

Privacy Policy

1. General Provisions

(1) In connection with the services provided through the website www.anitasarkany.com, operated by Sárkány Anita e.v., and the other websites accessible at the addresses specified there (hereinafter: the “Website”), the Data Controller handles all personal data of the natural persons using the Website in accordance with this Privacy Policy and Notice. By using the Website, the User accepts the provisions of this Privacy Policy as binding.

Business name: Sárkány Anita e.v. (sole proprietorship)

Registered office: 7633 Pécs, Ybl Miklós utca 7/1., floor -2, door 10, Hungary

Postal address: 7633 Pécs, Ybl Miklós utca 7/1., floor -2, door 10, Hungary

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Tax number: 72166615-1-22

Statistical number: 72166615-8693-231-02

Sole proprietor registration number: 61752146

(2) This privacy notice sets out which personal data the Data Controller processes and how it processes them. It also ensures that the constitutional principles of data protection and the requirements of data security are upheld, and it aims to prevent unauthorised access to the data, their alteration, and their unauthorised disclosure or use, so that the privacy of the natural persons using the Website is respected.

(3) To achieve the purpose set out in paragraph (2), the Data Controller treats users’ personal data confidentially and in accordance with the applicable laws, and ensures their security. It takes the technical and organisational measures, and establishes the procedural rules, needed to give effect to the relevant legal provisions and other recommendations.

2. Legal Background

The Data Controller must comply with the legal requirements on the processing of personal data at every stage of processing. The Data Controller’s processing is governed primarily by the following laws:

- Regulation (EU) 2016/679 of the European Parliament and of the Council (General Data Protection Regulation – GDPR);
- Act CXII of 2011 on the Right to Informational Self-Determination and on Freedom of Information (“Infotv.”);
- Section 2:43(e) of Act V of 2013 on the Civil Code;
- Act CVIII of 2001 on Certain Issues of Electronic Commerce Services and Information Society Services (“Eker. tv.”);
- Act XLVIII of 2008 on the Basic Conditions and Certain Restrictions of Commercial Advertising Activities (“Grt.”);
- Act CXIX of 1995 on the Processing of Name and Address Data for Research and Direct Marketing Purposes.

3. Definitions

(1) data subject: any natural person who is identified, or can be identified directly or indirectly, on the basis of specific personal data;

(2) personal data: any data that can be linked to the data subject, in particular the data subject’s name, identification number, or one or more pieces of information characteristic of their physical, physiological, mental, economic, cultural or social identity, as well as any conclusion about the data subject that can be drawn from the data;

(3) consent: a freely given, specific and unambiguous indication of the data subject’s wishes, based on adequate information, by which they clearly agree to the processing of personal data relating to them;

- (4) objection: a statement by the data subject objecting to the processing of their personal data and requesting that the processing be stopped or the processed data be erased;
- (5) data processing (processing): any operation or set of operations performed on personal data, regardless of the method used, such as collection, recording, storage, organisation, alteration, use, transfer, disclosure, alignment or combination, restriction, erasure and destruction, as well as preventing further use of the data;
- (6) technical data processing: the performance of technical tasks related to processing operations, regardless of the method and means used to carry out the operations and of where they are carried out;
- (7) data transfer: making data available to a specific third party;
- (8) disclosure: making data available to anyone;
- (9) data controller: the natural or legal person, or organisation without legal personality, that alone or jointly with others determines the purposes of processing personal data, makes and implements decisions about the processing, or has them implemented by a data processor it engages;
- (10) data processor: the natural or legal person, or organisation without legal personality, that processes data under a contract;
- (11) erasure: making data unrecognisable in such a way that they can no longer be restored;
- (12) data set: all the data managed in a single record system;
- (13) third party: a natural or legal person, or organisation without legal personality, other than the data subject, the data controller or the data processor.

