

**Privacy policy on data processing in connection
with the notification and fulfillment of special travel requests**

The purpose of this privacy policy is to provide data subjects with information in accordance with the provisions of Article 13 and 14 of the General Data Protection Regulation of the European Union on the data processing carried out by the Data Controller in connection with the notification, assessment and fulfillment of special travel request. A special travel need is defined as a travel need that is declared due to the disability or reduced mobility of the data subject (e.g. travel in a wheelchair or request for other assistance).

1. The Data controller's name and contact information

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

Contact details of the Data Protection Officer:

E-mail: adatvedelem@mav-start.hu
Postal address: 1384 Budapest, Pf. 780.– Please indicate on the envelope the following: „for the Data Protection Officer”.

2. Data Processors name and contact information

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 Processor 1.

Based on the contract between the Data Controller and the Data Processor 1, Data Processor 1 provides IT serviced to the Data Controller, which includes the operation of communication applications (e.g. email system) and the server services for the data storage. In view of this, Data Processor1 stores the personal data indicated in this data processing information sheet on behalf of the Data Controller, which is managed electronically by the Data Controller.

Name: Care All Llc.
Headquarters: 1121 Budapest, Törökbálinti út 15. A ép. fsz.;;
Co.reg.no.: 01-09-727414
hereinafter: Data Processor 2.

Based on the contract between the Data Controller and Data Processor 2., Data Processor 2 operates the Andoc system, in which the Data Controller stores special travel requests notified to it by telephone.

3. Information about data processing

3.1. The data subject: that person who notifies a special travel request to the Data Controller, such as a request for travel with a wheelchair or a request for assistance in view of his or her disability or reduced mobility.

3.2. The purpose of data processing: To satisfy the data subject's special travel needs, in the framework of this need, in particular, providing the necessary conditions for traveling with a wheelchair, and providing the necessary assistance for the travel, taking into account the disability or reduced mobility, as well as documenting whether the travel request was insured or for what reason it could not be insured. As part of this, it is necessary to transfer personal data to MÁV Zrt., which is involved in the organization of the trip, and if the travel request also affects the service of another railway company (in the case of domestic travel, GYSEV Zrt., and in the case of international travel, the service provider of the given country), then the personal data will be forwarded to the railway company participating in the journey.

Information on data processing for other purposes than the original purpose: if the data subject informs the Data Controller about the special travel needs on the telephone customer service (MÁVDIREKT), but after the identification of the data subject, it was established that he or she had reported a special travel request by phone within 5 years, then the Data Controller will use the contents of the previous request to facilitate administration. In this way, it is not necessary to re-record the data required to fulfill the claim when recording the new claim, instead, the data stored in the system are reconciled and the new request is recorded based on this. The compatibility of data processing with a purpose other than the original purpose has been examined by the Data Controller, and taking into account that both are related to the passenger transport service - according to the special travel needs - provided to the data subject, therefore the Data Controller considers the use of personal data originally handled for documentation purposes to be compatible in order to facilitate the registration of the new request and speed up the administration.

3.3. The legal basis of data processing: the legality of data processing is based on Article 6 (1) point b) of the GDPR, because the data processing is necessary for the performance of the passenger transport contract between the data subject and the Data Controller, and if the special travel request cannot be fulfilled based on the notification, data processing is necessary to take the steps necessary to conclude a passenger transport contract between the data controller and the data subject based on the data subject's initiative.

The legality of the processing of special data (health data) is ensured by GDPR Article 9 (2) point b), according to which the data processing is necessary to fulfill the data controller's obligations arising from EU and national legal regulations guaranteeing the social security of the data subject, and to exercise the specific rights – right to travel - of the data subject, which obligations are set out in Chapter V of Regulation 2021/782/EU, as well as in Regulation 271/2009 (XII. 1.) Defined by Government Decree.

3.4. Duration of the data processing: the Data Controller stores the personal data for 5 years from the completion of the special travel request.

3.5. Scope and purpose of processed data

3.5.1. Data processing related to the use of the service with a wheelchair:

*The personal data marked with * is mandatory!*

Scope of processed data	Purpose of processed data
The data subject full name*, and the exact date of notification of the request and the signature of the data subject*	Data required to identify the data subject.
According to the data subject's choice, phone number	Data required to maintain contact with the

and/or e-mail address*	data subject
The data about departure and return (day of travel, departure, transfer and destination stations, train departure time), data about the wheelchair (the type of wheelchair, weight, width, length, collapsibility), other data about the limitations of mobility (can sitting, can use the toilet independently, traveling alone or with a companion, who, where and when will collect the ticket).*	Data required to organize the wheelchair travel of the data subject

3.5.2. Data processing related to the use of the service with other assistance:

*The personal data marked with * is mandatory!*

Scope of processed data	Purpose of processed data
The data subject full name*, and the exact date of notification of the request and the signature of the data subject.*	Data required to identify the data subject.
According to the data subject's choice, phone number and/or e-mail address.*	Data required to maintain contact with the data subject.
The data about departure and return (day of travel, departure, transfer and destination stations, train departure time), type of disability, form of assistance, at which station you request assistance, other comments.*	Data necessary for the organization of assistance for the travel of the data subject.

