

## DATA MANAGEMENT POLICY

MarkMyprofessor Ltd. (hereinafter referred to as the "Data Controller"), as the operator of the website available under the domain name [www.markmyprofessor.com](http://www.markmyprofessor.com) (hereinafter referred to as the "Website"), hereby publishes information on the data processing carried out in the context of the Website and the services related to the Website. This Notice does not cover issues governed by the General Terms and Conditions (hereinafter referred to as "GTC") which are not specifically related to the processing of personal data. The current version of the Notice is available on the Website. The Data Controller will inform Users of any changes to the Notice by means of a notice published on the Website. The information will be provided before the amendment comes into force, in sufficient time to allow the data subject to decide whether to accept the amendment or to cancel his/her registration. Unless otherwise specified, the scope of this Notice does not cover the processing of data related to promotions, prizes or other campaigns of third parties advertising on the Website. Unless otherwise stated, the Policy does not cover the processing of data on websites linked to [www.markmyprofessor.com](http://www.markmyprofessor.com).

By using the Website, users accessing the Website (hereinafter referred to as "User") agree to be bound by the terms and conditions set out in this Privacy Policy (hereinafter referred to as "Policy"), and should therefore read this Policy carefully before using the Website.

### 1) DATA CONTROLLER'S DATA

The data controller is MarkMyprofessor Kft.

Headquarters: 3526 Miskolc, Pozsonyi street 74. II. second floor

E-mail address: [markmyprofessor@weborigo.eu](mailto:markmyprofessor@weborigo.eu)

### 2.) SCOPE OF THE DATA PROCESSED

#### a.) During registration

In the registration interface, the User has the possibility to enter his/her data in order to use the services of the Website. During registration, **the following personal data are required** (data marked with \* are mandatory):

- **User name:** the surname and first name of the person concerned, to enable identification in the future
- **E-mail address:** the e-mail address provided is not public, i.e. it does not appear anywhere on the site, only the e-mail containing the activation data, notifications generated during the use of the system and newsletters sent to the User - with his/her specific consent - are sent to the e-mail address provided by the User at the time of registration.
- **Date of birth:** this is used to identify the data subject, it is not public, i.e. it does not appear anywhere on the site.
- **Faculty:** to which the data subject is affiliated within the university. It is necessary to be provided in order to be informed about (faculty-specific) offers that concern and interest the data subject as much as possible.
- **Gender:** the gender of the data subject, in order to allow the data subject to choose from non-specific offers for his/her gender.
- **Password:** necessary for the identification of the data subject, to ensure that only the data subject can access his/her user account when accessing the online platform at a later stage.

## **b.) User account**

After registration, the system creates a User Account for the User, which contains the following data:

- the data provided by the User during registration

When using the User Account, the User has the possibility to modify the data provided.

## **c.) Technical data management**

During the registration and the consultation of the Website, the starting and ending times of the visit and, in some cases, depending on the configuration of the computer of the person concerned, the type of browser and operating system are recorded. These data, recorded in a log file, are used for statistical purposes only and are only transmitted to third parties by the data controller on the basis of an express legal provision. However, the IP address of the User's computer will not be recorded.

**Only persons over the age of 18** are entitled to submit data on the Website.

## **3) PURPOSE AND DURATION OF DATA PROCESSING**

The Data Controller uses the data for the following purposes in connection with the provision of the services available on the Website:

- *During the registration on the Website:* the purpose of data processing is to provide the services of the Website, to maintain contact with Users;
- *When creating a User account:* management, modification, deletion of data stored in the User account.

The Data Controller will process personal data for the duration of the purpose of the processing and until the User requests the deletion of his/her data or withdraws his/her consent to the processing of his/her personal data.

The personal data shall be permanently deleted at the same time as the purpose of the processing ceases to exist, after the expiry of the period of time specified in this point or immediately upon the User's request.

## **4) LEGAL BASIS FOR THE PROCESSING OF PERSONAL DATA**

By registering and using the User Account, Users consent to the processing of their personal data by the Data Controller as described in this Notice. The processing of personal data is based on the voluntary and explicit consent of the User, given in the knowledge of the present information. The User has the right to withdraw his/her voluntary consent at any time.

In certain cases, in particular with regard to the data provided during the registration, the processing is a condition for the use of the services of the Website.

