THE DATA PROCESSING ACTIVITY OF HÁTTÉR SOCIETY

in connection with its Legal Aid Service (on the basis of the Data Protection Regulation of the European Union)

Pursuant to Article 13 of **Regulation (EU) 2016/679** of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and the free flow of such data, as well as the repeal of Directive 95/46/EC (hereinafter: **GDPR**), Háttér Society association (hereinafter: we) provides you (as data subject) the following information.

Háttér Society's Legal Aid Service can be reached primarily by e-mail at jogsegely@hatter.hu, legalaid@hatter.hu, jelentsd-a-homofobiat.hu or jelentsd-a-transzfobiat.hu via the reporting interface jelentsd-a homofobiat.hu, online forms for certain types of cases, or by contacting us via our answering machine linked to the xxxx phone number. The Legal Aid Service does not organise personal client receptions, a personal meeting is only possible in cases requiring special consideration or required by the nature of legal aid (contract conclusion, questioning, trial, etc.), after consultation with a member of the Legal Aid Service.

We, as the provider of the Legal Aid Service, hereby inform you as the recipient of the Service about the circumstances of the handling of your personal data during and after providing the service, about the organisational and technical measures taken to protect personal data, and about the individual rights and legal remedies available to you under the GDPR.

1. Identification and contact details of the data controller

Háttér Society association (head office: 1051 Budapest, Nádor u. 11., tax number: 18071872-1-41, registration number: 01-02-0006352; e-mail: hatter@hatter.hu; represented by: Zsirka Hella, executive board member)

2. Contact information of the Data Protection Officer

E-mail: adatvedelem@hatter.hu

3. Nature and purpose of the data processing

We operate a Legal Aid Service at the above mentioned address. The Legal Aid Service is most often approached in connection with the following problems: homophobic and transphobic violent assaults; discrimination in the workplace, harassment; discrimination by service providers; establishing a registered partnership and its legal consequences; options for having children; entry and residence of a foreign partner; issues related to their non-legal recognition. The Legal Aid Service also undertakes the documentation of legal violations affecting LGBTQI people. We therefore also welcome enquiries in the event that the applicant has learnt of a legal violation or has witnessed such a case. The Legal Aid Service undertakes to be as careful as possible in relation to the advice it provides free of charge. If we enter into a written contract with the recipient of the service (hereinafter: client), this Privacy Notice forms a part of the contract. In the absence of a written contract, we always

provide an opportunity to familiarise yourself with the content of the data processing information in advance.

The services of the Legal Aid Service include information, advice and representation of clients, and the referral of clients to a partner lawyer. During the use of the service, an agency agreement is concluded between the client and the Legal Aid Service, irrespective of whether the parties put this in writing. Contacting the Legal Aid Service with an enquiry (provided that it is genuinely aimed at using the service) is the first step in the preparation of the contract

The Legal Aid Service (1) provides the service itself, (2) commissions a lawyer, or (3) refers the requestor to an external partner lawyer. In case (3), the assignment only applies to the referral to the lawyer, the legal service is provided by the lawyer. The data controller in case (1) is Háttér Society, in case (2) Háttér Society and the commissioned lawyer are joint data controllers, in case (3) the data controller is Háttér Society in relation to the referral of the client, while in relation to legal services the partner lawyer acts as an independent data controller.

If the client is referred to an external partner lawyer, the Legal Aid Service does not transfer any personal data to the partner lawyer; the Legal Aid Service may contact the partner lawyer to clarify whether the case will be taken over, but in this case, only the legal problem related to the case will be presented, without allowing the person to be identified.

The Legal Aid Service also operates an answering machine on +36 1 6 333 454. The recorded announcement draws attention to the e-mail address used for contact, considering that the Legal Aid Service is primarily available electronically. If you do not wish to send an email and would rather ask us in person, you can consult with the staff of the Legal Aid Service at our office during our office hours, which are announced in advance.

The activities of the Legal Aid Service have a significant impact on the development of LGBTQI rights in Hungary. Therefore, the documentation of its activities is necessary for archiving purposes in the public interest and for scientific and historical research purposes (hereinafter: documentation of service provision).

