

General Notice on Data-Process

I. Purpose of this Notice

FŐMTERV Civil Engineering Designer Ltd. is committed to process personal data with full respect for the rights and freedoms of natural persons, in accordance with the relevant legislation with particular regard to 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 (General Data Protection Regulation).

The purpose of this Notice is to represent the applied data-processing principles and to give an overall view about the process itself.

II. Basic Concepts

For the better understanding of this Notice, some basic concepts need to be clarified:

- i. **Personal data:** **any** information relating to an identified or identifiable natural person.
- ii. **Processing:** **any** operation or set of operations which is performed on personal data regardless of the applied procedure. Processing can be concluded only on personal data which form part of a filing system or are intended to form part of a filing system, irrespective of the carrier or form of the data.
- iii. **Controller:** any person or body that chooses to process personal data for its own purposes.
- iv. **Processor:** Its task is to perform technical tasks related to data-processing operations on behalf of the Controller, who is responsible for the activity of the Processor.
- v. **Data subject:** the natural person whose data is processed.
- vi. **Third party:** a natural or legal person, other than the controller, data subject.
- vii. **GDPR:** 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 (General Data Protection Regulation)

III. Controller

- i. In regard of this Notice, Controller is:

FŐMTERV Civil Engineering Designer Ltd. (hereinafter referred to as: Company)
H-1024 Budapest, Lövőház utca 37.
Company reg. nr.: 01-10-045561

IV. Principles applied in data-process and in data protection

- i. **Fairness:** Company only processes personal data which are necessary to perform its economic objectives. With the exception of public databases, Company obtains personal data directly from the data subject, but in any case, by informing the data subject.

- ii. **Lawfulness:** Company only processes personal data which is required by legislation, or in which it has a legitimate interest defined for each process.
- iii. **Transparency, accountability:** Regarding its own data of the data subject, Company processes personal data of natural persons transparently so that data subjects can follow and monitor the process. The descriptive, regulatory, information documents of the Company on data-process are public and available for the data subject on the Company website and/or intranet.
- iv. **Data minimisation, storage limitation:** Company only processes data necessary and sufficient for the given process and only for as long as it is required by the purpose of the process, or the law imposing it.
- v. **Purpose limitation:** Data subject to a certain process are not processed in other processes that have significantly different purpose.
- vi. **Accuracy:** Based on point i., Company obtains personal data from the data subject. Thus, data subject is responsible for the accuracy of the data. When collecting data, Controller can, if possible, request the presentation of documents containing personal data (as well) in order to check the accuracy, authenticity of the data. Company grants access for data subject at its request to its own data processed by Company, thus data subject can be constantly assured of their accuracy. In case of any changes in the processed data, data subject is entitled to request the management of these changes from the Controller.
- vii. **Integrity and confidentiality:** Company uses its best efforts to ensure that personal data it processes remain intact during the process and are not available for third party.
- viii. **Data protection by design and by default:** In order to fulfil its tasks detailed above, Company applies design and default tools and rules in its data-processing system and processes, which are able to minimize the risk of any damage of personal data.

V. Types of personal data processed by Company

- i. **General labour data:** Personal data of job applicants.
- ii. **Mandatory labour data:** Personal data necessary to identify Company employees.
- iii. **Personal data necessary for the performance of Company's tasks:** Personal data, which demonstrate e.g. the competencies of the Company. Furthermore, personal data necessary for the execution of a project stipulated in a contract, which may also belong to third parties other than the employees of the Company.
- iv. **Data necessary for the operations of the Company:** Internal data-processes, related to the procedures required for the daily operation of the Company.
- v. **Data processed by the Company as processor:** In this case, data defined by the controller, who entrusts Company with the process of the data.

VI. The purpose, legal grounds and period of data-processes

- i. For point V/i
 - a. **Purpose of the process:** evaluation of the competency of the job applicant.
 - b. **Legal grounds for the process:** voluntary contribution of the job applicant through the submission of the job application material.
 - c. **Period of the process:** period of the evaluation of applications.

