

# Privacy Policy on data processing by MÁV-START Zrt. during the operation of the cameras on the vending machines

Valid from date: 2024-06-19

## 1. The Data controller's name and contact informations

Name: **MÁV-START Railway Passenger Transport Co.**  
Headquarters: Üllői út 131., Budapest, H-1091, Hungary  
Company reg. no.: 01-10-045551  
E-mail: [eszrevetel@mav-start.hu](mailto:eszrevetel@mav-start.hu)  
hereinafter: Data Controller.

*Contact details of the Data Protection Officer:*

E-mail: [adatvedelem@mav-start.hu](mailto:adatvedelem@mav-start.hu)  
Postal adress: P.O.Box 780., Budapest, H-1384, Hungary – please mark the following on the envelope: 'To the Data Protection Officer'.

## 2. The Data processor's name and contact informations

Name: MÁV Szolgáltató Központ Zártkörűen Működő Részvénytársaság  
Headquarters: 1087 Budapest, Könyves Kálmán körút 54-60.  
Company reg. no.: 01-10-045838  
E-mail: [helpdesk@mav-szk.hu](mailto:helpdesk@mav-szk.hu)  
hereinafter: Data Processor.

Based on the service contract concluded between the Data Controller and the Data Processor, the Data Processor provides IT services to the Data Controller, which includes the operation of communication applications, as well as the server service required for storing recordings, in accordance with which the Data Processor performs data processing on behalf of and for the benefit of the Data Controller.

### **3. Information on data processing**

#### **3.1. Data subject:**

all natural person who approach the ticket and pass vending machine (hereinafter: vending machine) within the camera's line of sight (within approx. 1-1.5 meters), regardless of whether the purpose of approaching the ticket vending machine is to buy a ticket or pass to use the passenger transport service provided by the Data Controller, the attempt to do so, or orientation using the display on the vending machine, or damage in the vending machine (hereinafter: „Data subject”).

#### **3.2. Purpose of the data processing:**

according to the § 8(2) of the Act XLI. of 2012 on Passenger Services (hereinafter: PS Act) the protection of the vending machine belonging to the Data Controller and the equipment and devices belonging to the vending machine, as well as the cash in the vending machine; the investigation of the circumstances of the damage caused to them, in particular the identification of the person responsible for the damage; and protection of the life, person, physical integrity, and property of the passengers and the employees of the Data Controller and its representatives; as well as ensuring the technical control of ticket purchases from the vending machine in order to provide technical support for the investigation of complaint submitted by customers in connection with the purchase of tickets.

#### **3.3. Legal basis of the data processing:**

according to the Article 6(1)(e) of the GDPR, data processing is necessary for the performance of a task in the public interest, the framework of which is determined by § 8. of the PS Act.

#### **3.4. Scope of processed personal data:**

the image of the data subject.

#### **3.5. Duration of the data processing:**

a) on the basis of § 8(9) of the PS Act, the recording – in the absence of use – will be deleted on the 16th day from the date of recording.

b) if a court or authority requests the Data Controller to make the recordings available, the recording will be deleted on the 90th day after it was made available – it was transferred – to the authority or court.

c) if the Data Controller has initiated an investigation procedure in accordance with the provisions of § 8(13) of the PS Act, in which the use of the camera recording is necessary, the camera recording will be deleted on the 15th day after the end of the investigation procedure, unless, as a result of the investigation procedure, upon the initiation of court or official proceedings will take place.

d) if the Data Controller has initiated court or official proceedings as a result of the investigation procedure carried out in accordance with § 8(13) of the PS Act, the camera recording shall be deleted on the 16th day after the receipt of the official information on the entry into force or finality of the decision closing the court or official proceeding.

e) if the data subject – exercising his / her right to restrict data processing contained in Article 18 of the GDPR [see the point 4.5 of this Privacy Policy] – requests the Data Controller to not delete the camera recording, in which case the Data Controller will save the camera recording and store it until the deadline specified by the data subject or until a time suitable for determining the deadline, but no later than six months after the receipt of the request. If the data subject does not indicate that the camera recording is still necessary before the end of the six months – at the request of the Data Controller – the Data Controller will delete the recording. If the data subject indicates before the end of the six months that it is still necessary to preserve the recording, the Data Controller will store it until the date indicated by the data subject or until a time suitable for determining the deadline, but for a maximum of six months after the receipt of the request.

