



DATA PROTECTION AND PRIVACY NOTICE

(PROCESSING RELATING TO SOCIAL NETWORKING SITES)

I. PRESENTATION OF THE CONTROLLER

Sportmarketing Ügynökség Kft. (hereinafter: ‘**Controller**’ or ‘**Event Organiser**’) attaches the utmost importance to respecting the right to informational self-determination of visitors to the social networking sites established by it and relating to the HARLEY-DAVIDSON® 120th ANNIVERSARY EVENT (hereinafter: ‘**Event**’ or ‘**hd120Budapest**’) it organises. 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 of the visitors using the website.

The Notice is effective from **09.08.2022** until revoked with regard to the processing of personal data of data subjects **by the Controller in the course of the operation of the website.**

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

THE PROCESSING OF PERSONAL DATA OF VISITORS TO SOCIAL NETWORKING SITES ESTABLISHED BY THE CONTROLLER

2.1. Data processing related to social networking sites in general

Social networking sites are the most important platforms for communication in today's online world. In addition to its website, the Controller intends to provide up-to-date information about the Event it is organising and about the Event itself through its social networking sites. These sites allow for more direct contact with interested parties and also allow the information published by the Controller to reach a wider audience of readers and viewers.

The Controller currently uses the following pages:

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

(hereinafter jointly referred to as: '**Social Networking Site**' or '**Social Networking Site**').

2.2. Purpose of the processing

The purpose of the processing of personal data is the operation of the Social Networking Sites, and thus for the Controller to inform interested parties about current information regarding the Event it is organising and about the event itself.

The purpose for the operation of the Social Networking Sites is also to allow interested parties to express their opinions, reactions, questions, comments, reviews on the Facebook Page, and to contact the Event Organiser via private message on the Facebook Page (Messenger) and Instagram Page.

The Controller is entitled to moderate (delete from the Social Networking Site) content that violates the terms of use of the Social Networking Site or the Social Networking Site in general, and, if necessary, to ban from the Social Networking Site persons who regularly and/or seriously violate these terms of use, and thus, the Controller's further purpose of data processing is to moderate such violating content and ban from the Social Networking Site the persons who engage in such activities.

Data for the site analytics function (hereinafter: '**Site Analytics**') is provided to the Controller by the operator of the Social Networking Site (see details below). The Site Analytics function displays aggregate data, which is intended to help the Controller understand how visitors use the Social Networking Sites.

The Controller reserves the right to organise promotions (e.g. prize draws) on the Social Networking Site. In relation to such promotional activities and the data processing that may occur in connection with them, the Controller will issue separate privacy notice(s).

The Controller does not keep any records outside the Social Networking Site about the data subjects of the processing on the Social Networking Site and their activities on the Social Networking Site, does not process personal data provided by data subjects on the Social Networking Site in any other way or on any other platform than the above and, in general, does not use the personal data of the data subjects for purposes other than those mentioned above.

2.3. Legal grounds of the processing

The legitimate interest of the Controller as set out in Article 6(1) f) of the Regulation, which is specified in the purpose of the processing.

2.4. Processed personal data

The Controller processes personal data on the Social Networking Sites in the following cases:

- in the case of following and unfollowing the Social Networking Site: public data relating to the profile of the data subject (profile name, profile user ID);
- in the case of activity on the Social Networking Site, in relation to the Social Networking Site: data related to the activity, including posting a comment, writing a review, sharing a comment, commenting on a comment, reacting to a comment (e.g. liking a comment);
- initiating a communication with the Social Networking Site via private message: any information that the data subject brings to our attention during the communication;
- in the event of a violation of the terms of use of the Social Networking Site or of the Social Networking Site in general, in order to moderate the offending content and to ban or block the person concerned from the Social Networking Site: data relating to this offending conduct and public data relating to the profile of the person concerned (profile name, profile user ID).

