

The Privacy Notice of the Hungarian Chapter of International ISACA

I. General part

1. Introduction

The Hungarian Chapter of International ISACA (hereinafter: "ISACA") finds it important to safeguard and enforce the rights related to data processing of those applying to its training courses and all other data subjects. ISACA processes the personal data of data subjects based on the General Data Protection Regulation of the European Union (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 [the "GDPR"]), Act CXII of 2011 on Informational Self-Determination and the Freedom of Information (the "Infotv") and other provisions of the law relevant to data protection (listed in detail in the Definitions).

This Privacy Notice relates only to the data processing practices of the Hungarian Chapter of International ISACA, as described in the section "*Data processing operations of ISACA*". The Privacy Notice does not cover the data processing

- related to employees, consultants, business partners, entrepreneurs, sponsors or advertisers of the Hungarian Chapter of International ISACA,
- performed by the ISACA International operating the www.isaca.org, and
- performed by the business partners of the Hungarian Chapter of International ISACA.

ISACA will publish the changes hereto in the same form and manner as any previous version hereof is available.

2. Definitions

The following terms used frequently in this Privacy Notice shall have the meanings provided below:

Set of data: The totality of data processed within the same record.

Data processing by a processor: the performance of technical and technological tasks related to data processing operations, regardless of the method or means applied for or the place of the implementation of the operations.

Processor: The natural person or legal entity or the organisation without legal personality which processes data based on its contract concluded with ISACA.

Media: The device used for the presentation of the data, including documents. Hard copy or magnetic media, including but not limited to document, magnetic disk, USB drive/stick, CD, DVD, magnetic tape, Winchester (Hard Disk Drive), video tape, audio tape.

Data processing by the controller: Any operation or the totality of operations performed on data, regardless of the procedure applied, including but not limited to the collection, recording, systemization, storage, alteration, use, retrieval from a public or private database, transfer, publication, alignment or combination, erasure and destruction and the prevention of any future use of data, taking photos, making audio or video recordings.

Controller: The natural or legal person or organisation without legal personality which, alone or jointly with others, determines the purposes of the processing of data, makes and implements or appoints a processor to implement decision relevant to the processing of data (including the means to be applied).

Marking: The assignment of an identifier to any data so that it may be distinguished from other data in the future. Marking is mandatory, if the data subject challenges the correctness or accuracy of the personal data.

Destruction: The total physical destruction of the media containing the data, as a result of which, the data is no longer accessible to ISACA or anyone else.

Data transfer: The process by which the personal data is made accessible to a uniquely identified third person.

Erasure: The process of rendering it impossible to recognise data in a way that it can never again be restored.

Applicable legal rules: ISACA performs its data processing activities with regard to the following provisions of law:

- i. GDPR
- ii. Infotv.
- iii. Act IV of 2013 on the Civil Code (the “Civil Code”)
- iv. Act C of 2000 on Accountancy (the “Act on Accountancy”)

Pseudonymisation: The processing of personal data in such a manner (e.g. replacement with ID) that the personal data can no longer be attributed to a specific data subject without the use of additional information (e.g. description of the method and procedure for establishing the connection between the personal data and the identifier used instead of it), provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

Anonymisation: A technical procedure ensuring that the connection between the data subject and the personal data may no longer be restored.

Restriction of processing: the marking of stored personal data with the aim of limiting their processing by ISACA in the future.

Biometric data: personal data resulting from specific technical processing relating to the physical, physiological or behavioural characteristics of a natural person (e.g. face or fingerprint), which allow or confirm the unique identification of that natural person or confirm the result of a previous identification.

Recipient: a natural or legal person, public authority, or another body, to which the personal data are disclosed, whether a third party or not.

Data subject: any natural person who is or may be, whether directly or indirectly, identified based on any personal data.

Subscriber: Any data subject subscribing to the newsletter through the websites owned by ISACA.

Supervisory Authority: an independent public authority which is established in the applicable legal rule of a Member State to verify compliance with the data protection rules, which in Hungary is the National Authority for Data Protection and Freedom of Information (hereinafter: "NAIH").

