



GENERAL PRIVACY NOTICE

www.fszek.hu

1. Who processes Your data?

Metropolitan Ervin Szabó Library

registered office: 1088 Budapest, Szabó Ervin tér 1.
represented by: Dr Péter Fodor, Director General
website: <http://www.fszek.hu>

(hereinafter: 'Library')

In relation to privacy issues please contact us using the details below:

name of the data protection officer: Dr Erika Tihanyi
e-mail: adatvedelem@fszek.hu

2. What kind of personal data do we process? (Various processing activities):

2.1. Services available without library membership

Some of our services are also available without a library membership. In these cases data is only recorded for the preparation of the invoice relating to the paid service.

The purpose of the processing:

To issue an invoice

Legal ground of the processing:

Article 6 (1) (e) of Regulation (EU) 2016/679 of the European Parliament and of the Council (hereinafter GDPR), processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Statutory provision referring to data processing:

Section 169 (2) Act C of 2000 on *Accounting*, which specifies the preservation obligation of receipts.

Period of the processing:

In the case of a paid service we have an obligation to preserve the data provided by you in relation to the issued invoice for 8 (Eight) years pursuant to Section 169 (2) Act C of 2000 on *Accounting*.

No Processor is used and no data transfer takes place.

2.2. Creating a library membership

A library membership may be created through *registration* or by *signing up* in accordance with the Terms of Use. During the creation of the library membership we process the following data related to you: full name, surname and forename, mother's surname and forename at birth, birth place and date and address (permanent address, residential or correspondence address).

In the case of registration: In addition to the above we process the number of the library card for registration.

In the case of signing up: In addition to the above we process the number of the day pass or library card and the password of the reader.

If required, we process the data of the proxy recorded on the authorisation.

For communication purposes you may provide your e-mail address or phone number. In the case of legal persons we process the data of individuals authorised to represent and use services.

If you take advantage of a promotional sign up opportunity then, in addition to the above data, we shall record the promotional code for *statistical purposes*.

After signing up the reader can log into the remote user interface (*saman.fszek.hu*) by providing the barcode of the library card and their password and use the services listed therein.

The purpose of the processing:

Your identification for the provision of our services and the creation of a library membership. The purpose for processing the data necessary for communication (e-mail address, phone number) is the establishment of contact. The purpose for processing the data necessary for remote services (e-mail address) is the use of the services.

Legal ground of the processing:

Article 6 (1) (e) of GDPR, processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Statutory provision referring to data processing:

1. Section 56 (3) and 57 (1) of Act CXL of 1997 on *the Protection of Museums Institutions, Public Library Services and Cultural Community*, pursuant to which the provision of the above data is mandatory;
2. Section 169 (2) Act C of 2000 on *Accounting*, which specifies the preservation obligation of receipts for 8 (Eight) years.

Period of the processing:

- ✓ Following the termination of membership we preserve your data in our system for 5 (Five) years, after which we store it for a further 10 (Ten) years in a pseudonymised (restorable) manner.
- ✓ We process the data provided for communication until the termination of membership or until your consent is withdrawn (in the event it occurs sooner);
- ✓ Irrespective of the above, we shall preserve the data provided by you during registration and the use of individual separately paid services for 8 (Eight) years as a document certifying the invoice issued of the fee pursuant to Section 169 (2) Act C of 2000 on *Accounting*.

No Processor is used and no data transfer takes place.

2.3. Joint and several guarantor

Registration to the Library is possible together with a contract concluded with a joint and several guarantor for

- a) all individuals below the age of 18;
- b) incapacitated or partially incapacitated individuals; and
- c) foreign citizens
 - not belonging to the above categories.
 - without a temporary or permanent residence permit;
 - without a Hungarian certificate or a certificate of Hungarian kinship with terms and conditions applicable to Hungarian citizens;

In these cases we process the data of the joint and several guarantor recorded in the contract.

The purpose of the processing:

Ensuring the payment of fees through the conclusion of the contract.

Legal ground of the processing:

Article 6 (1) (e) of GDPR, processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Period of the processing:

We shall preserve your data recorded in the contract for 5 (Five) years after the termination of the contract pursuant to Section 6:22 (1) of Act V of 2013 *on the Civil Code*.

No Processor is used and no data transfer takes place.

2.4 Recording of services used

If You are entitled to use our library member services free of charge or in exchange for a fee pursuant to the provisions of the Terms of Use.

The information on the use of a service and the data relating thereto are recorded in our database within our Integrated Library System. You may access the following data from the Remote Use menu item after logging in on the www.fszek.hu website: The personal identification data, outstanding fees, expiry date of the library card, the checked out documents and their expiry date, number of extensions and the date of check out.

