



## LEGITIMATE INTERESTS ASSESSMENT

<p><b>Description of the processing subject to the legitimate interests assessment</b></p>	<p><b>Controller:</b> ROATEX Ltd. Limited Company</p> <p><b>Date of the legitimate interests assessment:</b> 1 November 2020</p> <p><b>Description of the processing activity:</b> Production of statistical data to determine the capabilities of data collection devices gathering data for toll enforcement, by capturing the data of vehicles passing by the device monitored by the Controller and comparing the data recorded and made available by National Toll Payment Services Private Company Limited by Shares (hereinafter: "NTPS Plc.") in order to verify the functioning of the capabilities of data collection devices in practice (i.e. in real environment), compare their efficiency and select the most optimal device.</p> <p><b>The personal data processed:</b> registration number of the vehicle</p> <p><b>Planned procedure of the processing activity:</b> Findings of the comparison of the data recorded by the Controller, together with the data recorded by NTPS Plc. and made available to the Controller will serve as the basis for examining the capabilities. Data recorded by the data collection devices are stored on a device provided by the Controller, and are not disclosed to third parties. Data recorded by the Controller will be processed for the sole purpose of measuring against the surveillance data collected by NTPS Plc. and made available to the Controller; such data will be erased once the comparison is complete. The data are compared using the following data:</p> <ul style="list-style-type: none"> <li>- date of unauthorised road use (transit);</li> <li>- following data of the detected vehicle: <ul style="list-style-type: none"> <li>o registration number,</li> <li>o country code,</li> <li>o number of axles,</li> <li>o vehicle category</li> </ul> </li> </ul> <p>Following comparison of the data recorded by the Controller and NTPS Plc., in the course of investigating the cause of any discrepancies, the Controller will access images recorded of any events affected by such discrepancies.</p> <p>The data made available to the Controller for the purposes of investigating any discrepancies will not be handed over to the Controller; employees of the Controller participating in the evaluation are authorised to record the findings of such evaluation (i.e. the detected cause of a discrepancy).</p> <p>Based on the results of such comparisons, the Controller will generate statistical data to present and analyse the capabilities of the examined devices. Personal data will be stored only until the statistical data required for the purpose are generated, but for a maximum of 30 days.</p>
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<p><b>Identifying the legal basis and the lawfulness of the legitimate interest</b></p>	<p>In order to develop a project for the cashless toll payment system with the Indonesian Multi-Lane Free Flow (MLFF) solution, the Controller carries out certain preparation and implementation tasks in cooperation with NTPS Plc. The strategic goal of this cooperation is to enable the international use of the Hungarian electronic toll collection solution and to increase the international presence of Hungarian knowledge export. In preparing the project, it is necessary to examine how the capabilities of different data collection devices function in practice (i.e. in real environment), to compare their efficiency and to select the most optimal device. Findings of the examination will describe whether the examined devices and the data collection devices used in the Hungarian toll system as a reference system can be considered equivalent.</p> <p>For the above reasons, it is in the legitimate interest of the Controller to carry out examinations and to make an informed decision regarding the data collection devices on the basis of the findings of such examinations.</p> <p>The Controller therefore has a lawful, explicit, genuine and legitimate interest to the processing of the relevant data.</p>
<p><b>Examining the necessity of processing in relation to the enforcement of interests to processing</b></p>	<p><b>An explicit and clear demonstration of the facts supporting that processing is strictly necessary and appropriate with a view of these interests:</b></p> <p>It is necessary, for such examination, to record the data on which the statistical data are based by using the examined devices in a real environment, simultaneously with the data collection devices used in the toll system. Targeted comparison and thus processing is impossible without such examination.</p> <p><b>Examining whether there are alternative solutions with a view of these interests that are less restrictive for individuals:</b></p> <p>Due to the subject and nature of the examination, no other technique or solution is available that could be used, without data collection, to examine whether a data collection device functions properly in practice (in real environment) or if it can be considered equivalent to the devices currently used in the toll system, therefore, no other methods are available which would limit the data subjects' right to informational self-determination to a lesser extent.</p>



