

Legal Extranet

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Hungary



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National Association: Magyarország Kommunikációs Szakszervezet

Web link: <http://www.maksz.com/>

General Legal Overview:

Overview

In the Republic of Hungary the basic legislation applicable to advertising activities are Business Advertising Activity Act, no. LVIII of 1997, Prohibition of Unfair and Restrictive Market Practices Act, no. LVII of 1996, Organization of Gambling Act, no. XXXIV of 1991, Radio and TV broadcasting Act, no. 1 of 1996.

Self -regulation, such as the Hungarian Code of Advertising Ethics should also apply to advertising activities.

The advertising of the following categories are prohibited by law:
 Tobacco (the prohibition also applies to any indirect advertising of tobacco products)
 Prescription-only medicines

There are restrictions applicable to the advertising of certain categories:
 alcohol products,
 financial services products,
 advertising to children
 gambling activities.

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Basic Guide to Intellectual Property rights in the Territory:

Basic Guide to Intellectual Property rights in the territory:

a) Trademarks:

A Trademark is an identification mark which can be graphically represented and is suitable for distinguishing goods and services from other goods and services.

A trademark may consist of:
 a word, combination of words, including names and slogans;
 letters, numerals;
 designs, graphics;
 flat or 3-D figures, including the shape of goods and packing;
 a color, a combination of colors, a light signal, a hologram;
 a sound, as well as
 a combination of the signs previously listed.

Trademarks are regulated by Act XI of 1997 on the Protection of Trademarks and Geographical Product Markings. Trademarks can be registered at the Hungarian Patent Office.

On the basis of trademark protection the proprietor of the trademark is granted the exclusive right to use the trademark. On the basis of this exclusive right of use, the proprietor may initiate proceedings against any party which, without his consent, uses in its business activities:

- a mark identical with the trademark in connection with goods and services which are identical with those specified in the specification of goods for which the trademark is registered;
- any mark that consumers may confuse with the trademark due to the identity or similarity of the mark and the trademark, or due to the identity or similarity of the goods or services in question; or
- any sign identical or similar to the trademark in connection with goods or services that are not listed in the specification of goods for which the trademark is registered, to the extent that such trademark has a good

reputation in the domestic market and the use of the sign without due cause would be detrimental to or unfairly take advantage of the trademark's distinctive character or reputation.

The following in particular may be prohibited:

- a) affixing the mark to the goods or their packaging;
- b) placing goods bearing the mark on the market, offering them for sale, or stocking them for the purpose of placing them on the market;
- c) providing or offering services under the mark;
- d) importing or exporting goods bearing the mark;
- e) using the mark on business papers or in advertising.

b) Copyright

Copyright is regulated in Hungary by Act LXXVI of 1999.

All literary, academic, scientific, and artistic works are protected by copyright, regardless of whether they are designated in the. The following in particular are considered works of this kind:

- a) Literary works (e. g. literature, technical writings, and academic and scientific publications)
- b) Public speeches
- c) All forms of computer programs and the related documents (hereinafter referred to as „software”), whether recorded as source code, object code, or in any other form; including user programs and operating systems
- d) Plays, musicals, ballets, and pantomimes
- e) Musical compositions with or without lyrics
- f) Radio and television plays
- g) Motion picture and other audiovisual works
- h) Works made by means of drawing, painting, sculpting, engraving, lithography, or in any other similar manner as well as the designs therefor
- i) Photographic works
- j) Maps and other cartographic works
- k) Architectural works and their plans as well as the plans for building complexes and urban architecture
- l) Designs for technical structures
- m) Applied art works and their designs
- n) Costume and scenery designs
- o) Industrial designs.
- p) any database recognized as a compilation.

A work or creation is entitled to copyright protection on the basis of its individualistic and original nature deriving from the intellectual activity of the author. Copyright protection does not depend on quantitative, qualitative, or aesthetic characteristics or any judgment of the quality of the work.

Copyright protection does not extend to facts and daily news items underlying announcements released in the printed press.

Ideas, principles, theories, procedures, operating methods, and mathematical operations are not entitled to receive copyright protection.