In order to use the WiFi service the barcode of the library card is required, which the system recognises. However, no data is recorded in relation to its use.

The purpose of the processing:

Provision of our services. Provision of up-to-date information on services used, as well as retrievability.

Legal ground of the processing:

Article 6 (1) (e) of GDPR, processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Statutory provision referring to data processing:

✓ In the case of a paid service, Section 169 (2) Act C of 2000 on *Accounting*, which specifies the preservation obligation of receipts for at least 8 (Eight) years.

Period of the processing:

- ✓ Following the termination of membership we preserve your data in our system for 5 (Five) years, after which we store it for a further 10 (Ten) years in a pseudonymised (restorable) manner.
- ✓ We preserve the data provided by you during use of paid services for 8 (Eight) years as a document certifying the invoice issued of the fee pursuant to Section 169 (2) Act C of 2000 on *Accounting*, after which we store it for a further 10 (Ten) years in a pseudonymised (restorable) manner.

No Processor is used and no data transfer takes place.

2.5 Sending e-mail notification

As a library member you may request notification for the following purposes in relation to the checked out literature:

- ✓ E-mail notification prior to the expiry date;
- ✓ E-mail confirming successful extension;
- ✓ E-mail confirming successful remote payment;
- ✓ E-mail notification about the availability of a reserved document.

For this purpose, we shall process your e-mail address assigned to the data you provided during the registration process.

The purpose of the processing:

Sending notifications.

Legal ground of the processing:

Article 6 (1) (e) of GDPR, processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

Period of the processing:

Within the period of membership. We will send our e-mail notifications to You as long as you require them. If you would prefer not to receive any further e-mail notifications you may unsubscribe for this service by sending an e-mail to adatvedelem@fszek.hu

No Processor is used and no data transfer takes place.

2.6 Responding to a reference request

When you have needs and requests relating to library services we assist you by providing a response or solution thereto. We process the following data during the processing activity: name, phone number and e-mail address.

The purpose of the processing:

Request fulfilment and provision of information.

Legal ground of the processing:

Article 6 (1) (e) of GDPR, processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Period of the processing:

Until reference request is responded.

No Processor is used and no data transfer takes place.

2.7. Newsletter

For the sending of a newsletter we process Your e-mail address. You may request a newsletter not only from the Central Library but also from the individual branch libraries.

The purpose of the processing:

Informing You of updates, library events and programmes and book reviews.

Legal ground of the processing:

Article 6 (1) (a) of GDPR, your consent. You may revoke your consent at any time, but the revocation does not affect prior legitimate processing.

Period of the processing:

We will send our newsletter to You only as long as you require it. If You do not wish to receive any further newsletter, you may unsubscribe for the service via the link located on the bottom of the newsletter, by sending an e-mail to adatvedelem@fszek.hu or by sending a letter requesting unsubscription to 1088 Budapest, Szabó Ervin tér 1. Please note that such revocation of consent does not affect prior legitimate processing.

Processor:

✓ The hosting service is provided by GAMAX Kft. (registered office: 1114 Budapest, Bartók Béla út 15/d, 2nd floor, 18).

✓ Sending of newsletters is carried out by Mailchimp as data processor (The Rocket Science Group, LLC; 675 Ponce de Leon Ave NESuite 5000, Atlanta, GA 30308 USA; active on Privacy Shield list)

No data transfer takes place.

2.8. Participation in events subject to pre-registration

The Library organises events on multiple occasions throughout the year, the participation in which sometimes requires pre-registration. During registration we process your name and e-mail address.

The purpose of the processing:

Organisation of the event, providing appropriate capacity.

Legal ground of the processing:

Article 6 (1) (e) of GDPR, processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Period of the processing:

Until the conclusion of the event. This differs if a National Cultural Fund (NCF) audit is likely to be carried out in connection with the event, in which case we must preserve your data for 8 (Eight) years.

Data transfer:

Data transfer may take place in case of control or reporting obligations, in which case the recording shall be transferred to the National Cultural Fund (NCF) or the www.hungaricana.hu website.

No processor is used.

2.9. Photography and video recording at public events

The Library organises public events on multiple occasions throughout the year where photographs are taken and video recordings are made of attendees. Please note that - if the event is realised with the support of the NCF - the recordings taken of the event may be included in the professional report, and these reports must always be published on the www.hungaricana.hu website and on the www.fszek.hu website of the Library. You consent to the taking and use of photographs with your attendance.

The purpose of the processing:

Documenting and capturing the event.

