



## Data protection and data processing policy of the Danube Region Programme

in line with 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)

Based on the General Data Protection Regulation (hereinafter referred to as GDPR), the purpose of the present data protection and data processing policy (hereinafter referred to as 'Policy') is to provide the data subject with all the information on cases where personal data relating to the data subject are collected.

### 1. Definitions

Definitions in the present Policy meet definitions of Article 4 of GDPR:

**personal data** 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, an identification 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

**processing** any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction

**controller** the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or

the specific criteria for its nomination may be provided for by Union or Member State law

**processor** a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller

**third party** a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data

**recipient** a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing;

**consent of the data subject** any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;

**personal data breach** a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed;

**supervisory authority** means an independent public authority which is established by a Member State pursuant to Article 51

Where definitions of GDPR in force are different from the definitions of the present Policy, definitions of GDPR in force shall prevail.

## 2. Legal background to the processing of personal data

In particular, the following laws shall govern the processing of data by the Data Controller:

- 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 (GDPR),
- Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information
- Regulation (EU) No. 2021/1060 of the European Parliament and of the Council of 24 June 2021, laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund, and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy, and repealing Council Regulation (EC) No 1303/2013, and any amendment,
- Regulation (EU) No. 2021/1059 of the European Parliament and of the Council of 24 June 2021 on specific provisions for the European territorial goal (Interreg) supported by the European Regional Development Fund and external financing instruments, and repealing Regulation (EC) No 1299/2013, and any amendment,
- The Danube Region Programme (hereinafter referred to as Programme), approved by the EC on 29 November (Decision No. C(2022) 8878) with the subsequent modifications.

### **3. Data Controller**

name: Ministry of Public Administration and Regional Development, Danube Programme Managing Authority (hereinafter referred to as 'Controller'),

registered office: 1054 Budapest Akadémia utca 3.

e-mail address: danube@interreg-danube.eu

### **4. Data processors**

The data controller forwards the personal data necessary for the performance of the tasks of the managing authority specified in the domestic and European Union legislation to the data processor. The following personal data is forwarded to the data processors through the electronic monitoring system: first name, last name, email address, position in the organisation, (and when needed, professional office / mobile phone numbers) of users of the electronic monitoring system, legal representatives and contact persons of applicants, partners and controllers.

#### **4.1. Responsible authorities of the Partner States**

All Partner States are responsible for the implementation of the programme on their country's territory, as laid down in Art. 69 of the CPR. Responsible authorities of the Partner States are listed in the document titled 'Cooperation Programme Complement'.

## **4.2. Audit Authority of the Programme**

The Audit Authority is responsible for ensuring that audits are carried out on the management and control systems in accordance with Articles 71(1)-(2) of the CPR as well as with Articles 45(1)-(2), 48 and 49 of the Interreg Regulation. The Audit Authority is assisted by a Group of Auditors comprising of representatives from responsible bodies of each Partner State.

The designated Audit Authority of the programme:

name: Directorate General for Audit of European Funds, Hungary  
Department: Directorate for Economic Development and Auditing International Funds  
registered office: 1115 Budapest, Bartók Béla út 105-113.  
e-mail: eutaf@eutaf.gov.hu

## **4.3. Certifying Authority of the Programme**

The Certifying Authority is responsible for drawing up and submitting certified statements of expenditure and applications for payment to the Commission and receiving payments from the Commission as laid down in Article 71(1) of the CPR and Article 47(1) of the Interreg Regulation.

name: Hungarian State Treasury  
registered office: Hold utca 4., 1054 Budapest, Hungary  
e-mail: igazolohatosag@allamkincstar.gov.hu

## **5. Data protection officer contact details**

name: Ministry of Public Administration and Regional Development  
registered office: 1054 Budapest Akadémia utca 3.  
e-mail: [adatvedelem@ktm.gov.hu](mailto:adatvedelem@ktm.gov.hu)

## **6. Personal data, purpose of processing, legal basis for processing, period of processing**

The purpose of processing is to fulfil the obligations set out in the legislation related to the use of the grant, and to exercise the public authority granted to the controller.

The Controller manages personal data to a different extent depending on the type and existence of the legal relationship with the Data Subject. Processing includes the data processed in the course of fulfilling the administrative obligations towards the grant management organisations, and data used in project implementation and stored in the project documentation kept on the Data Controller's site.

