



Privacy Policy on data processing by MÁV-START Zrt. in connection with complaints, reimbursement and compensation claims

1. The identity and contact details of the data controller

Name: MÁV-START Railway Passenger Transport Co.
Headquarters: 1087 Budapest, Könyves Kálmán krt. 54-60.
Company reg. no.: 01-10-045551
E-mail: eszrevetel@mav-start.hu
hereinafter: Data Controller.

Contact details of the Data Protection Officer:

E-mail: adatvedelem@mav-start.hu
Postal address: 1087 Budapest, Könyves Kálmán krt. 54-60. – please mark the following on the envelope: "To the Data Protection Officer".

2. The Data processor's name and contact informations

2.1. 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
hereinafter: Data Processor 1.

Based on the service contract concluded between the Data Controller and the Data Processor 1, the Data Processor provides IT service to the Data Controller, which includes the operation of communication applications (e.g. mail system and other registration systems) as well as the server service of computing devices, for which the personal data specified in this privacy policy is stored for the Data Controller.

2.2. Name: Care All Kft.
Headquarters: 1121 Budapest, Törökbálinti út 15. A. ép. fszt.
Company reg. no.: 01-09-727414
hereinafter: Data Processor 2.

Data Processor 2 operates and develops the ANDOC system for storing personal data processed within the framework of the data processes specified in this document.

2.3. The list of partners (data processors) authorized to sell the Data Controller's products is available on the Data Controller's website (<https://www.mavcsoport.hu/en/mav-start/introduction/privacy-policy>) in section 1.1. under the privacy policy. In the course of sales, the sales partners process personal data on behalf of and for the benefit of the Data Controller in the event that the data subject submits to the sales partner a complaint, observation, or refund or compensation claim regarding the service provided by the Data Controller.

3. Information on individual data processing

Brief description of data processing: the Data Controller is in accordance with Article 28 of the Chapter VI. of Regulation 2021/782/EU and § 17/A. of the Consumer Protection Act, as well as the Data Controller's Business Rules, ensures the lodging of complaints for passengers who have entered into a passenger transport service contract with it. A complaint is any comment, complaint, report, refund or compensation claim regarding the service presented by the passenger orally or in writing. In the event of a complaint, the Data Controller investigates the complaint and responds to the person concerned.

3.1. Data processing in connection with the investigation of comments and consumer complaints

<p>The data subject</p>	<p>the natural person who, in connection with the passenger transport service provided by the Data Controller, makes a comment or complaint (hereinafter together: complaint) in person or in writing, including the form published online by the Data Controller for this purpose, or the message sent by e-mail. If the person concerned makes his or her complaint in person, a minutes will be drawn up in accordance with consumer protection rules.</p>
<p>Purpose of the data processing</p>	<p>Investigating the complaint submitted by the data subject, identifying the data subject as part of this, and contacting the data subject in order to supplement the complaint, as well as responding to the data subject/complaint.</p>
<p>Personal data processed to achieve the purpose of data processing</p>	<p><i>In the case of a complaint submitted in person and in writing (in the minutes of the complaint):</i> the full name, address (zip code, settlement, street name and house number) and signature of the data subject, as well as the place, time, method and description of the complaint, as well as the documents which proves the complaint (e.g. ticket), as well as the file number of the complaint.</p> <p><i>In the case of a complaint submitted in writing, on an electronic form published online by the Data Controller:</i> full name and address (zip code, town, street name and house number) of the data subject, e-mail address, description of the complaint, nature (subject) of the contact, the documents which proves the complaint (e.g. ticket), statement on recognition and understanding of the Privacy Policy. If the data subject requests to be contacted in this way, he can also provide his phone number as he chooses.</p> <p><i>In the case of a complaint submitted in writing or by e-mail:</i> full name and contact information (e-mail address) of the data subject, description of the complaint, file number of the complaint, attachments (documents) which proves the complaint (e.g. ticket).</p>
<p>The legal basis of the data processing</p>	<p>on the basis of Article 6 (1) point c) of the GDPR, data processing is necessary to fulfill a legal obligation, which is based on paragraph (5) in § 17/A. of the Consumer Protection Act. If the data subject provides personal data that is considered special data in his / her complaint (e.g. health data), the legality of the data processing is supported by Article 9 (2) point f) of the GDPR, according to which data processing is necessary to establish and enforce legal claims.</p> <p>If the data subject provides his or her telephone number for the purpose of contact, the legal basis for processing the telephone number as personal data is the consent of the data subject in accordance with Article 6 (1) point a) of the GDPR.</p>