Legal ground of the processing:

Article 6 (1) (e) of GDPR, processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

Period of the processing:

Until consent is withdrawn successfully.

Data transfer:

Data transfer may take place in case of control or reporting obligations, in which case the recording shall be transferred to the National Cultural Fund (NCF) or the www.hungaricana.hu website.

No Processor is used.

2.10. If you are contacting us

You may contact us via any of our contact details (through the website, by e-mail, by phone, by post).

Legal ground of the processing:

Article 6 (1) (e) of GDPR, processing is 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 purpose of the processing:

Keeping in contact with the inquirer and answer or resolve their question/request.

Period of the processing:

✓ We shall erase the messages and the thus received personal data 1 (One) year after responding to the given request or query, while in the case of a complaint we shall erase the data after 5 (Five) years in accordance with Section 17/A of Act CLV of 1997 *on Consumer Protection*.

✓ However, if it is required for tax or accounting purposes or for the protection of the Library or the inquirer's rights and interests, it is archived and stored for the necessary period of time, which is determined in each case individually.

No Processor is used and no data transfer takes place.

2.11. Social media (e.g. Facebook, Instagram)

The Central Library and individual member libraries can also be found separately on the Facebook and Instagram social networking sites.

The Facebook user can subscribe to the news feed published on the timeline of the above pages by clicking the 'like' or 'follow' link on the page, and can unsubscribe by clicking the 'dislike' or 'unfollow' link in the same location, and they can use the timeline settings to delete the unwanted news updates appearing on the message wall.

By following us, your profile will become available to us, but we will not process or record data in our internal system from it. We will not use it for any other purpose other than to notify you of news concerning us.

Legal ground of the processing:

Article 6 (1) (a) of GDPR, your consent. You may revoke your consent at any time, but the revocation does not affect prior legitimate processing.

The purpose of the processing:

Your notification about current information, services, news about us, as well as sending informative articles and materials. We also publish images/videos of various events on our Facebook and Instagram pages.

Period of the processing:

Our updates will only appear on Your news feed as long as You allow them to do so. If you do not follow us, our posts will not appear on your news feed. You can still access our news feed even if you do not follow us, however, you will not receive separate notifications about them.

The operator of Facebook and Instagram is Facebook Ireland Ltd. (registered office: 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland; <https://www.facebook.com/privacy/explanation>; <https://www.facebook.com/help/instagram/155833707900388/>

No Processor is used and no data transfer takes place.

2.12. Business relationships

During contractual or non-contractual relationships we share the contact details of our contact persons with our business partners and process the contact details of the contact persons provided to us by our business partners.

Legal ground of the processing:

Article 6 (1) (e) of GDPR, processing is 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 purpose of the processing:

Communication for the performance or preparation of the contract or for other business reasons.

Period of the processing:

We process the data of the contact person during the business relationship until our business partner notifies us about a change in contact person. We control the contact data of our business partners at least once a year and remove those from our system which are no longer up-to-date.

We proceed in a similar manner while processing the personal data of our press officers.

No data transfer takes place and no processor is used.

3. Your rights

In connection with processing Your rights are detailed in Sections 3.1. to 3.7. If you would like to exercise one of these rights, please write us on one of the following contact details:

address: 1088 Budapest, Szabó Ervin tér 1.

e-mail address: adatvedelem@fszek.hu

Identification

Before completing your request, we must always identify Your identity. Unfortunately, if we cannot identify You, we will not be able to meet your request.

Responding to the request

After identification we shall give you feedback in regards to Your request in writing, electronically or, upon your request, verbally. Please note that if You have submitted Your request electronically, we shall respond electronically. Of course, in this case also, you have the opportunity to ask for a different response method.

Administration deadline

We shall notify You within 1 (One) month from the receipt of your request about the measures taken in relation to your request. This deadline may, however, be extended by 2 (Two) months if warranted by the complexity of the request or the number of requests, which we shall inform you about within the one-month deadline.

We are also obligated to inform You about the omission of the measure within the one-month deadline. You can file a complaint against this at NADPFI (Section 4.1) and exercise your right to legal remedy (Section 4.2).

Administration fee

The requested information and taken measures are free of charge. An exception is the case where the request is clearly unfounded or, in the case of its particularly repetitive nature, excessive. In this case, we may charge a fee or refuse to fulfil the request.

3.1. You may withdraw your consent (in case of 2.7. and 2.11.)

You may withdraw Your consent at any time in the case of processing based on the provision of Your consent. In such a case, we shall erase Your personal data in connection with the given processing within 5 (Five) working days from the receipt of this notification. Please note that the withdrawal of consent shall not affect the legality of processing activities carried out prior to the withdrawal.