Enquiries to the Legal Aid Service may also contain information about a crisis situation (e.g. serious child endangerment, suicide) that requires the involvement of a third party (e.g. parent, family member, healthcare provider or authority) (hereinafter: crisis situation).

The Legal Aid Service also handles data processing related to the handling of reports of illegal online hate speech if it receives reports of illegal online hate speech via our online platforms https://jelentsd-a-homofobiat.hu and https://jelentsd-a-transzfobiat.hu and via email. The purpose of data processing is to forward data related to reports of illegal online hate speech received via our jelentsd-a-homofobiat.hu website and jelentsd-a-transzfobiat.hu, as well as reports received by email, to the relevant online platform, where our reports will be given priority treatment thanks to our status as a "trusted flagger".

4. Categories of personal data subject to data processing

In connection with the use of the Legal Aid Service operated by Háttér Society, the following personal data is collected by Háttér Society:

In the case of an enquiry without providing the Service (the enquiry is not aimed at using the Legal Aid Service):

- your name and e-mail address you use when contacting our Service, as well as your

voice if using the answering machine; and the time chosen when registering for an appointment and

- other personal data – even sensitive personal data, e.g. data regarding health, sexual orientation, sex life, etc. – you share with us.

In case of providing Service:
If Háttér Society does not transfer the provision of the service to a third party (and it is performed by the association or its appointed lawyer), it manages the following personal data:

- name, address, postal address, place of birth, date of birth, mother's name, tax identification number, telephone number, e-mail address of the data subject (service user),
- other personal data - even sensitive personal data, e.g. health, sexual orientation, sex life, etc. - provided by the data subject to Háttér Society.

Documentation of service provision (data processing for archiving purposes in the public interest, for scientific and historical research purposes or for statistical purposes): In this context, among the data managed in the scope of service provision, we preserve those that have historical significance. The significance of the story is determined on a case-by-case basis, taking into account the impact, precedential nature or LGBTQI historical value of the case.

Regarding data processing related to the handling of reports of illegal online hate speech:

Data provided in the questionnaire on the reporting interface, data that comes to our attention based on the report, in particular:

- personal data relating to the reporter (name, email address, address, telephone number),
- the reported URLs, the names, internet names, other identifying data, images, audio recordings, screenshots, website addresses, and website names included in the report, if they can be linked to an identified or identifiable natural person,
- information on whether the reporter has already made a report elsewhere, and the possible outcome of such a report.

5. Legitimate ground for data processing

In the case of an enquiry without providing the Service:
The legal basis for data processing in the case of a simple enquiry is your consentt [Article 6 (1) point a) of the GDPR]. We process your personal data on the basis of your voluntary consent based on specific and adequate information received prior to engaging in processing your data. We process your personal data only to the extent necessary and in all cases in compliance with the purpose they were collected for.

Considering that the nature of the enquiry may involve the processing of your sensitive personal data (typically, but not exclusively, data on your health, sexual orientation/gender identity, sex life), we inform you as data subject of the need for informed consent in accordance with Article 9 (2) point a) of the GDPR at an early stage in a prominent manner along with the contact details of the Service

You may withdraw your consent to data processing at any time. In the event of withdrawal of consent, we will ensure the erasure of the data, unless another legal basis [Article 6 (1) b) of the GDPR (performance of a contract) or Article 6 (1) point f) of the GDPR (legitimate interest)] allows processing these data. The erasure of data does not affect the lawfulness of

the data processing prior to the withdrawal of consent. In the event of withdrawal of consent, we carry out the erasure of the data without undue delay.

In case of providing the Service:
In case a contract is prepared or concluded with you, data processing is necessary for the fulfillment of the contract, or for taking steps at your request prior to entering into the contract [Article 6 (1) point b) of the GDPR].

