

Data Protection Declaration

Data Protection and Data Processing – Prospectus

1. Purpose of the Prospectus

- 1.1. This document is aimed at providing adequate information and protection to persons visiting the website of www.tof.hu (hereinafter: Website) and enlisting the services (hereinafter collectively: Data Subjects) in accordance with the provisions of Act CXII of 2011 on the Right of Informational Self-Determination and Freedom of Information.

2. Definitions

Data Subject shall mean any natural person who has been identified or is identifiable, whether directly or indirectly, by reference to specific personal data;

Personal data shall mean any data that can be associated with the Data Subject, and in particular by reference to the name and identification code of the Data Subject, or one or more factors specific to his physical, physiological, mental, economic, cultural or social identity, as well as conclusions that can be drawn from the data with regard to the Data Subject;

Special data shall mean

- a) personal data revealing racial origin or nationality, political opinions and any affiliation with political parties, religious or other philosophical beliefs or advocacy organisation membership, and personal data concerning sex life,
- b) personal data concerning health, pathological addictions, or criminal record;

Consent shall mean any specific and informed indication of the will of the Data Subject given freely and expressly by which he signifies his unambiguous agreement to personal data relating to him being processed fully or to the extent of specific operations;

Objection shall mean a declaration made by the Data Subject objecting to the processing of their personal data and requesting the termination of data processing, as well as the deletion of the data processed;

Controller shall mean any natural person or legal entity, or any organisation without legal entity status that alone or jointly with other persons determines the purpose of the processing of data; makes and executes the decisions regarding data processing (including the means used), or contracts a data processor to execute it;

Data processing shall mean any operation or the totality of operations performed on the data, irrespective of the procedure applied, and in particular collecting, recording, registering, classifying, storing, modifying, using, querying, transferring, disclosing, synchronising or connecting, blocking, deleting and destructing the data, as well as preventing their further use, taking photos, making audio or visual recordings, as well as registering physical characteristics suitable for personal identification (such as fingerprints or palm prints, DNA samples, iris scans);

Data transfer shall mean ensuring access to the data for a specific third party;

Disclosure shall mean ensuring open access to the data for anyone;

Data deletion shall mean making data unrecognisable in a way that they can never again be restored;

Tagging data shall mean marking data with a special ID tag to differentiate it;

Blocking of data shall mean marking data with a special ID to definitely or indefinitely restrict their further processing;

Data destruction shall mean complete physical destruction of the data carrier recording the data;

Data process shall mean performing technical tasks in connection with data processing operations, irrespective of the method and means used for executing the operations, as well as the place of execution, provided that the technical task is performed on the data;

Data processor shall mean any natural person or legal entity, or any organisation without legal entity status processing the data under a contract, including contracts concluded pursuant to statutory provisions;

Data source shall mean the body responsible for undertaking the public responsibility which generated the data of public interest that must be disclosed through electronic means, or during the course of operation of which such data was generated;

Data disseminator shall mean the body responsible for undertaking the public responsibility which uploads the data sent by the data source to the website if the data source has not published the data;

Data set shall mean all data processed in a single file;

Third party shall mean any natural person or legal entity, or any organisation without legal entity status other than the Data Subject, the controller or the data processor.

3. The description of the Controller

- 3.1. The name and contact details of the person that carries out data processing and data process (hereinafter: Controller):

trans-o-flex Hungary Kft.

Registered seat and mailing address:	1239 Budapest, Európa út 12.
Company registry number:	01-09-980899
Tax number:	13947109-2-43
Phone number:	+36 1 8 777 400
Email address:	ugyfelszolgalat@tof.hu

- 3.2. The Controller shall carry out his activity by protecting the rights relating to personality of the Data Subjects in compliance with the applicable rules of law, and in particular the provisions of the Civil Code and of Act XCII of 2011 on the Right of Informational Self-Determination and Freedom of Information (hereinafter: Atv.).

4. Purpose, legal grounds and method of data processing

- 4.1. Purpose of data processing

The Controller shall process the data provided only for the purposes of specifying, modifying the content of, and performing, invoicing, the services requested by the Data Subjects on the Website as well as of asserting related claims, furthermore, for other operations requested by the Data Subjects (e.g., sending of newsletters).

4.2. Legal grounds for data processing

By using the Website and concluding the framework agreements with the Controller and/or accepting the current General Terms and Conditions (GTC), and freely providing for the data required to enlist the services, the Data Subjects will give their relevant Consents to the processing of such data.

In the event that a person acts on the authority of another person, it shall be his responsibility to obtain the consent of the Data Subject to publish his data. The prior consent of the statutory representative is required for the declaration to be made by persons with incapacity and restricted capacity to act.

4.3. Method of data processing

The Controller will not check the personal data provided; it will be the person that has provided such data who shall be solely responsible for the accuracy thereof.

4.3.1. Website

The Website can be visited and personal data can be recorded by the Data Subjects also without registration and free of charge. The Controller will measure the data of access to the Website using Google Analytics services. Data will be transferred when using the service. The data transferred will not be suitable to identify the Data Subject. For in-depth information about the data protection principles of the Google, please visit <http://www.google.hu/policies/privacy/ads/>

4.3.2. Utilisation of email addresses

The Controller shall only use the electronic email addresses he processes to send emails (information or advertisement) in the manner specified below.