### **3.6. Recipients of data transfer:**

a) the Data Controller forwards the camera recording to an authority, court or other public authority for the purpose of judging the case in order to fulfill official requests received under the law [PS Act § 8(11) and § 8/A.].

b) the Data Controller forwards the recordings to the service provider specified in § 8(1) points a) - b) of the PS Act on the basis of a cooperation agreement concluded between them in accordance with § 8(13e) of the PS Act, if the camera recording is necessary pursuant to § 8(13) of the PS Act for the purpose of conducting an investigation procedure.

## **4. The rights of the data subject and the manner of their exercise**

### **4.1. Right to be informed**

The data subject can primarily exercise his/her rights in the application submitted through the contact details indicated in point 1 of the Data Controller. We inform the data subject that he/she can submit his/her request for the exercise of the data subject's right to any of the Data Controller's contact details, but we recommend that he/she do so through one of the contact details indicated in point 1.

The Data Controller shall provide the information in writing, in an understandable form, as soon as possible after the submission of the request, but no later than one month. If necessary, taking into account the complexity of the application and the number of applications, this deadline can be extended by another two months. The data controller shall inform the data subject of the extension of the deadline, indicating the reasons for the delay, within one month of receiving the request. The Data Controller primarily fulfills the data subject's request in the form requested by the data subject. If the data subject submitted the request electronically, the Data Controller will provide the answer electronically, unless otherwise requested by the data subject.

The Data Controller ensures the exercise of data subject rights free of charge for the data subject. If the data subject's request is clearly unfounded or – especially due to its repetitive nature – excessive, the Data Controller may, taking into account the administrative costs associated with providing the requested information or information or taking the requested measure, charge a reasonable fee or refuse to take action based on the request. The Data Controller may refuse to fulfill a request to exercise its data subject rights until it cannot identify the data subject beyond any doubt.

## **4.2. The right of access and the right to request a copy**

The data subject is entitled to receive feedback from the Data Controller as to whether their personal data is being processed. Based on the right of access, the data subject is entitled to receive access to personal data related to ongoing data processing and to the following information: purpose of data processing, categories of personal data, duration of data processing, recipient of data transfer (who and for what purpose receives or received the data subject's personal data), the data subject's rights related to data processing and the right to submit a complaint to the supervisory authority.

At the request of the data subject, the Data Controller will make the recordings available if it does not adversely affect the rights and freedoms of others. The copy requested by the data subject is issued free of charge for the first time, however, the Data Controller may charge a fee for additional copies. If the data subject submits a request to the Data Controller for the provision of the recordings, the Data Controller will make the faces of the data subjects invisible in the recording by using so-called „masking software”.

The exercise of the right contained in § 8(10) of the PS Act does not qualify as the exercise of the right to access. In this case, the person requesting camera recording is obliged to prove his / her legitimate interest that proves his/her right to camera recording. In each case, the Data Controller assesses the existence of the legitimate interest individually, and if it considers that the legitimate interest of the person requesting the camera recording exists, then based on point f) of Article 6(1) of the GDPR – in addition to the implementation of appropriate data security measures – omits to delete the camera recording or forwards the recording to the person requesting the camera recording based on Section 8 (13a) of the PS Act.

## **4.3. The right to modify, correct and supplement data**

The data subject may request the modification (correction) of inaccurate personal data relating to him / her or the addition of incomplete personal data through any of the Data Controller's contact details. The Data Controller will notify the data subject about the correction. This right of the data subject cannot be interpreted with regard to the data processing indicated in this Privacy Policy.