In view of the fact that, due to the nature of the contractual relationship, sensitive personal data(typically, but not exclusively, data on your health, sexual orientation/gender identity, sex life) may also be processed, we will record your explicit consent in the body text of the contract in separate and express manner, pursuant to Article 9 (2) point a) of the GDPR,

In case of documentation of the provision of services (data processing for archiving purposes in the public interest, for scientific and historical research purposes or for statistical purposes):
Pursuant to Article 6 (1) point f) of the GDPR, it it is our legitimate interest, as well as the legitimate interest of researchers and future generations to document and preserve historical historical (LGBTQI or legal historical) events, also taking into account Article 89 of the GDPR.

Crisis situations and suicide prevention:
Based on your consent, we may transfer the data to a third party (e.g. ambulance or family member). In this case, the data will be transferred pursuant to Article 6, (1), point a) of the GDPR.

Your personal data may be transferred to the authorities and emergency services without obtaining your consent if there is a risk that you endanger your own physical integrity or that of other persons. In this case, the data is transferred on the basis of Article 6 (1) point d) of the GDPR: In this case, the data are transferred on the basis of Article 6 (1) point d) of the GDPR: the data processing is necessary in order to protect your vital interests (as Client) or the vital interest of another natural person.

Regarding data processing related to the handling of reports of unlawful online hate speech:

Data processing is based on voluntary consent in accordance with Article 6 (1) (a) of the GDPR. Reports may, of course, remain anonymous, in which case the content of this data processing notice does not apply, as we do not process any personal data relating to the reporter.

6. Recipients of the personal data

Within Háttér Society, access to personal data is granted strictly to those employees only who need the personal data to perform their tasks in general matters, the employees and Managing Director of Háttér Legal Aid Service; when it comes to organisational responsibility, the attorneys and key employees of Háttér Society; for or the purpose of responding to requests related to data processing, the Data Protection Officer, and the lawyers appointed by Háttér Society providing representation in a given case. Regarding data processing related to the handling of reports of illegal online hate speech: if necessary, we will forward the content of the report to the relevant online platform or out-of-court dispute resolution body.

Depending on the content of any report received, Háttér may, where appropriate, disclose personal data to domestic or international bodies and organizations with jurisdiction in the areas of child protection and crime prevention, in particular: courts, public prosecutors, and

investigative authorities.

7. Duration and place of storage of the processed data

The Data you provide in the Google form will be stored (processed) on Google Drive provided by Google Cloud EMEA Limited (headquarters: 70 Sir John Rogerson's Quay, Dublin 2, Ireland; company registration number: IE660412). Part of the data will be stored electronically via the servers of the Háttér Society (Rackforest Kft., headquarters: 1132 Budapest, Victor Hugo utca 11. 5. em. B05001. ajtó), which is located in the European Economic Area.Data are stored in the Google Drive document management system and on Google Compute Engines. In the European Economic Area (EEA) and Switzerland (including Hungary), Google services are provided by Google Ireland Limited, a company incorporated in Ireland and operating under Irish law (registration number: 368047). Our system administrator is Zsolt Mosolygó e.v. (registered office: 2521 Csolnok, Mikszáth Kálmán utca 8.).

Paper-based documents generated during the service and your personal data contained therein are stored in a locked cabinet to which only the following persons have access: the employer and Managing Director of the Legal Aid Service, the attorneys, key employees and the Data Protection Officer of Háttér Society and the lawyers appointed by Háttér Society acting in the specific case.

In the event of an enquiry without providing the Service:
We will process your personal data until you withdraw your consent. If we do not receive a request from you, or we do not become aware of another request related to the data you provided, we will erase the personal data within 30 days of the last enquiry.

In case of providing the Service:
We process your personal data in accordance with the general statute of limitations of civil law for five years after the termination of the contract with you.

Documentation in case of providing the Service (data processing for statistical purposes):
We will keep statistical data without a time limit.

Regarding data processing related to the handling of reports of unlawful online hate speech:
Unless otherwise specified by law, Háttér will delete personal data contained in or related to the report from its records two years after the case has been closed.