The protection stipulated in the Hungarian law extends to works that were first published abroad only if the author is a Hungarian citizen or if the author is entitled to protection on the basis of an international treaty or reciprocity.

Hungarian Advertising Association (MRSZ)

Web link: www.mrsz.hu

Gaming Supervision Board

Szerencsejatek Felugyelet - Sas u. 23. 1051 Budapest

Web link: www.szf.hu

Hungarian Competition Office

Gazdasagi Versenyhivatal Alkotmany u. 5. 1054 Budapest.

Web link: www.gvh.hu

National Radio and Television Commission (ORTT)

Web link: www.ortt.hu

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Activity	Collateral Gifts
Country	Hungary
General legal framework	Act no. LVIII of 1997 on the Prohibition of Unfair and Restrictive Market Practices
The subject of the rules	Special Sales
Restrictions to the activity	Advertisements containing special sales (that is to say, all offers, which differ from common commercial practice due to their unique features in terms of time, quantity, quality or for other reasons, such as, in particular, seasonal sales promotions, end-of-season sales, clearance sales, and discount sale offers, whether temporary or tied to a special event), including special price offers, can be published if the product to which it pertains is clearly and plainly stated, as well as the period or duration for which it is offered, or that it is offered for a product from a specific date and/or for as long as such product is available. The Competition Council has decided several cases related to sales advertising based on Section 8 of Act no. LVIII of 1997, which prohibits the employment of business methods unjustifiably restricting the consumer's freedom of choice. In particular this would include such circumstances which make it substantially more difficult to assess objectively the actual worth of the goods or the offer or to compare the goods or the offer with other goods or another offer. For example, if a discount is advertised, it must be a real discount, related to the products previously sold in the store where the sale takes place, and not a fictitious discount (based on presumed market prices). Moreover, they must be products of the same quality and the store must have a minimum stock of the advertised sale products. Below cost sales are forbidden in the case of farm products (agricultural, fishing and farm animal products), according to the regulations introduced by Act XVI of 2003.
Last updated	24 May 2006

