



DATA PROTECTION POLICY

2023



DATA PROTECTION POLICY 2023

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WALKING TOURS Limited liability company (hereinafter referred to as 'Free Tours') is committed to the protection of informational self-determination and freedom of information. In this respect processing of personal data takes place under the provisions of effective legal regulations, with all technical and institutional measures taken.

The present Data Protection Policy (hereinafter referred to as the 'Policy'/'Document') has been created in accordance with the effective legal regulations and international recommendations.

I. Introduction – Who are we?

Free Tours – formed in 2007 – is the first company to provide free guided tours in Budapest, Hungary. Daily English language tours have skyrocketed in popularity – ranging from general sightseeing tours to thematic walks.

Business association: WALKING TOURS LLC.,
 Registered seat: H-1119 Budapest, Mohai str. 55, building b, floor 4, door 15,
 Company registration number: 01-09-940190,
 Tax number: 22713470-1-43,
 Representative: Nagy Gábor managing director,
 Cell phone number: +36 20 3409217,
 E-mail address: booking@triptobudapest.hu,
 Firm portal: 22713470#cegkapu

Free Tours' services are available through their website www.triptobudapest.hu (hereinafter referred to as the 'website').

Data processing regulations concerning data forwarded to agents and subcontractors by Free Tours is based on the specific data protection policies of the agents and subcontractors.

II. Definitions and legal background

II/A. Definitions

1. data processing: any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction, carried out by the Free Tours within the framework of their regular business activities;
2. controllers: Free Tours on the basis of GDPR Article 4 (7);
3. personal data breach: conditions regulated in GDPR Article 4 (12);
4. authority: the Hungarian National Authority for Data Protection and Freedom of Information (hereinafter referred to as the 'Authority');
5. personal data: any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;
6. client: a natural person in a contractual relationship with the Free Tours for the pursuit of business operations within the framework of the Free Tours' regular business activities;
7. data subject: the client or employees and other employees working for the Free Tours in additional employment-related relationships;
8. cookies: small text files, given ID tags that are stored on the data subject's computer's browser directory or program data subfolders. Cookies make websites easier to use, to deliver a



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personalized experience on the website and to better tailor products, services and websites to the user's interests and needs;

9. user / visitor: natural persons visiting the Free Tours' website;
10. IP (Internet Protocol) address: IP is responsible for addressing, delivering and routing the user's online requests by attaching an „electronic return address” to all the user's online requests and activity - the address it uses is the IP address for the user's connection, which is considered personal data;
11. website: Free Tours' www.triptobudapest.hu homepage;
12. consent of the data subject: any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

II/B. Acts

1. 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 (GDPR);
2. Act CXII of 2011 on Informational Self-Determination and Freedom of Information ("Privacy Act");
3. Act V of 2013 on the Civil Code;
4. Act XLVIII of 2008 on the Basic Requirements and Certain Restrictions of Commercial Advertising Activities;
5. Act LIII of 2017 on the Prevention and Combating of Money Laundering and Terrorist Financing.

III. Objective and effect of the present Policy

1. According to the objective of the present Policy, Free Tours' executives, their employees and other operators in the course of their activities shall comply with all legal regulations relating to data protection.
2. Throughout personal data process, on the grounds of GDPR Article 5 (1), Free Tours shall keep the following principles
 - a.) lawfulness, fairness and transparency;
 - b.) purpose limitation;
 - c.) data minimisation;
 - d.) accuracy;
 - e.) storage limitation;
 - f.) integrity and confidentiality;
 - g.) accountability.

IV. Data processing carried out by the Free Tours

1. Free Tours is entitled to data processing only with legitimate title.
2. Free Tours is entitled to personal data processing in the following cases:
 - on the explicit **consent** of the data subject regarding knowing and processing of their personal data for one or more specific purposes;
 - if processing is necessary for the controller to comply with a **legal obligation**;
 - if processing is necessary based on **the performance of a contract** to which the data subject is party or at the **request** of the data subject prior to entering into a contract;
 - if processing is necessary for the purposes of **legitimate interests** pursued by Free Tours as controller or by a third party, except such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data.



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3. Free Tours is entitled to engage external data processors in the course of data processing.

