy against the controller or processor

15. *Data subject's rights details*

1. Transparent information, communication and facilitation of the exercise of the data subject's rights

Under the **Act on the Processing and Protection of Health Data**:

The patient (legal representative) has the right to be informed of the personal identification and health data concerning him/her, to have access to the medical records of the person concerned.

In dental care, the patient is informed of and accepts the completion of the care process. The dentist is responsible for the definitive care process. The fact and the reasons for interruption or modification of the care process are recorded by the treating dentist in the patient's records.

The interpretation of the right to information in relation to the data subject as a patient is not a data processing one:

The patient must be informed of the provider's privacy policy before the patient's care is provided. The patient must be informed of the Office's data handling procedures by the dentist providing the treatment or his or her delegate. The patient shall sign the form certifying that the information has been provided. The signed information shall be attached to the patient's medical records. The patient's restrictive declaration, if any, must also be attached to the patient's documentation.

Information about the patient's treatment is provided by the dentist or dental nurse treating the patient. Information on the nursing aspects of the patient's treatment may also be provided by the health care professional attending to the patient. Information on the patient's treatment shall not be provided by a dental nurse or other staff member unless authorised to do so by the dentist treating the patient. The information shall be provided in person.

No information on the treatment of a patient may be given by telephone or fax pursuant to Article 11 (1) of the Act. The treating dentist or health care worker may confirm the fact of the patient's treatment by the service provider, unless the patient declares otherwise.

1.1. The controller shall provide the data subject with all information and any particulars relating to the processing of personal data in a concise, transparent, intelligible and easily accessible form, in clear and plain language, in particular in the case of any information addressed to children. The information shall be provided in writing or by other means, including, where appropriate, by electronic means. At the request of the data subject, information may be provided orally, provided that the identity of the data subject has been verified by other means.

1.2. The controller shall facilitate the exercise of the rights of the data subject.

1.3. Without undue delay and in any event within one month of receipt of the request, the controller shall inform the data subject of the measures taken in response to his or her request to exercise his or her rights. This time limit may be extended by a further two months under the conditions laid down in the Regulation, of which the data subject shall be informed.

1.4. If the controller does not take action on the data subject's request, it shall inform the data subject without delay and at the latest within one month of receipt of the request of the reasons for the non-action and of the possibility to lodge a complaint with a supervisory authority and to exercise his or her right of judicial remedy.

1.5. The controller shall provide the information and the information and action on the rights of the data subject free of charge, but may charge a fee in the cases provided for in the Regulation.

The detailed rules can be found under Article 12 of the Regulation.

2. Right to prior information - where personal data are collected from the data subject

2.1. The data subject has the right to be informed of the facts and information relating to the processing before the processing starts. In this context, the data subject must be informed:

- a) the identity and contact details of the controller and its representative,
- b) contact details of the Data Protection Officer (if any),
- c) the purposes for which the personal data are intended to be processed and the legal basis for the processing,
- d) in the case of processing based on legitimate interests, the legitimate interests of the controller or third parties,

- e) the recipients to whom the personal data are disclosed and the categories of recipients, if any;
- (e) where applicable, the fact that the controller intends to transfer the personal data to a third country or an international organisation.

2.2. To ensure fair and transparent processing, the controller should provide the data subject with the following additional information:

- a) the duration of the storage of the personal data or, where this is not possible, the criteria for determining that duration;
- b) the right of the data subject to request the controller to access, rectify, erase or restrict the processing of personal data relating to him or her and to object to the processing of such personal data, and the data subject's right to data portability;
- c) where processing is based on the data subject's consent, the right to withdraw consent at any time without prejudice to the lawfulness of the processing carried out on the basis of consent prior to its withdrawal;
- d) the right to lodge a complaint with a supervisory authority;
- e) whether the provision of the personal data is based on a legal or contractual obligation or is a precondition for the conclusion of a contract, and whether the data subject is under an obligation to provide the personal data and the possible consequences of not providing the data;
- f) the fact of automated decision-making, including profiling, and, at least in these cases, the logic used and clear information on the significance of such processing and the likely consequences for the data subject.

2.3. Where the controller intends to further process personal data for a purpose other than that for which they were collected, the controller must inform the data subject of that other purpose and of any relevant additional information prior to further processing.

The detailed rules on the right to prior information are laid down in Article 13 of the Regulation.

3. Information to the data subject and the information to be provided to him or her where the personal data have not been obtained by the controller

3.1. Where the controller has not obtained the personal data from the data subject, the data subject must be informed by the controller at the latest within one month of obtaining the personal data; where the personal data are used for the purpose of contacting the data subject, at least at the time of the first contact with the data subject; or, where the data are likely to be disclosed to another addressee, at the latest at the time of the first disclosure of the personal data, at the time of the first communication of the personal data to the addressee, in accordance with Article 2. the facts and information referred to in point (2), the categories of personal data concerned and the source of the personal data and, where applicable, whether the data originate from publicly available sources.

3.2. The additional rules set out in point 2 above (Right to Prior Information) shall apply.

The detailed rules on this information are set out in Article 14 of the Regulation.