3.6. Legal consequences of not providing personal data: if the data subject does not make available the data, which specified in point 4.4 to the Data Controller, then the Data Controller cannot organize the railway transport (travel by train) of the data subject regard to the limited mobility.

3.7. Source of processed data: if the data subject reports the special travel request directly to the Data Controller, the source of the personal data is the data subject. If the data subject reports the special travel request to another - domestic (e.g. GYSEV Zrt.) or foreign - railway company, but in conducting the trip, the Data Controller also has a task, then the source of the personal data is the railway company to which the data subject notified the special travel request.

3.8. Recipient of the data transfer: if the data subject's travel is international, the data of the data subject will be forwarded to the railway company involved in the execution of the journey as follows:

3.8.1. MÁV Co. (headquarters: 1097 Budapest, Könyves Kálmán krt. 36., Co.reg.no.: 01-10- 042272).
The purpose of data transfer: to ensure the necessary infrastructural conditions to the special travel needs. *The legal basis of data transfer:* on the basis of Article 6 (1) point b) of the GDPR, data processing is necessary to fulfill the contract between the Data Controller and the data subject and on the basis of Article 9 (2) point b) of the GDPR, data processing is necessary to fulfill the data controller's obligations arising from EU and national legal regulations guaranteeing the social security of the data subject, and to exercise the specific rights – right to travel - of the data subject, because the transmission of the information necessary to fulfill the special travel request is mandatory based on point a) of Article 24 of Regulation 2021/782/EU.

- 3.8.2. **Győr-Sopron-Ebenfurti Railway Co. – GYSEV Co.** (headquarters: 9400 Sopron, Mátyás király utca 19., Co.reg.no.: 08-10-001787). *The purpose of data transfer:* if the special travel request affects the service of GYSEV Zrt, then the personal data of the data subject will be forwarded to GYSEV Zrt. for the purpose of ensuring the trip. *The legal basis of data transfer:* on the basis of Article 6 (1) point b) of the GDPR, data processing is necessary to fulfill the contract between the Data Controller and the data subject and on the basis of Article 9 (2) point b) of the GDPR, data processing is necessary to fulfill the data controller's obligations arising from EU and national legal regulations guaranteeing the social security of the data subject and to exercise the specific rights – right to travel - of the data subject, because the transmission of the information necessary to fulfill the special travel request is mandatory based on point a) of Article 24 of Regulation 2021/782/EU.
- 3.8.3. **In the case of the data subject traveling internationally, that foreign railway company - including a railway company operating in a third country outside the EEA - , which contributes to the execution of the trip.** *The purpose of data transfer:* if the special travel request concerns an international road, then the personal data of the data subject will be forwarded to the railway company involved in the organization and execution of the international journey. *The legal basis of data transfer:* on the basis of Article 6 (1) point b) of the GDPR, data processing is necessary to fulfill the contract between the Data Controller and the data subject and on the basis of Article 9 (2) point b) of the GDPR, data processing is necessary to fulfill the data controller's obligations arising from EU and national legal regulations guaranteeing the social security of the data subject and to exercise the specific rights – right to travel - of the data subject, because the transmission of the information necessary to fulfill the special travel request is mandatory based on point a) of Article 24 of Regulation 2021/782/EU.
- 3.8.4. If a railway company operating in a third country outside the EEA also participates in the execution of the journey, then the legal basis of the transport of data subject's personal data is supported by GDPR Article 49 (1) point b), according to which the transfer of data to a third country is necessary to fulfill the contract between the data subject and the data controller.

4. Rights and enforcement options of data subject

Primarily the data subject can exercise the rights of data subject in the application submitted through the contact details indicated in point 1 of the Data Controller. We inform the data subject that it is possible to submit the request to exercise the data subject's right at any contact point of the Data Controller, but we recommend that do it one of the contacts indicated in point 1.

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 it is 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. The Data Controller shall inform the data subject of the extension of the deadline within one month of receipt of the request, indicating the reasons for the delay. Primarily the Data Controller shall comply the request as requested by the data subject. If the data subject submitted the request electronically – unless otherwise request by the data subject - the Data Controller shall provide the answer electronically.

The Data Controller shall ensure the exercise of the rights of the data subject for free. If the request for information is unfounded or – in particular due to its repetitive character - excessive, taking into account of providing the requested information or taking the action requested, the Data Controller may charge a reasonable fee for administrative 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.

4.1. . *Right to 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 of data processing, scope of processed data, duration of data processing, recipient of data transfer (who receives or received and for what purpose the data subject's personal data), the data subject's rights related to data processing, the right to submit a complaint to the 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.

4.2. *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.

4.3. *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 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.

4.4. *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.

4.5. Right to appeal

4.5.1. Right to lodge a 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

4.5.2. 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.

4.5.3. 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, then 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 our website (<https://www.mavcsoport.hu/en/mav-start/introduction/rights-data-subject-and-their-enforcement>).

5. 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;
- Regulation (EU) 2021/782 of the European Parliament and of the Council (April 29, 2021) on the rights and obligations of passengers using rail passenger transport;
- Act XLI of 2012 on passenger transport services;
- Act V of 2013 on the Civil Code;
- 271/2009. (XII. 1.) Government decree on the detailed conditions of rail passenger transport based on the national operating license.

**MÁV-START Co.
Data Controller**