

## **Privacy Policy on the camera surveillance performed by MÁV-START Zrt.**

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

Name: **MÁV-START Railway Passenger Transport Co.**  
Headquarters: 1087 Budapest, Könyves Kálmán krt. 54-60.  
Company reg. no.: 01-10-045551  
E-mail: [ertekesites@mav-start.hu](mailto:ertekesites@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 address: 1087 Budapest, Könyves Kálmán krt. 54-60. – please mark the following on the envelope: "for 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 storing of personal data recorded during electronic data processing, and the server service for store of data and, if necessary, transmit the data.

**3. The data subject:** the natural person whose image is recorded by the Data Controller's Camera Surveillance and Recording System (hereinafter: camera system) or, whose image and sound are captured by body cameras (hereinafter: data subject ).

### **4. Information about the data processing**

**Brief description of the data processing:** the Data Controller shall carry out camera surveillance and recording in the territory owned or lawfully used for the purposes indicated below, in particular in the place open to public traffic, in the area directly affected by the traffic of the railway vehicle, and in the vehicles used for the purpose of passenger transport services [Section 8 (2) point a)-b) and 8 (5) of the PTS Act] conducts camera surveillance and makes recorded camera recording.

As part of this, the Data Controller shall record video recordings by surveillance cameras deployed in the areas under its management, by on-board cameras in its vehicles and shall record video and audio recordings by body cameras attached to the data controller's employee clothes, who judge if necessary to achieve the purposes specified by law and below [Section 8 (3) of the PTS Act].

When recording by the body camera, the Data Controller ensures that the wearer of the body camera can start or stop recording. During the recording by the body cameras, the 30 seconds before the start of the recording and the events after the recording – until the end of the recording – are stored, which is to achieve the data processing purposes indicated below, in particular for the investigation the damages to life, integrity, person and property of the employee or agent wearing the camera and detection of an infringement against and proof them.

The body camera provides sound-based information about starting and ending the recording, and indicates the recording with a light.

**Purpose of the data processing:** detection of accidents and damages affecting the data controller's property (vehicle, equipment and other property), life, person, physical integrity and property (eg luggage) of the service provider's employees, agents and passengers, as well as national property, and investigation and proof of the infringements against them, as well as the investigation of complaints made by passengers regarding the service of the Data Controller.

**Legal basis of the data processing:** according to the point (e) of the Article 6(1) of the GDPR, data processing is necessary for the performance of a task in the public interest, which framework of data processing is defined in Sztv. § 8.

**Categories of the personal data:** in the case of recordings made by on board cameras an image of the data subject and in the case of recordings made by body cameras an image and voice of the subject.

**Period of the data processing:**

a) the storage period of the image and voice recorded by the body camera before the factual recording and storage of the recording shall be 30 seconds, which shall be deleted at the same intervals, unless the data controller employee starts the factual recording and storage.

b) Pursuant to paragraph 8 (9) of the PTS Act, the recording will be cancelled on the 16th day after the camera recording, in the absence of use.

c) 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.

d) if the Data Controller has initiated an investigation procedure in accordance with the provisions of § 8(13) of the PTS 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.

e) 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.

f) if the data subject – exercising his / her right to restrict data processing contained in Article 18 of the GDPR [see the point 5.5 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.

**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.

The Data Controller shall transmit the camera recording to the railway infrastructure manager for the purpose of investigating the accident in the event of a railway accident involving the railway vehicle, if the accident also affects the railway infrastructure manager.

## **5. Rights of the data subject and method of enforcement**

### ***5.1. The right to be informed***

The data subject may request information from the Data Controller, request the correction of his or her personal data and restrictions on data processing. Upon request, the Data Controller shall provide information on the personal data processed by the Data Controller, the purpose, legal basis, duration of the data processing, the name, address (headquarters) of the data Controller or the Data Processor and the activities related to data processing, about who and for what purpose will receive or have received the personal data of the data subject and the rights in relation to the processing. The Data Controller shall provide the information in writing in a comprehensible form as soon as possible after the receipt 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 period may be extended by a further two months. If the request for information is unfounded or, in particular due to its repetitive or excessive nature, the Data Controller may refuse to act on the request. The Data Controller may refuse to comply with a request to exercise the data subject's rights until the Data Controller can not identify the data subject beyond doubt.

### ***5.2. Right of access***

The data subject shall have the right to obtain from the 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 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 shall provide a copy of the personal data subject to data processing, provided that this does not adversely affect the rights and freedoms of others. The Data Controller may charge a fee for any additional copies requested by the data subject.

The exercise of the right of access does not include the case of the request for recording provided for in Section 8 (10) of the PTS Act, when a person who is not considered as data subject submits a request to the Data Controller not to delete the camera recording. In this case, the person requesting the camera recording must prove a legitimate interest which is the basis for not deleting a camera recording.

The Data Controller shall assess the existence of a legitimate interest on a case-by-case basis and, if it considers that the person requesting the camera recording has a legitimate interest, shall, in accordance with Article 6 (1) (f) GDPR – in addition to the implementation appropriate data security measures - , waive the cancellation of the camera recording pursuant to Section 8 (10) of the PTS Act or forward the recording to the person requesting the camera recording based on Section 8 (13a) of the PTS Act.

### ***5.3. 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.

### ***5.4. 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, 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.

### ***5.5. 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:

- 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, but no more than six months after the receipt of the request. In this case, the camera recording 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.

### ***5.6. 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 of the camera, the Data Controller will examine the feasibility of the request individually in each case.

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

### *5.7.1. 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 you require further information in addition to that contained in this Privacy Policy, you may request information through the contact details provided in Section 1. 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 you would like to find out more about the rights of the data subjects provided by MÁV-START Zrt., and about how to exercise the rights of the data subjects and the details of judging of request 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, 2023.

**MÁV-START Co.  
Data Controller**