



DATA PROTECTION AND PRIVACY NOTICE

(DATA PROCESSING RELATED TO THE TAKING AND USE OF PHOTOS AND VIDEOS
AT AN EVENT ORGANISED BY THE CONTROLLER)

I. PRESENTATION OF THE CONTROLLER

Sportmarketing Ügynökség Kft. (hereinafter '**Controller**' or '**Event Organiser**') attaches great importance to respecting the right to information self-determination of its employees, partners, customers and visitors. The Controller processes personal data confidentially, in accordance with the applicable European Union and national legislation and relevant data protection (authority) practice, and takes all security and organizational measures to ensure the security, confidentiality, integrity and availability of the data.

Taking into account the provisions of 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 (hereinafter: '**GDPR**') and Act CXII of 2011 on the Right of Informational Self-determination and Freedom of Information (hereinafter: '**Infotv.**'), the Controller publishes the following notice (hereinafter: '**Notice**') in order to protect the personal data processed in connection with the publication of photos and videos of visitors, partners, customers (hereinafter: '**Participants**') taken during the HARLEY-DAVIDSON® 120th ANNIVERSARY EVENT (hereinafter: '**Event**' or '**hd120Budapest**').

The Notice shall be effective from **09.08.2022** until revoked with respect to **the collection and use of personal data obtained by the Controller in the course of taking photos and video recordings at the Event organised by it.**

The Controller reserves the right to unilaterally amend this Notice at any time. In the event of any modification of this Notice, the Controller shall inform the data subjects thereof.

Data of the Controller:	
company name:	Sportmarketing Ügynökség Korlátolt Felelősségű Társaság (short name: Sportmarketing Ügynökség Kft.)
company registration number:	01-09-287952
registered office:	1065 Budapest, Podmaniczky utca 12, Ground Floor 3
postal address:	1065 Budapest, Podmaniczky utca 12, ground floor 3
email address:	info@dakar.hu
website:	http://sportugynokseg.hu/
represented by:	Balázs Árpád Szalay Managing Director
name of the data protection's name:	Mónika Huszák (DPO)
contact details of the data protection officer:	monika.huszak@hd120budapest.hu

The Controller processes the personal data in accordance with all applicable laws, but primarily in accordance with the provisions of the following legislation:

- act CXII of 2011 on the Right of Informational Self-Determination and Freedom of Information (**Infotv**);

- Regulation of the European Parliament and of the Council (EU) 2016/679 on the Protection of Natural Persons with Regard to the Processing of Personal Data and on the Free Movement of Such Data, and Repealing Directive 95/46/EC (General Data Protection Regulation) (hereinafter: '**Regulation**' or '**GDPR**'),

The Controller treats personal data confidentially, and shall take all technical and organisational measures related to data storage and data processing to ensure the security of the data.

Definitions

The terms in this Notice correspond to the interpretative term definitions in Article 4 of the Regulation, and in certain points supplemented with the interpretative provisions of Section 3 of the Infotv. Definitions relevant for the interpretation of this Notice are included in Annex 1.

When this Notice refers to data or processing, it is to be understood as personal data and their processing.

II. PURPOSES OF DATA PROCESSING

DATA PROCESSING RELATED TO THE TAKING AND USE OF PHOTOS AND VIDEOS AT AN EVENT ORGANISED BY THE CONTROLLER

The Controller may take photos and video recordings at the Event organised by it, which may later be published on its websites and other online platforms for the purpose of presenting and promoting the Event and reporting on it, and which may be used in various publications, exhibitions, etc.

Several of the events and programmes organised by the Controller have a long history. To demonstrate this, older, archival footage may also be used as described above.

2.1. Purpose of the processing

The purpose of taking and using the photos and videos is to inform the public about the Event organised by the Controller, as well as to promote the Event and illustrate it with a photographic presentation on the Controller's online platforms and in publications and exhibitions about the programmes and events.