4. Legal Basis for Processing

The Data Controller processes Users' personal data on separate legal bases, depending on the specific purpose of the processing:

- data directly related to booking an appointment and providing the ordered service (in particular name, e-mail address, phone number, type of service selected, date and time) are processed on the basis of performance of the contract concluded with the User (Article 6(1)(b) GDPR);
- data required for invoicing are processed on the basis of compliance with a legal obligation (Article 6(1)(c) GDPR, under Act C of 2000 on Accounting and Act CXXVII of 2007 on Value Added Tax);
- sending the newsletter, the optional data provided in the "The Psychologist Answers" column, and the placement of marketing (remarketing) cookies are based on the Data Subject's voluntary, prior consent (Article 6(1)(a) GDPR; for data indicating physical or mental health, explicit consent under Article 9(2)(a) GDPR);
- ensuring the secure operation of the Website, preventing misuse, and basic technical logging for statistical purposes are based on the Data Controller's legitimate interest (Article 6(1)(f) GDPR).

In addition, Section 13/A of Act CVIII of 2001 on Certain Issues of Electronic Commerce Services and Information Society Services and Section 6 of Act XLVIII of 2008 on the Basic Conditions and Certain Restrictions of Commercial Advertising Activities also apply.

5. Scope of Data Processed, Purpose and Duration of Processing

(1) This Privacy Policy covers only the processing of natural persons' data, since personal data exist only in relation to natural persons. Anonymous information that the Data Controller collects in a way that rules out personal identification, and that cannot be linked to a natural person, does not count as personal data.

The Data Controller draws Users' attention to the fact that, given the nature of the service provided (psychological counselling), the mere fact that someone contacts the Data Controller or books an appointment may qualify as special category data indicating physical or mental health under Article 9 GDPR, regardless of whether the User shares their specific problem in advance. The Data Controller therefore processes all data related to appointment booking and service provision with enhanced security measures, and only the Data Controller and the data processors listed in point (14) have access to them, to the extent necessary for their tasks.

(2) Newsletter service

Users can subscribe to a newsletter on the Website operated by the Data Controller. The Data Controller sends newsletters only to Users who have given their express consent to receive them through the relevant menu item on the Website.

To provide the newsletter service, the Data Controller processes the following data:

- name
- e-mail address

Purpose of processing: to keep subscribed Data Subjects informed of the latest news and information about the Data Controller and its services.

The Data Subject may unsubscribe from the newsletter at any time, free of charge, without restriction and without giving reasons. In that case, the Data Controller deletes the Data Subject's data from its records within 5 working days. The Data Subject can withdraw consent by clicking the unsubscribe link in the newsletter or by sending a message to the Data Controller's postal or e-mail address.

(3) Sending an online message or asking a question

Through the Website, users can request information about the services provided by the Service Provider or other information. This requires the following personal data:

- name
- e-mail address
- phone number

Purpose of processing: to provide Data Subjects with personalised service and to send information at their request. The Data Subject may request the erasure of their data from our records at any time, free of charge, by letter to the Data Controller's postal or e-mail address. We can carry this out within 5 working days.

(4) Booking an appointment

Purpose of processing: booking appointments through the Website; requesting one-to-one communication with the Service Provider (psychologist); monitoring the operation of the service and preventing misuse; improving the effectiveness of the service; market research.

Legal basis: performance of the contract concluded with the User (Article 6(1)(b) GDPR) and, for billing data, compliance with a legal obligation (Article 6(1)(c) GDPR); supplemented by Section 13/A(3) and (4) of Act CVIII of 2001 on Certain Issues of Information Society Services.

Data processed:

- name
- e-mail address
- phone number
- type of service selected (e.g. individual counselling, couples therapy)
- date
- booked time slot

Duration of processing: 5 years after the end of the service. Billing data are kept for 8 years, as required by accounting law (Act C of 2000). Erasure or correction of personal data can be requested by letter to the Data Controller's postal or e-mail address; however, data that must be retained by law (e.g. billing data) cannot be erased before the retention period expires.