#### **4.4. The right to erasure ("right to be forgotten")**

The data subject may request the deletion of the recording if the purpose of the data processing has ceased, if the processing of the data is illegal, if the specified period for storing the data has expired, if the data subject has objected to the data processing and there is no overriding legitimate reason for the data processing, and if it is ordered by a court or an authority. The data controller does not notify the data subject of the deletion of the camera recordings, given that this is not possible due to the nature of the data processing. If the Data Controller receives a request for the deletion of the camera recording before the expiration of the deadline stipulated in § 8(9) of the PS Act, the Data Controller will waive the deletion based on point b) of Article 17(3) of the GDPR. In all other cases, the data controller examines the request to delete the camera recording individually. If the camera recording is necessary for the submission, enforcement and protection of legal claims, the Data Controller will refrain from deleting the camera recording based on point e) of Article 17(3) of the GDPR.

#### **4.5. Limitation of data processing**

The data subject may request that the processing of his/her personal data be restricted – e.g. may request that the camera recording not be deleted after the expiry of the period stipulated in § 8(9) of the PS Act – by the Data Controller at any contact point of the Data Controller if:

- disputes the accuracy of the personal data (in this case, the limitation applies to the period until the Data Controller checks the correctness of the data);
- the data processing is illegal, but the data subject opposes the deletion of the data and requests the restriction of their use;

the purpose of the data processing has ceased, but the data subject needs them to present, enforce and defend legal claims.

The limitation of data processing lasts as long as the reason specified by the data subject makes it necessary. Where processing has been restricted, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State. The Data Controller will not delete the camera recording until the reason specified by the data subject in the request to limit the camera recording exists, but for a maximum of six months. The Data Controller informs the data subject in advance, at least 30 days before the deletion deadline, of the lifting of the restriction at the data subject's request and the deadline for deleting the recording. If, after the information, the data subject does not inform the Data Controller that he still needs the recording by the date of deletion, the Data Controller will delete the recording.

#### **4.6. Right to object**

The data subject has the right to object at any time to the processing of his / her personal data based on point e) of Article 6 (1) of the GDPR for reasons related to his own situation. In this case, the data controller will not process the personal data further, unless the data processing is justified by compelling legitimate reasons that take precedence over the interests, rights and freedoms of the data subject, or that are related to the presentation, enforcement or defense of legal claims. If the data subject objects to the recording or storage of the camera recording, the Data Controller will examine the feasibility of the request individually in each case.

#### **4.7. Remedies (Right to appeal)**

##### *4.7.1. Right to complain*

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 one of his rights, he can lodge a complaint with the Hungarian National Authority for Data Protection and Freedom of Information at any of the following contact details:

Name: Hungarian National Authority for Data Protection and Freedom of Information

Headquarters: 1055 Budapest, Falk Miksa utca 9-11.

Postal address: 1363 Budapest, Pf. 9.

Phone no.: +36 (1) 391-1400 / +36 (30) 683-5969 / +36 (30) 549-6838

Fax no.: +36 (1) 391-1410

E-mail: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)

Website: [www.naih.hu](http://www.naih.hu)

#### *4.7.2. Right to a judicial remedy*

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 one of his rights, the data subject may apply directly to the Data Controller for legal redress, which request must be submitted to the court at the Data Controller's registered office or the data subject's place of residence. submit. The court acts out of sequence in the case.

#### *4.7.3. The right to contact the Data Controller*

If the data subject has comments or objections regarding the processing of his personal data, or would like to request information about the processing of his/her data, he/she can do so in an e-mail written to [adatvedelem@mav-start.hu](mailto:adatvedelem@mav-start.hu). If the data subject would like to find out more about the rights, please visit the website <https://www.mavcsoport.hu/en/mav-start/introduction/rights-data-subject-and-their-enforcement>.

## **5. Legislation applied to data processing**

- 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 XLI. of 2012 on Passenger Services.

Budapest, 06. 06. 2024.

**MÁV-START Co.**

**Data Controller**