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Subject	Gaming & Betting	
Country	Hungary	
General legal framework	Organization of Gambling Act, no. XXXIV of 1991 and Decree of the Ministry of Finance no. 25/1991	
The subject of the rules	Draws, gift draws and scratch cards	
Restrictions to the activity	<p>Draws, gift draws and scratch cards fall under the scope of application of Organization of Gambling Act, no. XXXIV of 1991 and Decree of the Ministry of Finance no. 25/1991. According to the above mentioned Act, any game in which players become entitled to a cash prize or other prize of pecuniary value in return for paying cash or something of pecuniary value and where winning or losing depends exclusively, or mostly, on luck, fall within its scope of application. According to Hungarian regulations there are two different concepts: a) A draw is a gambling activity in which the gambling organizer offers the prospect of a pecuniary prize to players in return for their paying cash, if a determined number, series of numbers, sign or figure is guessed correctly, or a valid payment voucher, coupon, ticket, or certificate (draw ticket) entitling to winning is drawn, and where winning or losing depends exclusively on the result of the public drawing of the number, or on any other method suitable for identifying the draw ticket. A license from the Gambling Supervision Authority (hereinafter: GS) is required for organizing draws. A license from GS is not required for non continuous organized draws, if draw tickets are exclusively sold among those present at the location of the draw, and - the number of draw tickets issued is not in excess of 1000, or their total value is not in excess of HUF 50,000, and - the total value of prizes calculated at consumer price, or the amount of cash to be drawn, exceeds 80% of the total value of the draw tickets issued. b) Gift draws are draws which are linked with the purchase or the use of a service offered by those who perform the sale of goods and services in their own name on a regular basis. Gift draws may be organized and run without a license, in the course of which customers are given prizes, in the form of goods or services if the tickets they received when purchasing the goods, or when using a service of a definite value, quantity or type are drawn in public (section 23 of the Act no. XXXIV of 1991). Cash prizes are not permitted. Gambling organizers shall report draws not requiring licenses and gift draws to the GS, indicating the number and the value of the draw tickets, at least 10 days prior to organizing the game or giving publicity to it. GS may control the organization of the game. The presence of a public notary is compulsory in the course of a draw or a gift draw and gambling organizers shall provide for the presence of a public notary. In the case of non-continuous organized draws or gift draws, the gambling organizer is obliged to submit a final accounting within 30 days. The organizer must keep records of the event for 5 years. Scratch cards: special regulations apply to scratch cards (coupons where after removing the cover, the participant finds out that he or she has won a prizes, or that he or she is entitled to receive a prize or that he or she "has not won"). According to the Decree of the Ministry of Finance no. 28/2001, it is not allowed to organize sales promotions with free scratch cards associated with the buying or ordering of services. The prohibition does not extend to promotions where the coupons only entitle someone to participate in a drawing.</p>	
Restrictions to the public	<i>Children and adolescents</i>	It is not allowed to advertise and promote gambling activities to persons under 18 them. It is also forbidden to place gambling ads in materials intended primary to children. The advertiser, the advertising service provider and the publisher of advertising are responsible for the infringement of the prohibition.
Other conditions	No advertising or promotional activities related to foreign gambling operations may be pursued in Hungary. The advertising customer, the advertising service provider and the publisher shall be jointly held liable for any violation of this advertisement ban.	
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Activity	Prize Promotions
Country	Hungary
General legal framework	Organization of Gambling Act, no. XXXIV of 1991 and Decree of the Ministry of Finance no. 25/1991
Restrictions to the activity	In respect of promotions in the form of promotional games (participation in a game through free entrance and without obligation of purchase, in which a prize is awarded primarily on the basis of chance) there are no special regulations in Hungary. Regulations related the organization of gambling do not apply to promotional games. On the other hand, we have gift draws, which are draws which are linked with the purchase or the use of a service offered by those who perform the sale of goods and services in their own name on a regular basis. Gift draws may be organized and run without a license, in the course of which customers are given prizes, in the form of goods or services if the tickets they received when purchasing the goods, or when using a service of a definite value, quantity or type are drawn in public (section 23 of the Act no. XXXIV of 1991). Cash prizes are not permitted. Organizers shall report gift draws to the GS, indicating the number and the value of the draw tickets, at least 10 days prior to organizing the game or giving publicity to it. GS may control the organization of the game. The presence of a public notary is compulsory in the course of a draw or a gift draw and gambling organizers shall provide for the presence of a public notary. In the case of non-continuous organized draws or gift draws, the gambling organizer is obliged to submit a final accounting within 30 days. The organizer must keep records of the event for 5 years. In Hungary there are no special rules regarding promotional contests (a contest where a prize is awarded according to some demonstration of skill).
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Subject	Alcohol	