The Controller processes data that is necessary for the functioning of the programme. National level coordinators, national contact points and monitoring committee members are nominated by the Partner States. Contact data (name, e-mail, phone number) of the national level coordinators and national contact points, and the names of the monitoring committee members are published on the programme's website. The obligation of publishing the list of monitoring committee members derives from the article 39 (1) of CPR and is done for information purposes. Publication of contact data of the national contact points and national level coordinators is to ensure that potential and actual beneficiaries, programme bodies and stakeholders have access to relevant information with regard to the programme and project implementation. The personal data will be removed as soon as their nomination expires.

The Programme bodies, monitoring committee members and national contact points, and persons mandated by the programme bodies to act on their behalf (e.g. evaluators, auditors) may also use the personal data collected and published to provide or request information to/from the monitoring committee members and national contact points related to their tasks, the programme implementation or further development.

In accordance with Article 82 of CPR, the managing authority shall ensure that all supporting documents related to an operation are kept for a 5-year period from 31 December of the year in which the last payment by the managing authority to the beneficiary is made. The managing authority shall inform the beneficiaries of the start of the period. The periods shall be interrupted either in the case of legal proceedings or at the duly justified request of the Commission.

personal data	purpose of processing	legal basis for processing	means of processing	period of processing
birth surname and first name	data necessary to identify the natural person to conclusion of the contract, and implementation of the programme: program management, national contact point and Monitoring Committee members, national coordination	GDPR Article 6 (1) (b) and (e)	electronic, on paper	duration specified by the European Union / time to maintain the Programme
permanent and/or temporary address of the contractual partner	data necessary to identify the natural person to conclusion of the contract	GDPR Article 6 (1) (b) and (e)	electronic, on paper	duration specified by the European Union / time to maintain the Programme

place of birth, date of birth of the contractual partner	data necessary to identify the natural person to conclusion of the contract	GDPR Article 6 (1) (b) and (e)	electronic, on paper	specified by the European Union / time to maintain the Programme
nationality	may be included in the curriculum vitae in an expert call for proposals - application evaluation guide, prescribed by the Monitoring Committee, a requirement due to the specifics of the programme	GDPR Article 6 (1) (e)	electronic, on paper	duration specified by the European Union / time to maintain the Programme
e-mail address	1. newsletter; 2. contact (the data subject can choose the most effective form of contact for her or him) of the beneficiary representative, programme management, national contact point, national coordination 3. event registration	1. GDPR Article 6 (1) 2. GDPR Article 6 (1) (b), (e)	electronic, on paper	duration specified by the European Union / time to maintain the Programme/ in case of newsletter: until recalled
tax identification number of the contractual partner	data necessary to identify the natural person to conclusion of the contract	GDPR Article 6 (1) (b)	electronic, on paper	duration specified by the European Union / time to maintain the Programme
phone number	contact (the data subject can choose the most effective form of contact for her or him) of the beneficiary representative , programme management,	GDPR Article 6 (1) (b), (e)	electronic, on paper	duration specified by the European Union / time to maintain the Programme

	national contact point, national coordination			
personal identification number or identity card number	data necessary to identify the natural person to conclusion of the contract	GDPR Article 6 (1) (b), (e)	electronic, on paper	duration specified by the European Union / time to maintain the Programme
passport number	1. data necessary to identify the natural person to conclusion of the contract 2. Mission details of contractual partner or program management staff	GDPR Article 6 (1) (b), (e)	electronic, on paper	duration specified by the European Union / time to maintain the Programme
wage data and other benefits	Individuals under contract to the Project Beneficiary who participate in the implementation of a project element or program management staff	GDPR Article 6 (1) (e)	electronic, on paper	duration specified by the European Union / time to maintain the Programme
the name of the school awarding the qualification data on language skills, field of interest previous jobs	may be included in the curriculum vitae in an expert call for proposals or programme management applicants	GDPR Article 6 (1) (e)	electronic, on paper	duration specified by the European Union / time to maintain the Programme
photos, videos audio recordings	1. may be included in the curriculum vitae in an expert call for proposals; 2. photos, videos, audio recording taken at events related to	GDPR Article 6 (1) (e) and Act V of 2013 on the Civil Code	electronic, on paper	duration specified by the European Union / time to maintain the Programme

	programme management or project implementation, and supporting document submitted for the clearance of projects			
performance evaluation data	individuals contracted to beneficiaries who are involved in the implementation of a project element	GDPR Article 6 (1) (e)	electronic, on paper	duration specified by the European Union / time to maintain the Programme
employee insurance details	individuals contracted to beneficiaries who are involved in the implementation of a project element	GDPR Article 6 (1) (e)	electronic, on paper	duration specified by the European Union / time to maintain the Programme
signature	signing of declarations, documents submitted for settlement, handover-acceptance documents, signing of contracts, proving the authenticity of data recorded in the monitoring system, attendance sheets, certification of the organization's representation (copy of signature title)	1. if the data subject is the contractual partner – GDPR Article 6 (1) (b) 2. if the data subject is not a contractual partner of the Controller – GDPR Article 6 (1) (e) 3. the signatures of the persons who participated in the event, which are organized in connection with the Programme -	electronic, on paper	duration specified by the European Union / time to maintain the Programme



