

Registration number: NAIH-3524-14/2022.

History: NAIH-7371/2021.

Subject: decision

H A T A R O Z A T

Before the National Data Protection and Freedom of Information Authority (hereinafter: Authority) a
at the number above, at the request of the applicant [...] (hereinafter: Applicant) at the number [...] with a camera system operated on the property
subject

in an ongoing data protection official procedure, in which the Applicant [...] (hereinafter:

Respondent) objected to data processing, the Authority made the following decision:

I. The Authority in part of the Applicant's request

illegal data processing

carried on

gives place and

I.1. condemns the Applicant because the personal data of natural persons

regarding its protection and the free flow of such data, as well as a

Regulation 2016/679 (EU) repealing Directive 95/46/EC (hereinafter:

general data protection regulation or GDPR) in violation of Article 6 (1) without a legal basis

observes part of the Applicant's property.

I.2. The Authority ex officio condemns the Applicant because Article 6 (1) of the GDPR

observes a public area adjacent to his property without legal grounds in violation.

I.3. The Authority is the I.1. and I.2. concerning the Applicant in accordance with the findings written in point

partly at the request of the Applicant, partly not affecting the Applicant, ex officio orders the

You are requested to terminate this decision within 30 days of its becoming final

and illegal data management, and brings its data management operations into line with the legal ones

provisions by

- changes the viewing angle of the two cameras installed by the Applicant so that it is the Applicant to an area outside your private area (neither public area nor adjacent private area).

be directed, or

- use a masking function when recording, or
- remove the cameras!

I.3. taking the measures prescribed in point 2

must be submitted in writing within 15 days of the

certify to the Authority. I.3. in case of non-fulfilment of the obligation according to point, the Authority orders a implementation of the decision.

II. The Authority's request for the removal of the cameras rejects.

There is no place for administrative appeal against the decision, but only from the announcement

within 30 days from the date of issue, with a letter of claim addressed to the Capital Tribunal

forwards it to the court together with its documents. Holding the trial

can be challenged in a lawsuit. You must submit the claim to the Authority electronically¹, which the case

request for a

must be indicated in the application. For those who do not receive full personal tax exemption a

the fee for an administrative lawsuit is HUF 30,000, the lawsuit is subject to the right to record fees. The capital city

Legal representation is mandatory in court proceedings.

I N D O C O L A S

I. The sales process

I.1. In its application received by the Authority on September 23, 2021, the Applicant

initiated an official procedure, on the basis of which a procedure was initiated before the Authority.

The Authority NAIH-7371-2/2021. s. with his order, he called on the lack of the application to be filled

Applicant, which the Applicant complied with within the deadline.

I.2. The Authority contacted NAIH-7371-4/2021. by order no. the Petitioner for the purpose of to invite him to make a statement during the clarification of the facts. The Applicant at the request of the Authority he sent his answer within the deadline.

The Authority considered that the Request was justified again in order to clarify the facts to call for a statement, therefore NAIH-3524-2/2022. in order no Requested. The Respondent also responded to the Authority's second inquiry within the deadline.

I.3. CL of 2016 on the general administrative procedure. Act (hereinafter: Act)

Pursuant to § 76, the Authority notified the Applicant and a Request that - taking into account the rules for access to documents - may hear the evidence and make a motion for further evidence.

I I . Cleaning up the reality

II.1. According to the Applicant's request, the Respondent installed a camera system in such a way that [...] in the area of the property under no. that the gate and garage of the Applicant's property and observes his yard. Attached to the request are the images depicting the objected cameras image recordings.

In addition, the Applicant - in response to the correction issued by the Authority - attached a no an authentic copy of the map on which the property of the Applicant and the Respondent has been marked, the two the location of the damaged camera and the location of the garage and terrace on the Applicant's property. THE The applicant also made a firm request that the Authority:

-
- do not monitor your property or public space,
-

II.2. According to the Respondent's statement, he installed the cameras himself - based on his own decision up for asset protection purposes and operates it himself.

The Applicant attached the number he received when purchasing the camera, next to the product code the following was indicated: 931-383112187939. According to the product description, the product is "wire

Remove or relocate the cameras so that they do not show the Applicant or the Applicant

Comply with the provisions of the General Data Protection Regulation with the Application.