Country	Hungary	
General legal framework	Act LVIII of 1997 on Business Advertising Activity	
The subject of the rules	Advertising of Alcohol products	
Restrictions relating to products or services	<i>Alcoholic beverages</i>	Advertising of alcoholic beverages is prohibited: a) in printed materials fundamentally targeted at children or juveniles, b) on the front cover of printed materials, c) in theaters or cinemas before 8 pm, as well as immediately preceding any programs for children or juveniles, during the full duration thereof, and immediately afterwards, d) on toys and the packaging thereof, e) in institutions of public education, in health institutions and within a distance of 200 meters from the entrance thereof. Alcoholic beverages may not be advertised if the advertising a) is targeted at children or juveniles, b) depicts children or juveniles, c) encourages extreme tobacco or alcohol consumption.
Restrictions to the public	<i>Children and adolescents</i>	Alcoholic beverages may not be advertised if the advertising a) is targeted at children or juveniles, b) depicts children or juveniles,
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Subject	Tobacco	
Country	Hungary	
General legal framework	Act LVIII of 1997 on Business Advertising Activity	
The subject of the rules	Advertising of Tobacco products (tobacco product is any product prepared for consumption in any way or form that is made in part or whole from tobacco).	
Restrictions relating to products or services	<i>Tobacco</i>	In Hungary it is forbidden to advertise tobacco products. The prohibition also applies to any indirect advertising of tobacco products, such as the following: a) when, although it does not specify a tobacco product, it is aimed at advertising a tobacco product by using any other marking or trademark that can be related to the tobacco product in question, b) when it presents a tobacco product under the name, marking or trademark of another product, c) when it present another product under the name, marking or trademark of a tobacco product. The advertising of a product, whose name, marking or trademark is the same as that of a tobacco product is not deemed as advertising of a tobacco product, provided the name, marking or trademark of such product is clearly distinguishable from that of the tobacco product. The prohibition does not extend to: a) advertisements addressed exclusively to participants of the tobacco industry, b) display of tobacco products at vendors, including the prices of tobacco products, c) newspapers in foreign languages, which are printed or published outside the Republic of Hungary, and which are not intended to be distributed in the Republic of Hungary. Tobacco products may not be advertised if the advertising a) is targeted at children or juveniles, b) depicts children or juveniles, c) encourages extreme tobacco consumption d) represents smoking as a healthy activity, e) portrays people smoking, f) uses images or statements of well-known stars from the film, pop-music or entertainment trade.
Restrictions to the public	<i>Children and adolescents</i>	Tobacco products may not be advertised if the advertising a) is targeted at children or juveniles, b) depicts children or juveniles.
<i>Others</i>	Tobacco products may not be advertised if the advertising: encourages extreme tobacco consumption - represents smoking as a healthy activity, - portrays people smoking, - uses images or statements of well-known stars from the film, pop-music or entertainment trade	
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Subject	Pharmaceuticals	
Country	Hungary	
General legal framework	Act LVIII of 1997 on Business Advertising Activity	
The subject of the rules	Advertising of Pharmaceutical products	
Restrictions to the activity	<p>In Hungary it is forbidden to advertise medical services and any pharmaceuticals which are licensed to be dispensed only by prescription or to be used only in medical institutions for patients, or that is available only to medical care facilities or treatment centers, furthermore, medical aids subsidized by the social security system (hereinafter referred to as "pharmaceutical product") with the exception if it is deemed as a representation of a pharmaceutical product. Representation of pharmaceuticals is the advertising or recommendation of pharmaceuticals for professional purposes, or any information relating to the composition, effect or application of such pharmaceuticals targeted exclusively at such parties entitled to prescribe or market pharmaceuticals or at persons with medical training. The prohibition does not apply to public service information conveyed to promote the vaccination programs licensed by the National Medical Officer's Office of State Public Health and Medical Administration, but it may not identify in any way the name, trademark or other marking of the vaccination. The holder of marketing authorization may engage in the representation of pharmaceutical products only if so authorized by the authority. Pharmaceuticals intended for human health care and sold over-the-counter (without prescription) in pharmacies, as well as medicinal preparations not qualifying as pharmaceuticals may be advertised, if the advertising: a) clearly defines that the product advertised is a pharmaceutical or a medicinal preparation not qualifying as a pharmaceutical, b) contains the name and the usual international trade name of the pharmaceutical or medicinal preparation not qualifying as a pharmaceutical, c) encourages the proper use of the pharmaceutical or medicinal preparation not qualifying as a pharmaceutical, d) introduces the pharmaceutical or medicinal preparation not qualifying as a pharmaceutical according to the recommended application defined in the course of registering or recording such pharmaceutical or medicinal preparation not qualifying as a pharmaceutical, respectively, e) contains the information necessary for the proper use of the pharmaceutical or medicinal preparation not qualifying as a pharmaceutical, f) contains an unequivocal warning of the necessity to read the