- ii. **For point V/ii**
 - a. **Purpose of the process:** recording of labour data of Company employees.
 - b. **Legal grounds for the process:** on one hand, the individual employment contract concluded with the employee and the collective agreement, on the other hand the fulfilment of duties and obligations of the Company required by the relevant legislation.
 - c. **Period of the process:** compulsory retention time and the time for providing data required by the relevant legislation.
 - iii. **For point V/iii**
 - a. **Purpose of the process:** Due to its activities, Company can take part in certain tenders only with the verification of the professional competencies and qualifications of its employees. For this it is necessary to process personal data of its employees. Because of the nature of the Company work, which depends largely on smooth communication between the participants of the works, it is necessary to process personal data of natural persons.
 - b. **Legal grounds for the process:** principals of the tenders require applicants to verify their competencies for taking part in the tender this way. In this regard, it is the legitimate interest of the Company to process the personal data of its employees. Since communication does not work without contact data, it is the legitimate interest of the Company to process the personal data of the participant natural persons involved in a project.
 - c. **Period of the process:** lifetime of a project, including the duration of the guarantee and the mandatory archiving.
 - iv. **For point V/iv**
 - a. **Purpose of the process:** processing data necessary for the internal operations of the Company. In particular, data-processes necessary for the usage of employee allowances and benefits.
 - b. **Legal grounds for the process:** on one hand, Company needs to process certain personal data in order to fulfil its tasks under employment contracts and the collective agreement. On the other hand, for the safe operation of the Company it is necessary to process data that allows Company to analyse certain behaviours and processes. These data-processes are internal processes and it is the common legitimate interest of the Company and its employees that the Company works as a reliable and safe workplace.
 - c. **Period of the process:** regarding the data-processes mentioned above, Company processes the data as long as they are relevant to achieve the given purpose.
- VII. **Data-transfer**
- i. By default, Company does not provide personal data to a third party, they are processed with confidentiality and security. Exceptions are:
 - a. when the Company is obliged legally to transfer data,
 - b. when an authorized official body requires the transfer,
 - c. when it is necessary according to its contractual obligation, in an official procedure during a given work, or for communication between participants.

- ii. Company only hires processor who undertakes in writing that it protects personal data of natural persons at least to the extent specified by the Company.
- iii. Data, published on the Company website, or on the Internet on behalf of, at the request of or with the participation of the Company, are excluded from the direct control of the Company. Obviously, Company makes every effort to prevent any data-disclosure unchecked and / or without informing the data subject or without their consent.
- iv. In case of partners subject to GDPR, Company presupposes that also in respect of this Law, these partners apply the same level of diligence as the Company.
- v. In case of transfers not covered by GDPR, Company follows the procedures defined in this Law, and when there is a high degree of likelihood that the partner-to-be is not able to/willing to assure compliance with the GDPR, Company does not transfer the data even at the request of the natural person.

VIII. Rights of the data subjects

- i. **information:** Company informs the data subject about every data-process that the data subject is involved in, before starting the process. The information is about the existence of the process operation and its purposes, legal grounds, period and the types of the processed data. When prior information is not possible, e.g. in case of data from Takarnet, information is attached to the first formal request sent to the natural person. Information regarding internal data-process are continuously available on the Intranet of the Company.
- ii. **access:** Company grants access to personal data for natural persons in respect of their own personal data, if that does not violate others' right to the security of personal data and does not mean a disproportionate burden for the Company. By this, Company provides for the opportunity to practice the rights to rectification.
- iii. **rectification:** for the request of the data subject, Company immediately modifies the personal data of the data subject, if the accuracy of the data was approved, thus ensuring compliance with the principle of accuracy.
- iv. **erasure, data to be forgotten:** if it is not forbidden by law, regulation or ongoing procedures that directly affect personal data, Company erases the processed data for the request of the data subject, at the latest at the end of the data-process.
- v. **objection:** data subject can object against the process of their personal data. During the objection Company suspends the process of the personal data of the data subject, until the dispute is resolved. If because of the suspended process Company cannot fulfil its obligations under the employment contract or collective agreement, and the data subject suffers damage from it, Company shall not be liable for damages.
- vi. **portability:** data subject is entitled to receive personal data stored at the Company in a portable format, so that another controller can process it automated. (When writing this Notice, the format in which digital data is to be provided / received is not known.)
- vii. **automated decision-making:** there is no data-process at the Company, that would serve as a source of automated (based on a machine algorithm) decision-making,

thus the right of data subjects to exclude their personal data from automated decision-making, is not relevant.

- viii. **remedy:** in case of a dispute between the Company and the data subject regarding the process of the own personal data of the data subject, data subject is entitled to seek remedy. Company informs data subject about this right in every case.

IX. Options for remedy

- i. Data subject can contact the Company via email (adatkezeles@fomterv.hu) regarding any question, request or comment on data-process.
- ii. If the Company, in the opinion of the data subject, has not correctly handled the complaint of the data subject regarding data-process, data subject can directly turn to the Hungarian 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;

website: www.naih.hu

- iii. Data subject can seek judicial remedy in the event of violation of its rights in relation to data protection. The case falls within the jurisdiction of regional courts. According to the choice of the data subject, proceedings can be initiated before the regional court of where the data subject is domiciled or resident.

X. Amendment of this Notice

- i. Company reserves the right to amend this Notice.
- ii. If the degree of amendment significantly modifies pre-change data-process activities, Company informs data subjects about the amendment of the Notice.
- iii. This is an informative Notice, data-process, in details, is regulated by the Internal Data-process Rules, IT Security and Operational Rules and the Document Management Rules altogether. These rules are also accessible on the Intranet of the Company.

17th May 2018, Budapest