



Privacy Policy

1. Introduction, purpose and scope of the Policy

As the data controller, the Menedék – Hungarian Association for Migrants (hereinafter referred to as the "Association") recognizes the provisions of this policy as binding. The Association undertakes to ensure that all processing of data related to its activities complies with the requirements set out in this Policy and in the applicable national legislation and European Union legal acts, in particular EU Regulation 2016/679 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 (hereinafter: GDPR).

The purpose of this policy is to comply with these laws and to help ensure the secure and appropriate processing of data.

The Policy shall enter into force on the date of their adoption, i.e. 1 January 2018. This policy applies to all data processing in which the Association acts as data controller.

2. Data of the Data Controller

Name: Menedék – Migránsokat Segítő Egyesület (Menedék – Hungarian Association for Migrants)

Seat: 1066 Budapest, Ó utca 39.

registration number: 01-02-0006321

Website: www.menedek.hu

3. Scope of personal data; purpose, legal basis and duration of processing

Menedék's activities include the social and other type of representation as well as promoting the integration of migrants who come into contact with the Association, in particular those in need of international protection (asylum seekers, refugees, persons granted international protection, persons granted asylum, stateless persons, persons granted subsidiary protection), as well as foreign workers and immigrants, settled persons and their family members (hereinafter jointly referred to as the Client). The Association also organises training courses and enlists the help of volunteers in its work. In the course of these activities, the Association processes specific personal data of Clients, persons

who have participated in training courses and other persons who have contributed to its activities, for specific purposes and on specific legal grounds and for a specific period of time.

Purpose of data processing

The purpose of data processing is to facilitate the representation and social integration of Clients and to this end to provide advice and other personalised assistance on a regular basis, representation or assistance in proceedings or administrative procedures before public authorities and other public or local government bodies, public service providers, and to comply with the requirements of public authorities (e.g. training) or sponsors.

Scope of the data processed

Name; name at birth; place of birth; date of birth; sex; nationality; citizenship; address; telephone number; e-mail address; mother's name; registration number; language skills; professional skills; education; work experience; date of arrival in Hungary; Name of the administrator in the procedure of the National Directorate General for Aliens Policing; status. In addition, the data processed include data generated in the course of providing advice and other personalised assistance and representation which is necessary for the provision of these services.

Legal basis for processing

The Client's consent [Article 6(1)(a) of the GDPR]. In addition, if a third party funding an activity carried out by the Association for the benefit of the Client on a project basis requires the retention and transmission of data relating to the activity, the legal basis for the processing is Article 6(1)(f) of the GDPR.

Duration of data processing

If the purpose of the processing is fulfilled or failed, the Association deletes the processed data without delay. In addition, if the third party financing the activity carried out by the Association for the benefit of the Client on a project basis requires the retention and transmission of data on the activity, the Association will retain the data for the necessary period of time in order to fulfil this obligation.

4. Data transmission

The Association will transmit data to third parties that fund its activities on a project basis for the benefit of its clients in accordance with the grant or cooperation agreement and applicable law.

For activities funded by the Asylum, Migration and Integration Fund (hereinafter: AMIF), the Association transmits data to the Ministry of Interior in accordance with the call for proposals and the legislation applicable to the Funds.

5. Data Storage & Data Management Security

The Association's computing systems and other data storage facilities are located at its headquarters and data processors.

The Association selects and operates the IT tools used to manage personal data during the provision of the service in such a way that the managed data:

- a) is accessible to those entitled to it (availability);
- b) its authenticity and authentication are ensured (authenticity of data management);
- c) its integrity can be demonstrated (data integrity);
- d) is protected against unauthorised access (data confidentiality).

The Association shall protect the data by appropriate measures, in particular against unauthorised access, alteration, transmission, disclosure, deletion or destruction, as well as against accidental destruction, damage or inaccessibility due to changes in the technology used. In view of the current state of the art, the Association shall ensure the protection of the security of data management with technical, organisational and organisational measures that provide a level of protection that is proportionate to the risks related to data management.

