

File number:

Previous case number:

NAIH-3337-15/2022

NAIH-8003/2021

Object:

violation of law

determination

H A T A R O Z A T

Before the National Data Protection and Freedom of Information Authority (hereinafter: Authority).

applicant (residential address:; hereinafter:

Applicant) by (seat:; a

hereinafter: Applicant) against the processing of personal data on October 25, 2021

on the basis of your request submitted on ePapír regarding the lack of prior information regarding

official data protection procedure has been initiated. In the data protection official procedure above, the Authority is makes the following decisions:

I. At the request of the Applicant, the Authority determines that the Applicant on September 17, 2021.

and did not provide adequate prior information to the Applicant on September 30, 2021

by recording telephone calls initiated by the Respondent's telephone customer service

in connection with and thereby violated the personal data of natural persons

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

Regulation 2016/679/EU on the repeal of Directive 95/46/EC (hereinafter:

General Data Protection Regulation) Article 12 (1) and Article 13 (1) and (2).

II. The Authority processes the part of the application that is general to the Applicant

aimed at examining its practice, will be terminated.

III. The Authority ex officio determines that through the Respondent's telephone customer service

June 30, 2021 and March 9, 2022 regarding the recording of initiated phone calls.

employed between - for the Applicant's call on September 17, 2021 and September 30, 2021

not used - general data management information was not adequate.

ARC. The Authority ex officio the Customer due to the above data protection violations

HUF 5,000,000, i.e. five million forints

data protection fine

obliged to pay.

The above IV. fine according to point 30 days after this decision becomes final

within the Authority centralized revenue collection target settlement

HUF account

(10032000-01040425-00000000 Centralized direct debit account IBAN: HU83 1003 2000

0104 0425 0000 0000) must be paid. When transferring the amount, "NAIH-3337/2022

FINE." number must be referred to.

If the Respondent does not fulfill his obligation to pay the fine within the deadline, he is in default

must pay an allowance. The amount of the late fee is the legal interest, which is due to the delay

is the same as the central bank base rate valid on the first day of the relevant calendar semester.

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In the event of non-payment of the fine and late fee, the Authority shall issue a decision

implementation.

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

can be challenged in a lawsuit. The claim must be submitted to the Authority electronically¹, which

forwards it to the court together with the case documents. The request for the holding of the trial is submitted by the

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

the fee for the judicial review procedure is HUF 30,000, the lawsuit is subject to the right to record the fee. THE

Legal representation is mandatory in proceedings before the Metropolitan Court.

I N D O C O L A S

The course of the procedure and the established facts

I.

1. Procedure of the procedure

1.1. The applicant submitted an ePaper application to the Authority on October 25, 2021,

in which he submitted that the Respondent's sales associate contacted the Applicant on September 17, 2021 and 2021.

he contacted him by phone on September 30. Conversations on the phone

According to the Applicant, he found out about its recording only later, as he did not receive it

information about this at the beginning of the call.

1.2. The Applicant received the Authority's request to fill in the gaps on November 4, 2021 via ePapír

in the context of gap filling, he stated that according to the oral information, the Respondent

its clerks follow a specific order, and the information about the recording is not a

at the beginning of a call. The Applicant has amended his application to request both of his own

with regard to his personal data, prohibiting the Respondent from, without prior information,

manage your personal data, and also requests an examination of the general practices of the Respondent

in this round.

1.3. At the invitation of the Authority, on behalf of the Applicant, March 18, 2022 and March 28, 2022.

received as an electronic document from the email address

statements provided by a third party as the Data Protection Officer of the Respondent

in (....., designated expert). These documents do not

did not contain any signatures.

1.4. The Respondent's statements were formally incomplete because they lacked the general

CL of 2016 on public administration. Act (hereinafter: Act) § 26. (1)

the written form required under paragraph

are considered duly submitted. The Applicant is the Authority on March 24, 2022

he did not respond to the order number NAIH-3337-3/2022 sent by post.

1.5. At the repeated invitation of the Authority, the Applicant on August 18, 2022 NAIH-3337-6/2022

in his reply letter filed under no. according to

legal declarations. In his statement, the Respondent admitted that the Applicant

you did not receive appropriate prior data management information for all your phone calls a

From the request regarding the audio recording, since in the two cases that are the subject of this procedure

1 The NAIH_K01 form is used to initiate the administrative lawsuit: NAIH_K01 form (16.09.2019) The form is
can be filled out using a general form filling program (ÁNYK program).