Genetic data: personal data relating to the inherited or acquired genetic characteristics of a natural person which give unique information about the physiology or the health of that natural person and which result, in particular, from an analysis of a biological sample from the natural person in question.

Websites owned by ISACA: isaca.hu, sp.isaca.hu, cpe.isaca.hu.

Third country: Any country other than the Member States of the European Union or the Member States of the European Economic Area (EEA) (Iceland, Norway and Liechtenstein).

Third party: a natural or legal person, public authority or organisation without legal entity, other than the data subject, the controller or the processor.

Newsletter: Professional Information sent to addressees electronically (e.g. in e-mail) as part of the service provided by means of the Website owned by ISACA (press releases, monthly summaries of current events organized by the IT security industry and the association, the news and articles from the association and ISACA Inc., invitations to events organized by the association [e.g. Second Wednesday Presentation, ISACA Conference, ISACA Night]).

Consent: Any freely and expressly given specific and informed indication of the will of the data subject by which he signifies his agreement to personal data relating to him being processed fully or to the extent of specific operations.

Document: Any text, series of figures, sketch, graph or diagram. Unless otherwise provided, the rules relevant to documents shall be duly applied to audio and video recordings.

Close relative: Spouse, lineal descendant, adopted child, stepchild or foster child, adoptive parent, step-parent or foster parent or sibling of the data subject.

Special data: personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic or biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation;

Disclosure: The process of making data available to the public.

Profiling: Any form of automated (without human intervention) processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person (e.g. performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements).

Marking of personal data: The assignment of an identifier to personal data so that it may be distinguished from other data in the future.

Personal data: Any and all data related to the data subject, with special regard to his/her name, identification No., one or more physical, physiological, mental, economic, cultural or social identifier(s) and any conclusion which may be drawn from any of the foregoing for the data subject.

Natural person: any living person who may be the holder of personal rights, including the protection of personal data.

Objection: A statement made by the data subject (whether orally or in writing) to object to the processing of his/her personal data by ISACA or to request the termination of data processing or the deletion of the data processed.

3. Who is the data controller?

Name: Hungarian Chapter of International ISACA

Principal Office: 2040 Budaörs, Ébner György köz 4.

Company Registration No.: 01-02-0004339

Tax Registration No.: 18068674-1-13

Statistical code: 18068674-9499-517-13

E-mail address: web@isaca.hu

Telephone number:

4. What are the fundamental principles to data processing?

- i. Personal data shall be deemed to be personal data as long as it can be attributed to the data subject. Personal data shall be deemed to be attributable to the data subject, if the technical conditions necessary to establish the relationship between the data subject and the data are actually available to ISACA, i.e. it can identify the data subject based on the data.
- ii. ISACA may process personal data exclusively in compliance with the provisions of the laws (the applicable legislation is listed under "Definitions") of the European Union and Hungary (*principle of lawfulness*).
- iii. ISACA lays increased emphasis on ensuring that the data processing operations performed by ISACA should be clear, transparent (principle of transparency) and fair (not misleading) to both the data subject and ISACA. As for the data subjects, ISACA provides for meeting the requirement of transparency by publishing, keeping up to date and continuous availability hereof and, within its organisation, by means of the up-to-date records of data processing operations.
- iv. ISACA shall process the personal data of data subjects exclusively for the purposes defined in the section titled "Data processing operations of ISACA" (principle of purpose limitation). ISACA shall promptly inform the data subject in the event of a new purpose of data processing.
- v. ISACA shall only process personal data which are essential and suitable for realizing the purpose of processing (*principle of data minimisation*).

- vi. ISACA shall process personal data only to the extent and for the length of time essential for realizing the purpose of processing (*principle of storage limitation*).
- vii. ISACA shall ensure that the data processed should be accurate, complete and, if it is necessary for the purpose of processing, kept up-to-date and that the data subject may be identified only as long as it is absolutely necessary for the purpose of processing by means of rectification performed by ISACA or initiated by the data subject following the discovery of any inaccuracy (*principle of accuracy*).
- viii. ISACA shall safeguard the confidentiality of and prevent any unauthorized access to the personal data processed by ISACA (*principle of confidentiality*).
- ix. ISACA provides services to persons of legal age and therefore does not process personal information of persons under the age of 18. ISACA does not verify the age of the person providing the data and is therefore in no way responsible for the processing of data provided by a person under the age of 16. Should it become apparent to ISACA that it processes the personal data of a person under the age of 16, it will immediately terminate the processing and provide for the irrevocable erasure of the personal data of the person under the age of 16.

