

PRIVACY POLICY for using accommodation services

Data Controller, as set out below, informs you in this privacy notice of the circumstances surrounding the processing of personal data in the course of providing accommodation services.

Name and contact details of Data Controller and their representative

Name of controller:	MAM Buda Project Zrt. (hereinafter: Data Controller)
Premises:	1027 Budapest, Bem József utca 1/B.
Company registration number:	01-10-142785
Tax number:	32538700-2-41
E-mail address:	kimptonbem.info@ihg.com
Internet contact details:	www.ihg.com www.kimptonbembudapest.com
Represented by:	Makra Sándor managing director
Data Protection Officer:	ProCons Kft.
Contact details of Data Protection Officer	budkm.privacy@ihg.com

Defining the circumstances of data controlling

Tourist tax

Data Controller is a tax collector according to the Decree 27/2010 (XI.30.) of the Municipal Council of Budapest Capital District II on Tourist Tax, and is obliged to send a tax return to the Municipality. The data recorded in the tax return are the same as the personal data transmitted to the VIZA system by law and specified in the table below. In addition, for tax-free nights, the return must include the following personal data:

Personal data	Purpose of data control	Legal grounds of data controlling
Surname	Compliance with the provisions of Article 31 of Act C of 1990 on Local Taxes	To comply with a legal obligation under Article 6(1)(c) of the GDPR
First name	Compliance with the provisions of Article 31 of Act C of 1990 on Local Taxes	To comply with a legal obligation under Article 6(1)(c) of the GDPR

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In the case of an exemption based on age, date of birth	Compliance with the provisions of Article 31 of Act C of 1990 on Local Taxes	To comply with a legal obligation under Article 6(1)(c) of the GDPR
Name, address, seat of the educational institution and student card number in proof of student status	Compliance with the provisions of Article 31 of Act C of 1990 on Local Taxes	To comply with a legal obligation under Article 6(1)(c) of the GDPR

The Data Controller shall store the personal data specified in the table above for one year after the provision of the data.

VIZA system

Data Controller hereby informs you that, in accordance with the Hungarian legislation in force, the personal data of the users of accommodation services in Hungary, as defined by law, are recorded by the accommodation provider through a document scanner in the accommodation management software and transferred to a legally defined storage space, the Closed Guest Information Database (VIZA).

In order to protect the rights, safety and property of the data subject and others, and to verify compliance with the provisions on the stay of third-country nationals and persons enjoying the right of free movement and residence, the accommodation provider will record the following data about you in its accommodation management software at check-in, which is necessary for the fulfilment of the legal obligation on the data controller pursuant to Article 6(1) GDPR.

Personal data	Legal obligation justifying the use of a legal basis for the legal obligation and setting out the conditions for the processing
First name and surname of data subject;	Act CLVI of 2016 on State Tasks for the Development of Tourist Areas; Government Decree No. 235/2019 (X. 15.) on the implementation of the Act on the State Tasks of the Development of Tourist Areas; Government Decree No. 414/2015 (XII. 23.) on the issuance of identity cards and the rules for the uniform taking of facial images and signatures.
First name and surname at birth of data subject;	Act CLVI of 2016 on State Tasks for the Development of Tourist Areas; Government Decree No. 235/2019 (X. 15.) on the implementation of the Act on the State Tasks of the Development of Tourist Areas; Government Decree No. 414/2015 (XII. 23.) on the issuance of identity cards and the rules for the uniform taking of facial images and signatures.
place of birth of data subject;	Act CLVI of 2016 on State Tasks for the Development of Tourist Areas; Government Decree No. 235/2019 (X. 15.) on the implementation of the Act on the State Tasks of the Development of Tourist Areas; Government Decree No. 414/2015 (XII. 23.) on the issuance of identity cards and the rules for the uniform taking of facial images and signatures.
date of birth of data subject	Act CLVI of 2016 on State Tasks for the Development of Tourist Areas; Government Decree No. 235/2019 (X. 15.) on the implementation of the Act on the State Tasks of the Development of Tourist Areas; Government Decree No. 414/2015 (XII. 23.) on the issuance of identity cards and the rules for the uniform taking of facial images and signatures.

