

## **PRIVACY NOTICE ON THE PROCESSING OF PERSONAL DATA BY THE FILMJUS SOCIETY**

In accordance with the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, hereinafter referred to as GDPR), FilmJUS Society hereby informs you about the processing of data in the course of its operations related to rights management in accordance with our accreditation and related to operation of the website and of mailing lists. By participating in this process, the data subject becomes a data subject in accordance with this privacy notice.

### **1. Name of data controller**

**FILMJUS HUNGARIAN SOCIETY FOR THE PROTECTION OF AUDIO-VISUAL AUTHORS' AND PRODUCERS' RIGHTS**

H-1088, Budapest, Bródy S. u. 14.; [www.filmjus.hu](http://www.filmjus.hu);

Contacts: [filmjus@filmjus.hu](mailto:filmjus@filmjus.hu); +36-1/266-6588

(hereinafter: FilmJUS)

### **2. Rules of data processing**

This privacy notice is valid from 25 May 2018 until its withdrawal.

As the operator of the [www.filmjus.hu](http://www.filmjus.hu) (hereinafter: website), FilmJUS informs its website visitors that it only processes personal data in connection with this website on the basis of the provisions of this privacy notice.

This notice is based on the FilmJUS Privacy Policy and its scope covers all processes carried out by FilmJUS in the course of operation of the website and the mailing lists, when personal data as defined in Article 4(1) of the GDPR are processed.

**"Personal data"** means any information relating to an identified or identifiable natural person ("data subject"); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

The definitions in this notice correspond to the interpretative definitions determined in Article 4 of the GDPR.

FilmJUS declares that it only processes personal data in accordance with the provisions of the applicable law, and therefore processes personal data in the above scope only and exclusively on the legal grounds set out in Article 6 of the GDPR.

Personal data processed by FilmJUS retains the quality of personal data during the processing as long as the data subject is or can be identified from it. FilmJUS considers a data item to be personal data if it has the technical means to identify the data subject from the data.

FilmJUS declares that it shall process data only in a manner that is limited to the purpose at all stages of the processing.

By publishing this notice, FilmJUS informs you, namely the data subject, on the purpose of the data processing, the legal basis for the data processing and the facts relating to the data processing as stipulated in Article 13 of the GDPR.

Please be informed that FilmJUS shall ensure with work organisation, physical, IT and access rights management tools that unauthorised persons cannot gain access to personal data, and FilmJUS employees are obliged to keep personal data obtained during data management confidential.

### **3. Enforcement of data subjects' rights**

FilmJUS informs you that, under the GDPR, you have the following right enforcement options after proof of identity:

- to request information about the processing of your personal data,
- to request the rectification of your personal data,
- to withdraw your consent to the processing of your personal data,
- to request the erasure of your personal data if you consider that the processing of your personal data is unlawful or no longer necessary for the purposes for which it was collected by FilmJUS,
- to request the restriction of the processing of your personal data,
- to exercise your right to data portability.

FilmJUS shall always endeavour to ensure that the information provided to you is as concise, transparent, comprehensible, easily accessible, clear and understandable as possible, in all cases while complying with the rules set out in the GDPR.

You may submit your request primarily in writing to FilmJUS, using the contact details provided in this notice. However, if you request information orally, an authorised FilmJUS employee may provide you with the information orally after proof of your identity, whenever the necessary information is available to him/her. In all other cases, the request will be recorded by our personnel member and you will be informed of your request within one month of receipt. This deadline may be extended by a maximum of two months if the complexity of the request or the number of requests being processed justifies this, nevertheless you will be informed on this electronically within one month of receipt of the request.

In case we do not take action on your request or if you do not accept our action, you may have the right of appeal against FilmJUS. You may file a complaint regarding our data processing practices with the National Authority for Data Protection and Freedom of Information (hereinafter: “the Authority”) or the courts with jurisdiction at your residence or domicile.

Please note that, in accordance with the practice of the Authority your complaint will be accepted only if you have first contacted the data controller, in our case FilmJUS, but we have not acted on your request or if you have not accepted our action. We therefore recommend that you contact us first!