1 The NAIH_KO1 form is used to initiate the administrative lawsuit: NAIH KO1 form (16.09.2019) The form can be filled out using the general form filling program (ÁNYK program).

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outdoor camera without DIGICAM". The camera's user manual is available online at the link below available at:

<https://images.hs-plus.com/product/manuals/DIGICAM%20HU.pdf>

According to the manual that can be downloaded from the Internet, the main features and functions of the camera are the following:

- 1080P (full-HD)
- 320° horizontal and 110° vertical rotation, even from a mobile phone application
- 4X digital zoom
- cloud storage,
- sound signal,
- android support,
- wireless Wi-Fi,
- video transmission,
- high resolution recording,
- scheduled recording,
- two-way audio,
- TF card storage,
- scanning and decision,
- remote controller,
- IOS support,
- remote monitor,

-infrared night vision,

- motion detection.

According to the user manual, the cloud service is suitable for video and audio storage.

The Applicant also informed the Authority of the following:

There are two cameras located at the two corners of the building, which monitor the gate entrance, the covered car park parking space, the green area on the plot border, your own windows, and the back plot border – it borders an undeveloped vacant lot - observes its fence and back patio.

The Respondent also stated that, in default, the first camera is its own gate entrance and the second camera is looking in the direction of his back patio, and neither are they they do not take photos or videos, are not set to record and do not have a memory card in them, he only uses them for remote monitoring, moreover, he made them only at the request of the Authority recordings.

The Applicant also attached camera footage.

Based on the recordings attached by the Applicant, one of the cameras (camera no. 1) is the Applicant observes his private area, the Applicant's gate entrance, as well as the public area beyond, the other camera (camera no. 2) public area and private area of neighboring properties (the Applicant the roof of his garage, an empty lot at the back, and another neighbor not involved in this case property) is also observed.

According to the Respondent's answer, in the spring of 2021, they broke into the empty lot at the back to the garage of a neighboring property (the Applicant) and the car parked in front of their house was also broken into, and valuable tools were also taken from them. Referring to this case, the Respondent submitted that he installed the cameras so that he could check the integrity of his property in his absence.

According to the Respondent's point of view, since he is not making a recording, it is not in anyone's personal interest offended him. The Respondent objected that, according to the Applicant, the gate of his property,

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observes his garage and terrace, as in the Respondent's opinion the pictures he has attached

based on this, it can be seen that the cameras cover his own gate entrance, parking space, the common property boundary, they "see" the fence on the side of the empty lot and their own terrace.

The Respondent also submitted that it can be established from the images taken with the cameras, that the cameras cannot see the Applicant's 2.5 meter high garage and corrugated iron fence because of the Applicant's yard, only the garage and the roof of the residential building, so in his opinion does not violate any privacy with cameras. The Respondent noted that a you see a garage door because the Applicant illegally built the garage right there to the gate entrance. The Respondent requested the termination of the procedure.

The Applicant also attached a site plan showing the location of the cameras. In this the cameras he marked the area of the entire property as his angle of view, so it is the rotation of the cameras can be used during operation.

II.3. The Applicant sent on March 4, 2022

inquired about the status of the case in his letter regarding and submitted that the cameras are still monitoring his property and referred to the fact that the garage was demolished recently, so the cameras are already in the inner parts of the lot can also be seen inside. The Applicant requested the Authority to take action to dismantle the cameras.

The Authority found that, based on the available information, it is not clear that a based on the angle of view of the cameras, which area(s) are currently suitable for observation, and to what extent and exactly which parts of the Applicant's property are affected, thereby a of his private sphere, if the visible area has really changed.

In order to assess this, and thus to clarify the facts, according to the Authority's point of view, it is current recordings were needed, so he invited the Applicant to make a statement again.

II.4. On April 6, 2022, the Applicant informed the Authority of the following via e-Paper:

The Applicant sent 10 pictures showing the following:

Image 1: A recording downloaded from Google Earth, on which the Applicant shows the location of the cameras presented.

Image 2: No. 2 snapshot of the camera's default position, according to which the camera is the Applicant he sees his private area (terrace and yard), and also the empty lot beyond the Applicant's property, and a lane from the neighboring property - different from the applicant's property - as the camera is high up was installed, so you can "see" over the fence.

Image 3: the middle position of camera 2, which is outside the Respondent's private area, the empty area beyond also "sees" the plot.