Use and publication of photos and video recordings

The personal data contained in the photos and video recordings are processed solely in the context of the production and publication of the photos and video recordings as described in this document. Only those photos and video recordings are produced and published which show the data subjects in the context of their participation in the Event in the course of usually foreseeable behaviour, situations and circumstances, with the exception of recordings which are clearly prejudicial to the data subject and to the Event Organiser overall. Parts or elements of the previously produced and published photos or video recordings (including even separate images and audio recordings) may be used in further photos or video recordings.

The photos and video recordings to be used in the photos and video recordings may be modified for the following reasons and in the following ways, according to the good faith judgement of the Event Organiser and without prejudice to the interests of the data subjects:

- for aesthetic reasons, the sharpness and depth of colour of the image;
- any branding or reference to a business other than the Event Organiser in photos or video recording, in order to obscure them;
- offensive content, in order to obscure it.

Photos and video recordings may be published in the following ways in accordance with the Event Organiser's practices in force at the time of publication of this document:

They may be uploaded to the websites of the Controller available at the following addresses:

- <https://www.hd120budapest.hu>
- <http://sportugynokseg.hu/>

It may be uploaded to the following social networking sites of the Controller:

- Facebook page:
 - <https://www.facebook.com/hd120budapest>
- Instagram page:
 - <https://www.instagram.com/hd120.budapest/>
- YouTube channel:
 - https://www.youtube.com/channel/UCwi_rCqs5YruFjEhe041SHg
- TikTok page:
 - <https://vm.tiktok.com/ZMNF7xbxg/>
- LinkedIn page:
 - <https://www.linkedin.com/company/harley-davidson-120th-budapest/>

2.2. Legal grounds of the processing

The processing is based on the legitimate interest of the Controller, which corresponds to the purposes of the processing, pursuant to Article 6(1) f) of the Regulation.

At the events and programmes organised by the Controller, the Controller places clear information in advance on their advertising materials, advertising - registration - interfaces, as well as at the venue, that photos and video recordings will be taken at the event or programme in question, which will be published on the above-mentioned interfaces.

The Controller considers the fact that someone appears at the given event or programme in addition to the notification as clear implicit consent to the taking of photos and video recordings and their use as described in the notice, pursuant to Section 2:48 (1) of Act V of 2013 on the Civil Code (hereinafter: '**Civil Code**').

2.3. Processed personal data

Photos and video recordings taken at the Event, in which the Participants attending the Event area may appear randomly (their facial image and other body parts appearing in the video recording, as well as their voices).

2.4. Source of the personal data processed

The photos are taken by an employee of the Controller or by a contracted photographer partner.

2.5. Recipients of provided personal data

Only employees of the Controller who are involved in marketing activities and whose job roles include the processing of personal data in connection with marketing activities are entitled to process personal data.

[FII] megjegyzést írt: Ezekre nagyon figyeljétek! Fontos, hogy erről legyen tájékoztatás az alábbi helyeken is.
- rendezvény reklámanyagain
- rendezvény meghirdetési, jelentkezési felületein
- helyszínen

Fontos a figyelemfelhívás mellett kimondani, hogy a rendezvényen történő megjelenés egyértelmű ráutaló magatartásnak tekintetni, amely szerint a részvétellel hozzájárul a fénykép, videó készítéshez és annak felhasználhatóságához.

Processor(s):

The Processor, acting on behalf of and under the instructions of the Controller, may process the personal data of the data subject only for the purposes specified by the Controller and agreed in the contract, in accordance with the instructions of the Controller, and shall not have the right to make its own decisions with regard to the processing. The processor has undertaken a confidentiality obligation and contractual guarantees regarding the preservation of personal data obtained in the performance of its duties.

In the case of a contracted photographer and videographer, the Controller shall inform the data subjects individually of the identity of the photographer and videographer as the processor.

The Event Organiser may provide the recordings to its sponsors. The list of sponsors is available on the Event website.

