



## DATA PROTECTION AND PRIVACY NOTICE

(MANAGEMENT OF COOKIES ON THE WEBSITE)

### I. PRESENTATION OF THE CONTROLLER

The **Sportmarketing Agency Ltd.** (hereinafter referred to as the "**Controller**" or the "**Event Organizer**") attaches great importance to respecting the right to information self-determination of visitors to the functional website <https://hd120budapest.hu> (hereinafter referred to as the "**Website**") of the HARLEY-DAVIDSON® 120th ANNUAL EVENT (hereinafter referred to as the "**Event**" or "**hd120Budapest**") that it organizes. The Controller shall treat personal data confidentially, in accordance with the applicable European Union and national legislation and relevant data protection (authority) practices, and shall take all security and organisational measures to ensure the security, confidentiality, integrity and availability of the data.

The Controller is subject to 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 the 2011 Regulation on the right to information and freedom of information. CXII of 2011 (hereinafter referred to as the "**Information Act**"), the following information notice (hereinafter referred to as the "**Notice**") is published in order to protect the personal data of visitors to this website.

The Notice is effective from **12.05.2023** 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 change this Policy at any time. In the event of any modification of this Notice, the Controller shall inform the data subjects thereof.

<b>Controller's data:</b>	
company name:	Sportmarketing Agency Ltd.
company registration number:	01-09-287952
is based in:	1065 Budapest, Podmaniczky utca 12. fszt. 3.
postacímé:	1065 Budapest, Podmaniczky utca 12. fszt. 3.
your electronic address:	<a href="mailto:info@dakar.hu">info@dakar.hu</a>
website address:	<a href="http://sportugynokseg.hu/">http://sportugynokseg.hu/</a>
representative:	Balázs Árpád Szalay Managing Director
data protection relationship:	<a href="mailto:gdpr@sportugynokseg.hu">gdpr@sportugynokseg.hu</a>

The Controller processes personal data in accordance with all applicable laws, but in particular with the following:

- Act CXII of 2011 on the Right of Informational Self-Determination and Freedom of Information (hereinafter referred to as "**the Infotv.**");
- 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 Directive 95/46/EC (General Data Protection Regulation; hereinafter "**the Regulation**" or "**GDPR**").

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

## **Definitions**

The terminology of this Information Notice is identical to the interpretative definitions set out in Article 4 of the Regulation, and in certain points supplemented by the interpretative provisions of Article 3 of the Infotv. The definitions relevant for the interpretation of this Information Notice are set out in Annex 1.

When this Notice refers to data or data processing, it means personal data or the processing thereof.

## **II. PURPOSES OF DATA PROCESSING**

### **THE PROCESSING OF PERSONAL DATA OF VISITORS TO THE WEBSITE OPERATED BY THE CONTROLLER**

The Controller uses cookies to maintain and improve the services of the website and to enhance the user experience. In this context, the Controller processes the personal data of the data subject as follows:

#### **2.1. What is a cookie?**

Cookies are small text files that are placed by the browser on the user's device (computer, smartphone - or any other device that provides internet access) when opening websites, to identify and collect information. The cookie consists of a unique set of numbers and is primarily used to distinguish between computers and other devices that download the web page. Cookies have a number of functions, including collecting information to enable web pages to recognise a user, remember when a user visits a particular web page, establish a secure connection to a web page, and enhance the user experience and browsing comfort by allowing the website owner to understand user habits and thus tailor web content to the user's preferences and interests.

The information stored by the cookies is linked for a certain period of time to the websites that the user accesses on their mobile device, the advertisements they click on, the browser program they use, the information they share on a website and, in some cases, their IP address.

#### **2.2. Purpose of data processing or for what purposes cookies may be used**

- Ensuring the proper functioning of the website.
- Website traffic statistics.
- Personalise your website ads.

#### **2.3. What cookies does the website use?**

The Controller provides detailed information about the cookies used by the website through the website's cookie manager. The cookies used by the website are:

- **Strictly necessary cookies:** they are essential to provide the services available on the website and to use certain features of the website. Without the use of strictly necessary cookies, the website will not be able to provide certain services to the user.
- **Functional cookies:** these cookies are used to provide a more personalised experience on the website and to allow the site to record user choices made when

using the website (e.g. the site remembers previously entered language settings or login details).