Image 4: camera 2 facing left: a common fence with a fence covered with corrugated iron and the You can see your private area.

Picture 5: the left-most position of the 2nd camera, which is approx. 2 m high corrugated iron fence, the Applicant lot, a part of the public area, and since the camera was placed high up, therefore a in addition to the corrugated iron fence, you can also see part of the Applicant's property, including its entrance door too.

6-7-8. image: a snapshot taken from the angle of view of a camera directed at the gate entrance, which shows the public area and he also sees part of the Applicant's property (front door and yard).

The Respondent added to this that this picture has changed somewhat from the one previously sent to picture, since the building control authority was probably investigating "irregular construction" and could order demolition, so the building used as a garage, which previously covered the camera's angle of view, however, this disappeared with the demolition. The Respondent also submitted that a

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a recording was made of the part before its entrance, because since the demolition began after working hours and every night the Applicant stood irregularly right in front of the Respondent's gate

van, and you may need the recording later to prove this. In the picture

it can be seen that a pickup truck (the number plate cannot be read) is parked in the lot in front of the Applicant, the About 1-2 meters from the requested gate.

Image 9: Left-most position of camera 1, which shows the Applicant's parking space, the Applicant's own

area, as well as the areas beyond (public area and part of the neighboring property).

Image 10: Right-most position of camera 1, which shows the 2 m high corrugated slate covering, the Applicant he can see his private area, and since the camera is mounted high, he can "see through" the on a corrugated iron fence, i.e. a part of the Applicant's property (the front door) and "sees", also observes an empty lot beyond the Respondent's property.

The Respondent submitted that it does not infringe the Applicant's personal rights, as the recordings are only It was prepared at the request of the authorities, and it does not store them.

III . APPLICABLE LAW REGULATIONS

Article 2 (1) of the General Data Protection Regulation applies to personal data

partially or fully automated processing, as well as their personal

for the non-automated processing of data that is part of a registry

are part of a system or are intended to be part of a registration system. The

for data processing under the scope of the General Data Protection Regulation, Infotv. Paragraph (2) of § 2

according to the general data protection regulation shall be applied with the additions indicated there.

CXII of 2011 on the right to information self-determination and freedom of information.

Act (hereinafter: Infotv.) for the protection of personal data according to Section 60 (1).

in order to enforce the right to data protection, the Authority, at the request of the data subject

initiates official proceedings and can initiate official data protection proceedings ex officio.

In the absence of a different provision of the general data protection regulation, the data protection authority

for procedure CL. 2016 on the general administrative procedure. law (hereinafter:

Ákr.) shall be applied with the deviations specified in Infotv.

Pursuant to Article 2 (2) of the General Data Protection Regulation, the regulation does not

applies to the processing of personal data if:

a) they are carried out during activities outside the scope of EU law;

b) the member states during activities falling under the scope of Chapter 2 of Title V of the EUSZ

are carried out;

c) carried out by natural persons exclusively in the context of their personal or home activities;
d) prevention, investigation, detection and prosecution of crimes by the competent authorities conducted for the purpose of conducting or enforcing criminal sanctions, including public safety protection against threats and the prevention of these threats.

Based on recital (18) of the general data protection regulation, the regulation does not shall apply to the personal data provided by the natural person exclusively as personal data for treatment carried out in the context of home activities, which are therefore of no professional or business nature cannot be associated with the activity. It is considered a personal or home activity for example, correspondence, address storage, and personal and home activities mentioned contact and online activities on social networks. E

regulation must be applied, however, to those data managers and data processors who a for the processing of personal data in the context of such personal or home activities is tools are provided.

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Based on recital (47) of the General Data Protection Regulation, the data controller - including the data controller with whom the personal data may be disclosed - or a third party the legitimate interests of a party can create a legal basis for data processing, provided that the interests of the data subject are fundamental your rights and freedoms do not take precedence, taking into account those with the data controller based on the relationship, the reasonable expectations of the person concerned. Such a legitimate interest can be discussed, for example when there is a relevant and appropriate relationship between the data subject and the data controller, for example, in cases where the data subject is a client of the data controller or in its employ stands In order to establish the existence of a legitimate interest, it is necessary to be careful examine, among other things, that the data subject at the time of collection of personal data and in connection with that, can you reasonably expect that data may be processed for the given purpose

beer. The interests and fundamental rights of the data subject may take precedence over the interests of the data controller on the contrary, if the personal data is processed under circumstances in which it is affected parties do not expect further data processing. Because it is the task of the legislator to legislate determines the legal basis on which public authorities can process personal data, that is the legal basis supporting the legitimate interest of the data controller cannot be applied, the public authorities for data management carried out by in the performance of their duties. Scams for personal data for the purpose of prevention, the data controller concerned is also entitled to treat it as absolutely necessary is considered to be in his interest. The processing of personal data for direct business purposes is also legitimate can be considered interest-based.