patients' directions for use of the pharmaceuticals or medicinal preparation not qualifying as a pharmaceutical, as well as of any side effects of such pharmaceuticals or preparations. The above mentioned advertising may not contain any reference or expression which a) alludes to the lack of need for, or the possibility to omit medical examination, treatment or surgical intervention, b) creates the impression that the drug or medicinal preparation not qualifying as a pharmaceutical can be applied without any side effects, or will definitely lead to recovery, c) represents pharmaceuticals or medicinal preparations not qualifying as pharmaceuticals as cosmetics or foodstuffs, d) attributes the efficacy and safe use of the pharmaceutical or medicinal preparation not qualifying as a pharmaceutical exclusively to its natural origin, e) may result in improper self-diagnosis through describing or detailing the medical problem, f) shows an alteration due to a disease or injury, or the effect of the pharmaceutical or medicinal preparation not qualifying as a pharmaceutical on the human body or any part thereof in a way which generates a sense of fear or departs from reality, g) includes the recommendation of scientists, medical experts or well-known personalities, h) creates the impression that human health will be harmed without the application of the pharmaceutical or medicinal preparation not qualifying as a pharmaceutical, i) alludes to the license to market the pharmaceutical or medicinal preparation not qualifying as a pharmaceutical. These last dispositions do not apply to the advertising of an over-the-counter pharmaceutical and medicinal preparation if it contains only the registered name of the pharmaceutical in question, the name or trademark of its manufacturer (flash-back advertising). Advertising of pharmaceuticals may not be published if a) such pharmaceutical is not authorized to be marketed or used in Hungary, b) it contains narcotics or psychotropic materials, as defined in separate legal regulations, c) it contains pharmaceuticals for certain therapeutic areas, d) it presents a test preparation. e) it is addressed to children.</p>	
Restrictions to the public	<i>Children and adolescents</i>	Advertising of pharmaceuticals may not be published if it is addressed to children.
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Activity	Comparative advertising
Country	Hungary
General legal framework	Act LVIII of 1997 on Business Advertising Activity
The subject of the rules	Comparative advertising
Restrictions to the activity	Comparative advertising is allowed in Hungary. However, it is subject to certain conditions. More specifically, comparative advertising: a) cannot be misleading, b) must not injure the reputation of another company or the name, merchandise, brand name and other marking of such company, c) must not produce confusion between the advertiser and another company or the name, merchandise, brand name and other marking of such company, d) must not produce any unfair advantage derived from the reputation of another company or the name, merchandise, brand name and other marking of such company, e) must not imitate the merchandise of another company or the characteristics of such merchandise. Moreover comparative advertising must be objective. This means that: a) it is allowed to compare only goods which are similar in terms of purpose and function, b) the advertising must objectively compare one or more features of the goods in question which are definitive and typical, and which can be confirmed, c) the comparison must objectively exhibit the prices, when applicable, d) the comparison shall pertain to goods of the same origin, when applicable. In respect of legitimate comparative advertising, the holder of a trademark may not contest the use of his trademark in the comparative advertisement on the basis of exclusivity if such use is appropriate, essential for the purpose of comparison and not used excessively. The findings of a comparative study prepared by a third party may be published or referred to in advertising only with the express prior consent of the party responsible for such study. It is forbidden to publish any advertisement that contains a comparison a) with a fictitious product or company, b) with a product that is not available in commercial circles, c) with a product or company that cannot be clearly identified, d) with a product or company not of similar nature.
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Subject	Financial products and services	
Country	Hungary	
General legal framework	Act CXII of 1996 on Credit and Financial Institutions.	
The subject of the rules	Financial products and services	
Restrictions relating to products or services	<i>Financial products and services</i>	Credit and Financial institutions may perform advertisement activities inviting juveniles to place money on deposit, raise loans or make use of other financial services only in a public manner, through at least two national daily newspapers.
	<i>Others</i>	The financial institutions may not advertise any drawings - except premium deposits - in its advertisements. Regarding the term "drawing", the Financial Supervisory Authority (PSZAF) has issued a position according to which the basic element of a drawing is chance, the election of the winner by chance. It must be underlined that the prohibition to advertise draws only extends to Credit Institutions
Restrictions to the activity	Advertisements may be published only by financial institutions that are registered in Hungary and are authorized to conduct financial services and activities auxiliary to financial services, by agents, by credit institutions established in the European Union and by financial enterprises that are able to comply with the certain requirements.	
Restrictions to the media	<i>Direct Mail</i>	A financial institution shall not send any publicity material to its customers through the postal service if it has been expressly prohibited by the customer.
	<i>E-mail</i>	A financial institution shall not send any publicity material to its customers via electronic mail if it has been expressly prohibited by the customer.
