

Our dear Partner,

We would like to inform you that the new General Data Protection Regulation (GDPR) of the European Union came into effect on May 25, 2018. The purpose of the new data protection provisions is to protect and ensure the free flow of the personal data of natural persons. In view of the changing legal environment we reviewed the website of Oncompass Medicine Hungary Kft. and its so-called Calculator program (Realtime Oncology Treatment Calculator) from the aspect of data security.

Oncompass Medicine Hungary Kft during the use of its internet-based interfaces strives to achieve the processing of the personal data handed over under the greatest security possible.

When using the website operated by Oncompass Medicine Hungary Kft and the Calculator program, at the time of registration and also in the course of picking up contact, the personal data handed over by you based on your voluntary contribution, as well as your special health data are introduced into our system.

Oncompass Medicine Hungary Kft during its activity wishes to fully fulfil the legislative regulations that refer to the processing of personal data.

Protection connected to the processing of the personal data of natural persons is a fundamental right.

Naturally, during the processing of the data handed over, we continuously make efforts to observe the law, to provide comprehensive information to the data subjects and to ensure the transparency of data processing.

It is an honour for us that you use our services. We ask you to invest the time to get acquainted with our [data processing policy](#).

Data processing policy

for the visitors and users of the <http://www.oncompassmedicine.com/>, a <http://molekularis-diagnosztika.hu/> websites,

and for the users of the so-called Calculator program (Realtime Oncology Treatment Calculator) service available at the address of

<https://app.realtimeoncology.com>

(hereinafter jointly referred to as the website or the Calculator program).

The service provider / data controller in the course of operating the website and the Calculator program processes the data of those persons, who logged in to the site and who have registered for using the service, in order to be able to provide satisfactory services for them.

The service provider wishes to fully meet the legislation referring to the processing of personal data, especially the contents of Regulation (EU) 2016/679 of the European Parliament and Council.

This data management policy was prepared on the basis of Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, with taking into consideration the contents of Act CXII of year 2011 on the Right of Information Self-Determination and on Freedom of Information.

Name of service provider, data controller:

Name / company name:	Oncompass Medicine Hungary Korlátolt Felelősségű Társaság
Registered Seat:	1024 Budapest, Retek u. 34.
Tax Number:	13070364241
Registration number (NAIH):	NAIH-102950
Names and addresses of the websites:	http://www.oncompassmedicine.com/ ; http://molekularis-diagnosztika.hu/
Calculator program	https://app.realtimeoncology.com

Contact data of data controller:

Name / company name:	Oncompass Medicine Hungary Korlátolt Felelősségű Társaság
Registered Seat:	1024 Budapest, Retek u. 34.
Postal address:	1024 Budapest, Retek u. 34.
E-mail:	adatvedelem@oncompassmedicine.com

If there is a Data Protection Officer:

Name:	Dr. Henriett Tündik
Position:	Data Protection Officer, Quality Manager
Contact data:	adatvedelem@oncompassmedicine.com
Postal address:	1024 Budapest, Retek u. 34.

Processing of personal data

Since the natural persons may be associated with the online identifiers that are made available to them by the devices, applications, assets and protocols they use, for example with the IP addresses and cookie identifiers, these data paired with other information are suitable and may be used for creating the profile of natural persons and for identifying the given person.

Data may be processed only if the data subject **gave his voluntary, specific, unambiguous consent to the processing of the data based on being appropriately informed**, through an unambiguous confirming act, e.g. written or verbal statement, including those that are made electronically.

It is also classified as giving a consent for processing the data, if the data subject marks a related checkbox when he views the internet website. Silence, or a checkbox marked in advance or non-acting is not classified a consent.

It is also classified as consenting, if the user in the course of using the electronic services carries out related technical settings, or if he issues a statement or implements an act, which in the given context indicates unambiguously the consent of the data subject to the processing of his personal data.

The health-related personal data include those data of the health condition of the data subject, which contain information on the past, current or future physical or psychological health condition of the data subject. They include the following:

- registration for the purpose of using health services;
- a number, signal or data allocated to the natural person in the interest of identifying him for health purposes;
- information obtained from the testing or examination of any body part or material of the body - including the genetical data and the biological samples as well;
- information connected to the illness, disability, disease risk, anamnesis, clinical treatment or physiological or medical biological status of the data subject, independently of its source, which may be for example a medical or other health care worker, hospital, medical technical device or diagnostic test.

