

## NOTICE ON THE PROCESSING OF PERSONAL DATA FOR TOLL SYSTEM USERS

**Dear User,**

The purpose of this notice is to provide users of the distance-based road use system (hereinafter: "Toll System") with sufficiently detailed and clear information regarding the processing of their personal data (hereinafter: "Data Processing") collected by the National Toll Payment Services Plc. (hereinafter: "NTPS Plc." or "Our Company") and used by the authorised toll enforcement, technical, economics, controlling, communication and marketing staff.

### **I. Legal background:**

Based on statutory designation and due authorisation, NTPS Plc. carries out toll charger, toll enforcement support and bound service provider tasks in the Toll System on behalf of the Hungarian State.

Data Processing tasks are regulated by the provisions of Act LXVII of 2013 on the distance-based electronic toll for the use of motorways, expressways and main roads (Toll Act), Decree 209/2013 (VI.18.) of the Government on the implementation of Act LXVII of 2013 on the distance-based electronic toll for the use of motorways, expressways and main roads (Toll Act Implementation Decree), Act CXII of 2011 on informational self-determination and the freedom of information (Privacy Act), as well as of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 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) and other civil law regulations.

### **II. Basic terminology:**

**User (the addressee of this notice):** a contracted toll payer, natural person or legal entity, a natural person's representative, agricultural primary producer or sole proprietor or any other person liable to toll payment and in a contractual relationship with NTPS Plc., being a user in the Toll System and registered on NTPS Plc.'s website at [www.hu-go.hu](http://www.hu-go.hu), provided that

- the services of the Toll System are used through a reseller of NTPS Plc. who does not operate within NTPS Plc.'s integrated sales system, and/or
- performs its toll payment obligations or
- its obligation for toll declaration by itself or through a toll declaration operator.

**Personal data** means any information relating to an identified or identifiable natural person ("data subject"); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

**Data processing** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by

transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

**Data Processor** means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the data controller.

**Reseller:** a natural or legal person or other entity who has contracted with NTPS Plc. for providing a specific service in the Toll System. The reseller provides the service in their own name. The list of NTPS Plc.'s resellers is available at <https://hu-go.hu/articles/article/viszonteladk-listja>.

**Services available through resellers in the Toll System:**

(a) sale of pre-paid road toll service through the topping up of the toll balance to contracted toll payers that have a contract in place with the bound service provider (NTPS Plc.),

(b) sale of route tickets,

(c) sale of on-board units provided by the bound toll service provider (NTPS Plc.) or its toll declaration operator or assistance in the delivery of such units to contracted toll payers.

**III. Scope, legal basis, purpose and duration of data processing:**

Name of the data (the following data is considered to be personal data if they can be linked to the User, or if they can be used to draw conclusions about the User.)	Purpose of data processing	Legal basis for data processing	Duration of data processing
the natural person road user, operator and contracted toll payer's name, place of residence, mother's name, date and place of birth, e-mail address, telephone number, payment account number and personal identification document		fulfillment of legal obligations	The general limitation period stipulated in civil law from the termination of the User Agreement
the toll and the fine to be paid	for the purpose of performing the toll collection, toll service provider and toll enforcement supporting tasks, based on Article 26		NTPS Plc. in its capacity as service provider until the expiration of the claim for the payment of the fee or the fine, provided that in its capacity as toll charger,
location and time of road use			
place and date of the toll payment			

registration number of the motor vehicle or combination of motor vehicles	of the Toll Act and in accordance with the implementation decree of the Toll Act		NTPS Plc. is entitled to process these data for a period of <b>7 years</b> from the date of their creation, particularly for the purpose of data reporting to the TSM system
characteristics of the motor vehicle or a combination of motor vehicles required to determine the toll category			
identification data of the registered on-board units			
a photo of the motor vehicle and its official marking a) with b) without road use authorisation			NTPS Plc. in its capacity as toll enforcer until the expiration of the claim for the payment of the fee or the fine, provided that in its capacity as toll charger, NTPS Plc. is entitled to process the data (including the transfer of such data to an authorised entity) for a period of <b>360 days</b> for item a), and for a period of <b>2 years</b> for item b) from the date of their creation, particularly for the purpose of data reporting to the TSM system,
the gross weight, axle load and size of the motor vehicle or combination of motor vehicles			NTPS Plc. in its capacity as service provider until the expiration of the claim for the payment of the fee or the fine, provided that in its capacity as toll collector, NTPS Plc. is entitled to process such data for a period of <b>3 days</b> from the date of the data transfer, including for purposes of data reporting towards the TSM system
the password, e-mail address, and phone number of the contracted toll payer entered during	The purpose of processing such data is to comply with the user agreement ("User Agreement") between NTPS Plc. and the road user	performance of the contract, fulfillment of legal obligations	The general limitation period stipulated in civil law from the termination of the User Agreement

registration information of contact person in the contract (name, phone number, email address)	to be concluded during registration on NTPS Plc.'s website (www.hu-go.hu) pertaining to the use of the Toll System in a manner that is both efficient and in compliance with the Toll Act and the implementation decree to the Toll Act (applicable General Terms and Conditions: <a href="https://hu-go.hu/files/document/document/6107/Felhasználói_ÁSZF_20160315_tól.pdf">https://hu-go.hu/files/document/document/6107/Felhasználói_ÁSZF_20160315_tól.pdf</a> ), and furthermore the creation, definition, modification, and performance monitoring of the User Agreement, the billing of the charges arising therefrom, and the enforcement of related claims and the availability of data that is technically indispensable for providing the service (Article 13/A Paragraphs (1)-(2) of the E-Commerce Act).		
notification address, telephone number, e-mail address, and contact name for the registered toll account			
billing address			
if a low balance notification is requested for the toll account, the low balance limit value			