3

the telephone clerks deviated from the general script. The Applicant also informed the

Authority to review and amend to enhance legal compliance

data management practices and information regarding the legal basis and purposes, as well as organizational
takes measures. According to the balance sheet attached to the reply letter, the Applicant's 2021 net
sales revenue It was Ft.

1.6. In response to the invitation sent by the Authority on August 26, 2022, the Respondent September 2022

In his reply received on the 16th, he clarified which script is which
period

application, indicated the number of voice calls made through the IVR call center,

and indicated what was specifically done in connection with the data management of the call center
regulatory and organizational measures.

1.7. On October 4, 2022, the Authority notified the Applicant and the Respondent that the

wants to complete proof and within 15 days of receiving the notification

they may request inspection of documents or make a statement no later than upon receipt of the summons
within 15 days, or in the case of a document inspection request, from the date of its completion

within another 15 days. The Applicant sent the above invitation on October 5, 2022, the Applicant 2022.

received on October 12. The Applicant did not make any statement to the above invitation. THE

Requested Submitted on October 21, 2022 (and resubmitted on October 26, 2022)

in his application, he requested a copy of the document, which the Authority fulfilled on October 27, 2022. THE

He requested order number NAIH-3337-14/2022, which sent the requested copies of documents in 2022.

took over on November 6. Additional declaration within 15 days from receipt

was not received from the Application.

2. The established facts

2.1. The Authority's replies of August 18, 2022 and August 26, 2022 and its

established the following based on its annexes.

2.2. On September 17, 2021, the Respondent's sales representative made a phone call to

With the Applicant for the purpose of the Applicant

inform the Applicant

about the need to switch to another type of network due to network development. During the call a

after greeting, the Respondent's sales associate indicated the above purpose, for which the Applicant

he replied that he wanted to stay out of it. The Respondent's sales representative informed the

Applicant that the previous network will cease to exist, so he cannot opt out of this. The Applicant

to the question why this is not done in writing, the Respondent's sales representative informed the

Applicant that if he does not agree "on this fixed line", a letter will be sent.

The Applicant replied that it would be good for him, after which they said goodbye. It's worth it

there was no information about the audio recording, there was no reference to "on this recorded line".

clearly for sound recording and neither for the purpose nor for the purposes of Article 13(1) and (2)

any meaningful information was not found in it, and not at the beginning of the call, only the

at the very end there was any reference to recording.

2.3. On September 30, 2021, the Respondent's sales representative made another phone call to

With the Applicant for the purpose of the Applicant

inform the Applicant

another due to network development

about the need to switch to a type network. On this

in the middle of a phone conversation, about 1 minute 25 seconds of mutual communication

after that, the recording was mentioned, and detailed information was given even later. The Applicant to the question why he did not receive information about the recording at the beginning of the call, the Respondent his clerk stated that he was "following a given form".

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2.4. Annex 3 of the Respondent's response of August 18, 2022 (and the application based on point 1 of the reply letter received on September 16, 2022 clarifying periods)

The applicant used the script with the following content structure on June 30, 2021 and 2022.

between March 9 for existing customers (which also includes the time of the two investigated calls includes):

1. identification (after the greeting)
2. information about recording (note: order can be interchanged with 1), the indicated legal basis "the provisions of the Consumer Protection Act", the retention period is 5 years
3. technical description of bridging
4. transfer package description (note: order can be changed with 3)
5. Asking for a definite yes
6. asf availability
7. appointment / will be searched for
8. coordination of the form of sending information
9. information on the right of withdrawal
10. complaint handling troubleshooting (orders 6-10 are interchangeable)

2.5. Annex 5 of the Respondent's reply of August 18, 2022 (and the application based on point 1 of the reply letter received on September 16, 2022 clarifying periods)

The applicant used the script with the following content structure starting from March 10, 2022 for existing customers:

by ensuring processes and the

1. information about the recording, the indicated legal basis is the legitimate interest of the Respondent a

contracting

by providing its services

connection, the retention period is the statute of limitations for civil law claims, but no more than

1 year after the termination of the contract

2. identification

3. package description + invoicing

4. technical description

5. Asking for a definite yes

6. appointment / will be searched for

7. asf availability

8. coordination of the form of sending information

9. information on the right of withdrawal

10. data reconciliation

11. complaint handling troubleshooting

2.6. 2.2 of the Respondent's answer of August 18, 2022. admitted in point that the 2021

regarding the phone call on September 17, "it was established that the clerk was the supervisor

after the sentence, he deviated from the script, omitted the identification, but at the same time only mentioned it

level indicated to the subscriber that the conversation will be recorded, but in detail

did not provide information to him".

