

Case number: NAIH- 3833- 10/2021.

Subject: decision partially granting the request

## H A T A R O Z A T

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

personal data of the applicant (residential address: [...]; hereinafter: Applicant) to [...] (seat: [...];

tax number: [...]; hereinafter: Submitted regarding the illegal treatment by the Respondent, a

It arrived at the authority on March 30, 2021, and started following its completed application on May 7, 2021

In an official data protection procedure, the Authority makes the following decisions:

1. The Authority grants the Applicant's request in part and determines that the Applicant

violated Article 15 (1) of the General Data Protection Regulation (hereinafter: GDPR).

2. The Authority refuses to establish the illegal handling of the Applicant's telephone number  
your request.

3. The Authority rejects the request to order the deletion of the Applicant's telephone number.

4. The Authority grants the Applicant's request in part and instructs the Applicant to

To fulfill the applicant's access request in full.

5. The Authority ex officio determines that the Respondent has violated Article 12 (2) of the GDPR  
paragraph.

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There is no place for administrative appeal against this decision, but the 30th from the date of notification

can be challenged in an administrative lawsuit within days with a claim addressed to the Metropolitan Court. THE

a letter of claim must be submitted electronically to the Authority, which forwards it along with the case documents to the

to the court. The request to hold a hearing must be indicated in the statement of claim. The complete personal

for those who do not receive a tax exemption, the fee for the administrative lawsuit is HUF 30,000, the lawsuit is substantive

is subject to the right of levy memo. Legal representation is mandatory in proceedings before the Metropolitan Court.

## I N D O C O L A S

I. Procedure of the procedure

(1)

Through the Applicant's representative - [...] (seat: [...]; hereinafter: Representative) - by post submitted request for official data protection procedure was received on March 30, 2021

To authority.

Considering that the request was not met by Infotv. It is contained in § 60, paragraph (5).

all requirements, or did not include the authorization given to the Representative

original copy, therefore the Authority NAIH-3833-2/2021. No. dated April 13, 2021

in his order, he invited the Applicant to fill in the gaps.

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The Applicant's statement to the request for gap filling - with which he only partially complied with a

to those included in the gap filling notice - received by the Authority on April 27, 2021. THE

according to the supplemented application, the Applicant requested that the Authority establish that the Applicant handles your phone number without a legal basis, and in order to remedy this violation, instruct the to delete a phone number. The Applicant also requested that the Authority establish the Applicant violation of his right of access, and instruct the Applicant in the access order dated January 25, 2021 to fulfill your request. In addition, the Applicant requested that, if the conditions were met, a The Authority shall impose a data protection fine and, if the Authority imposes a reprimand makes it public.

The Representative submitted the original copy of the power of attorney to the Authority by post, which was adopted by the Authority on May 5, 2021. In addition to this, also for the vacancy notice with reference to the letter received by the Applicant's representative to the Authority on May 7, 2021 attached a piece of evidence supporting the infringement.

The Authority dated May 17, 2021, NAIH-3833-7/2021. notified in order no Request for the initiation of the official data protection procedure, as well as clarification of the facts invited him to make a statement.

The Applicant's statement using the e-Paper service was received on June 4, 2021 To authority.

The Authority NAIH-3833-9/2021. in his ruling, as part of clarifying the facts, he called the Representative to submit a power of attorney that corresponds to the general administration CL of 2016 on public order. Act (hereinafter: Act) in paragraph (1) of § 14 and CXXX of 2016 on the Code of Civil Procedure.

is occupied

requirements. The letter containing the power of attorney issued in the appropriate form a

It was adopted by the authority on August 16, 2021.

in point b) of § 594 of the Act

On the basis of the Applicant's statement and the documents attached by him, the Authority is based on the Ákr.

Pursuant to Section 25 (1) point b), dated September 2, 2021, NAIH-3833-11/2021. no

in his order, he addressed a request to the [communication service provider]. The [communication service provider] a

He complied with the Authority's invitation, and his statement was received by the Authority on September 16, 2021.