5. Is any processor involved? If so, under what conditions?

- i. The rights and obligations of the processor involved by ISACA related to the processing of personal data are determined by ISACA in the data processing agreement concluded with the processor in writing with regard to the provisions of the GDPR, the Infotv. and separate legal rules pertaining to data processing. ISACA is responsible for the lawfulness of the instructions given to the processor.
- ii. The processor may involve other processor(s) to perform its activities, subject to the provisions formulated by ISACA.
- iii. The processor may not make any decision on the merits of the processing, may process the personal data disclosed to it exclusively in accordance with the instructions of ISACA, may not use any personal data for its own purposes, is obliged to store and preserve personal data as required by ISACA, and irrevocably delete or destroy them or return them to ISACA upon the termination of the data processing.

The individual processors and their respective activities are described in detail in the section titled “*Data processing operations of ISACA*”.

6. What measures does ISACA apply to guarantee the security of the personal data processed?

- i. ISACA shall plan and implement processing operations in a manner ensuring the highest level of protection of the privacy of the data subject in the course of the application of the GDPR, the Infotv and other rules relevant to data processing.
- ii. ISACA and, within its scope of activity, the processor involved by ISACA shall duly provide for the safety of data and take any technical and organisational measures and develop any rules of procedure which may be necessary for the enforcement of the GDPR, the Infotv. and other rules governing privacy and confidentiality.
- iii. ISACA shall protect data by appropriate measures, such as encryption or anonymization (SSL or TLS), in particular against unauthorized access, alteration, transmission, public disclosure, deletion or destruction, as well as damage and accidental loss, and to ensure that stored data cannot be rendered inaccessible due to any changes of the applied technique.

- iv. Unless otherwise permitted by the law, ISACA shall apply appropriate technical solutions to protect the data processed electronically in its various records against being directly connected with each other or attributed to the data subject.
- v. Should ISACA apply an automated decision-making system to process personal data, including but not limited to profiling, ISACA and the processor shall take additional measures in order to
 - 1) prevent any unauthorized entry of data;
 - 2) prevent the use of the automated data processing systems by any unauthorized persons by means of any data transfer equipment;
 - 3) check and identify the recipients which the personal data have been or may be transferred to by means of any data transfer equipment;
 - 4) check and determine what personal data have been entered into the automated data processing system, when and by whom;
 - 5) ensure the restorability of the systems installed in the event of a breakdown and
 - 6) provide for the preparation of a report of any defects arising in the course of automated processing.
- vi. ISACA and the processor shall determine and apply the measures ensuring the safety of data due with regard to the state of the art. ISACA shall select from several possible processing solutions the one guaranteeing the higher level of protection, unless that would involve unreasonable difficulty for ISACA.
- vii. ISACA draws the attention of the data subjects to the risks posed by the open Internet, which are beyond ISACA's control (for example, unauthorized access to user names and passwords), for which ISACA assumes no responsibility whatsoever.
- viii. Furthermore, ISACA is not responsible for the security risks of accessing content accessible through any link on its pages, since ISACA has no control over the content accessed through the links or the data security measures applied by the sites accessible through the links.

7. In what cases may personal data be transferred to third parties?

- i. Personal data may be transferred to third parties, i.e. parties other than the data subject, ISACA or the processor, based on the *express consent of the data subject* or if it is permitted by the GDPR.
- ii. According to the effective privacy legislation, data transfers directed at an EU Member State shall be regarded as a data transfer within Hungary. ISACA will transfer personal data to non EEA-countries (third countries) only based on the express consent of the data subject or if *the proper level of protection of the personal data is guaranteed* in the third country. The proper level of protection of personal data shall be deemed to be guaranteed if it has been established by a binding legal act of the European Union (the list of the countries the privacy regulations of which have been found to be appropriate by the European Commission is available at the link https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en \l "dataprotectionincountriesoutsidetheeu).
- iii. Personal data may be forwarded to non-EEA countries in the absence of the consent of the data subject or a decision on the adequacy of the destination country in the following cases:
 - 1) *Without a separate permission by the supervisory authority*
 - a. based on binding corporate rules,
 - b. if the general terms and conditions adopted by the European Commission (and available at the [following website](#)) are applied,
 - c. if the general terms and conditions approved by the supervisory authority and the European Commission are applied,