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gender of data subject;	Act CLVI of 2016 on State Tasks for the Development of Tourist Areas; Government Decree No. 235/2019 (X. 15.) on the implementation of the Act on the State Tasks of the Development of Tourist Areas; Government Decree No. 414/2015 (XII. 23.) on the issuance of identity cards and the rules for the uniform taking of facial images and signatures.
nationality of data subject;	Act CLVI of 2016 on State Tasks for the Development of Tourist Areas; Government Decree No. 235/2019 (X. 15.) on the implementation of the Act on the State Tasks of the Development of Tourist Areas; Government Decree No. 414/2015 (XII. 23.) on the issuance of identity cards and the rules for the uniform taking of facial images and signatures.
surname and first name of data subject's mother;	Act CLVI of 2016 on State Tasks for the Development of Tourist Areas; Government Decree No. 235/2019 (X. 15.) on the implementation of the Act on the State Tasks of the Development of Tourist Areas; Government Decree No. 414/2015 (XII. 23.) on the issuance of identity cards and the rules for the uniform taking of facial images and signatures.
data subject's personal ID number, or passport number;	Act CLVI of 2016 on State Tasks for the Development of Tourist Areas; Government Decree No. 235/2019 (X. 15.) on the implementation of the Act on the State Tasks of the Development of Tourist Areas; Government Decree No. 414/2015 (XII. 23.) on the issuance of identity cards and the rules for the uniform taking of facial images and signatures.
in case of a traveller from a third country ¹ the registration number of their visa, residence permit, the time and the place of entering the country	Act CLVI of 2016 on State Tasks for the Development of Tourist Areas; Government Decree No. 235/2019 (X. 15.) on the implementation of the Act on the State Tasks of the Development of Tourist Areas; Government Decree No. 414/2015 (XII. 23.) on the issuance of identity cards and the rules for the uniform taking of facial images and signatures. Act II of 2007 on the entry and residence of third-country nationals

The accommodation user shall present the identification document to the accommodation provider for recording. Data which is not contained in the document shall not be recorded.

If the document is not presented, the accommodation provider shall refuse to provide the accommodation.

Under a legal obligation, the accommodation provider is entitled to request the guest's identity document and the guest is obliged to present it.

The accommodation provider shall process the data of the guests until the last day of the year following the year in which they become known to the accommodation provider, for the purposes laid down by law.

The data stored in the VIZA system, a storage area defined by law, is encrypted asymmetrically and can be searched by the police for the purposes of law enforcement, crime prevention, public order, public security, the protection of the law and order at the state border, the protection of the rights, safety and property of the data subject and others, and the conduct of wanted persons proceedings.

¹ third-country national: persons as defined in Article 2 a) of Act II of 2007 on the Entry and Residence of Third-Country Nationals

Contact

Data Controller processes the following personal data for contact purposes:

Personal data	Purpose of data control	Legal grounds of data
Telephone number	Contacts related to the provision of the service	To comply with a legal obligation under Article 6(1)(c) of the GDPR
E-mail address	Contact for the provision of services	To comply with a legal obligation under Article 6(1)(c) of the GDPR

Data Controller will store the contact information you provide for one year after the service is used.

Preparation of an accounting document

Data Controller is obliged to draw up an accounting document in respect of the payment for the services provided by you. For this purpose, the Controller processes the following personal data on the basis of the legal bases indicated therein.

Personal data	Purpose of data control	Legal grounds of data controlling
Surname	Preparation of an accounting document relating to the provision of accommodation service	To comply with a legal obligation under Article 6(1)(c) of the GDPR
First name	Preparation of an accounting document relating to the provision of accommodation service	To comply with a legal obligation under Article 6(1)(c) of the GDPR
Address	Preparation of an accounting document relating to the provision of accommodation service	To comply with a legal obligation under Article 6(1)(c) of the GDPR

The Data Controller shall keep the personal data provided by you for 8 years from the date of issue, pursuant to Section 169 (2) of Act C of 2000 on Accounting.