		GDPR Article 6 (1) (e)		
mother's full name	individuals contracted to beneficiaries who are involved in the implementation of a project element	GDPR Article 6 (1) (e)	electronic	duration specified by the European Union / time to maintain the Programme
social security number	individuals contracted to beneficiaries who are involved in the implementation of a project element	GDPR Article 6 (1) (e)	electronic	duration specified by the European Union / time to maintain the Programme
employee account number	individuals contracted to beneficiaries who are involved in the implementation of a project element	GDPR Article 6 (1) (e)	electronic	duration specified by the European Union / time to maintain the Programme

## 7. Data processing related to the website of the data controller

### The operator of the Programme's website

name: WebEcon Hungary Zrt.  
registered office: 4492 Dombbrád, Hajnal út 3/B  
company reg. no.: 15 10 040471

WebEcon Hungary Zrt., (hereinafter referred to as data subprocessor, hosts and maintains the website of the data controller, stores data on the server, checks the logs, therefore all data entered into the website is visible for them.

The following data is collected and processed by the subprocessor:

- logs (incl. visitor's IP address and browser data),
- given data by any registered user,
- backups (backups are deleted in a 7 day retention period).

The server only support SSH key as a method of authentication, therefore the number of persons with access right is limited.

To improve our websites and to make your online experience more enjoyable, when you visit our websites we collect certain information by automated means, using cookies and other technologies.

### Cookies, web server logs and pixel tags

A cookie is a small amount of data that is sent to your browser from a Web server and stored on your computer's hard drive when you visit our websites. We use cookies to tell us who you are, tailor our services to suit your personal interests, estimate the number of visitors to our websites, track visits to pages within our websites and/or analyse our customers' visiting patterns. Cookies do not contain information such as name. Most browsers are present to accept cookies and are used to make online visits easier and faster for you. Cookies are required for you to browse our websites.

In conjunction with obtaining information through cookies, our web servers log details such as your operating system type, browser type, domain, and other system settings, as well as the language your system uses and the country and time zone in which your device is located. The web server logs also may record information such as the address of the web page that linked you to our site and the IP address of the device you use to connect to the Internet. Backups are deleted in a 7-day retention period.

To control which web servers collect this information, we may place "pixel tags" (also called "web beacons" or "clear gifs"), which are tiny graphic images on our websites, to help us gather knowledge about how you use our websites.

### Third party web analytics services

We use Google Analytics for statistical purpose (refer to the GA's privacy policy: <https://support.google.com/analytics/answer/6004245?hl=en>) and also XSRF-TOKEN, which is a mandatory cookie for session based authentication.

We use technologies such as cookies, web server logs and web beacons to help us analyse how visitors use the site. The information collected through these means (including IP address) is disclosed to these service providers, who use the information to evaluate use of the website. To disable the Google Analytics cookie and any other third party web analytics service provider cookies, some browsers indicate when a cookie is being sent and allow you to decline cookies on a case-by-case basis.

### How we may use information collected by automated means

We may use the information we collect through automated means on our websites for market research, data analytics and system administration purposes, such as to determine whether you've visited us before or are new to the site, and for compliance with our legal obligations, policies and procedures, including compliance with relevant industry standards. We may combine the information we collect through automated means with other information we have collected from you. This information may be used to improve our websites, to personalize your online experience, to focus our communications with you, to determine the effectiveness of our advertising, and for other internal business purposes to improve your experience with us. We also may use the information in other ways for which specific notice is provided at the time of collection.

You can also subscribe to newsletter on our website in order to receive up-to-date information about the Danube Region Programme. Your e-mail address is stored until cancellation of your subscription.

## **8. Principles**

The Controller processes personal data in accordance with principles of good faith and fair dealing and transparency and subject to law in force and provisions of the present Policy.

The Controller processes personal data only on the basis of the present Policy and for a specific purpose(s) and does not go beyond them.

If the Controller intends to use personal data for purpose(s) other than the original purpose(s), the Controller informs the data subject of such a purpose and use and obtain the previous and express consent of the data subject (where there is no other legal basis determined by GDPR) and the Controller allows the opportunity to defy the use of personal data.

The Controller does not control personal data provided, person who provided the personal data, shall be liable for adequacy.