Genetic data should be defined as personal data relating to the inherited or acquired genetic characteristics of a natural person which result from the analysis of a biological sample from the natural person in question, in particular chromosomal, deoxyribonucleic acid (DNA) or ribonucleic acid (RNA) analysis, or from the analysis of another element enabling equivalent information to be obtained.

The personal data of the children deserve special protection, since they may be less aware of the risks that are connected to the processing of personal data, its consequences and the related guarantees and entitlements. This special protection has to be especially applied in the case of those uses of the personal data of children, which serve marketing purposes, or which serve the purpose of creating personal or user profiles.

Personal data have to be processed in a manner that ensures their security of an appropriate level and their confidentiality, among others in the interest of preventing unauthorised access to the personal data and to the devices that are used for the processing the personal data, and their unauthorised use.

All rational steps have to be made for correcting or deleting the inaccurate personal data.

Legitimacy of data processing

The processing of personal data is legitimate if one of the following conditions is fulfilled:

- the data subject gave his consent to the processing of his personal data for one or more specific purpose(s);
- the processing of the data is needed for performing a contract in which one of the parties is the data subject or it is necessary for taking steps upon the request of the data subject prior to signing the contract;
- the processing of the data is needed for performing a legal obligation that refers to the data controller;
- the processing of the data is needed for the protection of the vital interests of either the data subject or another natural person;
- the processing of the data is needed for performing a task implemented in the framework of exercising a right of public interest or an official authority right that is vested in the data controller;
- the processing of the data is needed for the enforcement of the legitimate interests of either the data controller or a third party, except if those fundamental rights or freedoms of the data subject enjoy priority over these interests, which require the protection of the personal data, especially if the data subject is a child.

According to the above, the processing of the data is classified legitimate, if it is needed in the framework of a contract or a contract signing intention.

If data processing is done in the framework of performing a legal obligation referring to the data controller or if it is needed for performing a task of public interest or for exercising an official authority, the processing of the data has to have a legal basis that is included either in the law of the EU or in the law of any of the member states.

Data processing has to be considered legitimate, if it is done in order to protect the life of the data subject or of another above mentioned natural person. The processing of personal data with reference to the vital interests of another natural person may theoretically take place only if the data processing involved cannot be carried out on the basis of any other legal grounds.

Some types of the processing of personal data may serve simultaneously important public interests and the vital interests of the data subject, for example if the processing of the data is needed for humanitarian reasons, including the tracking of epidemics and their spreading or in a humanitarian emergency situation, especially in the case of natural or mankind caused disasters.

The legitimate interest of the data controller, including also those data controllers to whom the personal data may be disclosed- or of any third party may provide a legal basis for controlling the data. Such legitimate interest may occur for example when there is a relevant and appropriate relationship between the data subject and the data controller, for example in those cases, when the data subject is a client or the employee of data controller.

The indispensable processing of the personal data for preventing frauds is also qualified as the legitimate interest of the data controller involved. The processing of the personal data for the purpose of directly acquiring a business may be also considered to be a legitimate data processing.

For establishing the existence of legitimate interest it has to be examined by all means thoroughly among others whether at the time of collecting the personal data and in connection with it the data subject may expect on rational basis that data controlling will take place for the given purpose. The interests and the essential rights of the data subject enjoy priority compared to the interests of the data controller, if the personal data are processed under circumstances under which the data subjects do not expect any further data processing.

It is classified as the legitimate interest of the data controller involved, if data processing is implemented by the official authority organisations or units reacting to IT emergency situations, by units managing network security incidents, by the operators of electronic telecommunication networks, as well as by the providers of services and security technology services of an extent that is absolutely necessary for and proportional to guaranteeing network and IT security.

The processing of personal data for purposes other than those for which the personal data were initially collected should be allowed only where the processing is compatible with the purposes for which the personal data were initially collected. In such a case, no legal basis separate from that which allowed the collection of the personal data is required.

Purpose of data processing

- **In the course of registration/logging in into the website/the Calculator program**

The **purpose** of data processing is the provision of additional services and picking up contract. The **legal basis** of data processing for registration purposes is your consent. The group of people involved in data processing consists of the registered users of the website/Calculator program.

The legal basis of data processing.