2.7. 2.2 of the Respondent's answer of August 18, 2022. admitted in point that the 2021

regarding the phone call on September 30, "his internal investigation established that it

The sales associate formulated the introduction and introductory sentence at length, for this

deviated from the other elements of the script due to the reason or because of the intervention of the Applicant".

II.

Legal provisions applicable in the case

According to Article 2 (1) of the General Data Protection Regulation, the general data protection

regulation must be applied to personal data in part or in whole in an automated manner

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processing, as well as the non-automated processing of data that are part of a registration system or which are a registration system want to be part of.

According to Article 4, point 1 of the General Data Protection Regulation, "personal data" is identified or any information relating to an identifiable natural person ("data subject").

According to Article 4, point 7 of the General Data Protection Regulation, "data controller" is the natural or legal entity, public authority, agency or any other body that is personal determines the purposes and means of data management independently or together with others; if that the purposes and means of data management are determined by EU or member state law, the data manager or special considerations for the designation of the data controller by the EU or the Member States can also be determined by law.

Based on Article 12 (1) of the General Data Protection Regulation, the data controller is compliant takes measures in order to allow the data subject to process personal data

all relevant information referred to in Articles 13 and 14 and Articles 15 to 22 and Article 34

according to each information is concise, transparent, comprehensible and easily accessible

provide it in a clear and comprehensible form, especially to children

for any information received. Information in writing or otherwise - incl

where appropriate, the electronic route must also be provided. Verbal information at the request of the person concerned can also be given, provided that the identity of the person concerned has been verified in another way.

Based on Article 13 (1) and (2) of the General Data Protection Regulation, the data controller a

at the time of obtaining personal data, at least the following information is required

to make available to the person concerned:

(i)

(ii)

(iii)

(arc)

(v)

(v)

(vii)

(viii)

(ix)

(x)

the identity of the data controller and, if any, the representative of the data controller and

your contact information;

the contact details of the data protection officer, if any;

the purpose of the planned processing of personal data, as well as the legal basis for data processing;

in the case of data management based on point f) of paragraph (1) of Article 6, the data controller or

legitimate interests of third parties;

where appropriate, recipients of personal data and categories of recipients, if any

such;

where applicable, the fact that the data controller is in a third country or international

organization wishes to forward the personal data to, and the Commission

the existence or absence of a decision of conformity, or in Article 46, Article 47

or the transfer of data referred to in the second subparagraph of Article 49 (1).

indication of the appropriate and suitable guarantees, as well as their copies

a reference to the means of obtaining it or their availability.

on the duration of storage of personal data, or if this is not possible, on

aspects of determining the duration;

about the data subject's right to request from the data controller the personal data relating to him/her

access to data, their correction,

deletion or handling

limitation and may object to the processing of such personal data, as well as the

about the data subject's right to data portability;

Article 6(1)(a) or Article 9(2)(a)

in the case of data management based on any

by

the right to withdraw, which does not affect the withdrawal based on the consent

the legality of the data processing performed;

on the right to submit a complaint to the supervisory authority;

at the time

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(xi)

(xii)

about the provision of personal data

statutory or contractual

whether it is based on an obligation or a prerequisite for concluding a contract, and whether it is

whether the data subject is obliged to provide personal data, and how it is possible

failure to provide data may have consequences;

the fact of automated decision-making referred to in paragraphs (1) and (4) of Article 22, including

profiling as well as, at least in these cases, the applied logic and

understandable information about the importance of such data management,

and the expected consequences for the person concerned.

Based on Article 13 (3) of the General Data Protection Regulation, if the data controller a

intends to carry out further data processing on personal data for a purpose other than the purpose of their collection, a

prior to further data processing, you must inform the data subject about this different purpose and (2)

on all relevant additional information mentioned in paragraph

Based on Article 13 (4) of the General Data Protection Regulation, paragraphs (1), (2) and (3)

it does not apply if and to the extent that the data subject already has the information.

For data management under the scope of the General Data Protection Regulation, the information

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

hereinafter: Infotv.) according to Section 2 (2) of the general data protection decree there

shall be applied with the additions contained in the specified provisions.

Infotv. Validation of the right to the protection of personal data based on § 60, paragraph (1).

in order to do so, the Authority initiates an official data protection procedure at the request of the data subject and

may initiate official data protection proceedings ex officio.