For the use of photos, video recordings and their publication, the Event Organiser uses the following processors:

(a) For publication on a website:

Data of the Processor:	
Name of the Processor:	CSAO Kft.
Registered office:	3346 Bélapátfalva, Marx K. u. 20
Tax number:	11171627-2-10
Company registration no.:	10-09-02239
represented by:	Kristóf Csajtai
E-mail:	csajtai.kristof@gmail.com
Performed activity:	Website development, Hosting service

(b) For publication on social networking sites.

For Facebook and Instagram social networking sites, the general privacy notice of Facebook Ireland Ltd. is available at <https://hu-hu.facebook.com/privacy/explanation> and <https://help.instagram.com/519522125107875>. For data protection issues, the data protection officer of Facebook Ireland Ltd. can be contacted via the following interface: <https://www.facebook.com/help/contact/540977946302970>.

For the YouTube channel, the YouTube LLC privacy notice is available at https://support.google.com/youtube/answer/7671399?p=privacy_guidelines&hl=hu&visit_id=636873724079445207-2532259155&rd=1. Data protection complaints can be submitted via the following interface: <https://support.google.com/youtube/answer/142443>.

For TikTok, the general privacy notice of the platform is available at <https://www.tiktok.com/legal/privacy-policy-eea?lang=hu> Data protection complaints can be submitted via the following interface: <https://www.tiktok.com/legal/report/DPO>

LinkedIn Ireland's general privacy notice is available at https://www.linkedin.com/legal/privacy-policy?trk=homepage-basic_footer-privacy-policy. Data protection complaints can be submitted via the following interface: <https://www.linkedin.com/help/linkedin/ask/TSO-DPO>.

2.6. Transfer of personal data

Personal data is not transferred by the Controller to third countries or international organisations, but due to the borderless nature of the internet, it can be accessed by anyone after uploading. The Controller has no control over the use to which the recordings published on the Internet are put by those who have access to them, and the Controller accepts no liability therefor.

[F12] megjegyzést írt: Ez azt jelenti, hogy itt a tájékoztatóban ezt nem tesszük közzé, de ha valaki megkérdezi, akkor arról az érintettet tájékoztatni kell, hogy ki az aki a Rendezvényszervező megbízásából fotót, illetve videó felvételt készít a Rendezvényen.

[F13R2] megjegyzést írt: Megbízott külsős fotóssal videó készítővel külön kell kötni adatfeldolgozó megállapodást.

[F14] megjegyzést írt: Csak akkor marad, ha a szponzorok részére átadásra kerül videó, vagy fotó. Amennyiben így történik, akkor a szponzorokat a weboldalon külön fel kell tüntetni.

[F15] megjegyzést írt: Ha a Rendezvényen készült fotó, vagy videó a weboldalon közzétételre kerül majd, akkor a weboldal szerkesztőjét, illetve a weboldal tárhelyszolgáltatóját nyújtó személyt kell itt megjelölni.

2.7. Duration of processing of personal data

The Controller does not erase informative articles containing photos and videos recordings of events and programmes from the above-mentioned sites, except at the express request of the data subject.

2.8. Automated decision-making and profiling

the Controller does not take a decision based solely on automated processing in relation to the data subject and does not profile the data subject on the basis of the available personal data.

2.9. Processing technique

The Controller processes the personal data of the data subject electronically and manually (on paper).

2.10. Supply of personal data

Personal data is provided voluntarily by the data subject by accepting the terms and conditions of participation in the Event and by voluntarily entering the Event area.

III. DATA SECURITY

The Controller and data processors shall have access to the personal data of the data subject only to the extent necessary for the performance of their tasks.

The Controller shall transfer personal data in a consistent, pre-audited and secure manner, with the information of the data subject, avoiding redundant data transfers or data transfers through different registration platforms.

To ensure data security, the Controller shall assess and record all processing activities performed by the Controller.

On the basis of the records of the processing activities, the Controller shall conduct a risk analysis to assess the conditions under which each processing operation is performed and the risk factors that may cause a breach or a potential personal data breach during the processing. The risk analysis shall be conducted on the basis of the actual processing activity. The purpose of the risk analysis shall be to determine the security rules and measures that effectively ensure the adequate protection of personal data in accordance with the performance of the Controller's activities.