- **Tracking and performance cookies:** the purpose of using these cookies is to collect information about website traffic and visitors to analyse the use of the website (e.g. to track the time spent on the website or the pages visited, which helps us understand how the Controller can improve the website to the greater satisfaction of users. Information collected through tracking and performance cookies does not identify any individual.
- **Targeted advertising cookies:** these cookies are used to serve ads that are likely to be of interest to the user based on their browsing habits. These cookies, which are provided by content and/or advertising providers, may combine information collected from the website with other information independently collected about the user's browser activity over the website network. If the user chooses to remove or disable these targeting or advertising cookies, they will still see the ads, but they may not be relevant to the user.

The information collected by the cookies is not sold or rented by the website to third parties, except to the extent necessary to provide the services for which the data subject has previously and voluntarily provided this information.

#### **2.4. Legal basis and duration of the processing by cookies?**

The cookies that are essential for the use of the website (see "Strictly necessary cookies") are used by the Controller on the basis of its legitimate interest pursuant to Article 6(1)(f) of the GDPR, and the legal basis for the use of additional cookies is the consent of the data subject, which can be given through the cookie manager.

Duration of processing: the cookies are valid for the duration of the visit and are automatically deleted when the browser is closed.

#### **2.5. How can the user control and disable cookies?**

In addition to the website cookie manager, all modern browsers allow you to change the cookie setting. Most browsers automatically accept cookies by default, but these can usually be changed to prevent automatic acceptance and offer you the choice of whether or not to allow cookies each time. In addition, depending on the type of browser you use, you can also choose to block only certain types of cookies or cookies from certain sources, and you have the option to be notified each time a new cookie is about to be placed on your computer, so you can choose to accept or reject it. Depending on your browser type, you can also activate private browsing mode.

Since cookies are intended to facilitate or enable the usability and processes of the website, by preventing or deleting the use of cookies, users may not be able to fully use the website's functions or the website may not function as intended in their browser.

You can find out about cookie settings for the most popular browsers by following the links below:

Google Chrome:

<https://support.google.com/accounts/answer/61416>

Firefox:

<https://support.mozilla.org/hu/kb/sutik-informacio-amelyet-weboldalnak-tarolnak-szami>

Microsoft Edge:

<https://support.microsoft.com/hu-hu/help/4468242/microsoft-edge-browsing-data-and-privacy>

Microsoft Internet Explorer:

<https://support.microsoft.com/hu-hu/help/17442/windows-internet-explorer-delete-manage-cookies>

Opera:

<https://help.opera.com/en/latest/web-preferences/#cookies>

Safari:

<https://support.apple.com/hu-hu/guide/safari/sfri11471/mac>

If you choose to disable all cookies on your computer, this will not prevent you from accessing the website.

Please note that if a computer is used by more than one user or has more than one browser, some cookie settings may not be persistent, either because a different browser is being used or because each user has changed their previous settings. The above factors are beyond the control of the Controller and therefore the Controller cannot guarantee the persistence of a user's cookie settings.

Please also note that disabling cookies does not prevent the display of advertisements on the user's computer on the web pages they visit. It merely prevents the display of advertisements that are relevant to the user's interests, based on his or her online activity.

If a user uses different devices to access the website (e.g. smartphone, tablet, computer, etc.), it is necessary to set their privacy preferences on all devices.

The website of the European Digital Interactive Advertising Association (EDAA) ([Youronlinechoices.com](http://Youronlinechoices.com)) provides more information on all types of cookies, not just those used by the website.

### **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. The data subject may exercise at any time his or her rights under the Regulation in relation to the processing.

#### **3.1. Right to information**

The data subject has the right to be informed about the processing of his or her personal data, which the Controller shall provide by making this Notice available.