to a natural person

According to Article 4, Point 1 of the General Data Protection Regulation, "personal data: the identified or identifiable information;

the natural person who, directly or indirectly, in particular, can be identified

an identifier such as name, number, location data, online identifier or a

physical, physiological, genetic, intellectual, economic, cultural or social natural person

can be identified based on one or more factors relating to its identity."

("affected") concerning any

According to Article 4, Point 2 of the General Data Protection Regulation, "data management: personal

any performed on data or data files in an automated or non-automated manner

operation or a set of operations, such as collection, recording, organization, segmentation, storage,

use, communication

inquiry, insight,

conversion or alteration,

transmission,

distribution or otherwise

accessible

by item, coordination or

connection, restriction, deletion or destruction."

Pursuant to Article 4, point 7 of the General Data Protection Regulation, "data controller: the a

natural or legal person, public authority, agency or any other body that a

the purposes and means of processing personal data independently or together with others

define; if the purposes and means of data management are determined by EU or member state law

and, the data controller or the special aspects regarding the designation of the data controller in the EU

or may be determined by the law of the member state."

Management of personal data pursuant to Article 6 of the General Data Protection Regulation

it is only legal if and to the extent that at least one of the following is fulfilled:

a) the data subject has given his consent to the processing of his personal data for one or more specific purposes

for its treatment;

b) data management is necessary for the performance of a contract in which the data subject is one of the parties,

or to take steps at the request of the data subject prior to the conclusion of the contract

required;

c) data management is necessary to fulfill the legal obligation of the data controller;

d) the data processing is for the vital interests of the data subject or another natural person

necessary for its protection;

e) the data management is in the public interest or is a public authority entrusted to the data manager

driver's license

necessary for the execution of a task performed in the context of its exercise;

f) data management to enforce the legitimate interests of the data controller or a third party

necessary, unless the interests of the data subject take precedence over these interests

or fundamental rights and freedoms that require the protection of personal data,

especially if a child is involved.

Infotv. 60/A. According to § (1), in the official data protection procedure, the administrative deadline one hundred and fifty days.

The Akr. Based on § 51, paragraph (1) b) if the Authority exceeds the administration deadline - and there was no place to make a decision with a contingent effect - you are a fee for conducting the procedure an amount corresponding to the fee, or in the absence of this, ten thousand forints will be paid to the requesting client, who is also exempt from paying procedural costs.

Infotv. According to § 61, paragraph (1), point a), it was made in the official data protection procedure in its decision, the Authority issued Infotv. Data management defined in paragraph (2) of § 2 operations in connection with general data protection defined in the decree may apply legal consequences.

Infotv. 75/A. § 83 (2) of the General Data Protection Regulation, the Authority exercises its powers contained in paragraph (6) taking into account the principle of proportionality, especially with the fact that you are in the law regarding the handling of personal data

The regulations defined in the mandatory legal act of the European Union are being implemented for the first time in case of violation, to remedy the violation - with Article 58 of the General Data Protection Regulation in accordance with - takes action primarily with the warning of the data manager or data processor.

According to Article 58(2)(b) of the General Data Protection Regulation, the supervisory authority condemns the data manager or data processor if its data management activities have violated it the provisions of this regulation, and pursuant to point d) of the same paragraph, the supervisory authority acting within its corrective powers, instructs the data controller that its data management operations - given in a specified manner and within a specified period of time - harmonises this regulation with its provisions.

I V Decision making

IV.1. The person of the data controller, personal data and data management

Pursuant to Article 4, point 7 of the General Data Protection Regulation, the data controller is the natural or legal entity [...], which independently determines the purposes and means of processing personal data together with others it defines [...].

