

Appendix 3

PRIVACY NOTICE

to End Users

Effective date: 15.06.2018

Kvazar.cloud Kft. and **[SERVICE INTERMEDIARY]**

1. About us

Kvazar.cloud Korlátolt Felelősségű Társaság (registered office: H-1097 Budapest, Gyáli út 48., company registration number: Cg.01-09-917341, VAT number: 14734632-2-43, represented by: MÉSZÁROS László Gábor, Managing Director empowered to represent the company individually) and **[SERVICE INTERMEDIARY'S NAME]** (registered office: [...], company registration number: [...], VAT number: represented by: [...]) (hereinafter jointly referred to as: “**Joint Controllers**”) jointly intermediate the cloud service you use.

2. Scope of services covered by this Notice

This Notice (hereinafter referred to as “**Notice**”) applies to the data processing necessary for IT and other services related to the commencement of use (configuration, migration) and the actual use (customisation, maintenance, user training, operation, etc.) of the cloud service we intermediate.

The above services will hereinafter be collectively referred to as “**Services**”. The purpose of this Notice is to provide a general overview to you (hereinafter referred to as “**You**” or “**Data Subject**”) regarding the purposes and means of the processing of your personal data.

3. Importance of data protection

In order for us to be able to provide our Services, we need to process personal data. We recommend you to read this Notice carefully so that you will be aware of every fact and information concerning the processing of your personal data. Please note that by using our Services, you agree to the processing of your personal data as detailed in this Notice. The provision of personal data is voluntary; however, you will not be able to use most of our Services without providing the requested data.

We process personal data in accordance with the European and Hungarian legislation currently in force (hereinafter referred to as “**Applicable Legislation**”). These include, in particular, the following:



- a) 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 referred to as “**GDPR**”);
- b) Act CXII of 2011 on Informational Self-Determination and the Freedom of Information (hereinafter referred to as “**Info Act**”).

4. **What types of personal data we process; the purpose and duration of the processing**

a) Purpose of the processing of personal data; reason why data should be provided: Performance of the Services you wish to use.

b) Legal basis for the processing: **[NAME OF SERVICE INTERMEDIARY]** processes your personal data for the purpose of performing the contract concluded between you and **[NAME OF SERVICE INTERMEDIARY]**.

Kvazar.cloud Kft. processes your personal data for the purpose of performing the Service Intermediary Contract concluded between the company and **[NAME OF SERVICE INTERMEDIARY]**, i.e. the pursuit of its legitimate interest as per Article 6(1)(f) of the GDPR.

c) Scope of the data processed: Any information relating to an identified or identifiable natural person (hereinafter referred to as “Data Subject”) is considered to be personal data. For example, a person’s name, phone number and e-mail address are considered to be personal data.

In the course of providing our Services, we process the following personal data concerning you: name, address, e-mail address and IP address

d) Duration of the processing of the personal data: We will process your personal data starting from the conclusion of the Licence Agreement (hereinafter referred to as “**Licence Agreement**”) between you and **[NAME OF SERVICE INTERMEDIARY]** for a period of 5 years after the termination thereof, except if

the legislation requires that the data be retained for a longer period.

e) Scope of persons to whom we transfer the personal data

We may transfer your personal data to the provider of the cloud service used via the Services at any time upon its request. You may find further information regarding data transfers and the data protection practices of the cloud service provider on the following website:

<https://kvazar.cloud/partneradatok-kezelese/adattovabbitas/>

f) What types of processors we use

We store your personal data on the Office 365 servers of Interworks Technologies Ltd (VAT number: GB 166199964; registered office: 64 Princes Court, 88 Brompton Road Knightsbridge, London, UK SWE 1ET) and Microsoft Ireland Operations Limited (registered office: One Microsoft Place, South County Business Park, Leopardstown, Dublin 18 D18 P521).

g) Do we engage in automated decision-making or profiling?

We do not engage in automated decision-making or profiling.

5. Your rights as Data Subject

In relation to our processing of his or her personal data, the Data Subject shall have the right to

- a) access the personal data;
- b) obtain rectification of the personal data;
- c) obtain erasure of the personal data;
- d) obtain restriction of the processing of the personal data;
- e) object against the processing of their personal data;
- f) receive the personal data and transfer them to another controller (right to data portability), provided that the relevant legal requirements are met;
- g) if we process the personal data based on your consent, you may withdraw such consent at any time;

We will inform you regarding the measures taken in relation to your request without delay, but generally at the latest within a month of receipt of the request. If you submitted your request by electronic means, we will provide information by electronic means, unless you explicitly request otherwise. If we fail to take measures in relation to your request within the deadline set out above, we will inform you promptly, but at the latest within one month of the date of receipt of the request, regarding the reasons for not taking



action. If you do not agree to the answer given or measure taken by the Joint Controllers, legal remedies are available (see Section 7).

