

Data Subject Information

No.	29000-148/30-3/2018.RAV
Title of data processing	Registration of personal security clearance certificates and confidentiality declarations
The purpose of data processing	Registration of persons holding a personal security clearance and a confidentiality declaration.
Legal basis of data processing	<ul style="list-style-type: none"> – Article 6 (1) c) of 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 (General Data Protection Regulation); – Article 23 (4) of Act CLV of 2019 on the Protection of Classified Information (hereafter: Mavtv.);
Categories of personal data processed	<p>The following information of the data subject:</p> <ul style="list-style-type: none"> – identification details of natural persons; – nationality; – travel document identifier; – workplace, position, and tasks connected to using classified information; – data in the security survey completed in the course of the national security clearance procedure, and those in the national security opinion; – number, date, expiration date, and level of the issued personal security clearance certificate;
Addressees of data forwarding	In case of using foreign classified information with a level of “Confidential” or higher, the National Security Authority.
Addressees of forwarding data to a third country or international organization, data to forward and its objective and legal basis	<p>Under Article 23 (5) of the Mavtv., the following data of the data subject can be forwarded to controllers ensuring appropriate guarantees based on international commitments:</p> <ul style="list-style-type: none"> – identification details of natural persons; – nationality; – travel document identifier; – workplace connected to using classified information; – position and tasks; – number, date, expiration date, and level of the issued personal security clearance certificate;

Duration of processing	<ul style="list-style-type: none"> - after the expiry of the validity period of the last personal security clearance certificate issued to the person concerned or after its revocation, the body handling the classified data shall keep it for a period corresponding to the maximum penalty for the offence of misuse of classified data as laid down in the Criminal Code; - if no personal security clearance certificate is issued to the person concerned, the body handling the classified data shall delete the natural person identification data, the data on nationality, the travel document identifier, the data on the job, position and duties related to the use of the classified data contained in the national security opinion after the procedure has been completed. - a declaration of confidentiality for national and EU/NATO "Restricted" classification level data, following its revocation, for the offence of misuse of classified data for a period corresponding to the maximum penalty provided for in the Criminal Code;
Is the data providing based on legal act or contractual obligation, or is it a precondition for a contract	<p>The data providing is based on provisions of the GDPR and the Mavtv.</p>
will the data managed be subject to automated decision-making or profiling	<p>No.</p>
<p>Rights of the data subject</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"> - 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. <p>As regards data processing by police data processing units, the right to data portability cannot be exercised.</p> <p>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:</p> <ul style="list-style-type: none"> - 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 one month. 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 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) (<https://birosag.hu/torvenyszekek>).

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