In the statement delivered to the Requested Authority - as the operator of the camera system - has clearly identified itself as a data controller, and since the procedure casts doubt on this did not arise during, and also because, according to the Respondent's statement, the camera was taken by the Respondent equipped, therefore, as the person determining the purpose and means of data management by the Authority considered a data controller.

Based on Article 4, Point 1 of the General Data Protection Regulation, it is about natural persons taking pictures is considered personal data.

Based on Article 4, Point 1 of the General Data Protection Regulation, the image of the data subject is personal is considered data. The identified or identifiable natural person is affected. All of these pursuant to, if a natural person can be identified based on a recording, then it is taking a picture is personal data, the taking of a picture is general data protection Article 4, point 2 of the regulation is considered data management.

The Respondent referred to the fact that the cameras do not record, nor do the cameras take photos, they don't take video either, they aren't set to record, and they don't have a memory card in them, just he uses them for remote monitoring and made the recordings only at the request of the Authority. THE Despite this declaration by the respondent, data processing is carried out in accordance with Article 4, point 2 of the GDPR with the camera surveillance carried out by him, because the recording is not required to be stored, since a The referred wording of GDPR is broader than the storage of the recording, given that it is

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"any operation performed by automated or non-automated means" is included and the GDPR the list referred to in point is not exhaustive. If the Applicant is only remotely "looks" at the observed area, where the Applicant and other stakeholders may be present, it is also means an automated operation, which is considered data processing under the scope of the GDPR.

IV.2. Subject of investigation

Based on Article 77 (1) of the General Data Protection Regulation, all data subjects are entitled to file a complaint with a supervisory authority, in Hungary the Authority, if it is concerned in his opinion, the handling of personal data concerning him violates general data protection decree.

Considering that the operation of cameras that also monitor public areas is closely related to With data management objected to by the applicant, the Authority investigated it ex officio with these cameras the legality of data management.

IV.3. Legality of camera data management

IV.3.1. Separation of household and non-household data management

The application of the camera may be suitable based on its placement and angle of view to observe another's private area or the public area connected to another's property make recordings that may violate the personal rights of the persons observed with the camera rights, privacy.

Based on point c) of Article 2 (2) of the General Data Protection Regulation, they do not belong to regulation, so the rules of the general data protection regulation do not have to be applied for the processing of personal data, if it is exclusively personal or domestic by natural persons carried out as part of their activities (so-called "household data management"). The personal or home activity is provided by recital (18) of the general data protection regulation examples, such as correspondence, address storage, personal and home activities contact on social networks and other online activities carried out in the framework of as well as camera surveillance in some cases. However, it is important to point out that - as soon as it was established by the Court of Justice of the European Union in the so-called Rynes judgment² - the private purpose the exception rule for data management must be interpreted narrowly. Pursuant to this decision a camera surveillance - in the part that is outside the private property of the data controller it also covers persons staying in the area - does not fall under the said exception.

This practice was upheld by the European Data Protection Board for use of video devices in its guidelines of 3/2019 on personal data management³. The guideline in addition to states that it is generally designed for the purpose of monitoring the self-owned area the application of a camera surveillance system can extend to the border of the area, he admits that it is exceptional case, a situation may arise where the scope of camera surveillance cannot be narrowed down within its own territory, since in this way it would not be sufficiently effective protection. Adequate technical or organizational measures (for example, the purpose of the monitoring covering an area that is not relevant from the point of view or the monitored part with IT tools filtering) in addition to the application, the individual is entitled to extend the camera observation of the immediate environment of the own-owned area as well.

At the same time, in the event that the private individual does not use the public space - or other private areas in the camera's field of view - covering solutions, or who purposefully a already operates a camera system monitoring a public area or other private area as a data controller becomes, moreover, its activity is not classified as private data processing, so it must apply all requirements of the General Data Protection Regulation for data controllers.

2 C 212/13. case number - <http://curia.europa.eu/juris/document/document.jsf?docid=160561&doclang=HU>

3 https://edpb.europa.eu/sites/edpb/files/files/file1/edpb_guidelines_201903_video_devices_en_0.pdf Chapter 3.1.2, point 27

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condominium shared

owned by

By applying masking, the area observed by the camera can be narrowed down to the area that is in the possession of the data controller. However, if the angle of view of the cameras is that of the cameraman outside the private sphere of the person performing data management with a monitoring system - for example to public space, area, or other third parties owned area - it is directed, it cannot be considered that the "personal,

and home" activities. For surveillance of public areas only in a narrow circle, expressed by law

it is possible according to regulations, as this activity may offend the person observed by the camera

your privacy by processing your personal data even against your will.

