

swimmingprofessionals.org

Privacy Policy

In short

We collect and process personal data according to the laws.

We send DM letters in case of your prior consent. We may send basic communications without prior consent.

Our data storage is secured by the best available tools.

Data can be part of transmission to third parties in case of prior consent.

We are happy to give information to any person about the data stored and related to the relevant person. You can ask to erase any data on you by using our contacts.

Introduction

The **Iron Corporation Ltd.** (1025 Budapest, Mandula u. 28. fszt. 2. – Hungary , company listing number: 01 09 270904, taxnumber: 24777539-2-41) (further on: Service-provider: SP, and Data Handling Company DHD) is fully complying with the following informant.

According to the law on the right for information autonomy and freedom on information (2011./CXII, 20. § (1), the user – in our case the webshop customer (further on: Customer) has to be informed whether data providing is obligatory or based on one's consent.

Before collecting personal data, the Customer has to receive straight and detailed information on all facts in connection with data management, especially on the targets and the claims of data collection, the person authorised for data handling and processing and the duration of the data

According to the Info Act 6. § (1) the data subject has to be informed that personal data may be processed also if obtaining the data subject's consent is impossible or it would give rise to disproportionate costs, and the processing of personal data is necessary:

- for compliance with a legal obligation pertaining to the data controller, or
- for the purposes of the legitimate interests pursued by the controller or by a third party, and enforcing these interests is considered proportionate to the limitation of the right for the protection of personal data.

Informing should also include the data subject's rights in connection with the data processing and the possible remedies.

If informing the data subjects' is impossible personally or it would give rise to disproportionate costs, it can happen by publishing the following information:

- a) an indication of the fact that data is being collected;
- b) the data subjects targeted;
- c) the purpose of data collection;
- d) the duration of the proposed processing operation;
- e) the potential data controllers with the right of access;
- f) the right of data subjects and remedies available relating to data processing and
- g) if data processing is to be registered for data protection, the register number of the data processing.

This data processing information is valid for the following website: <https://swimmingprofessionals.org> and is based on the contents above. More information is available here: <https://swimmingprofessionals.org/privacy-policy>

Amendments of the informant is operative by publishing them on the web address above. Under each chapter we also publish the relevant Acts.

Definitions (3.5)

1. *'data subject'* shall mean any natural person directly or indirectly identifiable by reference to specific personal data;
2. *'personal data'* shall mean data relating to the data subject, in particular by reference to the name and identification number of the data subject or one or more factors specific to his physical, physiological, mental, economic, cultural or social identity as well as conclusions drawn from the data in regard to the data subject;
3. *'special data'* shall mean:
 - a) personal data revealing racial origin or nationality, political opinions and any affiliation with political parties, religious or philosophical beliefs or trade-union membership, and personal data concerning sex life,
 - b) personal data concerning health, pathological addictions, or criminal record.
4. *'the data subject's consent'* shall mean any freely and expressly given specific and informed indication of the will of the data subject by which he signifies his agreement to personal data relating to him being processed fully or to the extent of specific operations;
5. *'the data subject's objection'* shall mean a declaration made by the data subject objecting to the processing of their personal data and requesting the termination of data processing, as well as the deletion of the data processed;
6. *'controller'* shall mean natural or legal person, or organisation without legal personality which alone or jointly with others determines the purposes and means of the processing of data; makes and executes decisions concerning data processing (including the means used) or have it executed by a data processor;
7. *'data processing'* shall mean any operation or the totality of operations performed on the data, irrespective of the procedure applied; in particular, collecting, recording, registering, classifying, storing, modifying, using, querying, transferring, disclosing, synchronising or connecting, blocking, deleting and destructing the data, as well as preventing their further use, taking photos, making audio or visual recordings, as well as registering physical characteristics suitable for personal identification (such as fingerprints or palm prints, DNA samples, iris scans);
8. *'data transfer'* shall mean ensuring access to the data for a third party;
9. *'disclosure'* shall mean ensuring open access to the data;
10. *'data deletion'* shall mean making data unrecognisable in a way that it can never again be restored;
11. *'tagging data'* shall mean marking data with a special ID tag to differentiate it;
12. *'blocking of data'* shall mean marking data with a special ID tag to indefinitely or definitely restrict its further processing;

