



MÁV-START RAILWAY PASSENGER TRANSPORT CO.

1091 Budapest, Üllői út 131.

Website: www.mavcsopot.hu

Privacy Policy on data processing carried out by call center (MAVDIREKT) of MÁV-START Co.

1. The Data controller's name and contact informations

Name: MÁV-START Railway Passenger Transport Co.
Headquarters: 1091 Budapest, Üllői út 131.
Co.reg.no.: 01-10-045551
E-mail: informacio@mav-start.hu
Hereinafter: **Data controller**

Contact details of the Data Protection Officer:

E-mail: adatvedelem@mav-start.hu

Postal address: 1091 Budapest, Üllői út 131. – Please indicate on the envelope the following: „for the Data Protection Officer”.

2. Data Processors name and contact information

Name: MÁV Hungarian State Railways Co.
Headquarters: 1097 Budapest, Könyves Kálmán krt. 36.
Co.reg.no.: 01-10-042272
Hereinafter: **Data processor1**

The Data Processor1 operates the telephone system required for the call center, including the recording of telephone calls by audio recording, with regard to which the recorded audio recordings are stored in the name and for the Data Controller.

Name: MÁV Service Center Co.
Headquarters: 1134 Budapest, Dévai u. 23.
Co.reg.no.: 01-10-045838
E-mail: helpdesk@mav-szk.hu
Hereinafter: **Data processor2**

Based on the contract concluded with the Data Controller, the Data Processor2 provides IT services, which includes the provision of a server required for certain communication applications, and the operation of the Exxite system, therefore it stores the personal data indicated in each data processing process of Section 4 on behalf of the Data Controller for the period indicated therein.

Name: Care All Trading and Service Private Limited Company
Headquarters: 1121 Budapest, Törökbálint út 15. A. ép.fsz.
Co.reg.no.: 01-09-727414
Hereinafter: **Data processor3**

Based on the contract concluded with the Data Controller, the Data Processor3 operates the ANDOC system – on behalf of the data controller – for storing personal data processed during the data processes mentioned in this privacy policy.

3. The data subject

With regard to the data processing indicated in Section 4 of this Privacy Policy, all natural persons shall be considered data subjects, who call the Data Controller's call center (MAVDIREKT) for one of the purposes indicated in Section 4.

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4. Information on data processings

The Data Controller operates a system called MÁVDIREKT as a call center – based on the Act CLV of 1997 on Consumer Protection (hereinafter: Act on Consumer Protection), during which it distinguishes the following data processes:

Data processing 1 (Section 4.1) – data processing in connection with oral complaints, comments and requests for information in connection with the passenger transport service provided by the Data Controller – including information about the timetable and lost and found objects –, including data processing in connection with the recording of the minutes of the oral complaint. The Data Controller pursuant of Section 17/B. § (3) of Act on Consumer Protection shall not record an oral complaint if the audio recording contains all data the recording of which is required by Section 17/A. § (5) of Act on Consumer Protection.

Data processing 2 (Section 4.2.) – the Data Controller provides its customers with disabilities as data subjects with the opportunity to report their special needs for the use of the passenger transport service due to their disability (typically reduced mobility) or for other reasons.

Data processing 3 (Section 4.3.) – the data processing in connection with reservations made for START Club Premium or VIP card customers.

4.1. Information on Data processing 1.

| <i>Scope of processed data</i> | <i>The purpose of data processing</i> | <i>The legal basis of data processing</i> |
|---|---|--|
| Full name and adress of the data subject | Identification of the data subject | According to Article 6 (1) (e) of the GDPR, data processing is necessary for the performance of a public task performed by the controller, which is defined in the Act of Accounting, the Public Service Contract and the Section 17/A. § (5) of the Consumer Protection Act |
| Data about the service complained about, such as travel route, date of travel, reason for complaint/comment, time of call | Proper investigation of the complaint | |
| Contact details: phone number | Contact with the data subject | Consent of the data subject pursuant to Article 6 (1) (a) of GDPR |
| Audio recording of the report made by the data subject and identification number of the audio recording | Proper investigation of the complaint and its documentation, keeping the relevant legislation within the deadline | According to Article 6 (1) (e) of the GDPR, data processing is necessary for the performance of a public task performed by the controller, which is defined in the Act of Accounting, the Public Service Contract and the Section 17/A. § (7) of the Consumer Protection Act |

Duration of the data processing:

- Based on the Section 17/A. § (7) of the Consumer Protection Act, the record of the oral complaints is stored for three years from the date of recordint the report.
- Based ont he Section 17/B. § (3) of the Consumer Protection Act, the audio recordint of the oral complaint is stored for five years from the date of recording.