Transmission of personal data

Data Controller shall transfer your data, as defined below, to the National Tourism Data Service Centre for statistical purposes in an anonymised form, in accordance with the provisions of Act CLVI of 2016 on the State

Tasks of the Development of Tourist Areas:

- guest gender,
- place of birth,
- date of birth,
- nationality,
- postcode of address,
- length of stay (from to),
- amount of accommodation service,

- method of payment.

Applying Data Processor

The Data Controller does not use a data processor to perform tasks related to data processing operations.

Forwarding data

Data Controller will not transfer personal data to any third countries or third parties in the course of processing.

The rights of data subjects and the possibilities of exercising rights

Below you will find the key rulings of GDPR regarding your data protection rights and the possibilities of exercising these rights.

Should you have any queries or questions regarding the present Privacy policy or the content thereof, our colleagues will be happy to be at your service at the contact details above.

Access or right to be informed as per GDPR

Based upon this right you are entitled to be informed and to receive information from us whether your personal data is or is not in the process of being controlled by Data controller. Should such data be in the process of being controlled, you are entitled to receive access to your personal data being in such a way controlled and of information in regards therewith as follows:

- purpose of data controlling;
- the category of personal data in question,
- addressees or the categories of addressees to whom Data controller forwarded such data, including specifically addressees in third countries and international organisations,
- the duration of maintaining personal data, or if this is not feasible, the factors of defining such duration,
- Furthermore, you are entitled to request Data controller to amend, delete or to restrict the controlling of your personal data, as well as you can object to your personal data to be controlled,
- you are entitled to submit complaint to the supervising authority,
- In the event when data controller did not receive your data from yourself, you are entitled to receive all information accessible regarding the source of your data,
- should Data controller conduct automated decision making with the use of your personal data, you are entitled to be informed of the fact of automated decision-making being done including profiling, as well as of the logic applied and clear information thereof, as well as of the impact of such data processing on yourself and what consequence it may have on you.

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- Should personal data be transferred to third country, you are entitled to receive information of the guarantees of legal compliance of such transfer.
- You can request copies of your personal data, and if it does not object to any legal regulation we will be providing it to you. In the event you submit your request electronically, we are to provide you with the requested information in an electronic format widely used, unless you request it differently.
- Data controller shall without undue delay, but not later than within one month of receiving the request, inform data subject of the measures taken regarding the request. If necessary, taken into consideration the complexity of the request and the number thereof, the term may be extended by a further two months. Data controller shall inform data subject of any extension of the term by indicating the reasons thereof within one month of receiving the request. In case data subject submitted their request electronically, any reply to such request is to be given electronically, unless otherwise requested by data subject.
- In the event Data controller chooses to take no measures in reply to the request submitted, they shall notify the data subject without undue delay or within one month of receiving the request of the reasons for not taking any actions, as well as of data subject's rights to submit a complaint to any of the supervisory authorities and to seeking legal remedy at court.

Right to request amendment

As per the GDPR you are entitled to have at your request your faulty personal data to be amended by Data controller without undue delay. You are also entitled to request your incomplete personal data to be complemented.

Right to be deleted and to be forgotten

Based upon this right, at your request you are entitled to have your personal data deleted – without undue delay as per GDPR – in case one or more of the reasons below apply:

- your personal data is not needed any more for the purpose it was initially taken or was controlled;
- You withdraw your consent priorly given to your personal data being controlled, and data controlling has no other legal ground;
- You object to your personal data to be controlled, and there is no other legal foundation enjoying priority for your personal data to be controlled;
- your personal data was handled illegally;
- personal data is to be deleted as per a legal liability defined in an EU or national legal regulation to be applied to Data controller; or
- personal data was collected while providing services connecting to information society.