13. *'data destruction'* shall mean complete physical destruction of the data carrier recording the data;
14. *'data process'* shall mean performing technical tasks in connection with data processing operations, irrespective of the method and means used for executing the operations, as well as the place of execution, provided that the technical task is performed on the data;
15. *'data processor'* shall mean any natural or legal person or organisation without legal personality processing the data on the grounds of a contract, including contracts concluded pursuant to legislative provisions;
16. *'data source'* shall mean the body responsible for undertaking the public responsibility which generated the data of public interest that must be disclosed through electronic means, or during the course of operation in which this data was generated;
17. *'data disseminator'* shall mean the body responsible for undertaking the public responsibility which uploads the data sent by the data source it has not published the data;
18. *'data set'* shall mean all data processed in a single file;
19. *'third party'* any natural or legal person, or organisation without legal personality other than the data subject, the data controller or the data processor;

Legal basis of data processing (5.-6.§)

1. Personal data may be processed under the following circumstances:
 - when the data subject has given his consent, or
 - when processing is necessary as decreed by law or by a local authority based on authorization conferred by law concerning specific data defined therein for the performance of a task carried out in the public interest.
2. Personal data may be processed also if obtaining the data subject's consent is impossible or it would give rise to disproportionate costs, and the processing of personal data is necessary:
 - a) for compliance with a legal obligation pertaining to the data controller, or
 - b) for the purposes of the legitimate interests pursued by the controller or by a third party, and enforcing these interests is considered proportionate to the limitation of the right for the protection of personal data.
3. If the data subject is unable to give his consent on account of lacking legal capacity or for any other reason beyond his control, the processing of his personal data is allowed to the extent necessary and for the length of time such reasons persist, to protect the vital interests of the data subject or of another person, or in order to prevent or avert an imminent danger posing a threat to the lives, physical integrity or property of persons.
4. The statement of consent of minors over the age of sixteen shall be considered valid without the permission or subsequent approval of their legal representative.

5. Where processing under consent is necessary for the performance of a contract with the controller in writing, the contract shall contain all information that is to be made available to the data subject under this Act in connection with the processing of personal data, such as the description of the data involved, the duration of the proposed processing operation, the purpose of processing, the transmission of data, the recipients and the use of a data processor.
The contract must clearly indicate the data subject's signature and explicit consent for having his data processed as stipulated in the contract.
6. Where personal data is recorded under the data subject's consent, the controller shall – unless otherwise provided for by law – be able to process the data recorded where this is necessary:
 - for compliance with a legal obligation pertaining to the controller, or
 - for the purposes of legitimate interests pursued by the controller or by a third party, if enforcing these interests is considered proportionate to the limitation of the right for the protection of personal data,
 without the data subject's further consent, or after the data subject having withdrawn his consent.

Data processing with purpose (4.5 [1]-[2])

1. Personal data may be processed only for specified and explicit purposes, where it is necessary for the exercising of certain rights and fulfillment of obligations. The purpose of processing must be satisfied in all stages of data processing operations; recording of personal data shall be done under the principle of lawfulness and fairness.
2. The personal data processed must be essential for the purpose for which it was recorded, and it must be suitable to achieve that purpose. Personal data may be processed to the extent and for the duration necessary to achieve its purpose.

Other principles of data processing (4.5 [3]-[4])

1. In the course of data processing, the data in question shall be treated as personal as long as the data subject remains identifiable through it. The data subject shall –in particular – be considered identifiable if the data controller is in possession of the technical requirements which are necessary for identification.
2. The accuracy and completeness, and – if deemed necessary in the light of the aim of processing – the up-to-dateness of the data must be provided for throughout the processing operation, and shall be kept in a way to permit identification of the data subject for no longer than is necessary for the purposes for which the data were recorded.