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. Based on § 83 of the General Data Protection Regulation, Article 83 (2)–(6)

exercises its powers in accordance with 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.

Based on Article 58 (2) point b) of the General Data Protection Regulation, the Authority is corrective

acting within its competence, condemns the data manager or the data processor, if data management

your activity violated the general data protection provisions.

In the absence of a different provision of the General Data Protection Regulation, the request was initiated

for official data protection procedure, Art. provisions shall be applied in Infotv

with certain deviations.

The Ak. Pursuant to point a) of § 46, paragraph (1), the Authority rejects the application if the procedure the legally defined condition for its initiation is missing, and the Ákr. it's different has no legal consequences.

The Ak. Pursuant to point a) of § 47, paragraph (1), the Authority terminates the procedure if the application could have been rejected, but the reason for that was after the initiation of the procedure came to the attention of the Authority.

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between consumer

CLV of 1997 on consumer protection. Act (hereinafter: Act No. 17/B. § (1)

on the basis of paragraph, the enterprise engaged in public service activities, as well as the separate other businesses defined by law for handling consumer complaints, consumers for information, is obliged to ensure the operation of customer service in such a way that - unless otherwise provided by law - in a room open to customers to design.

The Fgytv. 17/B. Based on paragraph (3) of § §, customer service operated by telephone access, or in the case of telephone access provided for pre-booking the administration date must be ensured from the date of successful recovery of the call initiated by the consumer receiving a call within the calculated waiting time of five minutes and starting the substantive administration, unless it is not possible due to unavoidable reasons beyond its scope of activity, provided that that the business acted as is generally expected in the given situation. The business identification of the consumer is required to choose live voice administration related to the complaint without advertising - without the transmission of advertising - the customer service operated by telephone access to the first place in the menu order. On all incoming calls to customer service made a verbal complaint, as well as the customer service and telephone communication must be audio recorded. If the audio recording contains the 17/A. § (5)

content elements according to paragraph - this does not include the place of submission of the complaint, a
the list of evidence presented by the consumer, the signature of the person taking the minutes,
as well as the place and time of recording the minutes - the recording of the minutes is done by the consumer
can be waived with your consent. The audio recording must be provided with a unique identification number and must be kept
for five years
must be preserved.

III.

1. The individual request

1.1. According to Article 4, point 1 of the General Data Protection Regulation, everything, even to the data subject
information that can be linked indirectly is the data subject's personal data. Based on this, the Applicant
a recording of his voice constitutes the Applicant's personal data.

1.2. According to Article 12 (1) of the General Data Protection Regulation, the data controller
obligation to take appropriate measures to ensure that the with him directly
in Article 13 regarding the processing of personal data for the affected parties who come into contact
all the mentioned information and 15-22. and each information according to Article 34
in a concise, transparent, comprehensible and easily accessible form, in a clear and understandable way
provide it formulated. The fact that the data controller is a legal entity does not affect its responsibility
due to possible omissions by its employees.

1.3. The system of appropriate information in the general data protection regulation serves to
so that the data subject can be aware of which personal data, which data controller and
for which purpose and for how long will it be treated. This is essential to be in a position to
to be able to meaningfully exercise its stakeholder rights.

1.4. When examining the individual complaint, the Authority finds that the specific person concerned - present
in the case of the Applicant, has the appropriate information been provided, i.e. a
What information did the applicant receive about data management from the applicant over the phone. This
individually, based on all the circumstances of the given case, the available evidence

determined by the Authority.

Decision

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1.5. I.2.2 above. and I.2.6. According to the facts established in points, the Respondent is Article 13

He did not provide any of the preliminary information specified as minimum in paragraphs (1) and (2).

for the Applicant regarding the telephone recording on September 17, 2021.

1.6. I.2.3 above. and I.2.7. according to the facts established in points, the Applicant is not a

at the beginning of the phone call, but much later, he provided information to the Applicant in 2021.

in connection with the telephone recording on September 30, and neither was the information received

clear. It is important to be informed in advance in order to know which rights are affected

- for example, the right to protest - are available to those concerned, since knowing this potentially

the further telephone conversation does not even take place, nor does the person concerned know about the recording

can influence your behavior. For this reason, according to Article 13 of the General Data Protection Regulation

information must be provided before data management begins, at the latest at the beginning of the call.