Processing will be done until the consent issued on the website is withdrawn. You may withdraw your consent to the processing of the data at any time, in a letter sent to the contact keeping email address. The deleting of the data is done at the time when the consent to data processing is withdrawn, but at the latest within 3 days after the receipt of the withdrawal containing letter. You may withdraw your consent given to the processing of data in a letter sent to the contact keeping email. (adatvedelem@oncompassmedicine.com).

The processed contact keeping data will be deleted in the Calculator program, if the service has not been ordered yet and you request the deleting of your data. At this point we only mention that it is not possible to implement deleting after the use of the service (consultation and examination) has been started, since the relevant legislative environment does not allow us to do so. The health data requested within the Calculator program are needed for providing advices and/or performing a contract.

The data controller and its employees are entitled to get acquainted with the data. The method of data storage: electronic.

It is also possible to initiate the modification or deleting of the personal data in e-mail, over phone or in letter, at the above given contact addresses.

Scope of the processed data	Specific purpose of the data of data processing
Name	Identification, contact keeping.
Address	Identification, contact keeping.
E-mail	Identification, contact keeping.
Phone	Identification, contact keeping.
Time of registration	Technical information operation.
IP address	Technical information operation.
Health data in free text	in the interest of possibly later performed consulting, or contract signing

The user may give his consent to the processing of the data by intentionally marking the blank checkbox that is located either on the website or in the Calculator program and specifically serving this purpose.

We inform you that neither the user name nor the email address has to contain any data that refers to your person. Therefore, it is not needed for the user name or for the email address to include your name. You may decide entirely freely what user name or email you give, which may include information that refers to your personal identity. The email address - that serves the purpose of contact keeping - is absolutely necessary for the newsletters and professional information reaching you.

Processing the personal data belonging to special categories in the Calculator program

Based on Section 9 (1) of the GDPR it is forbidden to process personal data that refer to racial or ethnical origin, political opinion, religion or beliefs, trade union membership, and genetic and biometric data the purpose of which is to individually identify natural persons, health data and personal data that refer to sexual life or sexual orientation.

However, Paragraph (2) of the GDPR stipulates that: Paragraph (1) does not have to be applied if:

- a) the data subject gave his express consent to the processing of the mentioned personal data for one or more specific purpose(s), except if the EU law or the member state law stipulates that the prohibition mentioned in Paragraph (1) cannot be released with the consent of the data subject;
- b) the processing of the data is needed for performing its obligations and exercising its specific rights arising from a legal provision that regulates employment and social security and social protection of the data processor or of the data subject, if the EU or member state law stipulating the appropriate guarantees that protect the fundamental rights and interests of the data subject, or if the collective agreement of the member state law allows it;
- c) processing the data is needed for the protection of the vital interests of the data subject or another natural person, if the data subject due to its physical or legal incapacitated condition is not able to give his consent;
- d) if data processing is done in the framework of the legitimate activity of a political, belief, religious or trade union purpose foundation, alliance or any other non-profit organisation with appropriate guarantees, with the condition that the data processing refers exclusively to the present or former members of the given organisation, or persons, who have regular contact in connection with the purposes of the organisation, and they will not make accessible the personal data without the consent of the data subjects to any persons outside the organisation;

e) processing relates to personal data which are manifestly made public by the data subject;

f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;

g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;

h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;

i) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy; See L 119/38 HU, the Official Journal of the European Union, May 4, 2016.

j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;

According to paragraph (3) of Article 9 of GDPR: Personal data referred to in paragraph 1 of Article 9 of the GDPR **may be processed for the purposes referred to in point (h) of paragraph 2 when those data are processed by or under the responsibility of a professional subject to the obligation of professional secrecy under Union or Member State law or rules established by national competent bodies or by another person also subject to an obligation of secrecy under Union or Member State law or rules established by national competent bodies.**

GDPR Article 9 (4) Member States may maintain or introduce further conditions, including limitations, with regard to the processing of genetic data, biometric data or data concerning health.

Act XLVII of year 1997 on Processing and Protection of Medical and Other Related Personal Data on our website under the following link: <http://molekularis-diagnosztika.hu/adatvedelem>.

You may provide information in the textbox of the Calculator program about your disease, its recognition and treatment. You may even modify this later on. This information provided is a part of your health data in the Calculator program.

You may login to your own user account with your username and password or with your Facebook profile. When setting the account, you may upload a photo on you, and you may delete this photo from your profile at any time.

Under the „Data protection” point you may give your consent to sharing your clinical data and/or personal data with the doctor, who treats you.