Functional Data Processing

1. Based on chapter (1) § 20 of Act CXII of 2011 on informatic self-determination right and the freedom of information the following has to be determined regarding the operation of the functionality of the website of the webshop:
 - a) the fact of data collection,
 - b) the range of customers,
 - c) the aim of data collection,
 - d) the time period of data management,
 - e) the potential data managers entitled to know the data,
 - f) giving data on the rights of the Customers related to data management.
2. The fact of data processing and the circle of data processed: last and first name, e-mail address.
The e-mail address don't need to contain personal information.
3. Range of Subscribers: All Subscribers subscribed for DM letters on the website.
4. Time period of data management, deadline of data deletion: Right away after the deletion of the subscription.
5. Possible data managers entitled to know the data: Personal data can be managed by the staff of the data manager respecting the above principles.
6. Giving information on the rights of Customers related to data management: The deletion or the modification of the personal datas can be done as follows:
 - By post at the address: 1025 Budapest, Mandula utca 28. fszt. 2.
 - Via e-mail: info@swimmingprofessionals.org
 - Via telephone: +36-70-551-4694
7. Details of the data processor (server provider) used for data processing:

C-Host Kft.
Address: 1115 Budapest, Halmi utca 29.
E-mail: info@nethely.hu
Phone: +36 1 445 2040
<https://www.nethely.hu/>

8. Data process registering number: NAIH-97625/2016. and NAIH-101491/2016.
9. The right for data processing: the user's consent, the Info Act 5. § (1), Act CVIII of 2001 on certain issues of electronic commerce services and information society services, 13/A. § (3):

The service provider may – for the purpose of providing the service – process personal data indispensable for providing the service for technical reasons. Should other conditions be identical, the service provider shall select and operate the means applied in the course of providing information society service at all times, so that personal data be processed only if it is absolutely indispensable for providing the service or achieving other objectives stipulated in this Act, and only to the required extent and duration.

Processing Cookies

1. According to the Act on the Right of Informational Self-Determination and on Freedom of Information (Act CXII of 2011), 20 § (1), the following functions should be determined for the operation of webshop's website in case of cookies processing:
 - a) an indication of the fact that data is being collected;
 - b) the data subjects targeted;
 - c) the purpose of data collection;
 - d) the duration of the proposed processing operation;
 - e) the potential data controllers with the right of access;
 - f) the rights of data subjects and remedies available relating to data processing
2. For using cookies required in webshops, including „cookies used for password protected processes“, „cookies used for basket“ and „security cookies“, consent is not needed from the users.
3. Data collection: unique identification numbers, dates, times.
4. The data subjects targeted: all customers visiting the website.
5. The purpose of data collection: identifying the users, recording the basket items and following the customers.
6. The duration of the proposed processing operation and deadline for erasing the data: data processed in case of sessions until the end of the customer's actual visit to the website.
7. The potential data controllers with the right of access: data controller does not process personal data by using the cookies.
8. The rights of data subjects relating to data processing: data subjects can erase cookies in the web browsers' menu, usually in the menu point Tools/Settings – Data Protection settings.
9. The right for data processing: no consent is needed from the customer, in case the sole purpose of using cookies is to transmitting reports through the electronical newscasting network or if the service provider is in definite need for being able to provide the services related to the information community, requested by the subscriber or user.

The service of Google Analytics

1. This website uses the service of Google Analytics, which is the webanalyser service of the Google Inc. („Google“). The Google Analytics uses so called „cookies“, textiles, which are saved on your computer, and they help the analysis of the website usage of the Users.
2. The cookies of the websites which were visited by the User and their connecting informations are sent and stored on one of the Google’s servers in the USA. With the activation of the IP-anonymisation on the websites the Google can shorten the time of the IP-anonymisation of the Users in the European Union or in the member states of the European Economic Region.
3. Only in unique cases the full IP-addresses are sent to the servers of Google in the USA and they get shorten there. Operators of these websites commit the Google to use these informations for interpretations about the usage of the website, furthermore to create reports about the activity of the website, and to do their website and internet usage related duties.