IV.3.2. Non-household data management

The data controller has, among other things, an appropriate and lawful data management purpose, as well as the data management

you must indicate the legal basis supporting its legality, if the camera surveillance does not

falls under the rule of the "household data management" exception mentioned in the previous point.

In cases of personal data management, it is set out in Article 6 (1) of the GDPR

legal grounds may be applied.

In the case of camera data management, consent can only be used in exceptional cases

its procurement cannot be solved in a way that complies with the GDPR in all cases

requirements, i.e. to be voluntary, specific and adequately informed

be based on (GDPR Article 4, Clause 11), and that the controller can subsequently verify (GDPR Article 7

Article (1) that all stakeholders have given their personal consent

to manage your data. For this reason, it is basically regulated in Article 6(1)(f) of the GDPR

the legal basis of legitimate interest can be invoked.

Although the Respondent did not specifically indicate legitimate interest as a legal basis, the relevant

based on the content of his answer to the question, the Authority examined the possibility that a

By the applicant

of operating an installed camera system, and it was completed as such

the legal basis for data management is Article 6 (1) point f) of the General Data Protection Regulation

(legitimate interest of data controller). The Requested sent to the Authority the purpose of asset protection

in his statement and referred to break-ins, but he did not support this with documents. THE

The "bad neighborly relationship" mentioned by the applicant, with non-compliance with building regulations

construction does not constitute the basis for monitoring for property protection purposes.

If the legal basis for data management is Article 6 (1) Paragraph f) of the General Data Protection Regulation legitimate interest according to point, the data controller must carry out an interest assessment. In this context among other things, it is necessary to determine the legitimate interest, the impact on the person concerned, and that whether data processing is necessary or proportionate, as well as whether it is a legitimate interest must be considered and whether the right of the affected person is of a higher order. In the consideration of interests, the the duration of the retention of personal data and the justification of its length must be proven in the interest assessment. The Respondent did not issue such a consideration of interests At the disposal of the authority.

According to the Authority's point of view, the reason mentioned by the Respondent as the reason for the surveillance - and with documents

unsubstantiated – “intrusions” do not justify observing the extent of the public area and the Applicant's private area, as currently observed by the two installed cameras.

The Authority accepted the Application under NAIH-3524-2/2022. s. in his order he specifically called out that if you refer to GDPR Article 6 (1) point f), i.e. a legitimate interest, then you justify it in the case of all cameras, the existence of the data controller's legitimate interest. The Authority is the Respondent despite his express invitation, he did not send such a certificate to the Authority. By the Applicant cameras can potentially be suitable for achieving specified asset protection goals, however, the Applicant's surveillance of passers-by on the Applicant's property and on public land, as well as the monitoring of persons who are staying, which is realized in this way, is permanent, for everyone unlimited data processing cannot be proportionate.

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with its provisions, therefore the Authority primarily the cameras

Therefore, considering that the Respondent did not substantiate with anything that GDPR Article 6.

on the basis of point f) of paragraph 1 of Article (1), he would have a legitimate interest in the areas outside his private territory monitoring, and therefore the Authority - upon request and ex officio - established that on this

its data processing is without a legal basis, so it conflicts with the provisions of Article 6 (1) of the GDPR, namely

handled the personal data of the Applicant and other stakeholders without a proper legal basis your personal data. For this reason, the Authority considers it necessary to narrow the monitored area to the extent that it fulfills the purpose of the observation, but does not extend beyond that, i.e. at most a extend to the fence line.

Pursuant to the above, the Authority is Article 58(2)(b) of the General Data Protection Regulation condemned the Applicant, as his data management activities violated the general provision of the data protection regulation, and also based on point d) of Article 58 (2) of the GDPR instructed him to change the angle of view of the cameras or to bring it into line by covering it up data management with the provisions of the GDPR.

IV.3.3. Petitioner's request to remove cameras

Considering IV.2.2. illegal data processing - decommissioning of the cameras instead of - the GDPR can also be brought into line by changing or covering up the viewing angle with its provisions, so since the data management of the Respondent can be harmonized in several ways with GDPR angle of vision

ordered the Applicant to modify/cover it up, thus removing the Applicant's cameras rejected his request.