(5) "The Psychologist Answers" column

Purpose of processing: contacting the Service Provider. To help the Service Provider understand the problem described in the question form more fully, users may provide additional data. By providing such data, the User expressly authorises the Service Provider to process them. The following data are not strictly required to use the service.

Data processed:

- name
- e-mail address
- age
- place of residence
- other illnesses

The health-related data above belong to the special categories of personal data under Article 9 GDPR. Their processing is therefore based on the Data Subject's explicit, separate consent (Article 9(2)(a) GDPR). These data are not public; only the Service Provider (the psychologist) can see them.

Legal basis: the data subject's explicit consent.

Duration of processing: until the User requests erasure. Erasure or correction of personal data can be requested by letter to the Data Controller's postal or e-mail address.

(6) Cookies

The Website uses the following categories of cookies. The table is for information only, as the cookies actually active depend on the technical solutions used on the Website.

Cookie / technology	Purpose	Category	Retention period
Session identifier (session cookie of the Website and the booking system)	Operating the Website's core functions (e.g. the booking process)	Strictly necessary, technical	Until the end of the browsing session
_ga, _ga_*	Traffic and visitor statistics (Google Analytics)	Statistical	Up to 2 years
_gid	Visitor statistics (Google Analytics)	Statistical	24 hours
_fbp, fr	Displaying Facebook/Instagram (Meta) remarketing ads	Marketing	Up to 90 days
_gcl_au, IDE, test_cookie	Displaying Google Ads remarketing ads	Marketing	Up to 13 months

Except for strictly necessary, technical cookies, cookies are placed only with the Data Subject's prior, voluntary consent, which can be given separately for each category. Consent can be given or refused through the cookie banner displayed on the Website, and can be withdrawn at any time in the cookie settings or through the browser settings. The Data Subject acknowledges that if certain non-essential cookies are disabled, some functions of the Website may work only in a limited way.

(7) Use of social media plugins (Facebook, Instagram, LinkedIn)

Social media plugins on the Website are disabled by default and are enabled only when the Data Subject expressly clicks on them. By enabling a plugin, the Data Subject connects to the social network concerned and consents to the transfer of their data to that platform. Information on the scope and purpose of data collection can be found in the platform's own privacy notice.

(8) Remarketing codes

If it uses these services, the Data Controller may place Google Ads and/or Meta (Facebook) remarketing codes on the Website. Remarketing codes use cookies to tag visitors to the Website, so that advertisements for the Data Controller's services can appear on other websites the visitor later visits. The User can disable cookies at any time and personalise their advertising preferences in the Google and Meta ad settings.

(9) Log files

To provide the services, the system automatically logs the dynamic IP address of the user's computer, the type of browser and operating system used, and the user's activity on the Website. These data are used partly for technical purposes (analysing and subsequently checking the secure operation of the servers) and partly to compile site usage statistics and analyse user needs; the legal basis for this processing is the Data Controller's legitimate interest (Article 6(1)(f) GDPR). These data cannot in themselves identify the user, and the Data Controller does not combine them with other personal data.

The Data Controller may process a Data Subject's personal data for purposes other than those set out above, in particular to improve the effectiveness of the service or for market research, only if it defines the purpose in advance and has the Data Subject's consent. The Data Controller must erase these data once the purpose of processing has ceased or if the Data Subject so requests.

The Data Controller ensures that users can find out, before and at any time while using the service, which types of data it processes and for what purposes.

Duration of processing: data processed on the basis of the Data Subject's consent may be processed until the consent is modified or withdrawn. Order-related data are kept until the general limitation period expires, i.e. for 5 years, so they can serve as evidence in any legal dispute. Billing data are kept for 8 years to meet accounting obligations under Section 169 of Act C of 2000 on Accounting, or until the limitation period set out in the Act on the Rules of Taxation expires.