The processing of email addresses shall serve to keep contact in rendering and performing the services and thus emails will be sent primarily to this end.

If there has been any change in the services the Controller provides or in the GTC, the Controller shall forward information regarding the changes and other similar services thereof in certain cases in electronic form by email to the Data Subjects. One cannot unsubscribe from such "notification list"; however, the Controller shall not use such notifications for advertising purposes.

4.3.3. Newsletters

Data Subjects can subscribe for the newsletter of the Controller at the time of concluding a contract or during use of the Website with the help of the menu created for such purpose. It is voluntary to subscribe for the newsletter. Upon subscription, Data Subject will expressly approve of the transferring of information and advertising contents to the email addresses they provided at intervals set by the Controller. Data Subjects may at any time unsubscribe through the link at the foot of the newsletter.

5. Scope of personal data processed

5.1. Scope of the data primarily processed are as follows:

- If a private individual: name, place and date of birth, mother's maiden name, telephone number, home address and email address;
- If a legal entity: name, registered seat, branch office and premises, company registry number, tax number and bank account number of the legal entity, the name and contact details of the administrator;
- Transport information (data of sender and recipient – name, address for dispatch and service, telephone number);
- Data of the consignment to be delivered (size, weight, value, content etc. of the consignment)

5.2. Recording of phone calls

Phone calls incoming for the Controller to extensions shall be recorded for consumer protection and quality assurance purposes if Data Subjects have given their relevant consents. The basis in law of the recording of phone calls is the voluntary consent of the Data Subject. If the Data Subject does not approve of the recording of his call, then during opening hours he can consult the administrator of the Controller at the following phone number: +36-1-8777-405. Data processing is aimed at asserting the rights of the Data Subject and the controller and that evidence can be furnished subsequently. Data will be stored for 5 years and a copy can be requested of the sound recording.

6. Duration of data processing

6.1. In addition to the deadline for the performance, settlement and payment of the service ordered by the Data Subject and for the lodging of a related complaint as well as for the final ending of the complaint lodged, the Controller will process the data provided by the Data Subject until the Data Subject expressly requests the data to be deleted. Deletion will not take place in respect of data processing required by legislation (such as accounting regulations), which the Controller will retain for the necessary length of time.

7. Persons having access to data, data transfer, data process

- 7.1. The Data Subject gives his explicit consent to the transfer by the Controller of his personal data provided to other organisations (courier mail service providers engaged in performing services, legal entities providing transport services).
- 7.2. The Controller shall not be liable for the veracity of the personal data furnished by the Data Subject and only the Data Subject shall be responsible for it.
- 7.3. In performing the service, operating the supporting IT system and settling the accounts, the Controller can retain the services of data processors (e.g., system operators, carriers, bookkeepers). The Controller shall not be liable for the practice of such external actors in data processing.

Description of data processors: <http://tof.hu/adatfeldolgozok/>

8. User rights and enforcement options

8.1. Data Subjects can request information at the email address of, or by post from, the Controller regarding the processing of their personal data and may also request their personal data to be corrected or changed as well as to be deleted save for the data processing ordered by legislation and required to perform and settle accounts for the services ordered. Information is free of charge but if information is requested repeatedly within one calendar year, the Controller reserves the right to charge an administrative fee.

- 8.2. The Controller shall respond to the enquiries relating to Data Subject's data processing within a maximum of 30 days and if the request of the Data Subject is refused it shall give a reason for it in his answer. If the Data Subject disagrees with the decision made or the measures taken by the Controller, he may go to court against the decision or the measure within 30 days of the notification thereof.
- 8.3. If the Data Subject provided data of a third party for rendering the service in disseminating data and in doing so it has caused damage in any way whatsoever, the Controller is entitled to assert claims for damages against the Data Subject. In such event the Controller shall use his best efforts to provide help for the authorities proceeding in the matter in order to identify the infringing person.
- 8.4. Legal remedies, assertion of rights before authorities and courts: the Data Subjects may exercise remedy or lodge a complaint in connection with the data processing by the Controller with the National Authority for Data Protection and Freedom of Information (registered seat: 1125 Budapest Szilágyi Erzsébet fasor 22/c, postal address: 1530 Budapest, Pf.: 5. Phone: +36 (1) 391-1400).

9. Miscellaneous

- 9.1. The Controller shall provide for the security of the data and take technical measures to ensure the safety of the data recorded, stored and processed and shall do his best endeavour to prevent them from being destructed, illegally used and modified. Furthermore, he also commits to invite all third parties to whom the data are transferred or delivered, if any, to fulfil their related obligations.
- 9.2. In processing the data, the Controller shall act with the greatest circumspection showing complete observance of the rules of law, treat them confidentially and not make them accessible to third parties, unless it is required in order to assert his rights arising from the contract, and it is ordered by legislation or final decisions of authorities or courts that the data should be handed over to the authorities.
- 9.3. The Controller reserves the right to unilaterally amend this Prospectus subject to prior notification to the Data Subjects. After the amendment entered into force, the Data Subjects will accept the content of the Prospectus as amended by conduct when using the service.