

## Data Subject Information

Registration no.:	<b>29000-148/180-1/2018.RAV</b>
<b>Title of data processing</b>	<b>Data on bringing before authority in criminal, penitentiary, or administrative proceedings</b>
<b>The purpose of data processing</b>	Managing data of person specified in a decision on bringing before authority ordered in criminal, penitentiary, or administrative proceedings.
<b>Legal basis of data processing</b>	<ul style="list-style-type: none"> <li>– Article 5 (1) a) of Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information (hereafter: Infotv.);</li> <li>– Article 34 of Act XXXIV of 1994 on the Police (Rtv.);</li> <li>– Article 118 (1) and (3) of Act XC of 2017 on Penal Procedure (hereafter: Be.);</li> <li>– Article 18 (1)-(2) and Article 86 of Act CCXL of 2013 on the enforcement of penal sanctions, measures, certain coercive measures and the imprisonment for minor offences (hereinafter: Bvtv.);</li> <li>– Article 60 (2)-(5) of Act CL of 2016 on the general rules of administrative proceedings and services (hereafter: Ákr.);</li> <li>– MoI Decree No. 39/2017 (XII. 29.) on the detailed rules for the reimbursement of costs incurred in criminal proceedings, minor offence proceedings and the bringing before authority and arraignment ordered in the course of the execution of sentences (hereafter: MoI Decree No. 39/2017 (XII. 29.));</li> <li>– MoI Decree No. 3/2019 (I. 31.) on the detailed rules for the determination and reimbursement of the costs incurred in the execution bringing before authority ordered in certain administrative procedures (hereafter: MoI Decree No. 3/2019 (I. 31.)).</li> </ul>
<b>Duration of retention of processed personal data, aspects of determining the duration</b>	In accordance with Annex 1 Article 370 c)-e) of HNP HQ Decree No. 40/2017 (XII. 29.) on Documentation Regulations: 5 years.
<b>Categories of personal data processed</b>	<p>The following information of the data subject:</p> <ul style="list-style-type: none"> <li>– surname and first name;</li> <li>– surname and first name at birth;</li> <li>– place and date of birth;</li> <li>– mother's name;</li> <li>– residence address, or known residence.</li> </ul>
<b>Addressees of data forwarding</b>	<ul style="list-style-type: none"> <li>– prosecutor's office,</li> <li>– court,</li> <li>– Hungarian Prison Service Headquarters,</li> <li>– the National Directorate-General for Aliens Policing in case of third country nationals.</li> </ul>
<b>Source of the personal data processed</b>	The proceeding authority.

<b>Name and contact details of the processor</b>	IdomSoft Ltd. 1138 Budapest, Váci út 133.
<p data-bbox="193 264 558 297"><b>Rights of the data subject</b></p> <p data-bbox="193 302 1391 369">As regards data processing, by way of the data protection official of the organization dealing with data procession:</p> <ul data-bbox="252 376 1391 600" style="list-style-type: none"> <li data-bbox="252 376 1391 450">– <b>can request information on data processing and may ask for access to data processed in connection with his/her person,</b></li> <li data-bbox="252 454 1391 528">– <b>in case of inaccurate data, may ask for rectification, or completion in case of incomplete data,</b></li> <li data-bbox="252 533 893 566">– <b>may object the processing of personal data,</b></li> <li data-bbox="252 571 893 600">– <b>may ask for a restriction of data processing.</b></li> </ul> <p data-bbox="193 633 1391 701">As regards data processing by police data processing units, the right to data portability cannot be exercised.</p> <p data-bbox="193 745 1391 891">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 data-bbox="252 898 1391 1189" style="list-style-type: none"> <li data-bbox="252 898 845 931">– for what purpose is his/her data processed,</li> <li data-bbox="252 936 845 969">– what is the legal basis for data processing,</li> <li data-bbox="252 974 1101 1008">– since when and until when is his/her data processed (duration),</li> <li data-bbox="252 1012 1053 1046">– what data are processed - is entitled to receive a copy of it,</li> <li data-bbox="252 1050 1117 1084">– addressees of the personal data and categories of the addressees,</li> <li data-bbox="252 1088 1053 1122">– forwarding to a third country or international organization,</li> <li data-bbox="252 1126 734 1160">– rights concerning data processing,</li> <li data-bbox="252 1164 638 1189">– legal remedy possibilities.</li> </ul> <p data-bbox="193 1227 1391 1451">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 data-bbox="193 1485 1391 1597">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 data-bbox="193 1601 1391 1825">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> <p data-bbox="193 1859 1391 1926"><b>A request for restriction of processing</b> shall be complied with by the police data processing unit if one of the following conditions is met:</p> <ul data-bbox="252 1933 1391 2027" style="list-style-type: none"> <li data-bbox="252 1933 1391 2027">– 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,</li> </ul>	

- 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) (<http://birosag.hu/torvenyszekek>).

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