	<i>Others</i>	Act XXV of 2005 on Distance contracts concerning financial services contains rules regarding information to be provided to consumers before concluding a contract
Restrictions to the public	<i>Children and adolescents</i>	Credit and Financial institutions may perform advertisement activities inviting juveniles to place money on deposit, raise loans or make use of other financial services only in a public manner, through at least two national daily newspapers.
<i>Others</i>	Advertisements published by credit institutions must clearly indicate the amount of interest or yield for one year (calculated in a manner prescribed by law) on deposits and debt securities issued by the credit institution.	
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Activity	E-mail	
Country	Hungary	
General legal framework	Information Society Services and E-commerce Act, no. CVIII of 2001	
The subject of the rules	Information Society services and e-commerce	
Restrictions to the media	<i>E-mail</i>	In the case of sales promotions organized from the territory of Hungary or directed to the territory of Hungary (except for activity performed from other EU or EEA member States), through communication equipment and networks, regulations of Information Society Services and E-commerce Act, no. CVIII of 2001, should duly apply. Some of the most important aspects and regulations are the following: information to be provided to addressees/consumers in Hungarian language (e.g. denomination, registered office, name of the representative or the organisation, registration number, tax number, phone number and email address of the business organisation; properties of the object of the contract; price and payment conditions, including supplementary services, shipping costs; right of withdrawal; if a the contract must be concluded for a minimum period of time; warranties; post-sale services; conditions for ending the contract; according to the type or products or services, registrations or licence; indication of professional or ethic rules that may apply; membership to professional bodies); advertisers, the advertising agencies and publishers must keep a register of all the persons that have consented in writing to receive advertising with the use of services connected to information society. Advertisers, advertising agencies and publishers may not send advertising with the use of a service connected to information society to the persons who are not included in the above mentioned register. regarding advertisements sent with the use of information society services, addressees should be informed of the e-mail address or other mean by which he can request that the further sending of advertising material is discontinued (op-out); All advertising must be clearly and unambiguously identifiable as such as soon as it is received by the recipient.
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Activity	Data Protection/Privacy
Country	Hungary
General legal framework	Act LXIII of 1992 on the Protection of Personal Data and the Disclosure of Information of Public Interest
The subject of the rules	Data Protection
Restrictions to the activity	<p>Data protection issues will arise if data management and/or data processing operations are performed in the territory of the Republic of Hungary. According to Hungarian law "data managing" is any operation or set of operations that is performed upon data, whether or not by automatic means, such as collection, recording, organization, storage, adaptation or alteration, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, blocking, deletion or destruction, and blocking them from further use. Photographing, sound and video recording, and the recording of physical attributes for identification purposes (such as fingerprints and palm prints, DNA samples and retinal images). "Data processing" means the technical operations involved in data management, irrespective of the method and instruments employed for such operations and the venue where it takes place. If data management activities are performed, the following should be observed: - Prior to commencement of operations, the data controller shall notify the Data Protection Commissioner, for the registration of: a) the purpose of the data management; b) the category of data and the grounds for processing; c) the data subjects involved; d) the source of data; e) the categories of data transferred, the recipients of such data, and the legal basis of transfer; f) the deadlines for deletion of certain categories of data; g) the name and address of the data manager and of the data processor, the actual place where records are kept and/or where processing is carried out, and the data processor's activities in connection with the data management operations. h) the name of and contact information for the internal data protection officer. - Personal data shall not be processed unless consented to by the data subject. Special categories of data shall not be processed unless consented to in writing by the data subject. Consent to processing of relevant data shall be presumed in proceedings commenced at the request of the data subject, who shall be advised of such presumption. - The data subject shall be informed all aspects concerning the processing of his personal data, such as the purpose for which his data is required and the legal grounds, the person entitled to carry out the processing, the duration of the proposed processing operation and the persons to whom his data may be disclosed. Information shall also be provided on the data subject's rights and remedies. - Upon the data subject's request the data manager must provide information concerning the data relating to him, including those processed by a data processor on its behalf, the purpose, grounds and duration of processing, the name and address (corporate address) of the data processor and on its activities relating to data management, and the recipients of his data and the purpose for which they are or had been transferred. - Personal data shall be processed only for a