4.2. Information on Data processing 2.

| <i>Scope of processed data</i> | <i>The purpose of data processing</i> | <i>The legal basis of data processing</i> |
|---|--|---|
| Full name and address of the data subject | For the purpose of identifying the data subject | Performance of the passenger transport contract concluded between the data subject and the Data Controller pursuant to Article 6 (1) (b) of the GDPR. |
| Contact information: email address or phone number | To maintain contact and share information related to the specific needs of the data subject | |
| Data of the wheelchair used by the data subject for movement (type /motorized, non-motorized, foldable/, length, width, weight), data on whether he or she can move from the wheelchair, whether he or she can use a normal toilet. | For the purpose of providing passenger transport services to the relevant part in view of its specific needs | Pursuant to Article 9 (2) (b) of the GDPR, performance of the transport contract concluded between the data subject and the Data Controller and for sensitive data (health data) pursuant to Article 6 (1) (b) of the GDPR. |

Duration of the data processing: For 5 years after termination of the passenger transport service contract concluded between the data subject and the Data Controller.

Legal consequences of failure to provide data: If the data subject does not provide personal data related to his/her disability – including sensitive data –, the Data Controller shall not be able to take into account the data subject's special needs when providing the services.

Information on data processing for a purposes other than the original: If the data subject reports his special travel request at the Data Controller's call center (MÁVDIREKT), but after identifying the data subject, it has been established that he or she has already reported a special travel request by phone within 5 years, the Data Controller will use the contents of the previous claim to facilitate administration. Thus, during the recording of the new claim, it is not necessary to record the data required to fulfill the claim again, but the data stored in the system are reconciled and the new claim is recorded on this basis. The Data Controller examined the compatibility of the data processing for purposes other than the original purpose and taking into account that both relate to the passenger transport service provided to the data subject in accordance with his or her special travel needs, therefore, the Data Controller considers the use of personal data processed for documentation purposes compatible in order to facilitate the recording of new needs and speed up administration.

4.3. Information on Data processing 3.

| <i>Scope of processed data</i> | <i>The purpose of data processing</i> | <i>The legal basis of data processing</i> |
|---|--|---|
| VIP card number | For the purpose of identifying the data subject | Pursuant to Article 6 (1) (b) of the GDPR, the Performance of the passenger transport contract concluded between the data subject and the Data Controller |
| Contact details: phone number | To maintain contact and share information related to the specific needs of the data subject | |
| Date of travel of the data subject and travel route | Booking by the data subject on the basis of the START Club Premium or VIP card for the purpose of performing the passenger transport service provided by the Data Controller | |

Duration of the data processing: For 5 years after the performance of the contract concluded between the Data Controller and the data subject.

5. Recipients

The Data Controller may transfer the personal data of the data subject within the European Union or, where applicable, to a third country, of which it shall inform the data subject in advance. The transfer becomes necessary if the data subject requests reimbursement of the price of the ticket purchased by him or her for international travel on grounds of fairness, in which case the reimbursement requires the approval of railway undertakings established in another country in which the journey relates. A railway undertaking established within the EU or in a third country against whom the data subject submits a claim within MÁVDIREKT shall also be considered a consignee, which is possible pursuant to recital 43 and Article 28 of Regulation (EU) 2021/782. In this case, the claim will be forwarded to the addressee.

The purpose of data transfer: Data transfer to the railway undertaking concerned by the notification for the purpose of the proper assessment and fulfilment of the claim notified by the data subject.

Legal basis for data transfer: Pursuant to Article 6. (1) (e) of the GDPR, the performance of tasks of the Data Controller in the public interest in accordance with applicable legislation. If the data subject also provides sensitive personal data in the notification and these are necessary for the assessment of the claim, the lawfulness of the processing of sensitive data is based on Article 9. (2) (f) GDPR, according to which the processing of sensitive personal data is necessary for the establishment, exercise or defence of legal claims.

6. Rights and enforcement options for data subjects

6.1. Right to request information

The data subject may request information from the data controller at any contact details of the Data Controller, request the rectification of his or her personal data and request the restriction of data processing.

At the request of the data subject, the Data Controller shall provide information on the data processed by him, the purpose, legal basis, duration of data processing, the name, address (registered office) of the data controller, the name, address (registered office) and activities related to data processing of the data processor, the contact details of the data protection officer, as well as who receives or received the personal data of the data subject and for what purpose, as well as the rights of the data subject in connection with data processing. The Data Controller shall provide the information in writing, in an easily understandable form, within the shortest possible time from the submission of the request, but not later than within one month. If necessary, taking into account the complexity of the application and the number of applications, this time limit may be extended by a further two months. If the request for information is unfounded or excessive, in particular due to its repetitive character, the Data Controller may determine a reimbursement of costs or refuse to act on the request. The Data Controller may refuse to comply with the request to exercise the rights of the data subject until it can be identified beyond doubt.

6.2. Right to withdraw consent

The data subject may withdraw his or her consent given pursuant to Article 6 (1) (a) of the GDPR without time limit at any contact details of the Data Controller, which shall not affect the lawfulness of data processing based on consent prior to its withdrawal. If the data subject withdraws his or her consent to data processing, the Data Controller shall delete the data of the data subject without delay and shall inform the data subject of the measures taken.

If the data subject withdraws his or her consent to the processing of his or her telephone number for contact purposes indicated in Data Processing 1, the Data Controller shall delete the data subject's telephone number and shall communicate with the data subject exclusively by post.