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In the event data controlling is necessary as per the below regulations of GDPR, no deletion of the data or its being forgotten is possible:

- for exercising the right of freedom of expressing opinion, and of the right to obtaining information;
- for the purpose of fulfilling a legal liability prescribed by an EU or national legal regulation applicable for Data controller;
- for the purpose of archiving for public interest, scientific or historic research or statistics, in case delete or the right to be forgotten would most probably make it impossible or would jeopardise such data control; or
- it is necessary to put forward, execute and protect legal requests.

We make all efforts reasonable to delete all data that may have come to our disposal unduly, and we ensure that no such information shall be transferred to any third party neither will such data be used by ourselves (neither for advertisement purposes or for any other purpose). We kindly ask you to notify us without delay should you notice that a child has provided personal data of themselves, or a third person has provided personal data of yourself without legal grounds. You can contact us at the above contact details.

The right to restrict data controlling

As per the regulations you are entitled to have a restriction on the controlling of your data upon your request if one or more of the below circumstances prevail:

- You dispute the accuracy of the data controlled of you, in which case restriction applies to the period that is necessary for us to check the data you indicate as inaccurate or incomplete,
- data control is against the law, but you oppose to your personal data being deleted and instead you request a restriction of controlling your personal data,
- Data controller does not need the personal data any longer for data controlling purposes, but you request them for putting forward, execute or protect legal requests; or
- You have objected to your data being controlled, in which case restriction applies for the period before it is defined that Data controllers justified interest enjoy priority over your justified interest.

In case data controlling falls under restriction based upon the above your personal data may only be controlled – beyond their being stored – with your explicit consent, or for putting forward, executing or protecting legal requests, or for protecting your or any other person's rights, or by public interest as per EU or national legal regulations. You will be informed prior by Data controller of any release from the restriction on controlling your data.

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Liabilities to provide information connected to your personal data being amended or deleted, or to any restriction on data controlling

Data controller shall inform all addressees of amendment, cancellation or restriction on data controlling whom they informed of the personal data, except when such information provision is not feasible or would take disproportionately high efforts. Upon your request we shall inform you of such addresses.

Rights to data portability

As per the GDPR you are entitled to receive the personal data you have provided Data controller within a digital format widely used, and you are also entitled to forward such data to another data controller without Data controller hindering such forwarding of the data.

You can exercise your right to data portability in the following cases:

- data controlling is based upon consent or contract, and
- data controlling is done in an automated way.

While exercising the right to data portability you are entitled – if this be technically feasible– to request your personal data to be forwarded from Data controller directly to the other data controller you indicate.

The right to object

As per the GDPR you are entitled, for reasons connected to your own situation, to object to your personal data to be controlled upon grounds of justified interests, including profiling as well. In such a case Data controller will no longer control your data, except when it is proven that data controlling is made compulsory by such lawful reasons that enjoy priority over your interests, rights or freedom, or by ones that are closely connected to putting forward, execute or protect legal requests.

If the controlling of personal data is done with business purposes you are entitled to any time object to your personal data to be controlled for such purpose, including profiling that is directly connected to the business purposes.

If you object to your personal data to be controlled for business purposes, then your personal data may no longer be controlled for this purpose.

With regards to using services connected to the information society and diverting from 2002/58/EU directive you may exercise your right to object via automated devices based upon technical descriptions.

In the event of personal data being handled with the purpose of scientific and historic research or for

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statistics, you are entitled to object to your personal data to be handled for reasons connected to your own situation, unless data is necessary to be controlled for executing tasks for public interest.

The right to submit a complaint to the Supervisory authority

You are entitled to make a complaint to the supervisory authority – specifically in the member state of your residence, work place or the place of supposed legal breach –, if in your view the way your personal data being handled constitutes a breach to the regulations of GDPR.

In Hungary the relevant supervisory authority: National Authority for Data Protection and Information Freedom

National Authority for Data Protection and Information Freedom

Mail address: 1363 Budapest Pf.: 9.

Premises: 1055 Budapest, Falk Miksa u. 9-11.

Telephone: +36-1-391-1400

E-mail: ugyfelszolgalat@naih.hu

Web: www.naih.hu

You have the right to an effective judicial remedy against a legally binding decision of the supervisory authority that applies to you.