<p><b>Examination of the proportionality of processing, in view of the fundamental rights and interests of the Controller and data subjects affected by the processing</b></p>	<p><b>Examining the interests and rights of data subjects:</b></p> <p>Pursuant to Article VI of the Fundamental Law, everyone shall have the right to the protection of his or her personal data. Article 5 of the GDPR sets out the basic principles for the processing of data of data subjects, including data minimisation, whereby processing shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed. Only personal data that is essential and suitable for achieving the purpose of data processing shall be processed. Personal data may only be processed to the extent and for the duration required to achieve its purpose. Pursuant to the foregoing, data subjects therefore have a protected interest to:</p> <ul style="list-style-type: none"><li>▪ exercise their rights to informational self-determination and other rights of data subjects laid down in the GDPR; and</li><li>▪ have the controllers respect and protect their privacy and personality rights.</li></ul> <p>The personality right involved in the present legitimate interests assessment is the right specified in Section 2:43(e) of Act V of 2013 on the Civil Code. In terms of such right, the processing limits the right of data subjects to the protection of their personal data by recording the registration number of the vehicle passing by the data collection device.</p> <p><b>Proportionality:</b></p> <p>The specific processing is proportionate given that data subjects' rights are limited only to an extent necessary for the aim pursued; and it is impossible to achieve the above purpose of the examination, due to lack of data.</p> <p>The scope of processing covers only data that are strictly necessary for the purpose, by respecting the principles of data minimisation and purpose limitation.</p> <p>The Controller is not authorised by law to request any data from the vehicle register within the road transport records to identify the data of the owner/operator of the vehicle; therefore, the given vehicle and the identity of the relevant owner/operator will not be combined. Consequently, the Controller neither has access to nor has the opportunity to access personal data in respect of the vehicles during the processing period.</p> <p>Processing alone does not negatively affect data subjects, given that the processing itself is not perceived by them. Any adverse effect for data subjects would occur if the data on the registration number were linked to that of the owner/operator, but the Controller is unable to do so.</p> <p>The lack of processing would prevent the defined statistics purpose from being achieved as well as the examination of the image recording devices, and ultimately, the secure preparation of the project.</p> <p>There is no data category within the scope of the processed data that would enjoy any special protection. Processing does not involve any sensitive data or special categories of personal data. The recorded images alone are not suitable for identifying the personal data of natural persons who may be associated with the vehicle at the time of recording.</p>
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<p><b>Creating a balance in processing by considering the additional safeguards of processing — Examination of security measures (safeguards)</b></p>	<p>In order to enable as many data subjects involved in the data collection as possible to receive information about the processing, the Controller has agreed with NTPS Plc. to publish the rules governing the processing which are relevant for data subjects on the website of the latter, which is the platform best known and used by such data subjects (i.e. the road users).</p> <p>The actual application of the above principles of purpose limitation and data minimisation offers additional guarantees for the data subjects.</p> <p>The Controller does not further process the personal data for purposes other than that of their collection.</p> <p>No person other than the staff members (employees/agents) employed by the Controller in a legal relationship for work and designated for this task will participate in the processing.</p> <p>The Controller stores personal data in the form of protected files.</p>
<p><b>Measures to be implemented in the event of the exercise of the data subjects' right to object</b></p>	<p>The detailed description of data subjects' rights is available in the relevant Privacy Policy, published by the Controller on its own website and on the website of NTPS Plc. (<a href="http://www.toll-charge.hu/articles/article/privacy-policy-1">http://www.toll-charge.hu/articles/article/privacy-policy-1</a>).</p>
<p><b>The decision made on the basis of the assessment (the findings of the legitimate interests assessment)</b></p>	<p><b>Existence of a legitimate interest</b></p> <p>It is in the indisputable legitimate interest of the Controller to carry out the above-described examinations and to make an informed decision regarding the data collection devices on the basis of the findings of such examinations.</p> <p>The necessity of processing</p> <p>Processing the specified data (vehicle registration number) is essential for achieving the purpose.</p> <p><b>Proportionality</b></p> <p>In certain cases, the right of data subjects to informational self-determination may be restricted in accordance with the requirement of necessity and proportionality. The violation of data subjects' rights to the protection of personal data cannot be demonstrated at all or it is marginal.</p> <p><b>Findings of the legitimate interests assessment</b></p> <p>It is in the interest of the Controller to process the data subjects' registration number, qualifying as personal data (as defined in the Privacy Policy), to be able the examination of the data collection device. Given that the processed personal data are stored and used only for the purpose and for a period necessary for such purpose, and available to a limited and strictly necessary extent, the Controller ensures the safe storage of such data and it has considered the interests, rights and reasonable expectations of data subjects, and therefore it is proportionate to restrict the data subjects' right to informational self-determination to achieve the desired purpose.</p> <p>The conclusion of the assessment is that the processing does not constitute an unnecessary and disproportionate restriction of the interests, fundamental rights or freedoms of data subjects. Data subjects are informed of the circumstances of such processing and their rights prior to the recording of the personal data. Data subjects have the right to object to processing.</p> <p>Based on the above assessment, it can be concluded that the processing is necessary and proportionate, does not unreasonably interfere with the privacy of data subjects; the legitimate interest of the Controller can serve as the legal basis for processing.</p>

Place and date: Budapest, 7 December 2020

Roatex Ltd.