Personal data processed in connection with the Site Analytics function:

The Site Analytics function may be based on personal data collected by the Social Networking Site operator from data subjects who visit or use the Social Networking Site and its content. The scope of the personal data used for these Site Analytics is determined by the operator of the Social Networking Site and is solely visible and processed by them. The Controller has no control over the scope of these personal data and cannot influence them in any way, and has no control over the processing of the Social Networking Site. When using the Site Analytics function, the information is not personalised but only displayed to us in aggregate form as statistics, so we do not process any personal data in connection with the Site Analytics.

2.5. Processing of personal data

The data subject and the Social Networking Site.

2.6. Recipients of provided personal data

The Controller shall make the personal data of the data subject available only to those of its employees whose job roles include the management and operation of the Social Networking Site.

The personal data of the data subject, with the exception of personal data provided in a private message, are data that the data subject discloses on the public interface of the Social Networking Site and are therefore accessible to anyone. The Controller has no control over who precisely has access to the data published on the internet.

Personal data relating to the Social Networking Site that are also displayed in the data subject's own profile (e.g. a post on the Facebook Page or the following of an Instagram Page) may be accessed by those who otherwise have access to other similar data of the data subject published on the Social Networking Site, in accordance with the data subject's user preferences. In this respect, the scope of those with access rights (e.g. only friends and followers can see the data posted) is set by the data subject.

The personal data contained in the private message is known only to the Controller.

2.7. Personal data transfer to a third country or to an international organisation

The Controller does not transfer the above personal data of the data subject to third countries or international organisations, but due to the borderless nature of the internet, the personal data posted by the data subject on the public interfaces of the Social Networking Site (e.g. when posting comments or reviews) can be accessed by anyone who visits the Social Networking Site.

2.8. Duration of processing of personal data

The Controller processes the personal data for as long as it is the administrator of the Social Networking Site. The Controller has no control over how long the data is displayed by the operator of the Social Networking Site.

2.9. Automated decision-making and profiling

Neither of these occurs during the processing.

2.10. Social networking sites used by the Controller

(a) Facebook

Facebook Ireland Limited (4 Grand Canal Square, Grand Canal Harbour, Dublin 2 Ireland; hereinafter: '**Facebook Ireland**') is an independent controller and collects data about people who visit social networking sites, groups or events in accordance with its own privacy policy.

Facebook Ireland's general privacy notice is available at <https://hu-hu.facebook.com/privacy/explanation>.

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>.

Facebook Page

The Facebook Page is a public interface, so any personal data posted there by the data subject can be accessed by anyone, even without Facebook registration. Only Facebook users can react to, comment on, write reviews of and follow content posted by the Company on the Facebook Page. Facebook registration is not required to send a message, and registration is not required to use the Messenger instant messaging app.

The Controller, as the administrator of the Facebook Page, reserves the right to moderate certain reviews and comments published on the Facebook Page, if it considers that they violate the terms of use of Facebook or the Facebook Page (e.g. violent, sexual content), that is, to delete these reviews and comments, and to ban from the Facebook Page persons who regularly and/or seriously violate the terms of use.

Information on joint data processing

In connection with the Facebook Page, Facebook Ireland provides the Controller with data for the Site Analytics function. In the processing of personal data used to produce the Site Analytics, the Controller and Facebook Ireland act as joint controllers in accordance with Article 26 of the Regulation, subject to the judgment of the Court of Justice of the European Union in Case C-210/16.

Joint data processing is permitted under Article 26 of the Regulation. Where two or more controllers jointly determine the purposes and means of processing, they shall be joint controllers.

The joint controllers shall define in a transparent manner, in an agreement between them, their respective responsibilities and the allocation of responsibilities for the performance of the obligations under the Regulation, in particular in relation to the exercise of the rights of the data subject and the provision of information to be made available to the data subject. The agreement is the controller's appendix to the Site Analytics function, available at: https://hu-hu.facebook.com/legal/terms/page_controller_addendum

Irrespective of the terms of the arrangement, the data subject may exercise his or her rights under this Regulation in respect of and against each of the controllers.