It preceded it in the specific case, and it is generally applicable – not in the present case

I.2.4. based on the order presented in point

the identification may have preceded the information about the recording, so the information is temporary

its primacy did not prevail. The fact that this sequence is defined in I.2.5 above. based on point a

The applicant remedied his general practice with effect from March 10, 2022, yet

it does not make the fact examined in the specific case that arose before the amendment did not happen

data protection violation.

1.7. Based on the above, the Authority of Article 12 (1) of the General Data Protection Regulation

and Article 13, Paragraphs (1) and (2) were found to be in violation of both investigated telephone calls

regarding, for the reasons detailed above.

2. Examining the general practice upon request

2.1. The obligation to modify the general data management information request part is general

is aimed at data management practices.

2.2. Upon request, the Requester initiates a data protection official procedure by Infotv. Section 60 (2)

and based on Article 77 (1) of the General Data Protection Regulation, only your own

you can request in connection with the illegal processing of your personal data. Based on this, the request is submitted

data protection official proceedings are excluded in cases where the subject of the request is the Requested Party

general practice, general information, so in this regard the Ákr. Section 46 (1)

According to point a), a procedural obstacle that cannot be remedied in this case.

2.3. The Ákr. According to § 47, subsection (1), point a), since in a part of the application, the separate

it was not possible to assess the refusal independently of the rest of the application, therefore on this

with regard to the application part, there is room for termination.

2.4. Due to the above, the Authority is part of the application regarding the Respondent's general practice

according to the ruling part, the procedure was terminated. That doesn't rule it out

the opportunity for the Authority to make ex officio findings on the General Respondent

for the part of its practice which, during the clarification of the facts of the individual case, the Authority

comes to official notice.

3. Ex officio consideration of general practice

3.1. Although the Authority acts upon a request, the Authority must investigate ex officio for what reason,

the individual case arose from a unique omission or due to general practice, and the general one

to what extent did practice affect the individual case.

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(data management) only a

3.2. I.2.4 above. 30 June 2021 and 9 March 2022 according to the facts established in

between - i.e. also during the two phone calls under investigation - the Respondent's telephone script

by default, the administrator required the identification of the subscriber immediately after the greeting

for and was only then informed that the call would be recorded after more

were asked to provide their personal identification data at the beginning of the phone call. This exercise is carried out by the

Requested - as he recognized its illegality - with effect from March 10, 2022

modified it so that after the greeting, information is given immediately with another element

in a non-interchangeable way about the recording and identification of the subscriber only after that

to happen.

3.3. Data subject rights according to the General Data Protection Regulation - thus for the appropriate information

right - all natural persons are entitled to them, they do not depend on whether they have

preliminary legal relationship between the Requested party and the called party. For this reason, the information is for

identification

binding - in certain cases, in the absence of identification, information about the recording

possibility of non-compliance - does not comply with Article 12 (1) of the General Data Protection Regulation

paragraph and Article 13.

3.4. According to the information used between June 30, 2021 and March 9, 2022, Fgytv.

a mandatory audio recording is made according to The Fgytv. 17/B. (1) and (3) of §

the obligatory audio recording

specified by law

activities and in relation to complaint handling, which is required by the Applicant

in the case of - especially in the case of non-complaint handling phone calls - it does not apply.

Recognizing this, the above I.2.5. according to the new script presented in point 1, the Applicant is March 2022

From 10, the data management of telephone customer service voice recordings is based on your legitimate interests

and the time of data management was accordingly not set at 5 years, acknowledging this

its impropriety.

telephone

3.5. The Authority a

general related to sound recordings

replied the general

of Article 12 (1) and Article 13 of the Data Protection Regulation, i.e. not compliant

legal basis

you are clearly informed that recording is mandatory

its consensual nature and the application of other - legitimate interest - legal basis. This is the Applicant

the circumstance recognized by the amendment was established by the Authority in the case of individual infringement assessed when considering legal consequences.

ARC. Legal consequences

1. The Authority complies with Article 58 (2) point i) and Article 83 (2) of the General Data Protection Regulation may impose a data protection fine instead of or in addition to the other measures.

On the question of whether the imposition of a data protection fine is justified, the Authority

made a decision based on statutory discretion, taking into account Infotv. Section 61 (1)

to paragraph a), Infotv. 75/A. 83 of the General Data Protection Regulation.