<p>The duration of the data processing</p>	<p>In the case of a complaint filed after January 1, 2021, the Data Controller shall retain the personal data of the data subject – pursuant to paragraph 7 in § 17/A. of the Consumer Protection Act – for 3 years from the date of the filing, while in the case of complaints filed before January 1, 2021 the personal data is processed for 5 years.</p>
<p>Source of the personal data</p>	<p>a) the source of the personal data is the data subject.</p> <p>b) if the data subject submits a complaint concerning the Data Controller to another railway company, this railway company forwards the complaint – along with the personal data – to the Data Controller, so in this case the source of the personal data is the railway company forwarding the complaint.</p>
<p>The obligation to provide personal data and the consequences of failure to provide data</p>	<p>if the data subject submits his/her complaint in person, in writing, the provision of personal data is mandatory, otherwise the Data Controller will not be able to properly document and investigate the submitted complaint.</p>
<p>The recipient of personal data</p>	<p>a) the Data Controller forwards the personal data included in the complaint submitted by the data subject to a member company belonging to the MÁV-VOLÁN group (hereinafter: "member company" or "recipient"), if the service indicated in the notification is considered as a service provided by the Recipient to the Data Controller and the appropriate evaluation of the complaint requires the cooperation of such Recipient, and the evaluation of the notification cannot be carried out without the personal data. If the content of the report can be evaluated without personal data, an anonymized version of the complaint is forwarded for the purpose of conducting the investigation.</p> <p>b) if the data subject submits a complaint to the Data Controller that concerns another railway company, the Data Controller forwards the complaint – along with the personal data – to the railway company affected by the complaint. <i>The purpose of the data transfer:</i> to forward the complaint submitted by the data subject so that it can be evaluated by the service railway company affected by the complaint. <i>The legal basis for data transmission:</i> the legitimate interest of the Data Controller and other service providers affected by the complaint [GDPR Article 6 (1) point (f)].</p>

3.1.1. Information on data processing for purposes other than the original purpose

<p>The data subject</p>	<p>the natural person who is the data subject of the data processing included in the point 3.1. and submits a complaint in the period between September 20, 2023 and October 20, 2023.</p>
<p>Purpose of the data processing</p>	<p>in order to optimize the manual customer service work related to the Data Controller's customer service activities – with the involvement of the Data Processor – exploring the possibilities of digital customer service processes, with the help of which it is possible to process automatically the inquiries sent to the e-mail addresses of the Customer Service (informacio@mav-start.hu and eszrevetel@mav-start.hu).</p>
<p>Personal data processed to achieve the purpose of data processing</p>	<p>all the personal data processed electronically specified in point 3.1.</p>

The legal basis of the data processing	According to Article 6(1)(f) of the GDPR, data processing is necessary to enforce the legitimate interests of the Data Controller, which is manifested in the fact that the Data Controller has a legitimate business interest in examining opportunities to improve its customer service processes, with which the processing and investigation of customer complaints can make the response more efficient and faster, thereby promoting a faster response to the complaints of customers who submit a complaint and thereby increasing their satisfaction.
The duration of the data processing	personal data will be processed until February 28, 2024.
The data processor	NTT Magyarország Kereskedelmi és Szolgáltató Kft. (headquarters: 1117 Budapest, Budafoki út 60., company reg. no.: 01 09 696931)

3.2. Data processing in connection with the evaluation of the claim for reimbursement related to the service of the data controller

The data subject	the natural person who submits a request or claim for reimbursement (refund) of the consideration paid for the use of the passenger transport service provided by the Data Controller.
Purpose of the data processing	evaluating the refund request submitted to the Data Controller, fulfilling (paying) and documenting the request if it is justified, fulfilling the obligation to preserve accounting documents.
Personal data processed to achieve the purpose of data processing	The full name and address (zip code, settlement, street name and house number) of the data subject; if the request is submitted by e-mail, the e-mail address; the description (content) of the submitted request, the attachments (documents) and if the data subject submitted his/her request in writing, the signature of the data subject. If the request is approved, the name of the account managing bank and account number of the data subject, IBAN code and Swift code in the case of a foreign account number, and if the data subject is classified as an individual entrepreneur, the relevant tax number will also be processed in order to make the payment.
The legal basis of the data processing	a) according to Article 6 (1) point f) of the GPDR, data processing is necessary to enforce the legitimate interests of the Data Controller, which is manifested in the fact that the Data Controller has a legal and economic interest in investigating the refund claims submitted against the Data Controller, and if it is founded, so fulfill it in accordance with the relevant legislation. b) if the Data Controller makes a payment in connection with the refund request submitted by the data subject, the legal basis for data processing is Article 6 (1) point c) of the GDPR, according to which data processing is necessary to fulfill a legal obligation, which is based on paragraph (2) in § 169 of the Accounting Act.
The duration of the data processing	a) personal data are primarily processed until the reimbursement request is assessed. b) if the request is accepted and the Data Controller makes a refund, the Data Controller shall retain the accounting documents directly and indirectly supporting the accounting in a legible form and in a retrievable manner for at least 8 years based on paragraph (2) in § 169 of the Accounting Act. c) if the request is not accepted, personal data will be processed for 3 years from the date of the notification based on paragraph (7) in § 17/A. of the Consumer Protection Act.

