

Data Subject Information

Registration no.:	29000-148/163-3/2018.RAV
Title of data processing	Administrative authority cases relating to objective liability
The purpose of data processing	To register data relating to the fining of natural persons who have committed a traffic offence and to provide data relating to the appeal procedures of the persons concerned, and to facilitate the cross-border exchange of information on traffic offences that endanger road safety and thus the enforcement of sanctions in cases where the offending vehicle is not registered in the Member State of offence.
Legal basis of data processing	<ul style="list-style-type: none"> – Article 6 (1) e) 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 21 of Act I of 1988 on road transport (hereinafter: Kkt.) – Article 9 (1)-(2) of Government Decree No 410/2007 (XII. 29.) on the scope of traffic offences subject to administrative fines, the amount of fines that may be imposed for violations of the provisions on these activities, the procedure for their use and the conditions for cooperation in the control (hereinafter referred to as the Government Decree); – Article 27 of Act CL of 2016 on the general rules of administrative proceedings and services (hereafter: Ákr.) – Directive (EU) 2015/413 of the European Parliament and of the Council of 11 March 2015 on facilitating the cross-border exchange of information on road safety related traffic offences (hereinafter: CBE Directive); – Directive 2019/520/EU of the European Parliament and of the Council of 19 March 2019 on the interoperability of electronic road toll systems in the Union and facilitating the cross-border exchange of information on toll non-payment (hereinafter: Directive 2019/520/EU); – Article 7 of the Agreement between the Republic of Bulgaria, the Republic of Croatia, Hungary and the Republic of Austria on facilitating cross-border enforcement of sanctions for traffic offences endangering road safety (hereinafter referred to as the Agreement), and on the basis of Act CLXX of 2012 on the promulgation of the Agreement and on the amendment of certain acts necessary for the

	implementation of EU and international obligations in the field of road safety (hereinafter: Act CLXX of 2012);
Categories of personal data processed	<p>The following data of the keeper and, in the case specified in Article 21/A (2) of the Act, the person who takes over the vehicle for use and is involved in a traffic offence:</p> <ul style="list-style-type: none"> – surname and first name; – surname and first name at birth; – place and date of birth; – mother’s name at birth; – nationality; – place of residence or domicile;
Addressees of data forwarding	<p>Based on Article 91/Q (3) of Act XXXIV of 1994 on the Police (hereafter: Rtv.):</p> <ul style="list-style-type: none"> – administrative, judicial or national security bodies which are entitled by law to process the requested data; – data may be transferred - if the transfer is not excluded by other legislation and if it does not jeopardise the interests of the data subject or the law enforcement or public order protection activities of the police - to the legal person, unincorporated organisation or individual who justifies his or her right or legitimate interest to use the data.
Addressees of forwarding data to a third country or international organization, data to forward and its objective and legal basis	<p>The recipient of data transmitted to a third country is the national contact point for the cross-border exchange of information on road safety related traffic offences and the body designated to enforce the sanction.</p> <p>The data transmitted will include, as mandatory elements of the sanctioning decision, the details of the authority that issued the sanctioning decision, the details of the vehicle used to commit the infringement and the details of the person operating the vehicle.</p> <p>The purpose of the transfer is to facilitate the cross-border exchange of information on traffic offences and the enforcement of sanctions.</p> <p>Legal basis:</p> <ul style="list-style-type: none"> – CBE Directive; – Act CLXX of 2012; – the Ákr.
Duration of processing	In accordance with Article 422 a) and e) of Annex 1 of HNP HQ Decree No. 40/2017 (XII. 29.) on Documentation Regulations: 5 years following the decision becoming final, based on Article 422 j): 3 years after the right to enforcement has expired.

Is the data providing based on legal act or contractual obligation, or is it a precondition for a contract	The data providing is based on provisions of the GDPR, the CBE Directive, the Kkt., the Ákr., Act CLXX of 2012 and the Government Decree.
Will the data managed be subject to automated decision-making or profiling	No.
<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, – may object to 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. <p>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.</p> <p>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.</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.

The data subject may object to the processing of his or her personal data at any time on grounds relating to his or her particular situation. In that case, the police authority may no longer process the personal data, unless the police authority proves that the processing is justified by compelling legitimate grounds which override the interests, rights and freedoms of the data subject or are related to the establishment, exercise or defence of legal claims.

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/torvenyszekok>).

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