To provide its services in full, the Data Controller may pass certain personal data of the Data Subject, for processing or transfer, to the data processors and recipients listed in point (14). In particular, if an online payment is made through the Website, the Data Controller transfers the data needed for the payment to Barion Payment Zrt. and does not store any card data.

If it uses this service, the Data Controller uses Google Analytics to obtain traffic and other web analytics data for the Website. For these data, Google Ireland Limited acts as data processor. Google's privacy policy is available at <https://policies.google.com/privacy>. Google Analytics cookies are placed only with the Data Subject's prior consent (see point (6)).

(10) Where a service requires the User to send personal data online, such as card data for an online payment, the Data Controller provides a channel that adequately protects such messages (an SSL/TLS-based connection).

(11) Where the Data Controller operates certain services and pages of the Website jointly with a business partner, the operating partner collects personal data on behalf of, in the name of and for the benefit of the Data Controller. The provisions of this Privacy Policy also apply to that processing.

(12) Where the Website runs a joint service with one of its content partners, the right to use the personal data is shared. The provisions of this Privacy Policy still apply, in line with the rules on processing with identical content required under the contract with the partner.

(13) For the processing operations referred to in paragraphs (10) to (12), the identity of the data controller and the data processor is clearly indicated whenever data are provided or processed.

(14) Data processors and recipients of data transfers

The Data Controller uses the following data processors/recipients to process personal data. Data processors have access to the data only to the extent and for the time necessary to perform the tasks below, act on the Data Controller's instructions, and may not use the data for their own purposes:

- **Barion Payment Zrt.** (registered office: 1117 Budapest, Infopark sétány 1., Building I, 5th floor 5, Hungary) – processing card payment transactions; access covers the data needed to complete the transaction (e.g. billing data), for the duration of the transaction and the applicable statutory retention period.
- **[operator of the invoicing software, e.g. Billingo Számlázó Zrt.]** – issuing and storing invoices; access covers billing data for the retention period required by accounting law (8 years).
- **Zoom Video Communications, Inc.** – technical delivery of consultations held by video call; access covers the duration of the call and the contact data needed for it (e.g. e-mail address). Please note that data processed by Zoom may also be transferred outside the European Economic Area (USA); such transfers are governed by the safeguards Zoom undertakes in its own privacy notice (in particular appropriate safeguards under the GDPR, e.g. standard contractual clauses).
- **[the Website's hosting provider]** – technical operation and hosting of the Website; access extends to what is necessary to operate the Website.
- **[operator of the newsletter system]** – sending the newsletter to subscribed Data Subjects; access covers the name and e-mail address provided at subscription, for as long as the subscription lasts.
- **Google Ireland Limited** (if the Data Controller uses Google Analytics or Google Ads remarketing) and **Meta Platforms Ireland Limited** (if the Data Controller uses Facebook/Instagram remarketing) – compiling visitor statistics and targeting advertisements; access covers the data collected by the cookies described in points (6) and (8).

(The Data Controller will fill in the exact names of the providers shown in square brackets according to the providers actually used.)

(15) Data protection officer

As the Data Controller may, in the course of its activities, also process special category data (Article 9 GDPR) relating to the physical or mental health of certain Data Subjects, it regularly assesses whether the scope, frequency and nature of its processing require the designation of a data protection officer under Article 37 GDPR. The Data Controller, as a sole proprietor working alone, processes special category data neither on a large scale nor in the form of regular and systematic monitoring; therefore, at the time this notice is issued, designating a data protection officer is not justified. The Data Controller will review this if its activities expand.

(16) Recording consent; consequences of refusing consent

For processing based on consent, the Data Controller records and retains, in a retrievable way, the fact, time and method of the consent (e.g. the time the relevant checkbox was ticked or the data were provided), so that it can prove consent was given if necessary. If consent is refused or withdrawn, the Data Controller cannot provide the service that depends on that consent (e.g. sending the newsletter, handling the optional fields of “The Psychologist Answers” column). Otherwise, this does not affect the User’s appointment booking or use of the ordered service, unless the data in question are essential to providing the service.