- d. a Code of Conduct is applied,
 - e. if certification is applied.
- 2) *With the permission of the supervisory authority*, provided that the terms and conditions of the contract concluded between ISACA or the processor and the controller or processor within the third country or the international organisation or the recipient of the personal data are applied.
- 3) In the event of the specific situations described below:
- a. the data subject has explicitly consented to the proposed transfer, after having been informed of the possible risks of such transfers for the data subject due to the absence of an adequacy decision and appropriate safeguards,
 - b. the transfer is necessary for the performance of a contract between the data subject and ISACA or the implementation of pre-contractual measures taken at the data subject's request,
 - c. the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between ISACA and another natural or legal person,
 - d. the transfer is necessary for important reasons of public interest,
 - e. the transfer is necessary for the establishment, exercise or defence of legal claims (e.g. an adversarial or an official procedure),
 - f. the transfer is necessary in order to protect the vital interests of the data subject or of other persons (e.g. situation posing threat to human life), where the data subject is physically or legally incapable of giving consent,
 - g. the transfer is made from a register which according to Union or Member State law is intended to provide information to the public and which is open to consultation either by the public in general or by any person who can demonstrate a legitimate interest, but only to the extent that the conditions laid down by Union or Member State law for consultation are fulfilled in the particular case.

8. What are the rights of the data subject and how can they be enforced?

The data subject may contact ISACA at the mailing address, e-mail address or phone number provided in Section 3 to request or initiate

- i. information on the processing of his/her personal data (right of access),
- ii. the rectification or erasure of his/her personal data,
- iii. the transfer of his/her personal data to another controller,
- iv. the restriction of the data processing,

and also to

- i. object to the data processing,
- ii. initiate not to be subjected to automated decision-making or
- iii. withdraw his/her consent to data processing.

Within five years of the death of the data subject, the right of access, rectification, erasure, restriction and objection may be exercised by the authorized representative as specified by the data subject in his or her life. The proxy shall be forwarded to the ISACA. In the absence of an authorized person, the right of rectification and objection and, if the data processing was already unlawful in the life of the data subject or the purpose of data processing ceased upon the death of the data subject, the right of erasure and restriction may be exercised by the close relative of the data subject (spouse, lineal descendant, adopted child, stepchild or foster child, adoptive parent, stepparent or foster parent or sibling).

ISACA will call upon the authorized person or close relative who wishes to exercise the rights of the deceased to verify the death of the data subject and the date and identity of the deceased. Only the death certificate or court order establishing the fact of death can be accepted as proof of the fact and date of death; in the absence thereof, ISACA will not comply with the request.

8.1 The information of the data subject

- i. The right of access does not mean the possibility of direct access to the data or to the physical or IT systems storing them, but that at the request of the data subject, ISACA informs him/her of whether or not it is processing his/her personal data and, if yes,
 - 1) the purpose of data processing,
 - 2) to whom it forwards them,
 - 3) how long the data will be stored (if storage time cannot be determined in advance, the criteria for determining storage time),
 - 4) the source of the data (if not collected directly from the data subject), whether automated decision-making (including profiling) is taking place, what is the logic behind it, and what is the importance of automated decision-making and the expected consequences thereof for the data subject,
 - 5) whether the data are transferred to a third country or international organization; if so, under which guarantees (the scope of possible guarantees is detailed in Section 7).
- ii. At the explicit request of the data subject, ISACA shall provide the requested information in writing within the shortest time, but not more than one month, from the submission of the request.
- iii. For the first time, ISACA will make available to the data subject a copy of the processed data free of charge and thereafter against payment of the costs of making the copy.