<p>Source of the personal data</p>	<p>a) the source of the personal data is the data subject.</p> <p>b) if the data subject submits a refund claim concerning the Data Controller to another railway company, this railway company forwards the claim – along with the personal data – to the Data Controller, so in this case the source of the personal data is the railway company forwarding the refund claim.</p>
<p>The recipient of personal data</p>	<p>if the data subject submits a refund claim to the Data Controller that concerns another railway company, the Data Controller forwards the claim – along with the personal data – to the railway company affected by the claim. <i>The purpose of the data transfer:</i> to forward the refund claim submitted by the data subject so that it can be evaluated by the service railway company affected by the refund claim. <i>The legal basis for data transmission:</i> the legitimate interest of the Data Controller and other service providers affected by the refund claim [GDPR Article 6 (1) point (f)].</p>

3.3. Data processing in connection with the assessment of claims for compensation and damages related to the services of the data controller

<p>The data subject</p>	<p>the natural person who submits a claim for compensation or restitution (hereinafter: claim) in connection with the passenger transport service provided by the Data Controller.</p>
<p>Purpose of the data processing</p>	<p>assessing the request submitted to the Data Controller in connection with its service, fulfilling (paying) and documenting the request if it is justified, fulfilling the obligation to preserve accounting documents.</p>
<p>Personal data processed to achieve the purpose of data processing</p>	<p>The full name and address (zip code, settlement, street name and house number) of the data subject; if the request is submitted by e-mail, the e-mail address; the description (content) of the submitted request, the attachments (documents) and if the data subject submitted his/her request in writing, the signature of the data subject. If the request is approved, the name of the account managing bank and account number of the data subject, IBAN code and Swift code in the case of a foreign account number, and if the data subject is classified as an individual entrepreneur, the relevant tax number will also be processed in order to make the payment.</p>
<p>The legal basis of the data processing</p>	<p>a) according to Article 6 (1) point f) of the GDPR, data processing is necessary to enforce the legitimate interests of the Data Controller, which is in the fact that the Data Controller has a legal and economic interest in investigating the claims made against it and, if they are well-founded, to fulfill them in accordance with the relevant legislation. If the request submitted by the data subject also contains special data (typically health data), the legality of the processing of this data is based on Article 9 (2) point f) of the GDPR, according to which data processing is necessary for the establishment, enforcement and protection of a legal claim, which legal claim manifests itself in the claim for compensation and/or damages.</p> <p>b) if the Data Controller makes a payment in connection with the request submitted by the data subject, the legal basis for data processing is Article 6 (1) point c) of the GDPR, according to which data processing is necessary to fulfill a legal obligation, which is based on paragraph (2) in § 169 of the Accounting Act.</p>
<p>The duration of the data processing</p>	<p>a) personal data are primarily processed until the claim is assessed.</p> <p>b) if the claim is accepted and the Data Controller makes a payment, the Data Controller shall retain the accounting documents directly and indirectly supporting the accounting in a legible form and in a retrievable manner for at least 8 years based on paragraph (2) in § 169 of the Accounting Act.</p>

	c) if the request is not accepted, personal data will be processed for 5 years after the request has been assessed.
Source of the personal data	a) the source of the personal data is the data subject. b) if the data subject submits a claim concerning the Data Controller to another railway company, this railway company forwards the claim – along with the personal data – to the Data Controller, so in this case the source of the personal data is the railway company forwarding the claim.
The recipient of personal data	if the data subject submits a claim to the Data Controller that concerns another railway company, the Data Controller forwards the claim – along with the personal data – to the railway company affected by the claim. <i>The purpose of the data transfer:</i> to forward the claim submitted by the data subject so that it can be evaluated by the service railway company affected by the claim. <i>The legal basis for data transmission:</i> the legitimate interest of the Data Controller and other service providers affected by the claim [GDPR Article 6 (1) point (f)].