Please note that detailed rules on right enforcement and redress are set out in the FilmJUS Privacy Policy, which is available on the FilmJUS website.

### **4. Data processing during the use of the FilmJUS website**

#### **Common rules applying for all data processing**

FilmJUS shall not engage a data processor in the processing of data. FilmJUS shall not transfer the data to third parties. In relation to all data processing, the data subject shall have the rights of data subject to right enforcement and redress as detailed in section 3.

#### **4.1. Data processing of the website, cookie management**

Anyone may access the FilmJUS website without revealing their identity or sharing their personal data, and may obtain information freely and without restriction on the website and its linked sites. Parts of this website use “cookies” to help provide personalised services. A cookie is nothing more than a small amount of data that is transferred to your browser and read by the Internet server that placed it. The cookie acts as a personal identifier, recording your preferences and previously provided information. By using cookies, the information you have previously provided can be restored upon the

website on your next visit, reducing your browsing time and simplifying your use of the website. Cookies are uniquely assigned to you and can only be read by the Internet server from which the cookie originated.

Web beacons can be used to target cookies and to generate statistics about our website, for example, how many people have visited a particular page or clicked on a particular link. If you wish, you can set your browser not to support cookies. If you do this, you may not be able to enjoy certain useful features of the website.

The handling of cookies can also be controlled in the user's own browser, in addition to the above. For information on the cookie settings of the most commonly used browsers, see the links below:

- Chrome <https://support.google.com/chrome/answer/95647?co=GENIE.Platform%3DDesktop&hl=hu>
- Chrome (Mobil) <https://support.google.com/accounts/answer/32050?co=GENIE.Platform%3DAndroid&hl=hu>
- Edge <https://support.microsoft.com/hu-hu/help/4027947/microsoft-edge-delete-cookies>
- Firefox <https://support.mozilla.org/hu/kb/weboldalak-altal-elhelyezett-sutik-torlese-szamito>
- Safari (desktop tools) <https://support.apple.com/hu-hu/guide/safari/sfri11471/mac>
- Safari (mobile tools) <https://support.apple.com/hu-hu/HT201265>

To better serve authors, a database is available on the website as a separate service to view the data provided by authors. To access the viewing area of this service, a separate registration is required, so that the user's access rights can be identified. The website's programming solutions strictly protect this personal data, so that the data of each individual can only be accessed via registered users' data. Please keep your access data (user name, password) carefully!

#### 4.2. Registration on the website

All visitors are entitled to use the website without identification. FilmJUS provides the following services within this website:

- dubbing data recording interface and database
- an interface for personal data access.

However, these interfaces can only be accessed and viewed by registering after identifying yourself outside the website.

When registering, the data subject is required to provide the information necessary to identify him/herself and information to facilitate electronic communication.

FilmJUS processes the data of registered users on the basis of the consent of the data subjects until the consent is withdrawn, i.e. until the data subject requests the erasure of his/her data or the termination of his/her user account. In this case, the erasure of the user's data is limited to the records related to the access to the reserved interface for the registered users and does not apply to the data of the register of authors as rightholders.

**purpose of data processing:** to ensure legally required publicity regarding the activities of FilmJUS, and to make available contacts and electronic services

**legal basis of data processing:** the consent of the data subject pursuant to Article 6 (1) a) of the GDPR and pursuant to paragraph 48 of Act XCIII of 2016 on the collective management of copyright and related rights

**data storage period:** until the data subject's request for erasure, i.e. until the user deletes the user account

### 4.3. Contact FilmJUS

FilmJUS can be contacted in person, by phone, in writing and via its website. If the data subject contacts FilmJUS verbally (in person, by telephone) and the matter in which the data subject has contacted FilmJUS cannot be resolved immediately, a FilmJUS employee shall take note of what the data subject has said and forward it to the relevant colleague for the purpose of settling the matter.

If the data subject contacts FilmJUS by e-mail or in writing, his/her request will be forwarded to the person responsible for dealing with the matter, in accordance with the rules on the processing of documents.

