

## Data Subject Information

<b>Registration no.:</b>	29000-148/76-1/2018.RAV
<b>Title of data processing</b>	<b>Processing of data of third-country nationals who are obliged to leave the territory of Hungary or the Member States of the European Union and other Schengen Member States, who are obliged to stay at a designated place, who are subject to aliens policing expulsion, expulsion ordered by the asylum authority, expulsion ordered by the courts, entry and residence ban, detention prior to expulsion and aliens policing custody.</b>
<b>The purpose of data processing</b>	Identification, checking the authenticity of documents, establishing the duration of lawful residence, and preventing duplication of procedures.
<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;</li> <li>– Article 262 (1) of Act XC of 2023 on the general rules on entry and residence of third-country nationals (hereafter: Btátv.)</li> </ul>
<b>Categories of personal data processed</b>	<ul style="list-style-type: none"> <li>– natural persons' identification data;</li> <li>– accommodation details;</li> <li>– facial image and fingerprint;</li> <li>– means of entering the country;</li> <li>– the name of the issuing authority and the measure, the number of the decision, and</li> <li>– the legal basis, time limit or duration of the measure, obligation, or duration under the decision ordering it;</li> <li>– threat to public policy, public security, national security, behavioural characteristics;</li> <li>– whether he is liable to pay compensation in connection with the return, the amount of the compensation;</li> <li>– the country of expulsion;</li> <li>– the place and time of exit in connection with the expulsion, and</li> <li>in case of paying aliens' bail: <ul style="list-style-type: none"> <li>– the sum of aliens' bail,</li> <li>– the registration number of aliens' bail,</li> <li>– the date of the deposit (payment) of the aliens' bail,</li> <li>– the number of the decision granting aliens' bail,</li> <li>– if the expelled third-country national subject to removal requests the transfer of the aliens' bail to another person, the name, address, place of accommodation or residence of that person, the</li> </ul> </li> </ul>

	<p>number of his or her travel document, residence permit or other identity document and bank account number,</p> <ul style="list-style-type: none"> <li>– the date of return of the aliens' bail,</li> <li>– the date of transfer of the amount of the aliens' bail to the State.</li> </ul> <p>The aliens policing authority may process the following data of a third-country national for the purpose of requesting or authorising assistance in cases of transit for removal by air:</p> <ul style="list-style-type: none"> <li>– natural persons' identification data;</li> <li>– the type, number, and validity of the travel document;</li> <li>– details of the flight(s) used to carry out the expulsion (flight number, point of departure and arrival, time of departure and arrival);</li> <li>– the justification for the official escort;</li> <li>– data on medical care, identifiable epidemic diseases;</li> <li>– data on previous unsuccessful expulsion attempts.</li> </ul>
<b>Duration of retention of processed personal data, aspects of determining the duration</b>	Based on Article 262 (3) and (4) of the Btátv.: 5 years after the termination of the obligation or prohibition, or after the transfer is initiated.
<b>Addressees of data forwarding</b>	No data forwarding takes place.
<b>Source of the personal data processed</b>	The person subject to an aliens policing measure.
<b>Name and contact details of the processor</b>	IdomSoft Ltd. 1138 Budapest, Váci út 133.
<b>Rights of the data subject</b>	
<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> </ul>	

- 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://naih.hu/kozerdeku-adatok/1-szervezeti-szemelyzeti-adatok/1-1-kapcsolat-elerhetoseg>.

**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> .