#### **3.2. Processing based on consent**

Where the legal basis for a processing operation is the data subject's consent, he or she has the right to withdraw his or her consent to the processing at any time. It is important to note, however, that the withdrawal of consent may only relate to data for which there is no other legal basis for processing. If there is no other legal basis for the processing of the personal data concerned, the Controller will permanently and irretrievably delete the personal data following the withdrawal of consent. Withdrawal of consent under the Regulation shall not affect the lawfulness of the processing carried out on the basis of consent prior to its 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 his or her personal data are being processed and, if so, provide access to the personal data and the following information:

- the purposes of the processing;
- the legal basis for the processing;
- the categories of personal data concerned;
- the recipients or categories of recipients to whom or with which the Controller has disclosed or will disclose the personal data, including in particular recipients in third countries or international organisations;
- the envisaged period of storage of the personal data or, if this is not possible, the criteria for determining that period;
- the data subject shall also be informed of his or her right to obtain from the Controller the rectification, erasure or restriction of the processing of personal data concerning him or her and to object to the processing of such personal data;
- the right to lodge a complaint with a supervisory authority or to take legal action;
- where the data have not been collected directly from the data subject by the Controller, any available information on the source of the data;
- where automated decision-making is carried out, the fact of such processing, including profiling, and, at least in those cases, the logic used, i.e. the significance of such processing and the likely consequences for the data subject.

### **3.4. Right to rectification of personal data**

The data subject shall have the right at any time, upon request and without undue delay, to obtain from the Controller the rectification of inaccurate personal data relating to him or her. Taking into account the purpose of the processing, the data subject shall also have the right to request the completion of incomplete personal data, including by means of a supplementary declaration.

In the case of a request for rectification (amendment) of data, the data subject must substantiate the accuracy of the data requested to be amended and must also certify that the person entitled to the amendment is the person who requests the amendment. Only in this way can the Controller assess whether the new data is accurate and, if so, whether it can amend the previous data.

If it is not clear whether the data processed is correct or accurate, the Controller does not correct the data, but only marks it, i.e. indicates that the data subject has objected to it, but it may not be 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 correction or marking.

The Controller further draws the attention of the data subject to the need to notify any change in his/her personal data as soon as possible, thus facilitating lawful processing and the exercise of his/her rights.

### **3.5. Right to erasure ("right to be forgotten")**

At the request of the data subject, the Controller shall delete personal data relating to the data subject without undue delay where one of the following grounds applies:

- the Controller no longer needs the personal data for the purposes for which they were collected or otherwise processed;
- where processing is based on consent, the data subject withdraws the consent on which the processing is based and there is no other legal basis for the processing;
- the data subject objects to the processing and there are no overriding legitimate grounds for the processing or objects to processing for direct marketing purposes;
- the personal data are unlawfully processed by the Controller;
- the personal data must be erased in order to comply with a legal obligation under Union or Member State law applicable to the Controller;

- personal data are collected in connection with the provision of information society services.

There may be important reasons or interests which may allow the processing of the data subject's data even if he or she has objected to it (for example, the exercise of the right to freedom of expression and information, or if it is necessary for the establishment, exercise or defence of legal claims).

### **3.6. Right to restriction of processing**

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

- contests the accuracy of the personal data; in this case, the restriction applies for the period of time that allows the Controller to verify the accuracy of the personal data;
- the data processing is unlawful and you oppose the erasure of the data and instead request the restriction of their use;
- the controller no longer needs the personal data for the purposes of processing, but the data subject requires them for the establishment, exercise or defence of legal claims; or
- the data subject has objected to the processing; in this case, the restriction applies for the period until it is established whether the legitimate grounds of the Controller prevail over the legitimate grounds of the data subject.

Where 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 or the protection of the rights 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 the legitimate interests of the controller [Article 6(1)(f) of the Regulation] or is necessary for the performance of a task carried out in the exercise of official authority vested in the controller [Article 6(1)(e) of the Regulation], the data subject shall have the right to object at any time, on grounds relating to his or her particular situation, to processing of his or her personal data, including profiling based on those provisions.

Where the data subject's personal data are processed by the Controller for direct marketing purposes (e.g. sending information letters), the data subject has the right to object at any time to the 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 his or her personal data for direct marketing purposes, the personal data may no longer be processed for those purposes.

### **3.8. Interest balancing test**

Where the legal basis 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 "balancing of interests test" has been carried out pursuant to preamble paragraph 47 and Article 5(2), the data subject may request it by sending an e-mail to [gdpr@sportugynokseg.hu](mailto:gdpr@sportugynokseg.hu).