In these ways, the data subject consents to the processing of the data by having been made aware of the present, published privacy notice and by contacting FilmJUS bearing this in mind.

**purpose of data processing:** to ensure contact with FilmJUS, to administer the given case

**legal basis of data processing:** consent of the data subject pursuant to Article 6(1)(a) of the GDPR

**data storage period:** until the particular contact case is settled

During this data processing, FilmJUS may transfer the data to a third party. This may happen if the matter indicated by the data subject does not fall within the scope of FilmJUS's activities, in which case - with simultaneous notification of the data subject - FilmJUS will transfer the matter to the person or organisation with the relevant scope of activities, together with the transfer of the data.

### 4.4. Operating a mailing list

FilmJUS maintains a mailing list or lists to keep in close contact with those interested in its activities, thus informing them of updates and all relevant information, and providing a means of communication to all subscribers. One can subscribe to the list by providing the name and e-mail address of the natural person, with prior consent to the data processing rules.

Each member has the possibility to unsubscribe, which constitutes a withdrawal of consent to data processing.

Mails sent to the mailing list will be sent by FilmJUS only and exclusively to the e-mail address registered by the data subject when subscribing.

**purpose of data processing:** to keep contacts with interested parties, data subjects, to provide a communication platform

**legal basis of data processing:** subscription, i.e. the data subject's consent pursuant to Article 6(1)(a) of the GDPR

**data storage period:** until unsubscription from the newsletter

### 5. Processing of job applicants' data

FilmJUS processes personal data when selecting its employees.

If the applicant becomes an employee, the CV submitted and the personal data contained therein will form part of the personnel file; if the applicant has not been selected, FilmJUS will keep it for a maximum of one year after receipt. If this period expires without result, the CV of the applicant will be erased by FilmJUS.

**purpose of data processing:** selecting the right candidate for the positions advertised by FilmJUS

**legal basis of data processing:** by submitting the CV, the data subject's consent in accordance with Article 6(1)(a) of the GDPR

**data storage period:** one year from the date of receipt of the CV

## **6. Data processing in relation to FilmJUS collective rights management**

In connection with its core activities, FilmJUS processes the data of persons involved in the management of royalties (natural person authors or business associations, hereinafter referred to as "rightholders") and is obliged to keep records of these data. The records kept by FilmJUS shall be accessible to the rightholder concerned.

Register of rightholders in the field of FilmJUS activities is very extensive, which, in addition to the name, address, social security number and tax identification number of the rightholder, includes all the other data essential for the identification beyond doubt, for the fulfilment of tax and social security obligations arising from the management of royalties, and for the necessary contacts with national and foreign partner rights managers in relation to the creator's works.

**purpose of data processing:** to fulfil legal obligations in connection with the collective management of copyright and, in certain cases, rights related to copyright (in the first place: the individual film producer), to manage royalties, to ensure the lawful payment of royalties generated

**legal basis of data processing:** paragraph 48 of Act XCIII of 2016 on collective management of copyright and rights related to copyright

**data storage period:** personal data must be retained until the termination of the royalty rights (para 31-32 and para 84 of Act LXXVI of 1999 on Copyright)

## **7. Registration of works**

FilmJUS keeps a voluntary register of works for its members in connection with its activities based on the provisions of paragraph 94/B (3) of the Copyright Act, in which authors (or their authorised representatives) may get their own works registered. (See Works Registration Policy)

During the registration process, both the author and the other person (proxy) filing the application must be clearly identified, so in addition to the data of the work, identifiable personal data of both the applicant and the author concerned must be recorded. These are: name, address, mother's name, personal identification card number.

**purpose of data processing:** to facilitate the justifiability of copyright by the notifier concerned

**legal basis of data processing:** paragraph 48 of Act XCIII of 2016 on collective management of copyright and rights related to copyright

**data storage period:** personal data must be retained until the termination of the royalty rights (para 31-32 and para 84 of Act LXXVI of 1999 on Copyright)

## **8. Issues not covered by this notice**

For issues not covered by this notice, the GDPR, applicable Hungarian law and the relevant FilmJUS policies shall apply.