The Data Controller is an intermediary service provider for the content uploaded on the Website. Pursuant to Section 2 (I) of Act CVIII of 2001 on certain issues of electronic commerce services and information society services (hereinafter: Act on Electronic Commerce), a public intermediary service provider is a service provider of information society services that stores the information provided by the user (hosting service). The forum is considered an intermediary service, whereby the provider is not liable for the information provided by the user if it is not aware of any unlawful conduct in relation to the information or that the information infringes the rights or legitimate interests of any person and,

as soon as it becomes aware of the infringement, it immediately takes measures to remove the information or does not provide access to it.

The forum and content uploading on [www.markmyprofessor.com](http://www.markmyprofessor.com) is moderated, and posts and content will be deleted as specified in the terms of use. In addition, there is a "report me" menu next to both posts and content, through which infringements can be reported to the service provider. On the Website, personal data that are public by law are primarily disclosed: the name of the employer, the name and classification of the public employee are public data pursuant to Article 83/B (2) of Act XXXIII of 1992 on the Status of Public Servants. In other respects, higher education institutions almost invariably publish the data either on their websites or in certain publications. Overall, the data published on the [www.markmyprofessor.com](http://www.markmyprofessor.com) website are without exception data that have been lawfully disclosed at an early stage. It should be noted that higher education institutions perform a public task (a statutory public function) - this is clear from the law and the relevant case law. The public mission of higher education institutions is essentially carried out through the activities of their teachers. On this basis, they are also subject to Article 26 (2) of Act CXII of 2011 on the Right to Informational Self-Determination and Freedom of Information (hereinafter: Infotv.), according to which personal data of a person acting within the scope of the duties and powers of a public body in the performance of public duties are public data of public interest. The subject taught by the instructor and the name of the department are clearly related both to the public task to be performed by the institution and to the duties of the instructor, i.e. these data are also public under the Infotv.

Users may only provide their own personal data on the Website. If they do not provide their own personal data, the User providing the data is obliged to obtain the consent of the data subject.

## **5) WHO IS ENTITLED TO ACCESS PERSONAL DATA, DATA PROCESSING**

The Data Controller and its Data Processors are entitled to access personal data in accordance with the applicable legislation. The Data Controller shall only make the processed data available to third parties with the express consent of the User or on the basis of a legal provision.

By registering, the Data Subject expressly consents and agrees that his/her data may be made available by the Data Controller to the extent necessary for the use of the services by the service providers contracted with him/her, which services may be offered by the Data Subject. The sole purpose of the transfer is to allow the data subject to use the services provided by the service providers and to allow the service provider to document the services used.

The controller reserves the right to use a data processor for certain technical operations.

**The following processor(s)**, acting on behalf of the Controller, will process the data for the following purposes:

- WebOrigo Magyarország Zrt. (1027 Budapest, Bem József street 9.; [magyarorszag@weborigo.eu](mailto:magyarorszag@weborigo.eu))

The Data Controller reserves the right to involve additional data processors in the future, which will be notified to the Users by amending this Notice.

In the absence of an express legal provision, the Data Controller shall only disclose to third parties personally identifiable information with the express consent of the User concerned.

## **6) Use of data by the Controller**

The Controller shall use the data provided by the data subject in the cases specified in this Policy. In the cases provided for in the Terms of Use (see <http://www.markmyprofessor.com/felhasznalasi-feltetelek.html>), the controller is entitled to use the data, in particular where the data subject has engaged in unlawful conduct.

The data controller is entitled to send a newsletter related to the service to the e-mail address provided by the data subject during registration, provided that the data subject gives his or her specific consent. By subscribing to the newsletter service, the data subject consents to the controller placing an advertisement at the bottom of the newsletter or other notification letter. The data controller shall provide an option to unsubscribe from the newsletter in each newsletter sent. By registering, the data subject gives his/her consent to the controller sending only advertising mail to the e-mail address provided during registration.

## **7) RIGHTS OF THE USER**

### **Access to personal data**

The Data Controller shall, upon the User's request, inform the User whether the Data Controller is processing his/her personal data and, if so, give him/her access to the personal data and inform him/her of the following information:

- the purpose(s) of the processing;
- the types of personal data concerned by the processing;
- the legal basis and the recipient(s) of the transfer of the User's personal data;
- the intended duration of the processing;
- the rights of the User in relation to the rectification, erasure and restriction of processing of personal data and to object to the processing of personal data;
- the possibility of recourse to the Authority;
- the source of the data;
- relevant information on profiling;
- the names, addresses and activities of data processors in relation to the processing.