3.2. You may request information (access) (in all cases)

You may request information about whether your personal data is currently being processed and, if so,

- ✓ What is its purpose?
- ✓ Precisely what data are being processed?
- ✓ Who do we transfer these data to?
- ✓ Who long do we preserve these data?
- ✓ What are Your rights and options for legal remedies in relation to it?
- ✓ Where did we receive Your data from?
- ✓ Do we make an automated decision regarding You by using Your personal data? In such cases, you may also ask for information on what kind of logic (method) we are applying, how such processing is relevant and what are the expected consequences.
- ✓ If you have found that your data has been transferred to an international organisation or third country (non-EU Member State), you may request that we provide you with information on how we guarantee that your personal data is adequately processed.
- ✓ You can request a copy of the personal data we are processing (We may charge a fee based on administrative costs for additional copies.)

3.3. You may request rectification (in all cases)

You may ask us to rectify or complete any of Your inaccurately or incompletely recorded personal data.

3.4. You may request the erasure of your personal data ('right to be forgotten') (in case of 2.7. and 2.11.)

You may request us to erase Your personal data if:

- a) The personal data are no longer needed for the purpose they were obtained;
- b) The processing is carried out based on your consent;
- c) It is established that the personal data is being processed unlawfully;
- d) It is required by EU or national legislation.
- e) The personal data must be erased in order to fulfil the legal obligation imposed upon the Library by the legislation of the European Union or a Member State thereof;
- f) The data was collected within the framework of the provision of IT services for children.

Personal data **may not be erased** if it is needed:

- a) to exercise rights to freedom of expression and information;
- b) to fulfil of the obligation relating to the processing of personal data by the Library based on legislation of the European Union or a Member State thereof, or out of public interest;
- c) based on public interest that relates to public health

- d) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes if erasure is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- e) for the submission, enforcement or defence of legal claims.

3.5. You may request us to restrict the processing

You have the right to request the restriction of the processing if any of the following criteria apply:

- ✓ You contest the correctness of their personal data. In such cases the restriction shall only apply to the time period necessary for us to verify the correctness of the personal data;
- ✓ The processing is unlawful, but You do not consent to the erasure of the data and instead requests the restriction of their use;
- ✓ We no longer require the personal data for processing purposes, but You request the data for the submission, enforcement or protection of legal claims;
- ✓ You objected to the processing; in such cases the restriction shall only apply to the time period necessary to determine whether the Library's justified needs precede Your justified needs.

Should the processing be subject to restriction, such personal data shall only be used, beyond storage, with Your consent or for the submission, enforcement or defence of legal claims or the protection of the rights of other natural or legal persons or in the important public interest of the European Union or a Member State thereof.

We shall inform You in advance of any potential lifting of restrictions.

3.6. You may request for us to hand over your personal data (right to data portability) (in case of 2.7. and 2.11.)

You are entitled to receive your personal data processed by us in machine readable format, and you are also entitled to transfer this data to another data controller or request us to do so, insofar as the processing of data is solely based on Your consent, or on a contract concluded with You or in Your interest, by automated means.

This right cannot be exercised in cases where the processing is carried out in order to perform a public interest task. It shall not prejudice the right to erasure and shall not adversely affect the rights and freedoms of others.

3.7. You may object to the processing of your personal data (in case of 2.1.-2.6.;2.8. – 2.9.;2.10., 2.12.)

You may object to the processing of your personal data if the processing is necessary for the fulfilment of a public interest task.

In the above case we shall erase the personal data unless their processing is made necessary by legitimate obligations which take precedence over your interests, rights and freedoms, or are necessary for the submission, enforcement or defence of legal claims.

You may also object to the processing of your personal data if the personal data is processed for scientific and historical research purposes or for statistical purposes. In this case, the personal data will be erased unless the processing is necessary for the performance of a task for reasons of public interest.

4. Legal remedy options

4.1. You may submit a complaint to NADPFI

If you think Your personal data is being processed in violation of the Data Protection Regulation, You have the right to file a complaint with the Hungarian National Authority for Data Protection and Freedom of Information (NADPFI).

NADPFI

president:	Dr Attila Péterfalvi
correspondence address:	1530 Budapest, P.O. Box.: 5
address:	1125 Budapest, Szilágyi Erzsébet fasor 22/c
Phone:	+36 (1) 391-1400
Fax:	+36 (1) 391-1410
web:	http://naih.hu
e-mail:	ugyfelszolgalat@naih.hu or privacy@naih.hu

4.2. You may turn to the court

If You believe that Your personal data is processed in violation of the Data Protection Regulation and violates Your rights under the Data Protection Regulation, You are entitled to turn to a court.