specified purpose, in exercise of a right or in compliance with an obligation. This purpose must be satisfied in all stages of operations of data processing. - No personal data shall be processed other than those indispensably required for satisfying the purpose of processing and only in a way compatible with that purpose, and it may be processed to the extent and the duration necessary to achieve that purpose. - Data shall not be transferred and files shall not be connected unless consented to by data subject or provided for by law. The conditions for data processing shall meet in each case with regard to each personal data. - Data Transfer Abroad: personal data may be transferred to a third-country controller or processor if the data subject has given his consent, if the transfer is permitted by law or if it is prescribed by treaty or international convention, provided the laws of the third country in question afford an adequate level of protection. Transmission of data to Member States of the European Union is treated as transmission within the territory of the Republic of Hungary - Data Security: data managers, and within their sphere of competence, data processors must implement adequate safeguards and appropriate technical and organizational measures to protect personal data, as well as adequate procedural rules to enforce the provisions of this Act and other regulations concerning confidentiality and security of data processing. Data must be protected against unauthorized access, alteration, transfer, disclosure by transmission or deletion as well as damage and accidental destruction. For the technical protection of personal data, the controller, the processor or the operator of the telecommunications or information technology equipment shall implement security measures in particular if the processing involves the transmission of data over a network or any other means of information technology.</p>
Other conditions	Hungarian law shall apply to all data management and data processing operations performed in the territory of the Republic of Hungary that pertain to the data of natural persons or to public information or information of public interest.
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Activity	Sponsorship
Country	Hungary
General legal framework	Act I of 1996 on Radio and Television Broadcasting
The subject of the rules	Sponsorship on Radio and TV
Restrictions to the activity	According to Hungarian regulations "sponsorship" means any financial contribution or any other form of contribution of a business nature made to a broadcaster by a natural or legal person or unincorporated business association not engaged in broadcasting activities or in the production of audio-visual works, to the financing of programs with a view to promoting the name, the trade mark or other distinguishing mark, the image, the activities or the products of the sponsor or another person designated by the sponsor. The sponsor of the broadcast shall be named directly before or directly after the broadcasting. Sponsored programs must not encourage or advocate the acquisition (purchase or rental) of the products or services of the sponsor or those of a third party designated by the sponsor, nor they shall discourage the acquisition (purchase or rental) of such products or services (article 18 of Act I of 1996 on Radio and Television broadcasting). The content and scheduling of sponsored programs may not be influenced by the sponsor in such a way as to affect the responsibility and editorial independence of the broadcaster in respect of programs. This dispositions are not applicable to broadcasting specializing solely in facilitating the ordering of goods or services. News and current affairs programs may not be sponsored. Programmes in which the trade mark, distinctive logo or slogan of the sponsor of the programmes appear, other than programme previews, cannot be broadcast. The following may not sponsor programmes: a) political parties and political movements, b) enterprises which, based on their main activities, manufacture, sell wholesale, or provide services in connection with, products which cannot be advertised in accordance with the Act on Radio and Television Broadcasting. This prohibition does not apply to sponsorship requiring the communication of the name and trade mark of an enterprise involved in respect of pharmaceutical products and therapeutic processes. The name, slogan or emblem of a (political) party may not appear when naming the sponsor.
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Activity	Coupons
Country	Hungary
General legal framework	Organization of Gambling Act, no. XXXIV of 1991, Decree of the Ministry of Finance no. 25/1991 and Decree of the Ministry of Finance no. 32/2005
The subject of the rules	Scratch cards
Restrictions to the activity	Scratch cards: special regulations apply to scratch cards (coupons where after removing the cover, the participant finds out that he or she has won a prizes, or that he or she is entitled to receive a prize or that he or she "has not won"). According to the Decree of the Ministry of Finance no. 32/2005, it is not allowed to organize sales promotions subject to registration with free scratch cards (section 23 of the decree).
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Activity	Collateral Gifts
Country	Hungary
General legal framework	Act no. LVII of 1996 on the Prohibition of Unfair and Restrictive Market Practices
The subject of the rules	Collateral gifts
Restrictions to the activity	According to Hungarian law, in the case of free gifts (a temporary offer of a good or service free of charge not linked with the purchase of a good or service) and premiums (a temporary offer of a free gift to be received when purchasing a good or service) the creation of circumstances which make it substantially more difficult for consumers to assess objectively the worth of the goods or services and to compare them with others should be avoided (section 8 of the Act). Warranty obligations (related to products) also extend to free gifts.
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