The additional functions that are located under „Data protection” are not available for the time being, and our institute does not send any newsletters at present.

In the „Notices” rolldown menu you may issue other instructions concerning the form in which you wish to receive your notices.

Duration of processing. The period of retaining the health care and the related personal data:

- the health care documentation has to be retained for at least for 30 years after the recording of the data,
- the closing report has to be retained for 50 years.
- the recordings made with an image generating diagnostic procedure have to be retained for 10 years after the time when they are made, and the findings prepared in respect of the recording have to be retained for 30 years after the time, when the recording is made,
- the retention time of the prescriptions is 5 years.

The data controller and its employees working with the Calculator program are entitled to get acquainted with the data.

The method of the storage of the data: electronic, or in the course of an expert procedure it is paper based after printing.

Data processor engaged:	https://itsmart.hu/
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Scope of the processed data	Specific purpose of the data of data processing
List of personal data and of the special data	
data protection related information, Point 2	data protection related information, Point 3

Our information document concerning the processing of the personal data and the special data are available on the following link:

<https://app.realttimeoncology.com/static/privacyPolicyHu.pdf>

Giving these personal data is absolutely necessary for identification and contact keeping within the Calculator program, and in connection with orders and the performance of contracts.

The exact company name and address is needed for issuing the invoices, which is a mandatory obligation stipulated by law.

You, as the data subject may object to the processing of your personal data (health data), in this regard you are entitled to the procedure that corresponds to the above detailed data processing information and to this document and the legislation introduced in this document.

Cookies

Our company in order to improve the services uses cookies during use. The cookies are placed by the visited websites on the computer of the user and they contain information as e.g. the settings of the page or the status of login.

Therefore the cookies are small files that are created by the visited websites. By saving the browsing data they improve the experience of the user. With the aid of the cookies the website remembers the settings of the website and it offers contents that are locally relevant.

The service provider's website sends a small file (cookie) to the computer of the visitors of the website in order to be able to establish the fact and the time of the visits. The service provider informs the visitor of the website about this.

Data subjects involved in the processing of the data: the visitors of the website.

Purpose of data processing: providing additional services, identification, tracking the visitors.

The legal basis of data processing: the consent of the user is not required, if service provider unconditionally needs to use the cookies.

The scope of data: individual identification number, time, setting data.

The user may delete the cookies from the browsers at any time under the Settings menu item.

Data controllers entitled to learn the data: the data controller by using cookies does not process any personal data.

The method of data storage: electronic.

Community sites

A community site is a media device, where the message is spread through the community users. The community media uses the internet and the online appearance possibilities for transforming the users from content receivers into content editors.

The community media is such an interface of the internet applications, on which there are the contents that are created by the users, e.g. *Facebook, Google+, Twitter, etc.*

Appearance on the community media may be in the following forms: public speeches, lectures, presentations, the introduction of products or services.

The forms of information displayed in the community media may be the following: fora, blog comments, image, video and voice materials, bulletin boards, e-mail messages, etc.

In line with the above, the scope of data processed may be in addition to personal data also the public profile image of the user.

Data subjects: all registered users.

The purpose of data collection is to popularise the website or the belonging website.

The legal basis of data processing is the voluntary consent of the data subject.

Duration of processing: according to the rules that are viewable on the community site.

Deadline for deleting the data: according to the rules that are viewable on the community site.

Persons entitled to get acquainted with the data: according to the rules that may be viewed on the given community site.

Processing related rights: according to the rules that may be viewed on the given community site.

The method of data storage: electronic.

It is important to take into consideration that the user by uploading or sending in some personal data issues a worldwide valid permit for the operator of the community site to store and utilise the contents of this type. Therefore, it is important to ascertain whether the user had a full authorisation for communicating the information published.

Google Analytics

Our website uses the Google Analytics application.

Google Analytics compiles reports for its clients on the habits of the users of the website, based on internal cookies.

Google being assigned by the operator of the website uses the information for evaluating the way the users use the website. As an additional service, it prepares reports concerning the activities of the website for the operator of the website, in order to allow it to provide additional services.

The servers of Google store the data in encoded formats in order to make it more difficult and prevent the misusing of the data.

Google Analytics may be banned as follows (quoted from the website):

Those website users, who would not like Google Analytics preparing JavaScript reports of their data, may install the banning browser extension of Google Analytics. This extension bans for Google Analytics JavaScript (ga.js, analytics.js, and dc.js) the sending of information to the Google Analytics system. This browser extension may be used in most of the newer browsers. The banning browser extension of Google Analytics does not prevent the sending of data to the website itself and to other internet analysing services.

