

## **PRIVACY POLICY on camera surveillance**

An electronic monitoring system is in place in the territory of the Data Controller. The monitoring system has been installed, implemented and operated in accordance with the applicable legislation.

### **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:	<a href="mailto:kimptonbem.info@ihg.com">kimptonbem.info@ihg.com</a>
Internet contact details:	<a href="http://www.ihg.com">www.ihg.com</a> <a href="http://www.kimptonbembudapest.com">www.kimptonbembudapest.com</a>
Represented by:	Makra Sándor managing director
Data Protection Officer:	ProCons Kft.
Contact details of Data Protection Officer	<a href="mailto:budkm.privacy@ihg.com">budkm.privacy@ihg.com</a>

### **Purpose of data controlling**

The purpose of data controlling is to ensure effective protection of persons and property, to enable or facilitate the detection or proof of infringements, and to protect the life and physical integrity of persons on the territory of the Controller.

### **Legal grounds to data controlling**

The legal grounds for processing is the legitimate interest of Data Controller pursuant to Article 6(1)(f) of the GDPR.

Data Controller has applied the test of balancing interests in accordance with Statement 6/2014 of the European Data Protection Board (formerly the Article 29 Data Protection Working Party) to assess whether the interests of Controller override the interests or fundamental rights and freedoms of data subject. The test of balancing interests is a three-step process that involves identifying the legitimate interests of Data Controller and the countervailing Data Subject's interests as well as the fundamental rights of Data Subject, and finally, on the basis of the balancing exercise, determining whether the personal data can be processed.

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The Data Controller has a legitimate interest in camera surveillance and cannot ensure the protection of assets by any other means, and the management of data and continuous monitoring is necessary to protect assets based on its core business. Surveillance in the areas of the Data Controller is intrinsically linked to the performance of its activities, and surveillance of these areas is necessary to achieve the objectives set out above.

On the basis of the test, it can be concluded that the legitimate interest of Data Controller is proportionately limited by the legitimate interest of Data Subjects.

Data processing is necessary for the purposes of the legitimate interests pursued by Data Controller and third parties, and those interests are not overridden by the interests or fundamental rights and freedoms of Data Subjects, on the basis of which the personal data of Data Subjects should not be handled. In addition, the use of alternative data handling solutions by Data Controller, involving the requirement of less personal data or using other methods, would make it impossible for Data Controller to fulfil data handling.

On the basis of the results of the test of balancing of interests, data controlling complies with the legal requirements of legitimate interest as a legal basis.

Upon request by data subject Data Controller shall make the interest-assessment test available in its entirety.

## **Scope of stakeholders**

The electronic surveillance system operates 24 hours a day, 7 days a week, from 0-24 hours, and captures images as well as live images. The data subjects concerned by the electronic surveillance system are natural persons on the territory of the Controller, including guests, employees, customers, business partners, suppliers, visitors of the Controller.

## **The scope of personal data controlled**

The image and behaviour of natural persons as data subjects present on the territory of the Data Controller in the form of images.

## **Duration of data controlling**

The Data Controller shall store the recordings made by the cameras for 72 hours from the date of the recording.

The Controller shall keep the documentation of the request for the release of the camera recordings for 5 years.

## **Addressees – Using data processor**

The Data Controller uses the following processors to carry out tasks related to data processing operations:

- Nevada Security International Kft. (providing property guarding services)
  - Premises: 1134 Budapest, Váci út 47/B Ü1. ajtó
  - Company registration nr.: 01-09-351943;
  - Tax registry nr.: 27283686-2-41;
  - Represented by: Romasz Sándor managing director)

## **Other addressees**

Data Controller will not disclose your personal data to any third parties or to third countries without your prior consent.

Exceptions to this are requests from public authorities, Police, Prosecution, Court, National Security, Disaster Management, NAV, in which case the requested data must be provided with appropriate documentation in case of an official request from the relevant authority.

Data may only be transferred to the authorities or courts in the case of proceedings pending in respect of unlawful conduct or breach of duty. The data transmitted may include recordings made by the camera system containing relevant information.

## **Persons having the right to access**

Only authorised persons have access to the images, as follows. Continuous monitoring of the live image of the cameras is carried out by security guards employed by Nevada Security International Ltd., which company performs security tasks, on the basis of the authorisation of the Data Controller under the contract.

Those entitled to view live images and recordings from the cameras are:

- The Director
- Authorised person of Nevada Security International Ltd. (Head of Service)
- Legal representative
- Data Protection Officer

## **Location of surveillance cameras**

The exact location of the cameras is recorded in the camera surveillance register, which is available to the persons concerned at the reception.

At the entry points to the areas monitored by the camera, a pictogram and a data controlling notice shall indicate to data subjects the information related to the monitoring.

## **The rights of data subjects and the possibilities of exercising rights**

Below, we set out the most important provisions of the GDPR relating to your rights and enforcement options.

If you have any comments or questions about this Privacy Notice or its content, please contact us and the Data Controller will be happy to assist you using any of 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,
- 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.
- The Controller shall inform the data subject of the action taken on his or her request without undue delay and in any event within one month of receipt of the request. If necessary, taking into account the complexity of the request and the number of requests, this time limit may be extended by a further two months. The Data Controller shall inform the data subject of the extension of the time limit, stating the reasons for the delay, within one month of receipt of the request. Where the data subject has made the request by electronic means, the information shall, where possible, be provided by electronic means, unless the data subject requests otherwise.
- If the controller fails to act on the data subject's request, the controller shall inform the data subject without delay and 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 data subject to lodge a complaint with a supervisory authority and to exercise his or her right of judicial remedy.

## **The right to request amendment**

According to the GDPR, you have the right to obtain, without undue delay and upon your request, the rectification by the Data Controller of inaccurate personal data concerning you which requires clarification, but this does not apply to camera surveillance.

## **Right to be deleted or 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 given priorly 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.

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.

### **Right to restrict data controlling**

As per the regulations of GDPR 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

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– 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.

## **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.

## **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.

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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 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.

## **Right to submit claims to the Supervisory authority**

You have the right to place a complaint with the supervisory authority – especially in the member state relevant to your regular place of presence, work place or the place where the breach has supposedly occurred -, if in your judgement the handling of your personal data breaches 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](mailto:ugyfelszolgalat@naih.hu)

Web: [www.naih.hu](http://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.