

## NOTICE ON PROCESSING DATA FOR THE USE OF THE MYMUSIC APPLICATION

While using the MyMusic service on the [www.sziget.hu](http://www.sziget.hu), [www.szigetfestival.com/hu](http://www.szigetfestival.com/hu), [www.volt.hu](http://www.volt.hu), [www.balatonsound.com/hu](http://www.balatonsound.com/hu), [www.gourmetfesztival.hu](http://www.gourmetfesztival.hu), and [www.gyereksziget.hu](http://www.gyereksziget.hu) websites, you provide personal information that we process in accordance with Act CXII of 2011 on Informational Self-Determination and Freedom of Information (hereinafter: “**Privacy Act**”), 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 (hereinafter: “**GDPR**”), Act CVIII of 2001 on Certain Issues of Electronic Commerce Activities and Information Society Services (hereinafter: “**E-Commerce Act**”), as well as Act XLVIII of 2008 on the Basic Requirements and Certain Restrictions of Commercial Advertising Activities (Hereinafter “**Commercial Advertising Act**”) According to the provisions of the referenced laws and regulations, we would like to inform you about the details of the processing of your personal data and your relevant rights.

- 1. The controller: Sziget Kulturális Menedzser Iroda Zártkörűen Működő Részvénytársaság** (registered office: H-1033 Budapest, Hajógyári sziget hrsz. 23796/58, company registration number: 01-10-049598, phone: +36 (1) 372 0681, email: [hello@sziget.hu](mailto:hello@sziget.hu), web: [www.szigetfestival.com/hu](http://www.szigetfestival.com/hu); hereinafter: “**SZIGET**”).

SZIGET will determine the categories of the data required in the course of using the MyMusic, as well as the purpose, duration and other substantial conditions of processing for the purposes specified in section 3 to 4.

- 2. Provision of your data is voluntary.** Though you are not obliged to provide your personal data, in the absence of such disclosure, you will not be able to use our above-mentioned service.
- 3. The categories of data processed, the purpose and duration of processing:**

The data processed	Purpose of processing	Duration of processing	Legal basis for processing
<b>Personal data provided in the course of using the “MyMusic” application</b> - user name, email address, pages liked, age, sex, address	These data are requested in order to help us understand the music preferences of our visitors and provide better services when designing the musical line-up of our events.	A period of 15 days after the conclusion of the respective event or until withdrawal of consent by the user. Consents may be withdrawn by email sent to <a href="mailto:hello@sziget.hu">hello@sziget.hu</a> .	voluntary consent of the data subject pursuant to Section 5 (1) a) of the Privacy Act, Article 6(1)(a) of the GDPR, Section 13/A of the E-Commerce Act, and Section 6 (1) of the Commercial Advertising Act.

#### 4. Profiling

In the course of subscribing to and using the “MyMusic” application, SZIGET creates a user profile subject to consent in order to be able to provide offers based on the user’s requirements, preferences and interests. The offers will be sent by e-mail, via newsletters (subject to a separate consent). Profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict

aspects concerning that natural person's preferences, interests, health, behaviour, location or movements.

#### **5. Persons with access to the personal data:**

The data may be accessed by SZIGET's marketing staff, SZIGET's remarketing agencies, as well as the processors specified in this Notice, for the purpose of carrying out their tasks. Thus, for example, the system administrator of SZIGET and the Processors named in this Notice may access the personal data for the purposes of administration and data processing.

SZIGET uses Google Analytics, a web-analysis service of **Google LLC**, (1600 Amphitheatre Parkway Mountain View CA 94043), which is part of the EU-US privacy shield (address: 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA), as well as the web-analysis services of **Hotjar Ltd.** (Level 2 St. Julians Business Centre, 3, Elia Zammit Street, St. Julians STJ 1000, Malta) and **Facebook Ireland Ltd.** (4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland). Web analytics services also use cookies, which are designed to help analyse the use of online interfaces. Through the online interface, the user provides a separate and express consent to the transfer by Google Analytics of information generated by cookies regarding their online interface usage to Google servers located in the United States. The cookies processed by Hotjar and Facebook are stored on their servers located in the European Union. By providing their separate consent on the website, the user consents to the collection and analysis of their data for the purposes and in the manner described above. Google, Hotjar and Facebook uses this information to evaluate and analyse the data subject's use of the online interfaces, to create reports on the data subject's activities on the online interfaces, as well as to provide other services related to the Internet use and activities performed on the online interfaces.