4. Right of access of the data subject

4.1. The data subject has the right to obtain from the controller feedback as to whether or not his or her personal data are being processed and, if such processing is taking place, the right of access to the personal data and related information described in points 2-3 above (Article 15 of the Regulation).

4.2. Where personal data are transferred to a third country or an international organisation, the data subject has the right to be informed of the appropriate safeguards for the transfer in accordance with Article 46 of the Regulation.

4.3. The controller must provide the data subject with a copy of the personal data which are the subject of the processing. For additional copies requested by the data subject, the controller may charge a reasonable fee based on administrative costs.

Detailed rules on the data subject's right of access are set out in Article 15 of the Regulation.

5. Right to rectification

5.1. The data subject shall have the right to obtain, upon his or her request and without undue delay, the rectification of inaccurate personal data relating to him or her by the controller.

5.2. Taking into account the purposes of the processing, the data subject shall also have the right to obtain the rectification of incomplete personal data, including by means of a supplementary declaration.

These rules are set out in Article 16 of the Regulation.

6. Right to erasure ("right to be forgotten")

6.1. The data subject shall have the right to obtain from the controller, upon his or her request, the erasure of personal data relating to him or her without undue delay and the controller shall be obliged to erase personal data relating to him or her without undue delay where

- a) the personal data are no longer necessary for the purposes for which they were collected or otherwise processed;
- b) the data subject withdraws the consent on the basis of which the processing was carried out and there is no other legal basis for the processing;
- c) the data subject objects to the processing and there are no overriding legitimate grounds for the processing;
- d) the personal data have been unlawfully processed;
- e) the personal data must be erased in order to comply with a legal obligation under Union or Member State law to which the controller is subject;
- f) the personal data were collected in connection with the provision of information society services directly to a child.

6.2. The right to erasure may not be exercised if the processing is necessary

- a) for the exercise of the right to freedom of expression and information;
- b) to comply with an obligation under Union or Member State law to which the controller is subject or to carry out a task carried out in the public interest or in the exercise of official authority vested in the controller;
- c) on grounds of public interest in the field of public health;

- d) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, where the right of erasure would be likely to render such processing impossible or seriously jeopardise it; or
- e) for the establishment, exercise or defence of legal claims.

Detailed rules on the right to erasure are set out in Article 17 of the Regulation.

7. Right to restriction of processing

7.1. Where processing is restricted, such personal data, except for storage, may only be processed with the consent of the data subject 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 important public interests of the Union or of a Member State.

7.2. The data subject shall have the right to obtain, at his or her request, restriction of processing by the controller where one of the following conditions is met:

- a) the data subject contests the accuracy of the personal data, in which case the restriction shall apply for a period of time which allows the Controller to verify the accuracy of the personal data;
- b) the processing is unlawful and the data subject objects to the erasure of the data and requests instead that the use of the data be restricted;
- c) the controller no longer needs the personal data for the purposes of the processing but the data subject requires them for the establishment, exercise or defence of legal claims; or
- d) the data subject has objected to the processing; in this case, the restriction shall apply for a period of time until it is established whether the legitimate grounds of the controller override the legitimate grounds of the data subject.

7.3. The data subject shall be informed in advance of the lifting of the restriction.

The relevant rules are set out in Article 18 of the Regulation.

8. Obligation to notify the rectification or erasure of personal data or the restriction of processing

The controller shall inform each recipient to whom or with which the personal data have been disclosed of any rectification, erasure or restriction of processing, unless this proves impossible or involves a disproportionate effort. The controller shall inform the data subject, at his or her request, of these recipients.

These rules can be found under Article 19 of the Regulation.

9. Right to data portability

9.1. Under the conditions set out in the Regulation, the data subject has the right to receive personal data relating to him or her which he or she has provided to a controller in a structured, commonly used, machine-readable format and the right to transmit those data to another controller without hindrance from the controller to whom the personal data have been provided, if.

- a) the processing is based on consent or on a contract, and

b) the processing is carried out by automated means.

9.2. The data subject may also request the direct transfer of personal data between controllers.

9.3. The exercise of the right to data portability shall be without prejudice to Article 17 of the Regulation (Right to erasure ("right to be forgotten")). The right to data portability shall not apply where the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. This right shall not adversely affect the rights and freedoms of others.

The detailed rules are set out in Article 20 of the Regulation.

10. The right to object

10.1. The data subject shall have the right to object at any time, on grounds relating to his or her particular situation, to the processing of his or her personal data based on the public interest, the performance of a public task (Article 6(1)(e)) or a legitimate interest (Article 6(f)), including profiling based on those provisions. In such a case, the controller may no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

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 purposes, including profiling, where it is related to direct marketing. If the data subject objects to the processing of personal data for direct marketing purposes, the personal data may no longer be processed for those purposes.

10.3. These rights shall be explicitly brought to the attention of the data subject at the latest at the time of the first contact with the data subject and the information shall be clearly displayed and separated from any other information.