8.2 The rectification and erasure of personal data

- i. ISACA shall rectify or supplement any inaccurate personal data if the accurate personal data is available to ISACA; in other cases, the rectification may be carried out at the request of the data subject and after the correct information has been provided.
- ii. The personal data will be erased by ISACA if
 - 1) the personal data are no longer needed for the purpose for which they were collected or otherwise processed,
 - 2) the data subject has withdrawn his/her consent to the processing,
 - 3) the data subject objects to the processing based on lawful interest (as the legal ground for processing) and there are no overriding legitimate grounds for the processing,
 - 4) the personal data have been unlawfully processed,
 - 5) the personal data have to be erased for compliance with a legal obligation provide in the law of the European Union or Hungary to which ISACA is subject,
 - 6) it has been so ordered by a court of law or the NAIH

The retention period of the data is set out in the section "*Data processing operations of ISACA*".
- iii. Where ISACA has made the personal data public and is obliged to erase the personal data, ISACA, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform other controllers which are processing the personal data that the data subject has requested the erasure of any links to, or copy or replication of, those personal data.

- iv. ISACA shall mark the personal data processed, if the data subject contests the correctness or accuracy of such personal data, but the incorrectness or inaccuracy thereof may not be clearly established.
- v. ISACA shall give notice of the rectification or erasure of the personal data to the data subject and every person which such data has been transferred to for the purpose of processing. Such notice may be dispensed with if this would not jeopardize the lawful interest of the data subject with regard to the purpose of the processing.

8.3 The right to data portability

- i. The data subject may initiate that ISACA shall make available the personal data concerning him or her in a structured, commonly used and machine(computer)-readable format (such as an Excel or txt file) and have the right to the transmission of those data by ISACA to another controller directly, provided that
 - 1) the processing is carried out by automated means and
 - 2) the processing is based on the consent of the data subject or necessary for the performance of a contract which the data subject is a party to or for any steps requested to be taken by the data subject before the signing of such contract.

8.4 Right to the restriction of processing

- i. ISACA shall restrict the processing of the personal data of the data subject if any of the following applies:
 - 1) the accuracy of the personal data is contested by the data subject, in this case, the restriction will continue as long as ISACA checks the accuracy of the personal data,
 - 2) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction by ISACA of the period or manner of their use instead,
 - 3) ISACA 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,
 - 4) the data subject has objected to processing of personal data for the legitimate interest of ISACA or a third party. In this case, the processing of personal data may be restricted as long as it is verified whether the legitimate grounds of the processing override those of the data subject.
- ii. Where processing has been restricted, the personal data may, 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 European Union or Hungary.
- iii. The data subject who has initiated the restriction of processing shall be informed by ISACA before the restriction of processing is lifted.

8.5 The right to object to the processing of personal data

- i. The data subject shall have the right to object to the processing of data relating to him/her
 - 1) if the processing or transfer of the personal data is necessary exclusively for the enforcement of the lawful interest of ISACA or any third party, unless it is necessary based on compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims,
 - 2) if the personal data is processed or transferred for direct marketing purposes.

- ii. ISACA shall examine the objection to data processing, determine whether it is justified and inform the data subject of its decision without delay but no more than 30 days from the date of submission of the request.
- iii. In the event the objection by the data subject is found justified, ISACA shall suspend the processing of the data, including the continued recording or the transfer of data, and give notice of the objection and the measures taken in response to the objection to each party which the personal data subject to the objection has been transferred to, who shall also provide for the appropriate enforcement of the right to objection.
- iv. If the data subject does not agree with the decision of ISACA or ISACA fails to examine the request in 30 days, the data subject may, in his/her own discretion, file a lawsuit against ISACA before the court of law according to his/her permanent abode or usual place of residence in 30 days calculated from the date of communication of the decision of ISACA or the expiry of the deadline, as applicable.

8.6 The rights of the data subject related to automated decision-making

Section II hereof provides information on whether ISACA employs decision-making without human intervention and in which cases. If this occurs, the following applies to the automated decision-making.