Given that Optimonster is not part of the EU-US Privacy Shield, SZIGET will take measures necessary to provide the appropriate level of data protection by entering into a model contract under 2010/87/EU Decision using the addendum of Optimonster's data processing contract.

#### **6. Transfer of data:**

Data will not be transferred to third persons, other than those described in section 5. Disclosure of data to third persons or recipients may only occur subject to your prior consent following the provision of information to you regarding the possible recipient in advance, or if the disclosure is otherwise required by law. During such processing activity, your personal data will not be transferred to third countries or international organizations.

#### **7. Data security**

SZIGET will ensure the security of the personal data, implement appropriate technical and organisational measures to ensure the protection of the collected, stored and processed data, and prevent the destruction, unauthorized use, and unauthorized alteration of the data. In addition, SZIGET will also notify third parties to whom the data subject's information was transferred of their obligation to meet data security requirements.

SZIGET will prevent unauthorized access to, as well as the unauthorized disclosure, alteration or erasure of personal data.

SZIGET will take all reasonable measures in order to prevent damage to or destruction of the data. SZIGET will cause its employees involved in its processing activity, as well as processors acting on its behalf to comply with the aforementioned obligation.

SZIGET's information technology systems and other data are stored at the server provider Claranet GmbH operated by Maileon, and its servers are located at Hanauer Landstrasse 196, 60314 Frankfurt am Main, Germany.

If, in addition to subscribing to a newsletter, you also purchase a ticket, please be informed that SZIGET uses the operational services of Netpositive Ltd. for the storage of your personal data on servers located at the server rooms of GTS Datonet in district XIII of Budapest, Victor Hugo street 18-22.

SZIGET and its partners protect your personal information and prevent unauthorized access to them as follows: Access to personal information stored on the servers are logged by SZIGET or by the processor on SZIGET's behalf, allowing the monitoring of what kind of personal information was accessed by who and when at all times. Access to the computers and the server is password protected.

## **8. Communication of a personal data breach to the data subject**

Personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed.

When the personal data breach is likely to result in a high risk to the rights and freedoms of natural persons, SZIGET shall communicate the personal data breach to the data subject without undue delay using clear and plain language.

The communication to the data shall not be required if any of the following conditions are met:

- a) the controller has implemented appropriate technical and organisational protection measures, and those measures were applied to the personal data affected by the personal data breach, in particular those that render the personal data unintelligible to any person who is not authorized to access it, such as encryption;
- b) SZIGET has taken subsequent measures which ensure that the high risk to the rights and freedoms of data subjects is no longer likely to materialise
- c) it would involve disproportionate effort. In such a case, there shall instead be a public communication or similar measure whereby the data subjects are informed in an equally effective manner.

## **9. The rights and legal remedies of data subjects:**

In addition to data subjects' rights regarding the use of the recordings specified above, data subjects may exercise the following rights related to processing under this notice:

### **Right to information and to access the data:**

You have the right to obtain from SZIGET confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access the personal data and the following information:

- a) the purposes of the processing;
- b) the categories of personal data concerned;
- c) the categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- e) the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;

- f) the right to lodge a complaint with a supervisory authority
- g) where the personal data are not collected from the data subject, any available information as to their source;
- h) the existence of automated decision-making, including profiling, and at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

Where personal data are transferred to a third country or to an international organisation, the data subject shall have the right to be informed of the appropriate safeguards relating to the transfer.

SZIGET shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, SZIGET may charge a reasonable fee based on administrative costs. Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided by SZIGET in a commonly used electronic form.

The right to obtain a copy referred to in the paragraph above shall not adversely affect the rights and freedoms of others.

The aforementioned rights may be exercised via the contact information specified in section 10.

#### **Right to rectification:**

The data subject shall have the right to obtain from SZIGET without undue delay the rectification of inaccurate personal data concerning him or her.

Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

#### **Right to erasure ('to be forgotten'):**

The data subject shall have the right to obtain from SZIGET the erasure of personal data concerning him or her without undue delay where one of the following grounds applies:

- a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- b) the data subject withdraws consent on which the processing is based, and where there is no other legal ground for the processing;
- c) the data subject objects to the processing and there are no overriding legitimate grounds for the processing, or the data processing relates to direct sales ;
- d) the personal data have been unlawfully processed;
- e) 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;
- f) the personal data have been collected in relation to the offer of information society services.

Erasure of data may not be requested to the extent that processing is necessary:

- a) for exercising the right of freedom of expression and information;
- b) for compliance with a legal obligation which requires processing by Union or Member State law or for the performance of a task carried out in the public interest; for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional, when those data are processed by or under the responsibility of a professional subject to the obligation of professional secrecy under Union or Member State law or rules established by national competent bodies or by another person also subject to an obligation of secrecy under Union or Member State law or rules established by national competent bodies.
- c) for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care

- and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;
- d) for reasons of public interest in the area of public health and when those data are processed by or under the responsibility of a professional subject to the obligation of professional secrecy under Union or Member State law or rules established by national competent bodies or by another person also subject to an obligation of secrecy under Union or Member State law or rules established by national competent bodies;
  - e) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in so far as the right to erasure is likely to render impossible or seriously impair the achievement of the objectives of that processing.<sup>1</sup>
  - f) for the establishment, exercise or defense of legal claims.

### **Right to restriction of processing:**

The data subject shall have the right to obtain from the controller restriction of processing where one of the following applies:

- a) the accuracy of the personal data is contested by the data subject, in this case the restriction is for a period that enables the data subject to verify the accuracy of the personal data;
- b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- c) SZIGET no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defense of legal claims;
- d) the data subject has objected to SZIGET's processing pursuant to public interest or compelling legitimate grounds, in this case the duration of the restriction is for the time period needed for the verifying whether the legitimate grounds of the controller override those of the data subject.

Where processing has been restricted for the aforementioned reasons, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

A data subject who has obtained restriction of processing pursuant to the aforementioned reasons shall be informed by SZIGET before the restriction of processing is lifted.

### **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 SZIGET, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from SZIGET to which the personal data have been provided, where:

- a) the processing is based on consent or a contract
- b) the processing is carried out by automated means.

In exercising his or her right to data portability as mentioned above, the data subject shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible.

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<sup>1</sup> Processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, shall be subject to appropriate safeguards for the rights and freedoms of the data subject. Those safeguards shall ensure that technical and organizational measures are in place in particular in order to ensure respect for the principle of data minimization. Those measures may include pseudonymisation provided that those purposes can be fulfilled in that manner. Where those purposes can be fulfilled by further processing which does not permit or no longer permits the identification of data subjects, those purposes shall be fulfilled in that manner.

The exercise of the right to data portability shall be without prejudice to the right to erasure ('to be forgotten'). That right shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

The right to data portability shall not adversely affect the rights and freedoms of others.

#### **Right to object**

The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to SZIGET's processing of personal data concerning him or her where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in SZIGET, or for the purposes of the legitimate interests pursued by SZIGET or by a third party, including profiling based on those provisions.

In this case, SZIGET shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defense of legal claims.

Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing.

Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.

Where personal data are processed for scientific or historical research purposes or statistical purposes, the data subject, on grounds relating to his or her particular situation, shall have the right to object to processing of personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

#### **Right to withdraw consent:**

The data subject shall have the right to withdraw his or her consent at any time if SZIGET's data processing is based on consent. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

#### **Modalities for the exercise of the aforementioned rights upon request by the data subjects**

The controller shall provide information on action taken on a request to the data subject without undue delay and in any event within one month (30 days) of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

SZIGET shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay. Where the data subject makes the request by electronic form means, the information shall be provided by electronic means where possible, unless otherwise requested by the data subject.

If SZIGET does not take action on the request of the data subject, the controller shall inform the data subject without delay and at the latest within one month of receipt of the request of the reasons for not taking action and on the possibility of lodging a complaint with a supervisory authority and seeking a judicial remedy.

SZIGET shall provide the requested information and notification free of charge. Where requests from a data subject are manifestly unfounded or excessive, in particular because of their repetitive character,

SZIGET may either charge a reasonable fee taking into account the administrative costs of providing the information or communication or taking the action requested, or refuse to act on the request.