In Hungary, the case falls within the jurisdiction of the general court. If so requested by the data subject, the case may be brought before the general court in whose jurisdiction the data subject's home address or temporary residence is located. Any person otherwise lacking legal capacity to be a party to legal proceedings may also be involved in such actions. The Authority may intervene in the action on the data subject's behalf. In addition to the provisions of the Data Protection Regulation, court proceedings are governed by Chapter 3, Title XII (Sections 2:51 to 2:54) of Act V of 2013 on the Civil Code, as well as other legal provisions governing court proceedings.

4.3. Liability and restitution

If the Library causes damage with the illegal processing of the data of the data subject or violates the civil rights of the data subject, the Library may be required to pay restitution for damages. The Library shall not be liable for damages or paying restitution if they demonstrate that the damage or the violation of civil rights were brought about by reasons beyond the scope of their processing activity.

5. Data security

We will do our utmost to implement the appropriate technical and organisational measures in order to guarantee an adequate level of data protection for the degree of risk, by taking into account the current state of science and technology, the costs of implementation, the nature of the processing and the risk to the rights and freedoms of natural persons.

Personal data is always processed in a confidential manner, with limited access, encryption and the maximisation of resilience, and by ensuring restoration in the event of a problem. Our system is tested regularly to guarantee security. When determining the adequate security level we take into consideration the risks stemming from the processing that arise from the accidental or unlawful destruction, loss, modification, unauthorised disclosure or unauthorised access to personal data, especially those transferred, stored or processed by using other methods.

We will do our utmost to ensure that persons under our control who have access to personal data can only treat such data in accordance with our instructions unless deviation from this is required by the EU or Member State legislation.

6. Other

The Library may at any time modify the terms and conditions of this Privacy Notice. Any modification will come into effect simultaneously with its publication on the website, and we shall call your attention to the change in the pop-up window on the website.

Last update: December 2018

Annex 1: What do these terms mean?

The description of terms used in the Privacy Notice:

‘personal data’: Any information relating to a natural person (data subject) (e.g.: name, identification number, location data, online identifier or data specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person);

‘special data’:Such data include the personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation;

‘health data’: personal data related to the physical or mental health of a natural person, including the provision of health care services, which reveal information about his or her health status;

‘data subject’: identifiable natural person to whom the personal data relates. (E.g.: a visitor of the website, a person subscribing to the newsletter, a person responding to a job advertisement)

‘processing’: any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transfer, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

‘Library’: a natural or legal person, public authority, agency or other body which defines the purpose and means of processing of personal data alone or with others;

‘processing’: performing technical tasks in connection with data processing operations;

‘Processor’ - a natural or legal person, public authority, agency or other body which processes personal data on behalf of the Library (under the assignment or instruction of, or according to decision of the Library);

‘third party’: a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the Library or the Processor, are authorised to process personal data;

‘consent of the data subject’:any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;

Annex 2: Our principles and legal acts that are binding to us during processing:

2.1. **Legislation** we are bound by during processing:

- ✓ **GDPR (General Data Protection Regulation)** - REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL 2016/679 (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;
- ✓ **Data Privacy Act** - Act CXII of 2011 on Informational Self-determination and Freedom of Information, as well as legislation issued for its implementation;
- ✓ Act CVIII of 2001 on Electronic Trading Services and Certain Issues Concerning Services in an Information Society;
- ✓ Act V of 2013 on the Civil Code;
- ✓ Act CL of 2017 on the Rules of Taxation, as well as legislation issued for its implementation;
- ✓ Act C of 2000 on Accounting, as well as legislation issued for its implementation;
- ✓ Act XLVIII of 2008 on the Fundamental Conditions and Certain Limitations of Economic Advertising Activities;
- ✓ Act CXXXIII of 2005 on the Rules of Security Services and the Activities of Private Investigators;
- ✓ Act CXL of 1997 on the Protection of Museums Institutions, Public Library Services and Cultural Community;
- ✓ Act CLV of 1997 on Consumer Protection;
- ✓ Government Decree No. 335/2005 (29 December) on the General Requirements of the Filing System of Organs Performing Public Duties.

2.2. We abide by the following **principles** during processing:

- a) Personal data will only be processed by the Library for the purpose and duration specified herein. The Library only processes personal data that is essential for the purpose for which they were recorded, and for the achievement of that purpose.
- b) The personal data received by the Library in the course of processing shall only be disclosed to persons who are in the mandate of the Library or are employees of the Library, who are to perform tasks relating to the particular processing activity.