- i. The data subject may initiate with ISACA that he/she should not be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her, unless the automated decision-making
 - 1) is necessary for entering into, or the performance of, a contract between the data subject and ISACA,
 - 2) is authorised by a European Union or Member State law to which ISACA is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests,
 - 3) is based on the data subject's explicit consent, given in awareness of advance information.

However, in the cases referred to in Sections 1) and 3), ISACA shall grant the data subject the right to contest the decision and the right to initiate human intervention (e.g. the subsequent review of the result of the automated decision-making).

- ii. As for special categories of personal data, ISACA may apply automated decision-making exclusively based on the express consent of the data subject or if processing is necessary for reasons of substantial public interest, on the basis of a European Union or Hungarian law.

8.7 The right to withdraw the consent given

If the processing of personal data, including special categories of personal data, is based on the consent of the data subject, the data subject may withdraw his/her consent to data processing by sending a statement to ISACA using its contact details provided in Section 3 anytime, in which case ... will no longer process his/her personal data. The withdrawal of the consent shall not affect the lawfulness of any data processing operation commenced prior to the withdrawal based on the consent of the data subject.

8.8 Other issues regarding the exercise of the data subject rights

ISACA shall inform the data subject, without undue delay, and no later than 30 days after receipt of the request, of the action taken on his/her request for access, rectification, erasure, restriction, data transfer, object or automated decision-making. In view of the complexity of the request and the number of a requests received by ISACA, the time limit may be extended by a further two months, which shall be notified to the data subject by ISACA within 30 days of receipt of the request, stating the reasons for the de-

lay. If the data subject has submitted the request electronically, the notice shall also be provided electronically, where possible, unless otherwise requested by the data subject.

For the information and/or action detailed in this section, ISACA may charge a reasonable fee, or refuse to provide the information or to take the action, only if the request is clearly unfounded or, in particular, because of its repetitive character, excessive.

In case of reasonable doubt as to the identity of the requestor, ISACA shall have the right to ask the requestor to verify his/her identity. Only personal information known to ISACA may be required to verify the identity. In its reply, ISACA shall set out in detail the factual and legal reasons justifying its refusal of the request.

In the event the data subject does not agree with the decision of ISACA, he/she may go to court and decide if he/she files an action with the regional court according to his/her permanent abode (permanent address) or usual residence (temporary address) (the regional courts of law are listed at the website <http://birosag.hu/torvenyszekek>).

You can find the regional court according to you permanent abode or usual residence at the website <http://birosag.hu/ugyfelkapcsolati-portal/birosag-kereso>.

The data subject is recommended to contact ISACA in the first place with any complaint concerning the processing of his/her data by ISACA via one of the contact details detailed in the "*Who is the data controller?*" section. Such complaints are investigated with due care and circumspection in every case.

Should the data subject be not satisfied with the outcome of the investigation of the complaint, he/she may file a report with the National Authority for Data Protection and Freedom of Information by using the following contact details:

Principal Office: 1125 Budapest, Szilágyi Erzsébet fasor 22/c,

Mailing address: 1530 Budapest, P.O. Box 5

E-mail: ugyfelszolgalat@naih.hu

9. What are the consequences of unlawful data processing?

- i. ISACA pays priority attention to ensuring that its data processing operations shall be performed in a lawful manner, i.e. with regard to the principles of data processing, for an appropriate purpose and based on an appropriate legal basis, in full compliance with the data security requirements all times.
- ii. ISACA is obliged to compensate the data subject for any damage caused to the data subject by the unlawful processing of his/her data or the violation of the requirements of data security.
- iii. Should ISACA infringe the personal rights of the data subject by the lawful processing of his/her data or by violating the requirements of data security, the data subject may also demand ISACA to pay general damages for such infringement.
- iv. ISACA shall be liable to the data subject for any damage caused by its processor, as well as any general damages for the infringement of the personal rights of the data subject by such processor.
- v. ISACA shall be released of its liability to pay damages or general damages for the infringement of personal rights if it proves that the damage or the infringement of the personal right was attributable to an unavoidable cause beyond the scope of data processing. The data subject may not claim damages or general damages for the infringement of personal rights to the extent the damage or the infringement of the personal right occurred due to the intentional or grossly negligent conduct of the damaged party/data subject.