<https://support.google.com/analytics/answer/6004245?hl=hu>

Data protection principles of Google: <https://policies.google.com/privacy?hl=hu>

The detailed information concerning the utilisation and protection of the data are available at the above referred links.

About data protection in detail:

https://static.googleusercontent.com/media/www.google.com/en//intl/hu/policies/privacy/google_privacy_policy_hu.pdf

Data processing for other purposes

If the organisation wishes to carry out processing which is not indicated in this policy, first it has to supplement this internal policy accordingly, or it has to attach to it appropriate supplementary rules that correspond to the new processing.

Other documents belonging to the policy

Those documents and policies have to be attached to the data processing policy of using this website and the Calculator program, and they have to be managed together with it, which for example contain the written statements consenting to the processing or in the case of the data protection information that is connected to oncological patients and also available at the website, which describe the processing related mandatory information.

Data processors

Storage service provider:

Name / company name:	ItSmart Informatikai Kft.
Registered Seat:	2120 Dunakeszi, Wass Albert U. 2. 1/9.
Phone:	+36 30 462 0500
E-mail:	info@itsmart.hu

The data provided by you are stored on the server that is operated by the storage service provider. Only our colleagues and the colleagues of the server operator may have access to the data, however, each of them is liable for the secure processing of the data.

Name of this activity: storage service, server service.

Purpose of processing: to ensure the operation of the website and of the Calculator program.

Processed data: personal data given by the data subject

Duration of processing and the deadline for deleting the data. Processing will be done until the end of the operation of the website or in line with the contractual agreement that is concluded between the operator of the website and the storage service provider. The data subject may request the deleting of his data by contacting the storage service provider as well, if needed.

The legal basis of processing is the consent of the data subject or processing done on the basis of the law.

Processing related rights (this is not an exhaustive list)

Right to ask information

You may ask information from us at our given contact points on what data of yours our company processes on what legal basis for what purpose, from what source, and for how long. Upon your request, without delay, but at the latest within 30 days, we will send you information in response to your question, to the e-mail address you gave us.

Right to corrections

You may request from us to modify any of your data through the given contact points. We will take the necessary steps without delay after your request, but at the latest within 30 days, and we will send you information in response to your request to the email address you gave us.

Right to deleting

You may request the deleting of your data through the given contact points. Upon your request we will implement deleting without delay, but at the latest within 30 days, and we will send you information about this to the email address you gave us. If there is no legal obstacle in the way of deleting the data, your data will be deleted.

Right to object

You may object against the processing of the data through the given contact points. We will investigate the objection within the shortest time possible after the submission of the request, but at the latest within 15 days, and we will make a decision concerning whether it is well-founded or not, and we will inform you about the decision in email.

Possibility of enforcing rights concerning the processing of the data

If you experience illegitimate data processing, please notify our company in order to allow the restoring of the legitimate situation the soonest.

Please turn to our data protection officer, if you have any questions or complaints:

Name:	Lilian Hári
Position:	Data Protection Officer, Quality Manager
Contact data:	adatvedelem@oncompassmedicine.com

We will do all we can for your interest, in order to solve the outlined problem.

If according to your opinion the legitimate status cannot be restored, please notify the authority at the following address:

Hungarian National Authority for Data Protection and Freedom of Information
[Nemzeti Adatvédelmi és Információszabadság Hatóság]

Postal address: 1530 Budapest, Pf.: 5.

Address: 1125 Budapest, Szilágyi Erzsébet fasor 22/c

Phone: +36 (1) 391-1400

Fax: +36 (1) 391-1410

E-mail: ugyfelszolgalat@naih.hu

URL <https://naih.hu>

co-ordinates: N 47°30'56"; E 18°59'57"

Effect of the policy

This policy came into effect on May 15, 2018 and it will be effective until its withdrawal.

Data processing is based on the following legislation

- REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL (April 27, 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).

- Act CXII of year 2011 on Right of Information Self-Determination and on Freedom of Information.
- Act XLVII of year 1997 on Processing and Protection of Medical and Other Related Personal Data.
- Act CVIII of year 2001 on certain aspects of electronic commerce services and information society services.
- Act C of year 2003 on Electronic Communication.