



DATA PROTECTION AND PRIVACY NOTICE

(PROCESSING OF DATA RELATING TO THE TAKING AND USE OF PHOTOGRAPHS AND VIDEOS AT EVENTS ORGANISED BY THE CONTROLLER)

I. PRESENTATION OF THE CONTROLLER

The **Sportmarketing Agency Ltd.** (hereinafter referred to as the "**Controller**" or "**Event Organizer**") attaches great importance to respecting the right of information self-determination of its employees, partners, customers and visitors. The Controller shall treat personal data confidentially, in accordance with applicable European Union and national legislation and relevant data protection (official) practices, and shall take all security and organisational measures to ensure the security, confidentiality, integrity and availability of the data.

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 to Information Self-Determination and Freedom of Information (hereinafter "**Infotv.**") In accordance with the provisions of the HARLEY-DAVIDSON® 120th ANNUAL EVENT (hereinafter referred to as the "**Event**" or "**hd120Budapest**"), and in order to protect the personal data processed in connection with the publication of photos and videos including visitors, partners, customers (hereinafter collectively referred to as "**Participants**"), the following information notice (hereinafter referred to as the "**Notice**") is published.

The Policy is effective from **05.12.2023** until its revocation with respect **to the collection and use of personal data obtained by the Controller in the course of the taking of photographs and video recordings at the Event organised by the Controller.**

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.

Controller's data:	
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:	info@dakar.hu
website address:	http://sportugynokseg.hu/
representative:	Balázs Árpád Szalay Managing Director
data protection relationship	gdpr@sportugynokseg.hu

The Controller shall process personal data in accordance with all applicable legal provisions, but in particular with the following legal provisions:

- 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 necessary to ensure the security of the data, including all technical and organisational measures related to the storage and processing of the data.

Definitions

The terminology used in this Information Notice corresponds to the interpretative definitions set out in Article 4 of the Regulation and, supplemented at certain points, to 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.

Where this Notice refers to data or data processing, it shall be understood to mean personal data or the processing thereof.

II. PURPOSES OF DATA PROCESSING

PROCESSING OF DATA RELATING TO THE TAKING AND USE OF PHOTOGRAPHS AND VIDEOS AT AN EVENT ORGANISED BY THE CONTROLLER

The Controller may take photographs and videos at the Event organised by the Controller, which may be published on its websites and other online platforms for the purpose of presenting and promoting the Event and for the purpose of reporting on it, and may use them in various publications, exhibitions, etc., presenting the events organised by the Controller.

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

2.1. Purpose of the processing

The purpose of the production and use of photos and videos is to inform the public about the Event organised by the Controller, to promote it and to illustrate it with Event reports and pictures 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 photographs and video recordings will be processed exclusively in the context of the production and publication of the photographs and video recordings as provided for in this document. Only those photographs and video recordings will be produced and made public that show the data subjects in the course of the conduct, situations and contexts that are generally foreseeable for the data subjects in the course of their participation in the Event, with the exception of recordings that are clearly prejudicial to the data subject in general and to the Event Organizer. Some parts or elements of the previously created and published photographs or video recordings (including even separate images and audio recordings) may be used in further photographs or video recordings.

The photographs and video recordings used in the photographs and video recordings may be modified for the following reasons and in the following ways, at the Event Organizer's good faith discretion and without prejudice to the interests of the persons concerned:

- for aesthetic reasons, the sharpness and depth of colour of the image;
- to mask any branding or reference to a business other than the Event Organizer in photographs or video footage;

- offensive content, in order to obscure it.

Photographs and video footage may be disclosed 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 Controller's websites available at the following address:

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

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

- Facebook page:
 - <https://www.facebook.com/harley.hungary>
 - <https://www.facebook.com/events/679910063109795>
- 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 ground of data processing

The legal basis for the processing is the legitimate interest of the Controller according to Article 6(1)(f) of the Regulation, which is the same as the purposes of the processing.

The Controller shall place clear information on the promotional materials, advertising - registration - interfaces of the events and programmes organised by it, as well as on the spot, that photographs and video recordings will be taken at the event or programme in question, which will be published on the above-mentioned interfaces.

The Controller shall consider the fact that someone appears at the event or programme in question in addition to the information as a clear implied consent to the taking of photographs and video recordings and their use as described in the information, pursuant to Section 2:48 (1) of Act V of 2013 on the Civil Code (hereinafter referred to as "**Civil Code**").

2.3. Processed personal data

Photographs and video recordings taken at the Event, in which the Participants entering the Event area (their facial image and other body parts appearing in the video recording, as well as the voices of these persons) may appear incidentally.

2.4. Source of the personal data processed

The recordings are made by an employee of the Controller or by a contracted photographer partner.

2.5. Recipients of provided personal data

The processing of personal data is only authorised for employees of the Controller who are involved in the marketing area and whose job duties include the processing of personal data in connection with marketing activities.

Processor(s):

A Data Processor acting on behalf of and under the instructions of the Controller may process the personal data of the data subject solely for the purposes specified by the Controller and contractually agreed upon, in accordance with the instructions of the Controller, on the understanding that it has no autonomous decision-making power with regard to the processing. The Processor shall be bound by confidentiality obligations and contractual guarantees regarding the retention of personal data obtained in the course of its tasks.

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 processor.