In the Google Analytics, the forwarded IP-address of the Users will not be matched with others data by the Google. The store of the cookies can be prevented in the settings of the web browsers, but in this way it can happen, if some features of the websites will not work. You can prevent Google from collecting datas about the website usage habits of the users (including IP-addresses too), if you download and setup this web browser plugin. <https://tools.google.com/dlpage/gaoptout?hl=hu>

Newsletter, DM activity

1. According to the Act XLVIII of 2008 on the Basic Requirements and Certain Restrictions of Commercial Advertising Activities, 6. § advertisements may be conveyed to natural persons by way of direct contact upon the express prior consent of the person to whom the advertisement is addressed.
2. The customer with regards the information appearing in this informant may agree that the service provider processes his/her data to send advertisements.
3. The statement of consent may be withdrawn freely any time, free of charge and without any explanation. In this case all personal data of the person who has provided the statement must be promptly erased from the records, and all advertisements must be stopped. User can unsubscribe from advertisements by using the link provided.
4. According to the Act on the Right of Informational Self-Determination and on Freedom of Information (Act CXII of 2011), 20 § (1), the following functions should be determined for the operation of webshop's website in case of newsletters:
 - a) an indication of the fact that data is being collected;
 - b) the data subjects targeted;
 - c) the purpose of data collection;
 - d) the duration of the proposed processing operation;
 - e) the potential data controllers with the right of access;
 - f) the rights of data subjects and remedies available relating to data processing
5. Data collection: name, e-mail address, date, time.
6. The data subjects targeted: all subscribing to newsletters.
7. The purpose of data collection: sending electronic mails including advertisement, information on actual news, products, actions, new functions, etc.
8. The duration of the proposed processing operation: until the withdrawal of the consent, data process will terminate upon unsubscription.
9. The potential data controllers with the right of access: personal data may be processed by staff members the data controllers with respecting all principles above.
10. The rights of data subjects and remedies available relating to data processing: any user can unsubscribe from the newsletter for free of charge.
11. The right of data processing: the user's consent, the Info Act 5. § (1), and the Act XLVIII of 2008 on the essential conditions and certain limitations of business advertising activity 6. § (5):

Advertisers, advertising service providers and publishers of advertising shall maintain records on the personal data of persons who provided the statement of consent to the extent specified in the statement. The data contained in the aforesaid records – relating to the person to whom the advertisement is addressed – may be processed only for the purpose defined in the statement of consent, until withdrawn, and may be disclosed to third persons subject to the express prior consent of the person affected.

Customer services and other data managing

1. If you have question during using some of the services of the data processor, or the customer has some problem you can get in contact with the data processor on the website (on phone, e-mail etc.).
2. The data processor deletes the incoming e-mails, messages, on phone etc. What contains the name and e-mail address or any other given personal information of the customer, after 2 years from the start of the service.
3. We give information about the privacy policy which is not in this guide at the start of the service.
4. For exceptional magisterial request, or in case of law accumulation the service provider is bound for guidance, information providing, transferring, or making documents available for these organisation.
5. In these cases the service provider only gives personal informations for the request (if they pointed out the exact aim and the necessary informations) what are essentials for the aim of the request.