The Controller shall implement appropriate technical and organisational measures to ensure and demonstrate that the processing of personal data is performed in accordance with the GDPR, taking into account the nature, scope, context and purposes of the processing and the varying degrees of probability and severity of the risk to the rights and freedoms of natural persons. Including, where applicable:

- pseudonymisation and encryption of personal data;
- ensuring the continued confidentiality, integrity, availability and resilience of the systems and services used to process personal data;
- in the event of a physical or technical incident, the ability to restore access to and availability of personal data in a timely manner;
- a procedure for regularly testing, assessing and evaluating the effectiveness of the technical and organisational measures taken to ensure the security of processing.

In determining the appropriate level of security, risks arising from data processing should be expressly taken into account, resulting in particular from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of or access to personal data transferred, stored or otherwise processed.

The Controller shall implement appropriate technical and organisational measures to ensure that, by default, only personal data that are necessary for the specific purpose of the processing are processed. This obligation relates to the amount of personal data collected, the extent to which they are processed, the duration of their storage and their availability. These measures should in particular ensure that personal data cannot, by default, be made available to an indeterminate number of persons without the intervention of the natural person.

In the event of damage to or destruction of personal data, attempts should be made to replace the damaged data as far as possible from other available data sources. The fact of the replacement shall be indicated on the replaced data.

The Controller shall protect its internal network with multiple layers of firewall protection. In all cases, hardware firewalls (border protection devices) shall be installed at all access points to the public networks used. The Controller stores data redundantly, i.e. in multiple locations, to protect them from destruction, loss, damage or unlawful destruction due to malfunctioning of the IT equipment.

It protects its internal networks from external attacks with multi-layered, active, complex malware protection (e.g. antivirus protection).

The Controller shall take the utmost care to ensure that its IT tools and software are kept up to date with the technological solutions generally accepted in the market.

IV. RIGHTS OF THE DATA SUBJECT IN RELATION TO THE PROCESSING

It is important for the Controller that its processing complies with the requirements of fairness, lawfulness and transparency. In relation to the processing, the data subject may exercise their rights set out in the following Regulation:

4.1. Right to information

The data subject has the right to receive information relating to the processing, which the Controller provides by making this Notice available.

4.2. Processing based on consent

If the legal ground of the processing is the consent of the data subject, they have the right to withdraw their consent to the processing at any time. However, it is important to know that the withdrawal of consent can only apply to data for which there is no other legal ground for processing. Unless there is another legal ground for the processing of the personal data concerned, the Controller will permanently and irrevocably erase the personal data after the withdrawal of the consent. However such withdrawal will not affect the legality of the processing activities performed with the data subject's consent, prior to the withdrawal.

4.3. Access rights

At the request of the data subject, the Controller shall at any time, unless it is restricted by a legitimate interest, inform the data subject whether or not personal data concerning them are being processed and, if so, provide access to the personal data and to the following information:

- the purposes of the processing;
- legal ground of the processing;
- the categories of the personal data concerned;
- the recipients or categories of recipients to whom the Controller has communicated or will communicate the personal data, including in particular third country recipients or international organisations;
- the intended preservation period of the personal data or, if this is not possible, the aspects of determining such a preservation period;
- the data subject shall also be informed of their right to request the Controller to rectify, erase or restrict the processing of personal data concerning them, as well as their right to object to the processing of such personal data;
- the right to lodge a complaint with a supervisory authority or to initiate legal proceedings;
- if the data were not collected directly from the data subject by the Controller, all available information on the source of the data;
- if automated decision-making takes place, the fact of this, including profiling, and at least in these cases, the logic used, i.e. the significance of such processing and the expected consequences for the data subject.

4.4. Right to the rectification of personal data

The data subject has the right at any time to have inaccurate personal data concerning them be rectified by the Controller at their request without undue delay. Taking into account the purpose of the processing, the data subject is also entitled to request that the incomplete personal data be supplemented, inter alia, by means of a supplementary statement.