8. Your rights

You may exercise the following rights in relation to the ongoing data processing based on the GDPR (d*ata subject rights*): you may request access to your personal data, request their rectification, erasure, restriction of processing, you may exercise your right to data portability, and object to data processing based on legitimate interest. We inform you that we do not use your processed data for the purpose of automated decision-making.

You can exercise your rights marked with a * by making a written request. To do so, please send an e-mail to adatvedelem@hatter.hu. We will also accept your request related to data processing by post: please send your letter to Háttér Society, 1054 Budapest, Nádor 11. We provide you with an individual response, information or feedback to your request within the one-month deadline specified in Article 12 (3) of the GDPR, or otherwise enable you to exercise the following rights.

Your right to information: Prior to the start of data processing we provide you information via the present privacy policy, in accordance with Article 13 of the GDPR. By familiarising

yourself with it you can verify the characteristics of the data processing carried out by us regarding your personal data and obtain information about the rights you can exercise in connection with data processing.

Your right of access: * You may request us to provide access to your personal data by being informed whether your personal data is currently being processed and if so, under what circumstances.

Your right to rectification:* If there has been a change in the personal data that we process and you want your data to be recorded correctly in our records, you can request that we correct without undue delay the data you have provided and we process.

Your right to erasure:* You may request that we erase your personal data without undue delay if one of the following grounds apply:

a) your personal data are no longer needed for the purpose for which it was collected or processed;

b) you withdraw the consent that forms the basis of the data processing, and there is no other legal basis for the data processing;

c) you object to the data processing and there are no other overriding legitimate grounds for the data processing;

d) we have processed your personal data unlawfully;

e) your personal data must be erased in order to fulfill a legal obligation to which we are subject.

Please note that if you withdraw your consent, we may not use the personal data for the purpose for which consent was withdrawn, or for any other purpose, depending on the nature of the withdrawal of consent. The withdrawal of consent does not affect the lawfulness of data processing prior to the withdrawal of consent. We reserve the right, in the event of withdrawal of consent if the conditions laid down in the GDPR apply, to base the processing of your personal data on other legitimate grounds of data processing, and to take technical and organizational measures in order to modify the processed data in accordance with your request.

Your right to restriction of processing: * you may request that we restrict the processing of your personal data if one of the following applies:

a) you contest the accuracy of your personal data, in which case the restriction applies for the period that enables us to verify the accuracy of your personal data;

b) the data processing is unlawful, but you object to the erasure of your data and request the restriction of their use instead;

c) we no longer need your personal data for the purposes of data processing, but you need them for the establishment, enforcement or defense of legal claims; or

d) you have objected to the data processing, in which case the restriction applies for the period until it is determined whether the legitimate reasons of the association override your right to your personal data.

In the event of data restriction, these personal data may only be processed with your consent, with the exception of storage or for the establishment, enforcement or defense of legal claims, or for the protection of the rights of other natural or legal persons or for important public interests.

Your right to object to data processing: *you have the right to object to the processing of your personal data based on our legitimate interests at any time for reasons related to your own situation.

9. Remedies with regard to data processing

Before submitting your complaint to the supervisory authority or the court – in order for reconciliation and finding a solution to the problem at the earliest - please contact our organisation by email at adatvedelem@hatter.hu or by post to our address (1054 Budapest, Nádor u. 11.)

If you believe that your rights have been violated in connection with the processing of your personal data or there is an immediate threat of such, you can file a complaint or initiate an official data protection procedure at the National Authority for Data Protection and Freedom of Information (head office: 1055 Budapest, Falk Miksa utca 9-11.; postal address: 1363 Budapest, Pf.: 9; e-mail: ugyfelszolgalat@naih.hu; telephone: +36 (1) 391-1400; website: www.naih.hu).

You can also initiate a civil lawsuit in court for unlawful data processing. The adjudication of the lawsuit falls within the jurisdiction of the courts.

10. Clause

We reserve the right to amend our privacy policy from time to time. We will inform you of any changes of the privacy policy on our official website.

If you have any questions about the provision of services not related to data processing (e.g. questions related to counselling), please write to us at jogsegely@hatter.hu.