(2) and Article 58 (2) of the General Data Protection Regulation, which

based on this, the conviction in itself would not be a proportionate and dissuasive sanction, therefore

a fine must be imposed. The imposition of fines is both special and general prevention

also serves, since if the Authority did not consistently demand the appropriate information

in its official decisions, then it could result in the data controllers not doing so

would be considered as fundamental as the informational self-determination required

in order to protect the right. The Applicant is in a situation based on its net sales in 2021

was, in which the appropriate general and individual for the Applicant could have been expected

provision of information, no circumstances refuting this arose during the procedure.

based on the above, found that the Applicant

marked and not

no information

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2. Regarding the necessity and amount of the fine, the Authority took into account that a

Requested sales revenue for 2021 It was Ft. A fine is possible

maximum - in view of the fact that the violation is defined in Articles 12 and 13 of the General Data Protection Regulation.

article - it was HUF equivalent to 20,000,000 euros.

3. When determining the amount of the data protection fine, the Authority as a mitigating circumstance took into account the following:

(i) The individual violations were negligent. (general data protection regulation 83.

Article (2) point b)

(ii) In connection with the infringement that is the subject of this procedure against the Application a

The authority has not previously established a relevant data protection violation. (general

Article 83 (2) point (e) of the Data Protection Regulation

(iii) The Respondent admitted the violations during the procedure, and from March 10, 2022

changed its information practice and its content. (general data protection

Regulation Article 83 (2) point f)

(iv) The breach did not affect the Applicant's sensitive or special personal data.

(General Data Protection Regulation Article 83 (2) point g)

(v) The conclusion of the official data protection procedure was delayed. (general data protection regulation

Article 83(2)(k)

4. When determining the amount of the data protection fine, the Authority as an aggravating circumstance took into account that

(i) The relevant breach continued for a longer period of time as it is common practice

even in the case of follow-up, the information was not adequate. (General Data Protection Regulation Article 83

(2) point b)

(ii) Related to the Complainant's phone calls - investigated by the Complainant

his phone calls were not tracked - nor was it if general data management practices were followed

the timing and content of the stakeholder information provided to the Applicant would be appropriate, a

The applicant would not have received adequate information even without the individual administrative error.

(General Data Protection Regulation Article 83 (2) point k)

Based on all of this, the Authority will determine the amount of the fine as set out in the statutory part determined by

far away, at the same time a

with a fine, the Authority will issue a warning in accordance with the principle of general and special prevention wishes to give in order to properly enforce the rights of the stakeholders.

from the maximum possible fine

significantly

A. Other questions

1. Given that the Authority exceeded the administrative deadline, the Authority

for his part, HUF 10,000, i.e. ten thousand forints, is due. The Authority pays ten thousand forints to

According to the applicant's choice, to be indicated in writing, by bank transfer

you pay with a postal order.

2. Infotv. According to § 38, paragraph (2), the Authority is responsible for the protection of personal data,

and the right to access data of public interest and public interest

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control and promotion of the validity of personal data in the European Union

facilitating its free flow within. Infotv. According to Section 38 (2a), the general

tasks and powers established for the supervisory authority in the data protection decree

general data protection for legal entities under the jurisdiction of Hungary

is exercised by the Authority as defined in the decree and this law. The Authority

its jurisdiction covers the entire territory of Hungary.

3. The Art. Based on § 112, paragraph (1), § 114, paragraph (1) and § 116, paragraph (1), the

a decision can be appealed through an administrative lawsuit.

* * *

4. The rules of the administrative procedure are laid down 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. Section 13, paragraph (3).

Based on point a) subpoint aa), the Metropolitan Court is exclusively competent. The Kp. Section 27 (1) according to paragraph 1, legal representation is mandatory in administrative proceedings before the tribunal. 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.

5. The Kp. Paragraph (1) of Section 29 and, in view of this, CXXX of 2016 on the Code of Civil Procedure. applicable according to § 604 of the Act, electronic administration and trust services CCXXII of 2015 on its general rules. according to § 9 (1) point b) of the Act, the the client's legal representative is obliged to maintain electronic contact. The submission of the statement of claim time and place of Kp. It is defined by § 39, paragraph (1). Request to hold the hearing information about the possibility of the Kp. It is based on paragraphs (1)-(2) of § 77.

6. The amount of the fee for the administrative lawsuit is determined by Article XCIII of 1990 on fees. law (hereinafter: Itv.) 45/A. Section (1) defines. From the advance payment of the fee the Itv. Paragraph (1) of § 59 and point h) of § 62 (1) exempt the person initiating the procedure half.

dated: Budapest, according to the electronic signature

Dr. Attila Péterfalvi

president

c. professor