The Data Controller shall provide the User with a copy of the personal data subject to processing free of charge. For additional copies requested by the User, the Controller may charge a reasonable fee based on administrative costs. If the User has made the request by electronic means, the information shall be provided in a commonly used electronic format, unless the data subject requests otherwise.

The controller shall provide the information in an intelligible form at the request of the User without undue delay and at the latest within one month of the request. The User may submit a request for access using the contact details specified in point 1.

### **Correction of processed data**

The User may request the Controller (using the contact details specified in point 1) to correct inaccurate personal data or to complete incomplete data, taking into account the purpose of the processing. The Controller shall carry out the rectification without undue delay.

### **Erasure of processed data (right to be forgotten)**

The User may request that the Data Controller erase personal data concerning him or her without undue delay and the Data Controller shall be obliged to erase personal data concerning the data subject without undue delay if one of the following grounds applies:

- a.) the personal data are no longer necessary for the purposes for which they were collected or otherwise processed (e.g. the teacher no longer teaches at the institution);
- b.) the User withdraws his/her consent and there is no other legal basis for the processing;
- c.) the User objects to the processing of his/her personal data;
- d.) the processing of personal data is unlawful;
- e.) the personal data must be erased in order to comply with a legal obligation under Union or Member State law applicable to the controller;
- f.) the personal data were collected on the basis of consent in connection with the provision of information society services to children.

If the Data Controller has disclosed (made available to third parties) the personal data and is obliged to delete it pursuant to the above, it shall take reasonable steps, taking into account the available technology and the cost of implementation, to inform the data controllers that process the personal data concerned that the User has requested them to delete the links to or copies of the personal data in question.

Personal data need not be deleted where processing is necessary:

- for the exercise of the right to freedom of expression and information;
- for the purposes of complying with an obligation under Union or Member State law to which the controller is subject to which the processing of personal data is subject, or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- on grounds of public interest in the field of public health;
- for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, where the right of erasure would be likely to render such processing impossible or seriously jeopardise it; or
- for the establishment, exercise or defence of legal claims.

### **Limitation of processing**

The User shall have the right to obtain from the Controller, upon his/her request, restriction of processing instead of rectification or erasure of personal data where one of the following conditions is met:

- the User contests the accuracy of the personal data, in which case the restriction applies for the period of time that allows the controller to verify the accuracy of the personal data;
- the processing is unlawful and the User opposes the erasure of the data and requests instead the restriction of their use;
- the Controller no longer needs the personal data for the purposes of processing, but the User requires them for the establishment, exercise or defence of legal claims; or
- the User has objected to the processing; in this case, the restriction shall apply for a period of time until it is established whether the legitimate grounds of the controller prevail over the legitimate grounds of the data subject.

If the processing is restricted, such personal data, except for storage, may be processed only with the consent of the User 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 important public interests of the Union or of a Member State.

The Data Controller shall inform the User at whose request the processing has been restricted in advance of the lifting of the restriction.

### **Obligation to notify the rectification or erasure of personal data or the restriction of processing**

The Controller shall inform any recipient to whom or with which personal data have been disclosed of the rectification, erasure or restriction of processing of personal data, unless this proves impossible or involves a disproportionate effort. Upon request, the Controller shall inform the User of these recipients.

### **Right to object**

The User may object to the processing of his/her personal data if the processing is

- 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;
- necessary for the purposes of the legitimate interests pursued by the Controller or a third party;
- based on profiling.

In the event of an objection by the User, the Controller may no longer process the personal data unless the User demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the User or for the establishment, exercise or defence of legal claims.

### **Action taken by the Controller at the request of the User**

The Data Controller shall inform the User without undue delay, but no later than one month after receipt of the request, of the measures taken following the request for access, rectification, erasure, restriction, objection or portability. If necessary, taking into account the complexity of the request and the number of requests, this time limit may be extended by two additional months. The Data Controller shall inform the User of the extension of the time limit, stating the reasons for the delay, within one month of receipt of the request. If the User has submitted the request by electronic means, the information shall be provided by electronic means where possible, unless the data subject requests otherwise.

If the Controller does not take action on the User's request, it shall inform the User without delay, but at the latest within one month of receipt of the request, of the reasons for the failure to act and of the possibility for the User to lodge a complaint with a supervisory authority and to exercise his or her right of judicial remedy.

