

Data Subject Information

Registration no.:	29000-148/31-2/2018.RAV
Title of data processing	Evidence management
The purpose of data processing	The keeping of records relating to the taking into custody or securing the custody of property by the investigating authority or the law enforcement authority for the purpose of proving the commission of an offence or irregularity or securing the confiscation or forfeiture of property.
Legal basis of data processing	<ul style="list-style-type: none"> – Article 5 (1) a) of Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information (hereafter: Infotv.); – Articles 308-309 of Act XC of 2017 on Penal Procedure; – Article 10/A of Joint Decree No 11/2003 (V. 8.) on the rules for the handling, registration, prior sale, and destruction of seized property and the carrying out of confiscation;
Categories of personal data processed	<p>The unique, unalterable identification number of the evidence and the following data associated with it:</p> <ul style="list-style-type: none"> – the description of the evidence, – the quantity of the evidence, – an indication of the authority seizing or creating the evidence and all case number of the case, – the place and date of seizing or creating the evidence, – indication of the organization or organizational unit managing the evidence, – the place of storage of the evidence, – the fact and time of the prior sale and redemption of the evidence and the unique identification number of the new evidence that replaces it, – the fact and time of the sale, destruction, and release of the evidence, and – other circumstances relevant to the management of the evidence, in particular the number of evidence packages associated with the evidence.
Duration of retention of processed personal data, aspects of determining the duration	The data controller shall store the data related to the offence for the period of retention of the records of the criminal or minor offence proceedings in accordance with Appendix 1, point 306 a)-b) of HNP HQ Decree No. 40/2017 (XII. 29.) on Documentation Regulations.
Addressees of data forwarding	The Central Evidence Register System operated by the National Tax and Customs Administration (NTCA).
Source of the personal data processed	The person subject to seizure or sampling.
Name and contact details of the processor	IdomSoft Ltd. 1138 Budapest, Váci út 133.

Rights of the data subject

As regards data processing, by way of the data protection official of the organization dealing with data procession:

- **can request information on data processing and may ask for access to data processed in connection with his/her person,**
- **in case of inaccurate data, may ask for rectification, or completion in case of incomplete data,**
- **may ask for a restriction of data processing.**

As regards data processing by police data processing units, the right to data portability cannot be exercised.

The person concerned, **based on an information request**, 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:

- for what purpose is his/her data processed,
- what is the legal basis for data processing,
- since when and until when is his/her data processed (duration),
- what data are processed - is entitled to receive a copy of it,
- addressees of the personal data and categories of the addressees,
- forwarding to a third country or international organization,
- rights concerning data processing,
- legal remedy possibilities.

The police data processing unit shall reply to **requests for information and access** 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.

In the case of a request for **rectification (modification) of data**, 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.

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.

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>.