Data Security (7.5)

1. Controllers shall make arrangements for and carry out data processing operations in a way so as to ensure full respect for the right to privacy of data subjects.
2. Controllers, and within their sphere of competence, data processors must implement adequate safeguards and appropriate technical and organizational measures to protect personal data, as well as adequate procedural rules to enforce the provisions of this Act and other regulations concerning confidentiality and security of data processing.
3. In respect of automated personal data processing, data controllers and processors shall implement additional measures designed to:
 - prevent the unauthorized entry of data;

- prevent the use of automated data-processing systems by unauthorized persons using data transfer devices;
 - ensure that it is possible to verify and establish to which bodies personal data have been or may be transmitted or made available using data transfer devices;
 - ensure that it is possible to verify and establish which personal data have been entered into automated data-processing systems and when and by whom the data were input;
 - ensure that installed systems may, in case of malfunctions, be restored; and
 - ensure that faults emerging in automated data-processing systems is reported.
4. For the protection of data sets stored in different electronic filing systems, suitable technical solutions shall be introduced to prevent - unless this is permitted by law - the interconnection of data stored in these filing systems and the identification of the data subjects.
6. In the course of illegal access, modification and illegal publication or use of personal data the data manager and processor ensures with further measures:
- about the forming and operating of a proper information technological and technical environment
 - about the monitored choice and control of the fellow workers who participate in the service
 - about the publish of detailed operation, risk managing and utilizing services
6. Based on the aforementioned, service provider guarantees the following in connection with the data processed:
- it has to be available
 - it has to be authentic and authenticated
 - it has to be unchanged and justified.
1. The informatics technology used respectively by the Data processor and the server provider will save from the following
- computer technology fraud
 - spying
 - viruses on computers
 - spams
 - hacks
 - and other form of attacks.

Customer rights (14.-19.§)

1. The Customer has the right to request the Service Provider to give information on the management of personal data. Customer can also request the correction of his/her personal data and also for the deletion or blocking of the personal data – except for compulsory data management.
2. In reply to the request the data manager gives information on the processed data of the Customer, their source managed and processed by the data processor, the aim, legal base of data management, the name, address and data management activity of the data processor and on the legal base and recipient of the data in case of data passing.
3. Data manager keeps a register of data passing in order to legality control and to give information to the Customer. The register contains the time, legal base and recipient of personal data passing together with the type of personal data passed and other data the determination of which is found in the legislation prescribing data management.
4. The data manager makes a register about data transferring, because of informing the customer and to monitor the lawfulness of the data transferring. This register contains the date of the passing of the personal datas, the aim of it, the recipient, the range of the personal datas, and the other informations what are necessary because of the law.
5. Upon request from the Customer the Service Provider gives information regarding the data, their source managed by him/her, also the aims, legal bases, time period, name, address and activity of the potential data processor associated with data processing. Service Provider has to ask any request as soon as possible but no later than 25 days of the submission of the request in writing. The information is free of cost.
6. Service Provider in case his/her personal data are not real but real personal data are available for the data manager it may replace personal data.
7. Service Provider blocks the personal data instead of deleting them in case the Customer asks for it or based on the available information it would threat the legal interest of the Customer. Blocked personal data can be managed only until the data management aim has not been over stepped.
8. Service Provider deletes the personal data if its management is illegal, the Customer requests the deletion, the managed data are deficient or inaccurate – and this condition cannot be corrected legally – provided that deletion is not precluded by the law, the aim of data management terminated, or the time period of data storage determined by the law has passed, or deletion of the data was ordered by the court or by the Hungarian National Authority for Data Protection and Freedom of Information.

9. Data manager marks the personal data if the Customer debates their correctness or accuracy but the correctness or accuracy of the controversial data cannot be determined clearly.
10. In the case of correcting, blocking, marking or deleting personal data the Customer and everyone to whom the data were passed for management have to be notified. Notification can be omitted if this does not interfere the interest of the Customer regarding the purpose of data management.
11. In case the data manager does not perform the correction, blocking or deletion request of the Customer the data manager has to issue the reasons and legal bases of rejecting the correction, blocking or deletion request in writing, within 25 days of receiving the request. In the case of rejecting the correction, deletion or blocking request the data manager informs the Customer on the possibilities of legal redress and authority complaint.