If a request is made to rectify (modify) the data, the data subject must prove the validity of the data requested to be modified, and they must also prove that the person requesting the data to be modified is entitled to do so. This is the only way for the Controller to judge whether the new data is real and, if so, whether to modify the previous data.

If it is not clear whether the data processed is correct or accurate, the Controller will not correct the data, but only mark it, i.e. indicate that it has been objected to by the data subject, but not necessarily incorrect. The Controller shall, without undue delay, correct inaccurate personal data or supplement the data concerned by the request, after confirming the authenticity of the request. The Controller shall notify the data subject of the rectification or marking.

The Controller further draws attention to the fact that the data subject should announce the change in their personal data as soon as possible, facilitating lawful processing and the enforcement of their rights.

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

At the request of the data subject, the Controller is obliged to erase the personal data of the data subject without undue delay if one of the following reasons exists:

- the personal data requested to be erased are no longer needed by the Controller for the purpose they were obtained for and managed in any way;
- in the case of consent-based processing, the data subject withdraws the consent on which the processing is based and there is no other legal ground for the processing;
- the data subject objects to the processing and there is no overriding legitimate reason for the processing, or objects to the processing for the purpose of direct business acquisition;
- the Controller manage the personal data unlawfully;
- 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;

- the personal data were obtained in connection to the provision of services relating to the information society.

4.6. Right to the restriction of processing

The Data Subject has the right to obtain, at their request, the restriction of processing by the Controller if one of the following conditions is met:

- they contest the accuracy of their personal data, in which case the restriction shall only apply to the time period necessary for the Controller to verify the correctness of the personal data;
- the processing is unlawful and they oppose the erasure of the data, instead they request the restriction of their use;
- the Controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the submission, enforcement or defence of legal claims; or
- the data subject objected to the data processing; in such cases the restriction shall only apply to the time period necessary to determine whether the Controller's justified needs precede the needs of the data subject.

If the data are subject to restriction, such personal data may be processed, except for storage, only with the consent of the data subject or for the establishment, exercise or defence of legal claims of another natural or legal person or of an important public interest of the Union or of a Member State. The Controller shall inform the data subject in advance of the lifting of the restriction on processing.

4.7. Right to objection

Where the processing of personal data is based on a legitimate interest of the Controller (Article 6 (1) f) of the Regulation) or the processing is necessary for the performance of a task performed in the exercise of a public authority conferred on the Controller (Article 6 (1) e) of the Regulation) the data subject shall have the right to object at any time to the processing of their personal data, including profiling based on those provisions, for reasons related to their own situation.

If the data subject's personal data is processed by the Controller for the purpose of direct business acquisition (i.e. sending notification letters), they have the right to object at any time to the processing of personal data concerning them for this purpose, including profiling, if it is related to direct business acquisition. If the data subject objects to the processing of their personal data for the purpose of direct business acquisition, the personal data may no longer be processed for this purpose.

4.8. Interest balancing test

Where the legal ground for the processing of personal data is the legitimate interest of the Controller or a third party within the meaning of Article 6(1) f) of the Regulation and, consequently, a written 'interest balancing test' has been conducted pursuant to paragraph 47 of the preamble and Article 5(2), the data subject may request it by sending an e-mail to monika.huszak@hd120budapest.hu.

4.9. Right to data portability

The data subject has the right to receive the personal data concerning them, which they have provided to a Controller, in a structured, commonly used and machine-readable format and shall have the right to transfer those data to another controller if:

- a) the processing is based on the data subject's consent or a contract pursuant to Article 6 (1) b) of the Regulation; and

b) the data handling is automated.

V. PROCEDURES FOR ENFORCING THE RIGHTS OF THE DATA SUBJECT

The data subject can exercise the above rights by sending an e-mail to monika.huszak@hd120budapest.hu, by post to the Controller's registered officer or by visiting the Controller's registered office in person. The Controller starts assessing and fulfilling the request of the data subject without undue delay upon receipt. The Controller informs the data subject of the measures taken based on the request within 30 (thirty) days of its receipt. If the Controller is unable to comply with the request, it shall inform the data subject of the reasons for the refusal and the right of appeal within 30 (thirty) days.