At the User's request, the information, the information and the action taken on the basis of the request shall be provided free of charge. If the User's request is manifestly unfounded or excessive because of its particularly repetitive nature, the Data Controller may, taking into account the administrative costs of providing the requested information or information or of taking the requested action, charge the User a reasonable fee or refuse to act on the request. The burden of proving that the request is manifestly unfounded or excessive shall lie with the Controller.

## **8) Handling and reporting of data breaches**

A data protection incident is any event that results in the unlawful processing or treatment of personal data processed, transmitted, stored or handled by the Data Controller, in particular unauthorised or accidental access, alteration, disclosure, deletion, loss or destruction, accidental destruction or accidental damage to personal data.

The Data Controller shall notify the NAIH of the data protection incident without undue delay, but no later than 72 hours after becoming aware of the data protection incident, unless the Data Controller can demonstrate that the data protection incident is unlikely to pose a risk to the rights and freedoms of natural persons. If the notification cannot be made within 72 hours, the notification must state the reason for the delay and the required information may be provided in detail without further undue delay. The notification to the NAIH shall contain at least the following information:

- the nature of the personal data breach, the number and category of data subjects and personal data;
- Name and contact details of the data controller;
- the likely consequences of the personal data breach;
- the measures taken or envisaged to manage, prevent or remedy the personal data breach.

The Data Controller shall inform the data subjects of the data breach within 72 hours of the discovery of the data breach through the Data Controller's website. The notification shall contain at least the information specified in this point.

The Controller shall keep records of the data breach for the purpose of monitoring the measures taken in relation to the data breach and informing the data subjects. The register shall contain the following data:

- the scope of the personal data concerned;
- the scope and number of data subjects;
- the date of the personal data breach;
- the circumstances of the personal data breach and its effects;
- the circumstances of the personal data breach,
- the circumstances of the personal data breach,
- the measures taken to remedy the personal data breach.

The data contained in the register shall be kept by the Data Controller for 5 years from the date of detection of the personal data breach.

## **9.) Data security**

The Data Controller undertakes to ensure the security of the data, to take the technical and organisational measures and to establish the procedural rules to ensure that the data recorded, stored or processed are protected and to prevent their destruction, unauthorised use or unauthorised alteration. It also undertakes to require all third parties to whom it transfers or discloses data on the basis of the Users' consent to comply with the requirements of data security.

The Data Controller shall ensure that the processed data cannot be accessed, disclosed, transmitted, modified or deleted by unauthorised persons. The processed data may only be accessed by the Data Controller, its employees and the Data Processor it uses, and shall not be disclosed by the Data Controller to third parties not entitled to access the data.

The Data Controller shall make every reasonable effort to ensure that the data are not accidentally damaged or destroyed. The Data Controller shall impose the above commitment on its employees involved in the processing activities.

The User acknowledges and accepts that, in the event of providing his/her personal data on the Website, despite the fact that the Data Controller has state-of-the-art security measures in place to prevent unauthorised access to or the disclosure of such data, the protection of such data on the Internet cannot be fully guaranteed. In the event of unauthorised access or disclosure of data despite our efforts, the Data Controller shall not be liable for any such acquisition or unauthorised access or for any damage suffered by the User as a result thereof. In addition, the User may also provide personal data to third parties who may use it for unlawful purposes or in unlawful ways.

#### **10.) Enforcement possibilities**

The Data Controller will make every effort to ensure that the processing of personal data is carried out in accordance with the law, however, if the User feels that this is not the case, he/she may write to the contact details indicated in point 1.

If the User feels that his or her right to the protection of personal data has been infringed, he or she may seek redress from the competent authorities in accordance with the applicable legislation.

- National Authority for Data Protection and Freedom of Information (address: 1055 Budapest, Falk Miksa utca 9-11.)
- a court.

The National Media and Infocommunications Authority is responsible for advertising sent by electronic means, the detailed regulations can be found in Act CXII of 2011 on the Right of Informational Self-Determination and Freedom of Information and Act CVIII of 2001 on Certain Issues of Electronic Commerce Services and Information Society Services.

#### **11) Other provisions**

This Information Notice is governed by Hungarian law, in particular the provisions of Act CXII of 2011 on the Right of Informational Self-Determination and Information Disclosure, and Regulation (EU) No 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 Regulation (EC) No 95/46/EC.

**Budapest, 1 March 2023.**

Data Controller