Ad a) The Data Subject's right to access

You have the right to obtain from the Joint Controllers confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to the personal data and obtain information regarding the circumstances of their processing. The information requested may cover in particular (but without limitation) the following data: purposes of the processing; categories of personal data; the recipients or categories of recipients to whom (which) the Joint Controllers disclosed or will disclose personal data; duration of storage of the personal data; and where we did not collect the data from you, all information available regarding our source.

Ad b) Rectification

You have the right to obtain from us without undue delay the rectification of inaccurate personal data concerning you, and you also have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

Ad c) Right to erasure ("right to be forgotten")

Upon your request, we will delete all personal data concerning you without undue delay if any of the following reasons applies:

- a) the personal data are not necessary anymore;
- b) the consent on which the processing is based has been withdrawn and the processing has no other legal basis;
- c) the Data Subject objects to the processing, and there are no overriding legitimate grounds for the processing;
- d) we processed the personal data unlawfully;
- e) the personal data must be deleted pursuant to the Applicable Legislation.

We may lawfully refuse to delete the personal data in the cases specified in the Applicable Legislation, in particular where the processing of the data is necessary for the establishment, enforcement or defence of legal claims.

Ad d) Right to restriction of processing

You may request restriction of the processing in any of the following cases:

- a) you contest the accuracy of the personal data, in which case the restriction shall apply for a period enabling us to verify the accuracy of the personal data;
- b) the processing is unlawful, and you oppose the erasure of the personal data and request the restriction of their use instead;
- c) we no longer need the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defence of legal claims; or
- d) the personal data are processed based on a legitimate interest and you have objected to the processing, pending the verification whether the legitimate grounds of the Data Controller override those of the Data Subject.

Where processing has been restricted, such personal data shall, with the exception of storage, only be processed with your 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 European Union or of a Member State. The Joint Controllers will inform you before the restriction of processing is lifted.

Ad e) Right to object

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you based on a legitimate interest, including profiling based on the aforementioned provisions. In this case, the personal data may not be processed anymore, unless the processing is justified by compelling legitimate grounds that override your interests, rights and freedoms, or for the establishment, exercise or defence of legal claims.

Where personal data are processed for direct marketing purposes, you have the right to object at any time to processing of personal data concerning your, for such marketing, which includes profiling to the extent that it is related to such direct marketing. In such cases, the Data Subject's personal data shall no longer be processed for such purposes.

Ad f) Right to data portability

Provided that this does not infringe the rights and freedoms of others, you have the right to receive the personal data concerning you in a structured, commonly used and machine-readable format and have the right to transmit those data directly to another controller. In both cases, data portability is conditional on the following: the processing is based on consent or contract and takes place by automated means.

6. Who can you contact with your questions regarding this Notice or in order to exercise your rights as Data Subject?

Based on the agreement between the Joint Controllers, we request you to contact mainly the following contact person with any questions related to this Notice or in order to exercise your rights as Data Subject:

[SERVICE INTERMEDIARY]

Address: [...]
E-mail: [...]
Phone: [...]
Web: [...]

If you nevertheless wish to contact Kvazar.cloud Kft. for any reason, of course you may do so using the following contact details:

Kvazar.cloud Kft.

Address: H-1097 Budapest, Gyáli út 48.
E-mail: info@kvazar.cloud
Phone: +36 1 880 4400
Web: kvazar.cloud

7. Available remedies

If you disagree with our answer or measure or you think that your right to the protection of your personal data has been infringed, you have the right to lodge a complaint with the National Authority for Data Protection and Freedom of Information (address: H-1125 Budapest, Szilágyi Erzsébet fasor 22/c; phone: +36-1-391-1400; e-mail: ugyfelszolgalat@naih.hu) or seek judicial remedy.

8. Information regarding joint processing

Please note that the Joint Controllers are act as joint controllers in respect of the processing performed as part of the Service. If you have any question regarding the agreement concluded between us, please contact us using any of the contact details indicated in Clause 6.

9. Miscellaneous information

9.1 We periodically review and amend this Notice. In such cases, we will publish the amended Notice or deliver it to you by other means.