IV/A. Client-related data process in general

1. Purposes of data processing:
 - entering into a contract between Free Tours and the data subjects within the framework of the Free Tours' regular business activities, or maintaining / delivering such a contract, and exercising rights arising out of such a contract;
 - legitimate interests pursued by Free Tours in connection with their clients;
 - delivering legal obligations possibly arising out of Free Tours' contractual relationships.
2. Period of data processing: from the consent given by the data subject, until 5 years after termination of contractual relationship. Period of data processing under Act LIII of 2017 is until 8 years after termination of a contractual relationship.
3. Manner of data processing: electronic or paper-based register, any operations regarding personal data in writing, or by electronic means.
4. Lawful data processing related to clients is based on a legitimate title. On the consent of the data subject to data processing, the client shall assent their personal documents to get checked by Free Tours'. Free Tours shall store such documents in a way they are inaccessible for unauthorized persons. The client's data shall be processed by all employees and other operators working for the Free Tours.
5. Free Tours may know and process the following data on the basis of the client's consent:
 - natural identification data of a natural person, such as the data from the data subject's personal ID card / resident card: **first name and last name** (when booking a free tour or a private tour);
 - if included in the contract, the data subject's **bank account number**, the account servicing payment service provider's name, depending on the specific contractual relationship (when booking a private tour);
 - the data subject's contact information: **telephone number, e-mail address** (when booking a free tour or a private tour);
 - in case of a legal person, the natural identification data of its authorized representative, the representative's first name and last name, function, place and date of birth, mother's maiden name (first name and last name), permanent address or residence, name of the legal person they represent.
6. In case of consent-based data processing, Free Tours shall inform the data subject (client) prior to entering into a contractual relationship, parallel to the first contact with the data subject (client) regarding the followings:
 - the name of Free Tours as controller, their contact information;
 - the fact, that the consent of the data subject to the Free Tours' data processing is the condition of entering into a contractual relationship, which consent might be anytime withdrawn;
 - the exact purpose, the title and the extent of data processing;
 - the recipients and the categories of personal data;
 - the planned time of personal data storage;
 - the rights of the data subject;
 - the possibility of submitting a complaint to the Authority or the possibility of seeking remedy in court.



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7. Free Tours shall provide information relating to data processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language alongside with making the present Policy available for the data subject or upon request forwarding it to his e-mail address.
8. The client's consent is deemed lawful if:
 - freely given;
 - relates to one or more specific data processings;
 - based on adequate information; and
 - unambiguous.
9. The client (data subject) may declare in the contract - concluded between them and the Free Tours -, that they assent to Free Tour's data processing. By signing a contract with such provisions, the client provides statement of consent for Free Tours to know and to process their data.
10. Besides consent-based data processing, in the statement of consent the client may also declare that they are fully aware of data processing based on other possible legitimate titles.
11. If the natural person as data subject denies to give consent to personal data processing, Free Tours shall not enter into a contract with them. The data subject has the right to withdraw consent, which shall not affect the lawfulness of data processing prior to the withdrawal. In case of withdrawal of consent, Free Tours shall immediately terminate the contractual relationship.
12. Free Tours shall erase all personal data from their records if the contractual relationship has been terminated for any reason, except if data processing is prescribed by law (eg. tax laws).
13. Free Tours shall not forward follow-up letters to their Clients for marketing purposes, only for quality assurance.

IV/B. Data processing related to online visitors

1. The www.triptobudapest.hu website maintained by Free Tours shall store and process data on the user's device to recognize the user, in order to make their experience of the website much smoother and more interactive, to help ensuring the advertisements that the user sees online are more relevant to the them. When scrolling the website the user should give consent to the usage of cookies by clicking on „Accept settings” after the following sing appears: *„This site uses cookies. By continuing to browse the site, you are agreeing to our use of cookies.”*
2. The consent to the usage of cookies is not obligatory for the user to give; however in the absence of consent the website or certain functions of it may not work properly or the website may deny access from the user to specific data. By clicking on the „More information” button, the website shall direct user to the present Policy.
3. For the user data processed when using the website, see Annex1.

IV/C. Data processing regarding to Clients participating in the daily tours

1. Information about tours are available through the website's WooCommerce service, based on WordPress.
2. Free Tours provides information on daily tours upon the receipt of the following data of the Client: first name, last name, phone number, e-mail address. Prior to the information request,



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Client gives their explicit consent to the processing of their data, in order to receive information by the Free Tours.

3. Free Tours' website is maintained by Network Media LLC. (as part of the WooCommerce service), which company shall not know/learn about any personal data in the absence of the right to access such personal data.