The Controller does not transfer personal data, except that the Controller is entitled and obliged to transfer or forward personal data available to and properly stored by the Controller to competent authority where transfer and forward of personal data is determined by law or legally binding order of authority. The Controller shall not be liable for such a transfer or its consequences.

The Controller ensures the security of personal data, takes all technical and organizational measures and establishes rules of procedure that guarantee protection of recorded, stored and processed personal data, and prevent accidental losses, destruction, unauthorised access, unauthorised use, unauthorised alteration and unauthorised dissemination.

## **9. Rights of the data subject**

The data subject may exercise right in the following ways:

- e-mail
- by post
- in person

### ➤ Right of information and access personal data

The data subject may at any time request the Controller to provide information on data processed by the Controller or the data processor involved by or according to the order of the Controller, purpose of the processing, legal basis for the processing, period of

processing, name and address of data processor, activity of data processor related to data processing, the circumstances, effect of a personal data breach, measures taken for averting personal data breach, furthermore, where personal data is transferred the legal basis for and recipient of transfer of personal data.

In relation to the above, the data subject may request a copy of his/her processed data. In case of an electronic request the Controller executes the request first electronically (PDF format), except where the data subject requests expressly otherwise.

The Controller already draws attention to the fact that if the above right of access affects adversely the rights or freedoms of others, including in particular trade secrets or intellectual property, the Controller may refuse the execution of the request, to the extent it is necessary and proportionate.

➤ Right to rectification and modification

The data subject may request the rectification, modification and completion of personal data processed by the Controller.

➤ Right to data portability

The data subject has the right to receive the personal data concerning him or her, which he or she has provided to the Controller, in a structured, commonly used and machine-readable format and has the right to transmit those data to another organisation without hindrance from the Controller. Furthermore, the data subject has the right to have the personal data transmitted directly from one controller to another, where technically feasible.

➤ Right to erasure

The data subject may request the erasure of one or all personal data concerning him or her.

In this case, the Controller erases the personal data without undue delay and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- the data subject withdraws consent on which the processing is based and where there is no other legal ground for the processing;
- data processing is based on legitimate interest of the Controller or third person but the data subject objects to the processing and (except objection to processing related to direct marketing) there are no overriding legitimate grounds for the processing;
- the personal data have been unlawfully processed;
- the personal data have to be erased for compliance with a legal obligation.

The Controller informs the data subject of the refusal to the request of erasure in any event (e.g. data processing is required for the establishment, exercise or defence of legal

claims), indicating the reason of the refusal. Erasure of personal data is executed that after fulfilment of request of erasure personal data (erased) cannot be restored. In addition to the exercise of right to erasure, the Controller erases personal data if the data processing is unlawfully, the purpose of data processing is no longer exists, data storage period determined by law is already expired, it is ordered by court or authority.

➤ Right to restriction of processing

The data subject shall have the right to obtain from the controller restriction of processing where one of the following applies:

- the accuracy of the personal data is contested by the data subject, for a period enabling the Controller to verify the accuracy of the personal data;
- the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- the Controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims;
- the data subject has objected to processing pending the verification whether the legitimate grounds of the Controller override those of the data subject.

Where processing has been restricted, such personal data will not be processed or will, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State. The data subject will be informed by the Controller before the restriction of processing is lifted.

➤ Right to object

Where the legal basis for processing is legitimate interest of the Controller or third person (except compulsory data processing) or data is processed for direct marketing, scientific or historical research purposes or statistical purposes, the data subject has the right to object to processing of personal data concerning him or her. Objection may be rejected if the Controller demonstrates

- compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject; or
- that data processing is related to the establishment, exercise or defence of legal claims of the Controller.

The Controller examines the lawfulness of the objection of the data subject and where the objection is grounded, the Controller stops data processing.

## **10. Legal remedies and enforcement**

The Controller may be contacted for the purpose of any question or comments related to data processing using contact details above.

In case of any violation of rights listed above, the data subject may make a complaint to the data protection supervisory authority of the Member State, where data processing takes place or the place of the alleged violation.<sup>1</sup> Third country under the GDPR, the data controller has examined the provisions of GDPR Articles 44-46, and finds that the transmission of the processed data is secure as it is done to a body (ministry) performing a public task.

The data subject may bring a case before the court as established in Articles 78-79 of GDPR.

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<sup>1</sup> In Hungary, complaint shall be made to the supervisory authority of the Hungarian National Authority for Data Protection and Freedom of Information ('NAIH', address: 1055 Budapest, Falk Miksa utca 9-11.; postal address: 1363 Budapest, Pf. 9.; phone: +36-1-391-1400; e-mail: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu); website: [www.naih.hu](http://www.naih.hu))