**On suspicion of unauthorised road use,** if the party authorised to impose an administrative fine contacts NTPS Plc. within the context of an administrative procedure and in the form of domestic legal assistance, NTPS Plc. may release the User's data registered in the Toll System to the police for the purpose of providing domestic legal assistance. In this case, the purpose is to support the lawful levying of fines. The length of the data processing period by the authority levying the fine in question may not exceed the limitation period of the claim for a fine.

Registration number for registration at the HU-GO website by the National Authority for Data Protection and Freedom of Information: **NAIH-66320/2013.**

#### **IV. Persons involved in Data Processing**

If the User uses a Toll System service through a Reseller that does not have a sales system integrated into NTPS Plc.'s own system, that Reseller is considered to be a Data Processor with regards to the User's following data:

notification address, telephone number, e-mail address, contact name, and billing address provided for the registered toll account

The provisions of the relationship between NTPS Plc. as data controller and the Reseller as data processor are governed by Annex 13 to the Toll Reseller General Terms and Conditions, published on NTPS Plc.'s website.

Persons involved in data processing are fully liable for any activity beyond the data category, manner, extent and duration specified above.

If a toll declaration operator is used, NTPS Plc. shall perform personal data processing for the User independently from the toll declaration operator, in accordance with this Notice, and there shall be no legal relationship between NTPS Plc. and the toll declaration operator for data processing.

**V. Rights of natural persons (data subjects of the Data Processing) related to data processing:**

You have the following rights and enforcement options regarding data processing:

1. **Right to information.** Pursuant to Article 15(1) of the GDPR, you may request information concerning the personal data processed by NTPS Plc. In this event, NTPS Plc. sends the following information to the address (e-mail, postal address) specified by you:

- your personal data processed;
- the purpose of data processing;
- the duration of data processing;
- your rights regarding data processing;
- the right to file a complaint addressed to the National Authority for Data Protection and Freedom of Information.

Please send your request for information via registered or receipt mail addressed to NTPS Plc. (address: H-2101 Gödöllő Pf.: 148) or by e-mail to our customer service at [ugyfel@hu-go.hu](mailto:ugyfel@hu-go.hu).

2. **Right to request a copy.** Pursuant to Article 15(3) and (4) of the GDPR, you may request a copy of your personal data processed by NTPS Plc. In this event, NTPS Plc. sends your personal data processed by it to the address (e-mail, postal address) specified by you.

3. **Right to rectification.** Pursuant to Article 16 of the GDPR, we will amend and rectify your personal data at your request.

4. **Right to erasure.** In compliance with Article 17 (1) of the GDPR, you may request that we erase your publicly disclosed personal data if it is processed with your consent.

5. **Right to restriction.** You may request the restriction of data processing in the following cases:

- if you contest the accuracy of the personal data, we will restrict their processing until NTPS Plc. verifies their accuracy;
- the data processing is unlawful, and you oppose the erasure of the personal data and request the restriction of their use instead;

– NTPS Plc. no longer needs the personal data, but they are required by you for the establishment, exercise or defence of your legal interests;

In your request for the restriction of data processing, you will also need to specify the reason for the request.

NTPS Plc. will honour your request for the restriction of data processing by storing your personal data separately from all other personal data. For instance, if stored electronically, they will be saved to external media, while paper-based files will be stored in separate folders.

6. **Common rules for the exercise of rights.** NTPS Plc. will act upon your request within a month. This deadline may be extended by a maximum of two months.

If your request is denied, NTPS Plc. will inform you, within one month of the receipt of your request, about the reasons for such denial and about your ability to file a complaint with the Authority and to seek judicial remedy.

If NTPS Plc. has reasonable doubts concerning the identity of the natural person making the request, it reserves the right to request the additional information necessary to verify the identity of the data subject. Such instances include in particular if the data subject makes use of his right to request a copy, in which case it is appropriate for NTPS Plc. to ascertain that the request originates from the authorised person. In such cases, the time limit for fulfilling or denying data reporting starts from the date that authorisation was verified.

## **VI. Enforcement options**

If you believe that NTPS Plc.'s data processing is not in compliance with legal requirements, you may initiate proceedings with the National Authority for Data Protection and Freedom of Information (mailing address: H-1530 Budapest, Pf. 5, e-mail: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)).

Furthermore, you have the right to initiate court proceedings regarding the data processing practices of NTPS Plc. You may initiate such proceedings, at your discretion, at the court competent at your place of residence or place of stay.

Place and date: Budapest, 24 May 2018