In joint processing, all data controllers comply with the rules on data protection and the processing of personal data.

More information about the processing of data during Site Analytics is available here: https://www.facebook.com/legal/terms/information_about_page_insights_data

(b) Instagram

Facebook Ireland, as an independent controller, collects data about individuals who visit individual Instagram profiles in accordance with its own privacy policy.

Facebook Ireland's general privacy notice for Instagram is available at <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>.

The Instagram Page can be visited by anyone, the photos and videos posted by the Company can be viewed by anyone, with the exception that our stories, if not recorded on the Instagram Page, can only be accessed by the followers of the Instagram Page. Only users with an Instagram account can like, comment on or send private messages to the Company on the Instagram Page, and only they can follow the Instagram Page. Comments made by the data subject to the content of the Instagram Page, as well as followers of the Instagram Page, can only be seen by users with an Instagram account.

The Controller reserves the right to moderate certain posts published on the Instagram Page if it considers that they violate the terms of use of Instagram or the Instagram Page (e.g. violent, sexual content), that is, to delete these posts, or to block those who regularly and/or seriously violate the terms of use.

Information on joint data processing

In connection with the Instagram Page, Facebook Ireland provides the Controller with data for the Site Analytics function. In view of the fact that Instagram is a Facebook product, in the processing of personal data used for the creation of the Site Analytics for the Instagram Page, the Controller and Facebook Ireland act as joint controllers in accordance with Article 26 of the Regulation, subject to the judgment of the Court of Justice of the European Union in Case C-210/16.

Joint data processing is permitted under Article 26 of the Regulation. Where two or more controllers jointly determine the purposes and means of processing, they shall be joint controllers.

The joint controllers shall define in a transparent manner, in an agreement between them, their respective responsibilities and the allocation of responsibilities for the performance of the obligations under the Regulation, in particular in relation to the exercise of the rights of the data subject and the provision of information to be made available to the data subject. The agreement is the controller's appendix to the Site Analytics function, available at: https://hu-hu.facebook.com/legal/terms/page_controller_addendum

Irrespective of the terms of the arrangement, the data subject may exercise his or her rights under this Regulation in respect of and against each of the controllers.

In joint processing, all data controllers comply with the rules on data protection and the processing of personal data.

More information about the processing of data during Site Analytics is available here: https://www.facebook.com/legal/terms/information_about_page_insights_data

(c) TikTok

TikTok Technology Limited (10 Earlsfort Terrace, D02 T380, Co. Dublin, Ireland; hereinafter: '**TikTok Limited**') is an independent controller and collects data about people who visit social networking sites, groups or events in accordance with its own privacy policy.

TikTok's general privacy notice is available at <https://www.tiktok.com/legal/privacy-policy-eea?lang=hu>.

For data protection issues, the data protection officer of TikTok Limited can be contacted via the following interface: <https://www.tiktok.com/legal/report/DPO>.

(d) 4. LinkedIn

LinkedIn Ireland Unlimited Company (70 Sir John Rogerson's Quay, Dublin 2, Dublin, D02r296, Ireland; hereinafter: '**LinkedIn Ireland**') is an independent controller and collects data about people who visit social networking sites, groups or events in accordance with its own privacy policy.

LinkedIn Ireland's general privacy notice is available at https://www.linkedin.com/legal/privacy-policy?trk=homepage-basic_footer-privacy-policy.

For data protection issues, the data protection officer of LinkedIn Ireland can be contacted via the following interface: <https://www.linkedin.com/help/linkedin/ask/TSO-DPO>.

III. 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:

3.1. 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.

3.2. 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.

3.3. 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.

3.4. 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.

3.5. 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.

3.6. 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.

3.7. 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.

3.8. 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@hdb120udapest.hu.

3.9. 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.

IV. 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 sending a private message to on the Social Networking Site, by posting a letter 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.

V. 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, PO 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.