#### 10. Comments, questions or complaints:

Any questions or requests regarding your personal data stored or processed in our system should be sent to email address [hello@sziget.hu](mailto:hello@sziget.hu), or in writing to postal address 1399 Budapest Pf.: 694/245. Please keep in mind that in your best interest, we can only provide information or take action regarding the processing of your personal data if you furnish credible proof of your identity.

Please note that data subjects may contact SZIGET's data protection officer with regard to all issues related to processing of their personal data and to the exercise of their rights under the GDPR. The name and contact details of the data protection officer: [dpo@sziget.hu](mailto:dpo@sziget.hu)

#### 11. Record keeping:

Please be informed that we keep records of the personal data of persons who provide an informed consent under Section 6. § (1) of the Commercial Advertising Act., and upon a request for erasure or restriction of processing, or upon withdrawal of the consent without giving reasons at any time, we will not send further emails containing advertisements for direct marketing purposes, not including general customer relationship information.

#### 12. Processor:

SZIGET will use for its activity the processor named in this Notice. The processor may make no decisions independently and is only authorized to carry out its activity in accordance with its contract with and the instructions from SZIGET. The processor's work is controlled by SZIGET. The processor may only engage another processor with the prior written authorization of SZIGET.

#### 13. Particulars and contact details of the processors:

Name of processor	Processing operations carried out by the processor	Duration of data processing and storage
Netpositive Számítástechnikai Szolgáltató és Kereskedelmi Kft. (registration number: 13-09-104997, 2021 Tahitótfalu, Pataksor utca 48., 13-09-104997, <a href="mailto:info@netpositive.hu">info@netpositive.hu</a> )	ERP system operation, physical and OS-level operation of online sales system servers  Has access to all personal data processed by SZIGET under this Notice. Responsible for operating the client relationship management (ERP) system of SZIGET.	service contract - until termination of the contract, or withdrawal of the data subject's consent, or the acceptance of their objection.
eClick Apps Kft. (registration number: 13-09-177492, 2161 Csomád, Verebeshegy utca 11., represented by: Mrs. Nyemcsok née Krisztina Markója, <a href="mailto:info@eclick.co.hu">info@eclick.co.hu</a> )	Performing tasks related to the development of the "MyMusic" user interface	service contract - until termination of the contract, or withdrawal of the data subject's consent, or the acceptance of their objection.

#### **14. Personal data related to children and third persons:**

Persons under 16 may not provide their personal data, unless they obtained permission from the person with parental control. By providing your personal data to SZIGET you hereby state and guarantee to act giving consideration to the above, and that your capacity is not restricted with regard to the provision of data.

If you do not have the right to independently provide personal data, you must obtain the permission of the appropriate third party (i.e. guardian or other persons on whose behalf you are acting, e.g. consumer), or provide another legal basis to do so. In this regard, you must be able to consider whether the personal data to be provided requires the consent of a third party. If SZIGET does not come into contact with you personally, you will be responsible for ensuring compliance with this paragraph, and SZIGET will not be liable in this regard. Nevertheless, SZIGET may check and verify at all times whether the proper legal basis is in place with regard to the processing of certain piece of personal data. For example, if you are acting on behalf of a third party, we may require you to present the authorisation given to you and/or the consent to processing of the data subject with regard to the matter at hand.

SZIGET will make every effort to delete all personal information provided without authorization. SZIGET will ensure that no such personal information will be forwarded to any third party, or used by SZIGET knowingly. Please inform us immediately via the contact details provided under section 10 if you learn of any disclosure of personal data by a child about themselves, or any unauthorized disclosure of personal data related to you by a third party to SZIGET.

#### **15. Legal remedies:**

- a) The controller may be contacted with any questions or comments regarding processing at the contact details provided under section 10.
- b) You may initiate an investigation by the National Data Protection and Freedom on Information Authority (1530 Budapest, Pf.: 5., phone: +36 (1) 391-1400, email: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu), website: [www.naih.hu](http://www.naih.hu)) based on the actual or threatened infringement of your rights regarding the processing of your personal information; and
- c) In the case of infringement of your rights, you may seek judicial remedy against SZIGET as the controller and your case will be given priority by the court. SZIGET has the burden to prove compliance of the processing with the law. Decision of the case is within the jurisdiction of the court. Legal proceedings may also be brought before the court of the city where the data subject has domicile or residence.