If the data subject withdraws his/her consent to the storage of the data subject's personal data in the case of data processing specified in Data Processing 2 after the performance of the transfer contract with regard to special

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needs, the data subject shall be obliged to provide his/her data, including special data, again during his/her next trip with special needs.

6.3. Right of access

The data subject shall have the right to obtain from the Data Controller confirmation as to whether or not personal data concerning him or her are being processed. Based on the right of access, the data subject has the right to access personal data related to ongoing data processing and the following information: purpose and legal basis of data processing, categories of personal data concerned by the processing, duration of data processing, recipient of data transfer, if available, rights related to data processing and possibilities of enforcing rights, right to lodge a complaint with a supervisory authority.

At the request of the data subject, the Data Controller shall provide him or her with a copy of the personal data undergoing processing, insofar as this does not adversely affect the rights and freedoms of others. The Data Controller shall provide the copy requested by the data subject for the first time free of charge, and for each further copy the Data Controller may determine a reimbursement of costs.

6.4. Right to amend, rectify and complete data

The data subject may request the modification (correction) of inaccurate personal data concerning him or her or the completion of incomplete personal data through the contact details provided in point 1. The Data Controller shall notify the data subject of the rectification. The notification shall be omitted if this does not violate the legitimate interest of the data subject with regard to the purpose of data processing.

6.5. Right to erasure of data ('right to be forgotten')

The data subject may request the erasure of his or her personal data if the purpose of data processing ceases to exist, if the data subject withdraws his or her consent, if the processing of the data is unlawful, if the specified deadline for storing the data has expired, or if it has been ordered by a court or authority. The Data Controller shall notify the data subject of the deletion of personal data. The notification shall be omitted if this does not violate the legitimate interest of the data subject with regard to the purpose of data processing. The Data Controller shall not delete personal data if they are necessary for compliance with a legal obligation to which the Data Controller is subject, as well as for the establishment, exercise or defence of legal claims.

6.6. Restriction of processing

The data subject may request at any contact details of the Data Controller that the processing of his or her personal data be restricted by the Data Controller if:

- contests the accuracy of the personal data (in this case, the restriction applies for the period during which the Data Controller verifies the correctness of the data);
- the processing is unlawful, but the data subject opposes the erasure of the data and requests the restriction of their use;
- the purpose of data processing has ceased to exist, but the data subject needs them for the establishment, exercise and defence of legal claims.

The restriction shall last as long as the reason indicated by the data subject so requires. In this case, personal data – with the exception of storage – shall only be processed with the consent of the data subject; or for the establishment, exercise or defence of legal claims; or to protect the rights of another natural or legal person; or for important reasons of public interest. The Data Controller shall inform the data subject in advance of the lifting of the restriction at the request of the data subject.

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6.7. Right to object

The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her based on Article 6 (1) (e) and (f) GDPR. In that case, the controller shall no longer process the personal data unless there are compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims. If the data subject objects to the Data Processing contained in this Privacy Policy, the Data Controller shall examine the fulfillment of the request individually.

6.8. Legal remedies**6.8.1. Right to complaint**

If the data subject does not agree with the data processing carried out by the Data Controller or believes that the data controller has violated any of his rights, he or she may lodge a complaint with the National Authority for Data Protection and Freedom of Information at any of the following contact details:

| | |
|-----------------|--|
| Name: | National Authority for Data Protection and Freedom of Information |
| Headquarters: | 1055 Budapest, Falk Miksa utca 9-11. |
| Postal address: | 1363 Budapest, Pf. 9. |
| Telephone: | +36 (1) 391-1400 / +36 (30) 683-5969 / +36 (30) 549-6838 |
| Telefax: | +36 (1) 391-1410 |
| E-mail: | ugyfelszolgalat@naih.hu |
| Website: | www.naih.hu |

6.8.2. Right to a judicial remedy

If the data subject does not agree with the data processing carried out by the Data Controller or considers that the data controller has violated one of his rights, the data subject may also seek legal remedy directly against the Data Controller, which request shall be submitted to the court of the registered office of the Data Controller or the domicile or residence of the data subject. The court shall deal with the case as a matter of priority.

6.8.3. Right to turn to the Data Controller

If the data subject has any comments, objections or would like to request information about the processing of his or her personal data, he or she may do so at the adatvedelem@mav-start.hu contact details. If you would like more information about the rights of data subjects provided by MÁV-START Zrt., how to exercise data subjects' rights and the details of assessing the application, please visit the <https://www.mavcsoport.hu/en/mav-start/introduction/rights-data-subject-and-their-enforcement> website.

7. Relevant legislation:

- Regulation (EU) 2016/679 of the European Parliament and of the Council 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);
- Act CXII of 2011 on the right to informational self-determination and on the freedom of information;
- Act CLV of 1997 on Consumer Protection;
- Act XLI. of 2012 on Passenger Services;
- Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (recast).

**MÁV-START Co.
Data Controller**