Legal remedies

1. The data subject shall have the right to object to the processing of data relating to him:
 - a) if processing or disclosure is carried out solely for the purpose of discharging the controller's legal obligation or for enforcing the rights and legitimate interests of the controller, the recipient or a third party, unless processing is mandatory;
 - b) if personal data is used or disclosed for the purposes of direct marketing, public opinion polling or scientific research; and
 - c) in all other cases prescribed by law.
2. In the event of objection, the controller shall investigate the cause of objection within the shortest possible time inside a fifteen-day time period, adopt a decision as to merits and shall notify the data subject in writing of its decision. If, according to the findings of the controller, the data subject's objection is justified, the controller shall terminate all processing operations (including data collection and transmission), block the data involved and notify all recipients to whom any of these data had previously been transferred concerning the objection and the ensuing measures, upon which these recipients shall also take measures regarding the enforcement of the objection.
3. If the data subject disagrees with the decision taken by the controller, or if the controller fails to meet the deadline, the data subject shall have the right to turn to court within thirty days of the date of delivery of the decision or from the last day of the time limit.
4. In case of infringement of rights by the data processor, complaint can be filed for the following institution:

National Authority for Data Protection and Freedom of Information
 1125 Budapest, Szilágyi Erzsébet fasor 22/C.
 Postal address: 1530 Budapest, Postafiók: 5.
 Phone: +36 -1-391-1400
 Fax: +36-1-391-1410
 E-mail: ugyfelszolgalat@naih.hu

Judicial remedy (22.§)

1. The burden of proof to show compliance with the law lies with the data controller. The burden of proof concerning the lawfulness of transfer of data lies with the data recipient.
2. The action shall be heard by the competent tribunal. If so requested by the data subject, the action may be brought before the tribunal in whose jurisdiction the data subject's home address or temporary residence is located.

3. Any person otherwise lacking legal capacity to be a party to legal proceedings may also be involved in such actions. The Authority may intervene in the action on the data subject's behalf.
4. When the court's decision is in favor of the plaintiff, the court shall order the controller to provide the information, to rectify, block or erase the data in question, to annul the decision adopted by means of automated data-processing systems, to respect the data subject's objection, or to disclose the data requested by the data recipient.
5. If the court rejects the petition filed by the data recipient, the controller shall be required to erase the data subject's personal data within three days of delivery of the court ruling. The controller shall erase the data even if the data recipient does not file for court action within the time limit.
6. The court may order publication of its decision, indicating the identification data of the controller as well, where this is deemed necessary for reasons of data protection or in connection with the rights of large numbers of data subjects.

Compensation and complaint refund^(23. §)

1. In case the data manager caused loss to someone by illegal management of Customer data or breaching the requirements of data security he/she is obligated to refund the loss.
2. In case the data manager offends the personality right of the Customer by illegal management of his/her data or by breaching the data security requirements the Customer is entitled to request complaint refund. Data manager is exempted from responsibility of loss or from the payment of the complaint refund if he/she proves that the loss or damage of the personality right of the Customer was caused by an unavoidable reason outside the sphere of data management.
3. Refund for loss or complaint refund have not to be paid if the loss or damage was caused by the deliberate or significantly careless behaviour of the Customer.

Closing

While preparing this informant, we took into consideration the following acts:

- Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information
- Act CVIII of 2001 on certain issues of electronic commerce services and information society services (especially 13/A. §)
- Act XLVII of 2008 on the prohibition of unfair commercial practices towards consumers
- Act XLVIII of 2008 on the Basic Requirements and Certain Restrictions of Commercial Advertising Activities (especially 6.§)
- Act XC of 2005 on the Freedom of Information by Electronic Means
- Act C of 2003 on Electronic Communications (especially 155.§)
- Opinion 16/2011 on EASA/IAB Best Practice Recommendation on Online Behavioural Advertising
- The recommendation of the Hungarian National Authority for Data Protection and Freedom of information about the previous data protection requirements