

## Data Subject Information

<b>Registration no.:</b>	<b>29000-148/314/2018.RAV</b>
<b>Title of data processing</b>	<b>Processing of data related to police monitoring of the reintegration custody of persons convicted and expelled for human smuggling</b>
<b>The purpose of data processing</b>	Checking the complying with the rules of reintegration custody
<b>Legal basis of data processing</b>	<ul style="list-style-type: none"> <li>– Article 5 (1) a) of Act CXII of 2011 on on the Right of Informational Self-Determination and on Freedom of Information (hereafter: Infotv.);</li> <li>– Article 5 (1) a) and (2) of Government Decree No. 148/2023. (IV. 27.) on the reintegration custody of persons convicted for human smuggling (hereafter: Decree).</li> </ul>
<b>Categories of personal data processed</b>	<ul style="list-style-type: none"> <li>– name of the convict;</li> <li>– identification details of the convict;</li> <li>– facial image of the convict, number of the convict's travel document;</li> <li>– nationality of the convict;</li> <li>– the start and end date of the reintegration custody under the Decree;</li> <li>– the date by which the convict shall leave the territory of Hungary;</li> <li>– rules of conduct under the Decree.</li> </ul>
<b>Duration of retention of processed personal data, aspects of determining the duration</b>	Until the end of the reintegration custody or its termination.
<b>Addressees of data forwarding</b>	<p>Transferring the processed data is possible under</p> <ul style="list-style-type: none"> <li>– Article 11/A of Act LIV of 2002 on the international cooperation of law enforcement agencies, according to which a Hungarian law enforcement agency may, in the course of exchanging information with a law enforcement agency of a Member State of the European Union in order to facilitate the prevention and detection of criminal offences, transmit to the law enforcement agency of a Member State of the European Union any personal data which it processes or receives for the performance of its law enforcement tasks;</li> <li>– Article 4 (1a) of Act LIV of 1999 on cooperation and exchange of information within the framework of the European Union's law enforcement information system and the International Criminal Police Organisation, which allows the transmission of personal data concerning the following persons to Europol: <ul style="list-style-type: none"> <li>a) who are suspected under Hungarian law of having committed or participated in an offence falling within</li> </ul> </li> </ul>

	<p>Europol's competence or who have been convicted of such an offence, or</p> <p>b) who are reasonably suspected of committing or preparing to commit an offence falling within Europol's competence in the territory of Hungary or another Member State.</p>
<b>Source of the personal data processed</b>	Hungarian Prison Service Headquarters
<b>Name and contact details of the processor</b>	IdomSoft Ltd. 1138 Budapest, Váci út 133.
<p><b>Rights of the data subject</b></p> <p>As regards data processing, by way of the data protection official of the organization dealing with data procession:</p> <ul style="list-style-type: none"> <li>– <b>can request information on data processing and may ask for access to data processed in connection with his/her person,</b></li> <li>– <b>in case of inaccurate data, may ask for rectification, or completion in case of incomplete data,</b></li> <li>– <b>may ask for a restriction of data processing.</b></li> </ul> <p>As regards data processing by police data processing units, the right to data portability cannot be exercised.</p> <p>The person concerned, <b>based on an information request</b>, may learn (if it is not subject to a restriction based on interest specified in a legal act) if a police data processing unit processes his/her data and is entitled to receive information in connection with data processed related to his/her person:</p> <ul style="list-style-type: none"> <li>– for what purpose is his/her data processed,</li> <li>– what is the legal basis for data processing,</li> <li>– since when and until when is his/her data processed (duration),</li> <li>– what data are processed - is entitled to receive a copy of it,</li> <li>– addressees of the personal data and categories of the addressees,</li> <li>– forwarding to a third country or international organization,</li> <li>– rights concerning data processing,</li> <li>– legal remedy possibilities.</li> </ul> <p>The police data processing unit shall reply to <b>requests for information and access</b> within 25 days. For additional copies of the processed personal data of the person concerned, the police data processing unit may request a reasonable fee based on administrative costs. In certain cases (such as prevention or fighting crimes), the police data processing unit may deny providing information. In this case, the reply includes the legal provision providing a ground for denying information and also information on legal remedies.</p> <p>In the case of a request for <b>rectification (modification) of data</b>, the data subject must substantiate the accuracy of the data requested to be amended and must also prove that the person entitled to the amendment is the person who requests the amendment.</p> <p>If it is not clear whether the data processed is correct or accurate, the police data processing unit does not correct the data, but only flags it, i.e., indicates that it has been challenged by the data subject, but it may not be incorrect. The data controller shall, without undue delay, correct inaccurate personal data or supplement the data concerned by the request, after confirming the authenticity of the request. The police data processing unit shall notify the data subject of the correction or flagging.</p>	

**A request for restriction of processing** shall be complied with by the police data processing unit if one of the following conditions is met:

- the data subject contests the accuracy of the personal data, in which case the restriction applies for the period of time necessary to allow the controller to verify the accuracy of the personal data,
- the data processing is unlawful, and the data subject opposes the erasure of the data and instead requests the restriction of their use,
- the controller no longer needs the personal data for the purposes of the processing, but the data subject requests them for the establishment, exercise, or defence of legal claims or against the processing concerning him or her.

If the data is subject to a restriction, personal data other than storage may only be processed:

- with the consent of the data subject,
- to bring, assert or defend legal claims,
- to protect the rights of another natural or legal person, or
- based on an important public interest of the European Union or of a Member State.

The police data processing unit shall inform the data subject in advance of the lifting of the restriction on processing.

If the data subject considers that the processing is in breach of the provisions of the relevant regulation or that the processing of his or her personal data by the police data processing unit is prejudicial, he or she should contact the data protection official with the complaint.

If the data subject considers that the processing is in breach of the provisions of the General Data Protection Regulation or that the processing of his or her personal data by the police data processing unit is prejudicial, he or she should contact the data protection official with the complaint. All complaints will be investigated.

**If, despite having received a response to your complaint, you still have a grievance about the way your data is handled by the police data controller or you wish to contact the data protection authority directly, you can lodge a complaint with the National Authority for Data Protection and Freedom of Information, whose contact details can be found at <https://www.naih.hu/1.1-kapcsolat,-elerhet-seg.html>.**

**To protect your data, you have the right to apply to the courts, which will rule on the case out of turn. In this case, you can decide whether to bring your claim in the court of your domicile (permanent address) or the court of your residence (temporary address) (<http://birosag.hu/torvenyszekek>).**

You can find the court in your place of residence or domicile at <http://birosag.hu/ugyfelkapcsolati-portal/birosag-kereso>.