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

The Event Organiser will use the following data processors for the use of photographs and video recordings and their publication:

(a) For publication on the Website:

Data processor details:	
Name of the data processor:	Netmask Interactive Ltd.
Seat:	1131 Budapest, Nővér u. 110
Tax number:	23134339-2-41
Company registration number:	01-09-954570
represents:	Tamás Szomor
E-mail:	info@netmask.hu
Activity covered:	Hosting service

Data processor details:	
Name of the data processor:	Syscode Ltd.
Seat:	1115 Budapest, Bartók Béla út 152/H.
Tax number:	13817820-2-43
Company registration number:	01-09-874820
represents:	Balázs Kosdi
E-mail:	info@syscode.hu
Activity covered:	Website development, Content update

(b) For publication on social networking sites.

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

For the YouTube channel, the YouTube LLC Privacy Policy is available at https://support.google.com/youtube/answer/7671399?p=privacy_guidelines&hl=hu&visit_id=636873724079445207-2532259155&rd=1. Privacy complaints can be made at <https://support.google.com/youtube/answer/142443>.

In the case of TikTok, the general privacy policy of the platform is available at <https://www.tiktok.com/legal/privacy-policy-eea?lang=hu>. To lodge a complaint, please visit: <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. Privacy complaints can be made at <https://www.linkedin.com/help/linkedin/ask/TSO-DPO>.

2.6. Transfer of personal data

Personal data will not be transferred by the Controller to third countries or international organisations, but due to the borderless nature of the internet, it may be made available to anyone after uploading. The Controller has no control over the use to which the images posted on the Internet may be put by those who have access to them, and the Controller accepts no responsibility for this.

2.7. Duration of processing of personal data

The Controller will not delete informative articles containing photographs and videos 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 decisions based solely on automated processing in relation to the data subject, nor does it profile the data subject on the basis of the available personal data.

2.9 Processing techniques

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

2.10. Supply of personal data

The provision of personal data is made 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 the data processors shall have the right to access the personal data of the data subject only to the extent necessary for the performance of their tasks.

The transmission of personal data shall be carried out by the Controller in a uniform, pre-audited and secure manner, with the information of the data subject, avoiding redundant data transmission or data transmission through different registration platforms.

In order to ensure data security, the Controller shall assess and record all data processing activities carried out by the Controller.

Based on the records of the processing activities, the Controller shall carry out a risk analysis to assess the conditions under which each processing operation is carried out and the risk factors that may cause a breach or a potential data breach during the processing. The risk analysis shall be carried out on the basis of the actual data 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 personal data are processed 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 data processing.

In determining the appropriate level of security, explicit account should be taken of the risks arising from the processing, in particular from accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure of or access to personal data transmitted, 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 ensure in particular 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. virus 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 DATA PROCESSING

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

4.1 Right to information

The data subject shall have the right to be informed about the processing, which the Controller shall fulfil by providing this Notice.

4.2. 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 operation at any time. However, it is important to note that the withdrawal of consent may only relate to data for which there is no other legal basis for processing. Where 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.

4.3. Access rights

At the request of the data subject, the Controller shall at any time, unless it is restricted by law, 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 of 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 duration of the storage of the personal data or, where this is not possible, the criteria for determining that duration;
- the right to obtain from the controller 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 institute court proceedings;
- 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.

4.4 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 purposes of the processing, the data subject shall also have the right to request the completion of incomplete personal data, inter alia, 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 rectification 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 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 correction or marking.

The Controller shall further draw the attention of the data subject to the need to notify any change in his or her personal data as soon as possible in order to facilitate lawful processing and the exercise of his or her rights.

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

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

- the Controller no longer needs the personal data for the purposes for which it was collected or otherwise processed;
- in the case of processing based on consent, 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;
- the data subject objects to processing and there is no overriding legitimate ground for 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 to which the controller is subject;
- personal data have been 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, to exercise freedom of expression and the right to information, or if it is necessary for the establishment, exercise or defence of legal claims).

4.6 Right to the restriction of processing

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

- the accuracy of the personal data is contested; in this case, the restriction shall apply for the period of time necessary to allow the Controller to verify the accuracy of the personal data;
- the processing is unlawful and he or she opposes the erasure of the data and requests instead the restriction of their use;
- 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
- 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 prevail over the legitimate grounds 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 or for 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.

4.7. 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 the 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 (i.e. for sending information letters), the data subject shall have 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.

4.8 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 (47) and Article 5(2), the data subject may request it by sending an e-mail to gdpr@sportugynokseq.hu.

4.9 Right to data portability

The data subject shall have the right to receive 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) the 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.

V. PROCEDURES FOR ENFORCING THE RIGHTS OF THE DATA SUBJECT

The data subject may exercise the above rights by sending an e-mail to 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 upon receipt. 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 arrangement or a declaration in a public or private document of full probative value made with the Controller or, if the data subject made several declarations with 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.

VI. RIGHT TO LEGAL REMEDY WITH REGARD TO THE PROCESSING

In order to exercise his or her right to judicial remedy, the data subject may bring an action against the controller before the courts if he or she considers that the controller or a processor acting on his or her behalf or at his or her instructions is processing his or her personal data in breach of the provisions laid down by law or by binding legal acts of the European Union relating to the processing of personal data. 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 of the place of residence or stay at <http://birosag.hu/ugyfelkapcsolati-portal/birosag-kereso>.

Anyone may initiate an investigation against the Controller by filing a complaint with the National Authority for Data Protection and Freedom of Information (NAIH), 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 or is refusing to grant the request 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: 9-11 Falk Miksa u. 1055 Budapest, Hungary
E-mail: ugyfelszolgalat@naih.hu
URL: <http://naih.hu>

The Controller is committed to implementing the principles of lawful, transparent and fair data processing, and therefore, in the event of a situation that is considered to be prejudicial, it will take appropriate measures to clarify the issues raised and remedy the identified prejudice. 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 shall not be liable for the consequences of inaccurate data provision.

Budapest, May 12, 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;
- **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.