

## PRIVACY POLICY



Our law firm (the „Firm”) processes certain personal information with respect to its clients, as data subjects. The Firm has entered into a partnership agreement with Dr. Judit Forrai, attorney at law (“FKlaw”). This Privacy Policy covers the personal data processed by FKLAW.

The data processing performed by FKLAW is governed by this Policy, the Attorney Act Nr. LXXVIII of 2017 (“Attorney Act”), the Information Act Nr. CXII of 2011 (“Information Act”) as well as the general data protection regulation of the EU (“GDPR”).

### 1. Who is the data controller?

Dr. Kovács Nóra Ügyvédi Iroda  
1146 Budapest, Nagybecskerek utca 5. mfszt. 2.  
Registering authority: Budapest Bar Association  
Registration number: 2159  
Phone: +36 1 266 9168  
Email: [nkovacs@fklaw.hu](mailto:nkovacs@fklaw.hu)  
Website: [www.fklaw.hu](http://www.fklaw.hu)

### 2. What is the purpose of the data processing?

The purpose of the data processing is to enable FKLAW to service its clients pursuant to the terms of engagement (including specifically, but not limited to, in connection with drafting and countersigning agreements, legal representation, provision of legal advice), keeping in touch with our clients, invoicing and proper administration of matters handled by us.

### 3. What is the legal ground for the data processing?

The legal ground for the data processing is the performance of a contract pursuant to point b) of Section (1) of Article 6 of the GDPR. Contact information are processed on the basis of the consent of the client in accordance with point b) of Section (1) of Article 6 of the GDPR.

As a general rule, contact details are processed based on the consent of our clients (point b) of Section (1) of Article 6 of the GDPR).

In case of drafting certain documents (including, specifically, but not limited to real property transfer agreements and company registration procedures) the legal basis for the data processing of personal data is to enable FKLAW to comply with our legal obligations (point c) of Section (1) of Article 6 of the GDPR). The following laws and regulations prescribe such requirements for us:

- Sections 6-24/A § of Act LIII of 2017 on the Prevention and Combating of Money Laundering and Terrorist Financing (“Money Laundering Act”)
- Section 32 § of Act CXLI of 1997 on Land Registry Procedures;
- Sections 32-33 § of the Attorney Act;
- Section 10 § of Act Nr. V of 2006 on Company Registration Procedures.

## PRIVACY POLICY



Section 169 § of Act Nr. CXXVII of 2007 on Value Added Tax sets out what data we are required to indicate on our invoices; thus, compliance with legal regulations is the legal basis for data processing in connection with invoicing, too.

Information relating to third parties (such as witnesses and experts) which are necessary to provide the services by us are processed because such information is necessary for the purposes of the legitimate interests pursued by us or third parties. (point f) of Section (1) of Article 6 of the GDPR).

### **4. What personal data do we process?**

The scope of personal data we process depends on the specifics of the matter (generally, these are natural personal identification details, home address, registration numbers of IDs, tax ID, in certain cases: bank account details, contact details). In compliance with data minimization principle, we do not ask our clients to provide data other than strictly necessary for us to be in the position to service them. The scope of data we ask for our set out by the legal provisions listed in section 3 herein.

With the exception of legal consultation we are required to identify our clients by asking them to show us their ID cards. In cases defined by the Money Laundering Act we need to carry out a more in-depth KYC process.

We are allowed – and where we are drafting documents which will be entered into public registers (such as the land or company registry), we are obliged – to verify the personal data you provide us with by searching the relevant government database.

We inform our clients individually of the scope of personal data we need in order to fulfill the terms of our engagement.

### **5. Who do we transfer these data?**

Some data may be transferred to third parties providing archiving, accounting, delivery and IT services to FKLAW on a need-to-know basis. For example, in case of invoicing, the personal data on the invoice will be transferred to the accounting company, or in case we send a letter to you, your name and address will be transferred to the delivery company.

We may need to involve other attorneys during our work, and in this case, we will transfer your personal data to them, too.

Depending on the type of engagement, we may also transfer certain personal information to the competent authorities, courts or other third parties. Where our engagement entails registration of data in public registers, certain of your personal data (as defined by the relevant laws) will be part of the public domain.

Our employees of will also have access to the personal information.

From time to time, we may engage certain other service providers to help us with better representing you (such as experts); with your consent, we will provide these persons with your data, too.

## PRIVACY POLICY



In the event the bar association appoints a supervisor for FKLAW pursuant to Section 85 § of the Attorney Act, then the supervisor will have the right to access our files, including your personal data. In addition, the bar association may carry out investigation into our matters, in which case they also have the right to ask us to transfer personal data.

### **6. How long do we process your personal data?**

We generally process personal information for a period of five (5) years as of the termination of our engagement. In case we have countersigned a document, then the personal data are processed for a period of ten (10) years as of the date of countersigning the document. If the document relates to a real property and registration to a public registry is effected based on the document, then we process the personal data for a period of ten (10) years as of the date of registration. (Act on Attorneys, Section 53 §)

We are required to keep record of the countersigned document as well as all associated documents for a period of ten (10) years as of the date of the document, unless we agreed with you to keep them on our file for a longer period of time a mandatory provision of law requires us to do so. (Act on Attorneys, Subsection (5) of Section 53 §). In the event we conduct our KYC process or authentication of signatures online, we are required to record such process; the recordings are to be kept for a period of ten (10) years as of the date of the document.

In addition, we process the personal data required for the purposes of complying with our accounting obligations for a period of eight (8) years in accordance with Subsection (2) of Section 169 § of the Accounting Act Nr. C of 2000.

We review, archive and delete our files containing personal data at reasonable intervals, but in no event earlier than the statutory minimum time elapses while we are legally bound to keep them on our records. After the expiration of the statutory minimum time, these files are not deleted automatically, hence, your personal data may be processed by us longer than absolutely necessary by law.

### **7. Data security**

The personal data are protected by attorney-client privilege; accordingly, we have introduced a high level of security measures to safeguard your personal data. We store hard copies of our records in locked file containers, our workstations are password protected, while the digital copies are stored on GDPR compliant onedrive storage space provided to us by Microsoft.

### **8. What rights do you have in connection with your personal data?**

You may request from us information on the processing of your personal information at any time. In this case, once we verify your identity, we will answer your queries, such as give you information about what personal data we process, the purpose, legal grounds and duration of the data processing, or what data processors we have retained, and who and for what purpose had access to your personal data.

You may also request that we rectify your inaccurate personal data; in cases set out in the Money Laundering Act, you are required to provide us with your updated personal data.

## PRIVACY POLICY



If the exclusive legal basis for the processing of your personal data is your consent, then you may request that we erase or restrict the use of your personal data.

Within the time periods set out in section 6 herein, you may not request that we delete your personal data where the legal basis for their processing is compliance with legal regulations. In this case, restriction of use may be at your help.

### **9. What remedies are at your disposal?**

Should you have any concerns in connection with how we process your personal data, and despite our best efforts we are unable to resolve your issue, you may raise a complaint with the National Authority for Data Protection and Freedom of Information. Contact details for the authority are:

mailing address: 1363 Budapest, PO Box 9.  
address: 1055 Budapest, Falk Miksa utca 9-11  
Telephone: +36 (1) 391-1400  
Fax: +36 (1) 391-1410  
E-mail: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)  
URL: <http://naih.hu>

You may also decide to enforce your claim at court. As a general rule, the Metropolitan Court is competent for such lawsuit; however, you may also choose to file the petition at the county court competent for your place of residence.