IV/D. Data processing regarding to Clients participating in private tours

1. Private tours (and other services) are available through the website's 'contact-form' (obtaining an offer).
2. By filling out the 'contact-form', the Client provides the following data: first name, last name, phone number, e-mail address, bank account number. Prior to obtaining the offer, the Client gives their explicit consent to the processing of their data, in order to get provided with information by the Free Tours.
3. After purchasing the product, Clients data shall be transferred to the following third persons (upon the regulations set out in Section VII):

-Full Hosting – Gábor Tornyai e.v. (hosting service provider, individual entrepreneur)
registered seat: H-5231 Fegyvernek, Dózsa György str. 32., Hungary
registration number: 43444739

-Travel Van LLC. – represented by: Petra Csányi managing director (agency for tour guides)
registered seat: H-1026 Budapest, Júlia str. 1. floor 1, door 4., Hungary
registration number: 01-09-349325

-WooCommerce (an open-source e-commerce plugin for WordPress, hosting service provider, sending automatically generated confirmation e-mails for the Clients)
www.woocommerce.com.

4. No personal data provided in the 'contact form' shall be forwarded to unauthorized persons.

V. The data subject's rights

1. All natural persons concerning data processing carried out by Free Tours have the following rights:
 - right to information and access to personal data;
 - right to rectification;
 - right to erasure ('right to be forgotten');
 - right to restriction of processing;
 - right to data portability;
 - right to object.
2. The data subject shall exercise their rights arising out of the present Document (i.e. GDPR) through a written claim forwarded to the Free Tours.
3. The data subject shall have the right to obtain the erasure of their personal data from Free Tours (as controller) from all records. Free Tours shall erase without delay the requested personal data where one of the following grounds applies:
 - personal data are no longer necessary in relation to the purposes for which they have been collected or otherwise processed;
 - the data subject withdraws consent on which the processing is based and where there is no other legal ground for processing;



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- the personal data have been unlawfully processed by Free Tours as controller;
 - the personal data have to be erased based on compliance with a legal obligation according to the European Union or member state law to which the controller is subject.
4. Free Tours may deny the erasure of personal data where one of the grounds set out in GDPR Article 17 (3) applies.
 5. The data subject shall have the right to obtain restriction of processing where one of the following applies:
 - the accuracy of the personal data is contested by the data subject, for a period enabling Free Tours as controller to verify the accuracy of the personal data; or
 - the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead; or
 - Free Tours as controller no longer need the personal data for the purposes of the processing, but data processing is required by the data subject for the establishment, exercise or defence of legal claims; or
 - the data subject has objected to processing pursuant to GDPR Article 21 (1) pending the verification whether the legitimate grounds of the controller override those of the data subject.
 6. Where processing has been restricted, Free Tours shall only store data (except for GDPR Article 18 (2)). If there are no longer grounds of restriction relating to data processing, the data subject shall be informed by Free Tours as controller before the restriction of processing is lifted.
 7. The data subject shall have the right to receive the personal data concerning them, which they have provided to Free Tours as controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, pursuant to GDPR Article 20.
 8. The data subject shall have the right to object, on grounds relating to his particular situation, at any time to processing of their personal data which is based on GDPR section (e) or (f) of Article 6 (1).
 9. Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning them for such marketing purposes.

VI. Security of processing and data storage

1. Free Tours shall comply with the provisions of GDPR and other data security laws along with the respect for private and family life and other rights and freedoms of natural persons.
2. Data storage rules set out in the present Document shall apply to all means of data processing, regardless if it is (partly) automated, if paper-based or electronic, if personal data are contained or are intended to be contained in a filing system. Personal data shall be stored on the Free Tours' electronic devices, whereas the paper-based data registers shall be stored at the Free Tours' registered seat.
3. Data collected and stored by Free Tours shall solely be processed on the grounds of a specific purpose prescribed by law or regulated in the present Document and with an appropriate title.



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4. Storage of data collected by Free Tours in the time period of data processing shall take place in a way unauthorized persons have no access to the data storage. Free Tours shall guarantee that personal data collected and stored by them:
 - remain inaccessible for unauthorized third persons;
 - are protected from unlawful data processing;
 - shall not be adapted or altered, transmitted, made available or erased by unauthorized persons;
 - may not be transmitted counter to the provisions of VII of the present Policy;
 - shall not be adapted or altered, erased, destroyed or made unavailable accidentally or unauthorized;
 - shall be safeguarded from loss or breach.
5. Free Tours shall make records on their data processing (Data Processing Registry). Besides the electronic Data Processing Registry, Free Tours shall also store a paper-based version, in a way unauthorized persons will have no access to it.