### **3.9. Right to data portability**

The data subject shall have the right to receive the personal data concerning him or her which he or she has provided to the Controller in a structured, commonly used, machine-readable format and the right to have those data transmitted by the Controller to another controller if:

- a) processing is based on the data subject's consent or on a contract within the meaning of Article 6(1)(b) of the Regulation; and
- b) the processing is carried out by automated means.

## **IV. PROCEDURES FOR ENFORCING THE RIGHTS OF THE DATA SUBJECT**

The data subject can exercise the above rights by sending an e-mail to [gdpr@sportugynokseq.hu](mailto:gdpr@sportugynokseq.hu), by post to the Controller's head office or by visiting the Controller's head office in person. The Controller shall investigate and act on the data subject's request without undue delay after receipt of the request. The Controller shall inform the data subject of the action taken on the basis of the request within 30 (thirty) days of its receipt. Where the Controller is unable to comply with the request, it shall inform the data subject of the reasons for the refusal and of his or her rights of appeal within 30 (thirty) days.

Within 5 (five) years after the death of the data subject, the rights of the deceased as set out in this Notice, which the data subject enjoyed during his or her lifetime, may be exercised by a person authorised by the data subject by means of an administrative order or a declaration in a public or private document of full probative value made to the Controller or, if the data subject made several declarations to a controller, by a declaration made at a later date. If the data subject has not made a corresponding declaration, his or her close relative within the meaning of Act V of 2013 on the Civil Code may, even in the absence of such a declaration, exercise the rights under Articles 16 (right of rectification) and 21 (right of access to data) of the Regulation. (right to object) and, if the processing was already unlawful during the lifetime of the data subject or if the purpose of the processing ceased to exist upon the death of the data subject, to exercise the rights of the deceased during his or her lifetime as provided for in Articles 17 (right of erasure) and 18 (right to restriction of processing) of the Regulation within 5 (five) years of the death of the data subject. The right to enforce the rights of the data subject under this paragraph shall lie with the next of kin who first exercises that right.

## **V. RIGHT TO LEGAL REMEDY WITH REGARD TO THE PROCESSING**

In order to enforce his or her right to judicial remedy, the data subject may take legal action against the Controller if he or she considers that the Controller or a processor acting on his or her behalf or under his or her instructions is processing his or her personal data in breach of the provisions of the law on the processing of personal data or of binding legal acts of the European Union. The court shall decide the case out of turn. The Tribunal shall have jurisdiction to hear the case. The lawsuit may be brought, at the choice of the data subject, before the court of the place of residence or domicile of the data subject or before the court of the seat of the Controller (Budapest District Court).

You can find the court in your place of residence or domicile at <https://birosag.hu/ugyfelkapcsolati-portal/birosag-kereso>.

Anyone may file a complaint with the National Authority for Data Protection and Freedom of Information (NAIH) against the Controller, alleging that the processing of personal data has resulted in a violation of rights or an imminent threat thereof, or that the Controller is restricting the exercise of rights related to the processing of personal data or is refusing to exercise such rights. The notification can be made using one of the following contact details:

National Authority for Data Protection and Freedom of Information (NAIH)

Postal address: 1363 Budapest, Pf. 9.

Address: 1055 Budapest, Falk Miksa utca 9-11.

E-mail: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)

URL: <http://naih.hu>

The Controller is committed to implementing the principles of lawful, transparent and fair processing, and will take prompt action to clarify the issues raised and remedy the identified harm in situations it considers to be prejudicial. Consequently, we recommend that you contact the Controller via the contact details provided in this Notice before taking legal action before the National Authority for Data Protection and Freedom of Information or before a court of law. You will be informed of the findings and the measures taken, and, if you have any questions regarding the processing, you will be informed within the time limits set by the applicable legislation.

The Sportmarketing Agency Ltd., as the Controller, is not liable for the consequences of the inaccurate provision of data.

Budapest, 12 May 2023.



## Annex 1:

### Definitions relating to the processing of personal data

- **controller:** the legal entity that determines the purposes and means of the processing of personal data;
- **data processing:** 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, transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- **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;
- **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:** means 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 he or she signifies, by a statement or by an act unambiguously expressing his or her consent, that he or she signifies his or her agreement to the processing of personal data relating to him or her;
- **personal data:** any information relating to the data subject;
- **objection:** a statement by the data subject objecting to the processing of his or her personal data and requesting the cessation of the processing or the erasure of the processed data.