During data management, the Association shall retain

- a) confidentiality: it shall protect the information so that only those entitled can have access to it can access it
- b) integrity: it shall protect the accuracy and completeness of the information and the method of processing
- c) availability: it shall ensure that, when the authorised user needs it, he/she has effective access to the information required and that the means to do so are available.

The Association and its partners' IT systems and networks are protected against computer-assisted fraud, espionage, sabotage, vandalism, fire and flood, computer viruses, computer hacking and denial of service attacks. The operator ensures security through server-level and application-level protection measures.

These provisions also apply to non-electronically stored data handled by the Association, taking the differences between the two types of storage into account.

6. Data subjects' rights and legal remedies

The data subject may request information about the processing of his or her personal data and may request the rectification, erasure or withdrawal of his or her personal data, except for mandatory data processing, and may exercise his or her right to data portability and objection in the manner indicated when the data were collected, or by contacting the controller at the following contact details.

Rights of information

The Association shall take appropriate measures to provide any information referred to in Articles 13 and 14 and any communication under Articles 15 to 22 and 34 relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language.

The information shall be provided in writing. When requested by the data subject, the information may be provided orally, provided that the identity of the data subject is proven by other means.

Right of access by the data subject

The data subject shall have the right to obtain from the Association confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information: the purposes of the processing; the categories of personal data concerned; the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations; the envisaged period for which the personal data will be stored; the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data ; the right to lodge a complaint with a supervisory authority; any available information regarding the source of data; the existence of automated decision-making, including profiling and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

Transfers of personal data to a third country or an international organisation, including the identification of that third country or international organisation and the documentation of suitable safeguards.

The controller shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, the controller may charge a reasonable fee based on administrative costs. At the request of the data subject, the Association shall provide the information in electronic form. The controller should be obliged to respond to requests from the data subject without undue delay and at the latest within one month.

Right to rectification

The Data Subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her.

Right to erasure ('right to be forgotten')

The data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;

- the data subject withdraws consent on which the processing is based, and where there is no other legal ground for the processing;
- the data subject objects to the processing and there are no overriding legitimate grounds for the processing;
- the personal data have been unlawfully processed;
- the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;
- the personal data have been collected in relation to the offer of information society services.

The erasure of data may not be initiated if the processing is necessary: for the exercise of the right to freedom of expression and information; for compliance with a legal obligation which requires processing by Union or Member State law to which the controller 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; for reasons of public interest in the area of public health, for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes; for the establishment, exercise or defence of legal claims.

Right to restriction of processing

The data subject shall have the right to obtain from the Association 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 the controller to verify the accuracy of the personal data;
- the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims or
- the data subject has objected to processing pending the verification whether the legitimate grounds of the controller override those of the data subject.

Where processing has been restricted, such personal data shall, with the exception of storage, only be processed with the data subject's consent 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 reasons of important public interest of the Union or of a Member State. A data subject shall be informed by the Association before the restriction of processing is lifted

Right to data portability

Under the conditions set out in the Regulation, the Data Subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller.

Right to object

The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her, including profiling based on those provisions. The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

Right of withdrawal

The data subject shall have the right to withdraw his or her consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal. The withdrawal does not affect the processing of data on any other legal basis.

Procedural rules

The Association shall provide information on action taken on a request under Articles 15 to 22 of the GDPR to the data subject without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

The Association shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay. Where the data subject makes the request by electronic form means, the information shall be provided by electronic means where possible, unless otherwise requested by the data subject. If the Association does not take action on the request of the data subject, 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 not taking action and on the possibility of lodging a complaint with a supervisory authority and seeking a judicial remedy.

Information shall be provided free of charge. Where requests from a data subject are manifestly unfounded or excessive, in particular because of their repetitive character, the controller may either charge a reasonable fee taking into account the administrative costs of providing the information or communication or taking the action requested, or refuse to act on the request. The controller shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, the controller may charge a reasonable fee based on administrative costs. Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form.