10.4. The data subject may also exercise the right to object by automated means based on technical specifications.

10.5. Where personal data are processed for scientific or historical research purposes or for statistical purposes, the data subject shall have the right to object, on grounds relating to his or her particular situation, 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.

The relevant rules are set out in the Article of the Regulation.

11. Automated decision-making in individual cases, including profiling

11.1. The data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.

11.2. This right shall not apply where the decision:

a) necessary for entering into, or performance of, a contract between the data subject and the controller;

- b) it is permitted by Union or Member State law applicable to the controller which also lays down appropriate measures to protect the rights and freedoms and legitimate interests of the data subject; or
- c) is based on the explicit consent of the data subject.

11.3. In the cases referred to in points (a) and (c), the controller shall take appropriate measures to safeguard the rights, freedoms and legitimate interests of the data subject, including at least the right to obtain human intervention by the controller, to express his or her point of view and to object to the decision.

Further rules are set out in Article 22 of the Regulation.

12. Restrictions

EU or Member State law applicable to a controller or processor may limit the scope of rights and obligations (Articles 12-22, 34, 5 of the Regulation) by legislative measures, provided that the limitation respects the essential content of fundamental rights and freedoms.

The conditions for this restriction are set out in Article 23 of the Regulation.

13. Informing the data subject of the personal data breach

13.1. If the personal data breach is likely to result in a high risk to the rights and freedoms of natural persons, the controller must inform the data subject of the personal data breach without undue delay. This information shall clearly and plainly describe the nature of the personal data breach and shall include at least the following:

- (a) the name and contact details of the Data Protection Officer or other contact person who can provide further information;
- c) describe the likely consequences of the data breach;
- d) a description of the measures taken or envisaged by the controller to remedy the personal data breach, including, where appropriate, measures to mitigate any adverse consequences of the personal data breach.

13.2. The data subject need not be informed if any of the following conditions are met:

- a) the data controller has implemented appropriate technical and organisational protection measures and these measures have been applied to the data affected by the personal data breach, in particular measures, such as the use of encryption, which render the data unintelligible to persons not authorised to access the personal data;
- b) the controller has taken additional measures following the personal data breach to ensure that the high risk to the rights and freedoms of the data subject is no longer likely to materialise;
- c) the provision of information would require a disproportionate effort. In such cases, the data subjects shall be informed by means of publicly disclosed information or by means of a similar measure which ensures that the data subjects are informed in an equally effective manner.

Further rules are set out in Article 34 of the Regulation .

14. Right to lodge a complaint with a supervisory authority (right of appeal to a public authority)

The data subject has the right to lodge a complaint with a supervisory authority, in particular in the Member State of his or her habitual residence, place of work or place of the alleged infringement, if the data subject considers that the processing of personal data relating to him or her infringes the Regulation. The supervisory authority with which the complaint has been lodged must inform the data subject of the procedural developments concerning the complaint and of the outcome of the complaint, including the right of the data subject to judicial remedy.

These rules are set out in Article 77 of the Regulation.

For redress, he may lodge a complaint with the supervisory authority:

National Authority for Data Protection and Freedom of**Information** Address: 1125 Budapest, Szilágyi Erzsébet

fasor 22/c Phone: +36 (1) 391-1400

11 1111 Elisabeth Erzsébet Erzsébet, Budapest, Hungary Fax: +36 (1) 391-1410

www: <http://www.naih.hu>e-mail: ugyfelszolgalat@naih.hu**15. Right to an effective judicial remedy against the supervisory authority**

15.1. Without prejudice to any other administrative or non-judicial remedy, any natural or legal person has the right to an effective judicial remedy against a legally binding decision of the supervisory authority concerning him/her.

15.2. Without prejudice to any other administrative or non-judicial remedy, any data subject shall have the right to an effective judicial remedy if the competent supervisory authority does not deal with the complaint or does not inform the data subject within three months of the procedural developments concerning the complaint lodged or of the outcome of the complaint.

15.3. Proceedings against a supervisory authority shall be brought before the courts of the Member State in which the supervisory authority is established.

15.4. Where proceedings are brought against a decision of a supervisory authority on which the Board has previously issued an opinion or taken a decision under the consistency mechanism, the supervisory authority shall be required to transmit that opinion or decision to the court.

These rules are laid down in Article 78 of the Regulation.

16. The right to an effective judicial remedy against the controller or processor

16.1. Without prejudice to any available administrative or non-judicial remedies, including the right to lodge a complaint with a supervisory authority, every data subject shall have the right to an effective judicial remedy if he or she considers that his or her rights under this Regulation have been infringed as a result of the processing of his or her personal data not in accordance with this Regulation.

16.2. Proceedings against a controller or processor shall be brought before the courts of the Member State in which the controller or processor is established. Such proceedings may also be brought before the courts of the Member State in which the data subject has his or her habitual residence, unless the controller or processor is a public authority of a Member State acting in its exercise of official authority.

These rules are set out in Article 79 of the Regulation.

24 May 2018.

Dr. György Schmideg Head of
Practice, Specialist Dentist