VII. Data transfer protocol

1. Free Tours have no right for the transmission of data processed and stored by them to any third person or to disclose such data in any other ways except:
 - if data transfer is prescribed by law (eg. collecting statistical data, employer's obligation related to data supply) or if an official data transmission request is forwarded to Free Tours by the court or any authority;
 - if data transfer is based on the data subject's consent and the receiver is in a contractual relationship with Free Tours, and the purpose of data transfer is the delivery of the contract.
2. Free Tours shall provide the data subject with information on the data transfer relating to
 - the data transfer's receiver name or its representative's name and contact details;
 - the purposes and extent of data transfer;
 - the rights of the data subject;
 - the possibility of submitting a complaint or the possibility of seeking remedy in court.

VIII. Personal data breach protocol

1. Personal data breach – in accordance with GDPR Article 4 (12) – is a breach of security leading to
 - the breach of confidentiality (unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed);
 - the breach of availability (accidental or unlawful destruction or loss);
 - the breach of integrity (accidental or unlawful alteration).
2. In case of potential breach of security, Data Protection Consultant (DPC) shall be informed without delay (in the form of a Warning). Any circumstances leading to breach of security in the Free Tours' data processing system and records, shall be deemed breach of security. Breach of security does not necessarily result in personal data breach.
3. Immediately after receiving the Warning, DPC shall make investigations in order to evaluate the situation and figure out if breach of security occurred. If no breach of security occurred, the investigation shall be terminated, reported and registered.
4. In case of breach of security, further investigation shall decide if personal data breach occurred. If no personal data breach occurred, measures shall be taken for security reparation; afterwards the investigation shall be terminated, reported and registered.



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5. In case of personal data breach, investigation shall decide if the data subject's rights and freedoms are at stake. If the data subject's rights and freedoms are at no stake, measures shall be taken for security reparation; afterwards the investigation shall be terminated, reported and registered.
6. In case the data subject's rights and freedoms are at stake, further investigations shall decide the risk factor. If the data subject's rights and freedoms are at risk, the issue shall be reported and registered by Free Tours, furthermore the issue shall be reported to the Authority or other member state supervisory authorities.
7. In case investigations find out, that the data subject's rights and freedoms are at high risk, the issue shall be reported and registered by the Free Tours, furthermore the issue shall be reported to the Authority or other member state supervisory authorities, the data subject shall also be informed.
8. Free Tours as controller shall report personal data breach without undue delay, 72 hrs from the notice of personal data breach at the latest.
9. If the DPC is hindered from the investigation set out in paragraph 70-71. of the present Document within 72 hours, they are still responsible for reporting the issue itself - the result of the investigation shall be reported in the form of an additional report / brief.
10. Free Tours shall inform the data subject regarding the followings:
 - the existence and the nature of personal data breach;
 - the name and contact information of the DPC;
 - the possible results of personal data breach;
 - the appropriate measures taken by Free Tours as controller to mitigate high risk due to the personal data breach, and to reconstitute the conditions prior to personal data breach.
11. The DPC shall provide information to the data subject in a concise, transparent, intelligible and easily accessible form and without delay, through the most rapid communication channel.
12. The DPC shall neglect providing information to the data subject only:
 - if the personal data breach means no high risk to the data subject's rights and freedoms;
 - if not even the possibility of high risk arises due to appropriate measures taken;
 - if the personal data breach means no high risk for any other reason.
13. The DPC shall apply all measures to abolish breach of security and personal data breach, parallel to complying with their obligation related to notification. Accordingly, the DPC - considering all circumstances — shall reconstitute the integrity, accessibility and confidentiality of personal data involved in the personal data breach. The DPC shall make a report on the measures applied.

IX. Legal remedy

1. If the data subject experiences breach of data processing relating to their personal data (i.e. Free Tours fails to comply with data security laws), the data subject shall seek remedy at the competent court or at the National Authority for Data Protection and Freedom of Information.
2. Contact information on the National Authority for Data Protection and Freedom of Information:
Registered seat: H-1055 Budapest, Falk Miksa str. 9-11., Hungary
Telephone: +36 (1) 391-1400



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Fax: +36 (1) 391-1410
Email: ugyfelszolgalat@naih.hu
Website: <http://naih.hu>

X. Final provisions

1. **The present Policy enters into effect as of March 25, 2023.** The Document shall apply for all legal relationships established after May 25, 2018 and also to those established prior to May 25, 2018 where data process occurs after the referred date.
2. Free Tours shall make the present Document available for all their clients and those natural persons who enter into any relationship with them.
3. The present Policy has been concluded with identical contents in Hungarian and in English language. In case of any dispute, the Hungarian language version shall prevail.

Budapest, March 25, 2023