3.4. Data processing in the case of judicial, conciliation board or official proceedings

The data subject	the natural person who exercises his right of redress in relation to the response to the complaint submitted to the Data Controller and based on this, the case is investigated in an official procedure or in a conciliation body procedure by the competent authority or conciliation body.
Purpose of the data processing	participation in the procedure concerning the Data Controller, the statement of the Data Controller's position in the procedure, and the documentation of the procedure.
Personal data processed to achieve the purpose of data processing	any personal data that cannot be determined in advance, which comes to the attention of the Data Controller in the framework of the procedure.
The legal basis of the data processing	according to Article 6 (1) point f) of the GDPR, data processing is necessary to enforce the legitimate interests of the data controller, which is manifested in the fact that the Data Controller has a legal and economic interest in processing the personal data within the framework of the official proceedings initiated against it, which are necessary for his participation in the procedure, especially for maintaining contact with the authority and making comments during the procedure.
The duration of the data processing	the Data Controller, as an organization performing a public task, preserves all documents generated in connection with official / court proceedings for 10 years for the purpose of archiving in the public interest, in accordance with its rules for document management.
Source of the personal data	a) the source of the personal data is the data subject. b) if the data subject submits his/her claim to the competent court or authority, the source of the personal data is the court or authority handling the case.

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

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.

4.1. 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 the personal data related to the ongoing data processing about the following information: the purpose of the data processing, the categories of personal data, the duration of the data processing, who and for what purpose receive or have received the personal data of the data subject, his or her rights related to data processing, and the right to submit a complaint to the supervisory authority.

Based on the request of the data subject, the Data Controller provides a copy of the processed personal data if it does not adversely affect the rights and freedoms of others. The Data Controller provides a copy of the personal data to the data subject free of charge for the first time, and may charge a fee for each additional copy.

4.2. The right to modify, correct and supplement data

The data subject can request the modification (correction) of inaccurate personal data relating to him/her or the addition of incomplete personal data via the contact information given in point 1. The data controller will notify the data subject of the correction.

4.3. Right to withdraw consent

The data subject may withdraw his/her consent in accordance with Article 6(1)(a) of the GDPR at any contact point of the Data Controller without any time limit, which does not affect the legality of the data processing carried out on the basis of the consent prior to the withdrawal. If the data subject withdraws his/her consent, the Data Controller will delete the data subject's data without delay and inform the data subject of the measures taken.

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

The data subject may request the deletion of his/her personal data if the purpose of the data processing has ceased, if the data subject withdraws his/her consent, if the data processing is unlawful, if the specified time limit for data storage has expired, and if it has been ordered by a court or authority. The Data Controller will notify the data subject of the deletion of personal data. The Data Controller does not delete personal data if it is necessary to fulfill the legal obligations (e.g. with regard to the retention period prescribed by the Consumer Protection Act and the Accounting Act) of the Data Controller, as well as to present, enforce and defend legal claims.

4.5. Limitation of data processing

The data subject may request that the processing of his/her personal data be restricted 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 informs the data subject in advance of the lifting of the restriction at the request of the data subject.

4.6. Right to object

The data subject has the right to object at any time to the processing of his personal data based on points e) and f) of Article 6 (1) of the GDPR for reasons related to his own situation. This right can be exercised in the case of data processing indicated in point 3.4. and 3.6. of this Privacy Policy. In this case, the Data Controller will not process the personal data unless the controller demonstrates 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 will individually examine the feasibility of the request.

4.7. Remedies (Right to appeal)

4.7.1. 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. If the data subject would like to find out more about the rights, please visit

4.7.2. 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
Website: www.naih.hu

4.7.3. 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.

5. Legislation applied and referred to during above-mentioned data processings

The Data Controller applies the following legislation during its data processing processes specified in point 3 of this Privacy Policy:

- 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 / GDPR);
- 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 on rail passengers' rights and obligations;
- Act CLV of 1997 on consumer protection;
- Act C of 2000 on accounting;
- Act LXVI of 1995 on the protection of public records, public archives and private archive material;
- Government decree no. 335/2005. (XII.29.) on the general requirements for document management of bodies performing public duties.

**MÁV-START Co.
Data Controller**