Within 5 (five) years after the death of the data subject, the rights of the deceased specified in this Notice, to which the deceased was entitled while alive, may be exercised by the person authorised by the data subject with an administrative order or a statement made to the Controller contained in a public document or a private document with full probative value, and if the data subject made more than one statement to the Controller, by the statement made at a later date. If the data subject did not make an equivalent statement, then, even in the absence thereof, their close relative under Act V of 2013 on the Civil Code is entitled to exercise the rights of the deceased, to which they were entitled while alive, within 5 (five) years following the death of the data subject, as provided for in Articles 16 (right to rectification) and 21 (right to objection) of the Regulation and, if the processing was already illegal in the life of the data subject or the purpose of the processing ceased with the death of the data subject, Articles 17 (right to erasure) and 18 (right to restrict processing) of the Regulation. A close relative, who is the first to exercise this right shall be entitled to exercise the rights of the data subject under this paragraph.

VI. RIGHT TO LEGAL REMEDY WITH REGARD TO THE PROCESSING

In order to enforce their right to judicial remedy, the data subject may apply to a court against the Controller, if, in their opinion, the Controller or the processor commissioned by it or acting on its instruction is processing their personal data in violation of the provisions specified in the legislation on the processing of personal data or in the mandatory legal acts of the European Union. The court shall hear such cases in priority proceedings. The case falls within the competence of the general court. The lawsuit may also be brought - at the choice of the data subject - before the court of the place of residence or domicile of the data subject or the court of the seat of the Controller (Budapest Environs Court).

They can find the court of their domicile or residence at <http://birosag.hu/ugyfelkapcsolati-portal/birosag-kereso>.

Anyone is entitled to request an investigation from the National Authority for Data Protection and Freedom of Information (NADPFI) against the Controller through a notification (complaint), on the grounds that an infringement occurred or is imminent with regard to the processing of personal data, or that the Controller restricts the exercising of their rights related to processing or rejects their request to enforce these rights. The notification can be made at one of the following contact details:

National Authority for Data Protection and Freedom of Information (NADPFI)
Postal address: 1363 Budapest, P.O. Box: 9
Address: 1055 Budapest, Falk Miksa utca 9-11.
E-mail: ugyfelszolgalat@naih.hu
URL: <http://naih.hu>

We recommend that you contact the Data Protection Officer of the Controller before filing a complaint with the National Authority for Data Protection and Freedom of Information or to the courts by using the contact details stated in this Notice.

Budapest, 09.08.2022

Annex 1:

Terms relating to the processing of personal data

- **controller:** the legal person who determines the purposes and means of the processing of personal data;
- **processing:** means any operation or set of operations which is performed upon personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure, transfer, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- **data transfer:** making data available to a specified third party;
- **erasure:** rendering data unrecognisable in such a way that their recovery is no longer possible;
- **data marking:** the marking of data with an identification mark to distinguish them;
- **restriction of processing:** marking of stored personal data with a view to limiting their future processing;
- **data destruction:** the total physical destruction of a storage medium containing data;
- **data processor:** a legal person who processes personal data on behalf of the Controller;
- **recipient:** a natural or legal person, public authority, agency or any other body to whom or with which personal data are disclosed, whether or not a third party;
- **data subject:** a natural person who is identified or identifiable; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, 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;
- **third party:** a natural or legal person, public authority, agency or any other body which is not the same as the data subject, the Controller, the processor or the persons who, under the direct authority of the Controller or processor, are authorised to process personal data;
- **consent of the data subject:** a freely given, specific, informed and unambiguous indication of the data subject's wishes by which they signifies, by a statement or by an act unambiguously expressing their consent, that they signifies their agreement to the processing of personal data relating to them;
- **personal data:** any information relating to the data subject;
- **objection:** a statement by the data subject objecting to the processing of their personal data and requesting the cessation of the processing or the erasure of the processed data.