6. Rights of Data Subjects

(1) The Data Subject may ask the Data Controller for: a) information about the processing of their personal data; b) correction of their personal data; c) erasure of their personal data or restriction of its processing (except where processing is mandatory); d) withdrawal of their consent; and e) the exercise of their other rights under the GDPR (data portability, objection).

(2) At the Data Subject’s request, the Data Controller provides written information within 25 days of the request at the latest (within the maximum one-month deadline under Article 12(3) GDPR; where justified, this deadline may be extended by a further two months). The information covers the data processed by the Data Controller, or by a data processor engaged by it or on its instructions; the source of the data; and the purpose, legal basis and duration of processing. It also covers the name and address of the data processor and its processing activities, and, where the personal data have been transferred, the legal basis and recipient of the transfer. As a general rule, this information is provided free of charge.

(3) To check the lawfulness of data transfers and to inform the data subject, the Data Controller keeps a data transfer register. The register records the date of each transfer of personal data it processes, the legal basis and recipient of the transfer, the categories of personal data transferred, and any other information required by the law that mandates the processing.

(4) If personal data are inaccurate and the Data Controller has the accurate personal data, the Data Controller corrects them.

(5) Personal data must be erased if: a) their processing is unlawful; b) the Data Subject requests it (except where processing is mandatory); c) they are incomplete or inaccurate, this cannot be lawfully remedied, and erasure is not excluded by law; d) the purpose of processing has ceased, or the statutory storage period has expired; e) a court or the Authority has ordered it.

(6) Instead of erasing personal data, the Data Controller restricts their processing if the Data Subject requests this or if, based on the information available, erasure would presumably harm the Data Subject’s legitimate interests. Personal data whose processing has been restricted in this way may be processed only for as long as the processing purpose that prevented their erasure continues to exist.

(7) The Data Controller marks personal data it processes if the Data Subject disputes their correctness or accuracy but their incorrectness or inaccuracy cannot be clearly established.

(8) The Data Subject, and everyone to whom the data were previously transferred for processing, must be notified of any correction, restriction of processing, marking or erasure. Notification may be omitted if, given the purpose of processing, this does not harm the Data Subject’s legitimate interests.

(9) If the Data Controller does not grant the Data Subject’s request for correction, restriction or erasure, it states in writing, within 25 days of receiving the request, the factual and legal reasons for refusing it. It also informs the Data Subject of the right to seek a judicial remedy and to apply to the Authority.

(10) The Data Subject may object to the processing of their personal data in the cases set out in the GDPR and the Infotv. This applies in particular where processing is necessary to enforce the legitimate interests of the Data Controller or a third party, or where processing is carried out for direct marketing purposes. The Data Controller examines the objection as soon as possible, and no later than 15 days after the request is submitted, and informs the applicant of the outcome in writing. If the objection is justified, the Data Controller must stop the processing.

(11) If the Data Subject disagrees with the Data Controller’s decision, or if the Data Controller misses the deadline, the Data Subject may challenge the decision in court or file a complaint with the Hungarian National Authority for Data Protection and Freedom of Information.

7. Legal Remedies

(1) In the event of an infringement, the Data Subject may seek a remedy from:

- the Hungarian National Authority for Data Protection and Freedom of Information (NAIH) (registered office: 1055 Budapest, Falk Miksa utca 9–11.; postal address: 1363 Budapest, Pf. 9.; phone: +36 1 391 1400; e-mail: ugyfelszolgalat@naih.hu);
- the regional court (törvényszék) with jurisdiction over the Data Subject's place of residence or stay.

(2) The Data Controller must compensate for any damage caused to others by unlawful processing of the Data Subject's data or by a breach of data security requirements. The Data Controller is released from liability if it proves that the damage was caused by an unavoidable cause outside the scope of processing. No compensation is due to the extent that the damage resulted from the injured party's intentional or grossly negligent conduct.