IV.4. Legal consequences

IV.4.1. The Authority is the Requested

- he was convicted on the basis of Article 58 (2) point b) of the General Data Protection Regulation, because he its data management activities violated Article 6 (1) of the General Data Protection Regulation violates, moreover

- on the basis of Article 58 (2) point d) of the GDPR, instructed that the viewing angle of the cameras modify it or cover it up, or in the absence of these, bring it into line by removing the cameras data management with the provisions of the GDPR.

IV.4.2 The Authority nevertheless examined ex officio whether the Application was justified

imposition of a data protection fine against. In this context, the Authority is the general data protection regulation
Paragraph 2 of Article 83 and Infotv.75/A. on the basis of §, he considered all the cases ex officio
circumstances and established that in the case of the violation discovered during this procedure, a fine
imposition is not necessary.

IV.4.3. The Authority, in view of the fact that Infotv exceeded According to paragraph (1) of § 60/A
administration deadline, therefore HUF 10,000, i.e. ten thousand forints, for the Applicant - his choice
according to - pay the Ákr. by bank transfer or postal order. Section 51, subsection (1) b)
based on point

A. Other questions:

The competence of the Authority is set by Infotv. Paragraphs (2) and (2a) of § 38 define it, and its competence is
covers the entire territory of the country.

The decision is in Art. 80-81. § and Infotv. It is based on paragraph (1) of § 61. The decision is in Art. 82.

Based on paragraph (1) of § §, it becomes final upon its communication. The Akr. § 112 and § 116 (1)

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paragraph or § 114 (1) against the decision by way of an administrative lawsuit

there is room for a legal remedy.

* * *

The rules of the administrative trial are set out in Act I of 2017 on the Administrative Procedure

hereinafter: Kp.) is defined. The Kp. Based on § 12, paragraph (1), by decision of the Authority

the administrative lawsuit against falls within the jurisdiction of the court, the lawsuit is referred to in the Kp. § 13, subsection
(3) a)

Based on point aa), the Metropolitan Court is exclusively competent. The Kp. Section 27 (1)

legal representation is mandatory in a lawsuit falling under the jurisdiction of the court based on paragraph b).

The Kp. According to paragraph (6) of § 39, the submission of a claim is an administrative act

does not have the effect of postponing its entry into force.

The Kp. Paragraph (1) of § 29 and, in view of this, Pp. According to § 604, the electronic one is applicable

CCXXII of 2015 on the general rules of administration and trust services. law (a

hereinafter: E-administration act) according to § 9, paragraph (1), point b) of the customer's legal representative obliged to maintain electronic contact.

The time and place of submitting the statement of claim is set by Kp. It is defined by § 39, paragraph (1). THE information on the possibility of a request to hold a hearing in Kp. Paragraphs (1)-(2) of § 77

is based on. The amount of the fee for the administrative lawsuit is determined by Act XCIII of 1990 on fees. law (hereinafter: Itv.) 45/A. Section (1) defines. It is from the advance payment of the fee

Itv. Paragraph (1) of § 59 and point h) of § 62 (1) exempt the party initiating the procedure.

If the Respondent does not adequately certify the fulfillment of the prescribed obligation, the Authority

considers that he has not fulfilled his obligation within the deadline. The Ákr. According to § 132, if a

the obligee has not complied with the obligation contained in the final decision of the authority, it can be enforced.

The Authority's decision in Art. According to § 82, paragraph (1), it becomes final with the communication. The Ákr.

Pursuant to § 133, enforcement - unless otherwise provided by law or government decree

- ordered by the decision-making authority. The Ákr. Pursuant to § 134, the execution - if it is a law,

government decree or, in the case of municipal authority, a local government decree otherwise

does not have - the state tax authority undertakes. Infotv. Based on § 60, paragraph (7) a

In the authority's decision

reserved, to perform a specific act, defined

the decision regarding the obligation to conduct, tolerate or stop

its implementation is undertaken by the Authority.

During the procedure, the Authority exceeded Infotv. One hundred and fifty days according to paragraph (1) of § 60/A administrative deadline, therefore the Ákr. On the basis of point b) of § 51, he pays HUF ten thousand to the Applicant.

dated: Budapest, according to the electronic signature

Dr. Attila Péterfalvi

president

c. professor