On September 3, 2021, the Representative inquired by e-mail about the status of the case.

The Authority dated 29 September 2021, NAIH-3833-14/2021. and NAIH-3833-15/2021. no

notified the Applicant and the Respondent in its orders that it had completed the evidentiary procedure,

informed them that they could exercise their right to inspect documents and to provide additional evidence

I can make motions. On October 4, 2021, the Respondent requested access to documents

To the Authority, to which the Authority dated 12 October 2021, NAIH-3833-17/2021. no

by means of copies of documents - the right to inspect documents to protect personal data

limited with regard to - he complied. According to the Applicant's statement dated October 25, 2021

he did not want to make any further evidentiary motions in the case.

## II. Fact

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In his application for the data protection authority procedure, the Applicant submitted that the [Company]

assigned his claims against him to the [Claims Manager] on [...] 2017, who

it was further assigned by the

Upon request. About the assignment on [...] 2018 between the Applicant and the [Receivables Manager].

jointly, in a notice of assignment issued on [...] 2018, they notified the Applicant - who

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according to his statement to the Respondent, he did not receive it - and then January 2019

In its letter dated the 31st, the Respondent invited the Applicant to comply.

On December 11, 2020, the Applicant informed the

Applicant that he has an overdue claim against him.

On December 29, 2020, according to the call details attached by the Applicant, at 11:15 a.m. the

in connection with the letter, he called the Applicant while prohibiting the display of numbers, and the Applicant himself

with the case number indicated in the letter, and the four natural personal identification data

identified - based on the transcript of the audio recording of the conversation attached by the Respondent -, after that, the Respondent's colleague disconnected the call for an unknown reason.

After that, an incoming call to the +[...] phone number also indicated in the Requested party's notice letter received on December 29, 2020 at 11:19 from phone number +[x], one for the Respondent from an unknown person. Used when making and recording Requested calls system displayed and recorded the phone number of the caller during the call, which the system verified with a screenshot taken. The customer service could not answer the call, so it cannot be linked to a specific claim or debtor telephone number

nor was it recorded in the claims management system. The phone number for that recorded by the Applicant telephone communication without success

can call the initiating party back on the same phone number.

systems that a

and thus a

it could be,

The Respondent with the debtors of the registered claims cooperation

subject to its requirements, as well as obligations related to the handling of complaints in order to fulfill it, one of the Respondent's administrators on December 30, 2020 at 12:54 initiated a callback to the phone number +[x]. The call was successful, the call was made by the called party received it. The Applicant's administrator introduced himself and said that he was on behalf of the Applicant is calling and that "we had a missed call from this number." The lady who answered the phone to which she replied that "my husband must have called", but during the conversation it was her husband did not provide identification data, nor did the Respondent's administrator request it, so the even after this conversation, the phone number could not be linked to a specific debtor.

On December 30, 2020, at 1:39 p.m., another call from an unknown number went through to To the applicant. Prior to his identification, the Applicant stated that "yesterday I called this number, I will tell you when, at 11:19 a.m., I would like a recording of this nicely.", and then repeated that "the dear colleague threw the phone at me, this I request a conversation immediately and ask how they know about a [...] number." THE In response to the Applicant's last question, the Respondent's administrator informed that in the system a The applicant does not have a phone number. The Applicant referred at 12:54 that day to the call made, however, the Respondent's employee refers to the Applicant he did not see such an outgoing call in the register at the specified time, so he promised the To the applicant that he would look it up, he then made a comment that "phone number by the way we used it from a public directory". According to the Respondent's statement, this is of a general nature - otherwise incorrect - it was information, since according to the Respondent's statement, May 25, 2018 has not collected telephone numbers for debtors from public databases or directories. During the conversation, the Applicant later stated that "how do they know such a thing a number that does not exist and that is in private hands, that is not in the directory? From where do they pick up a number like that?" After that, the Respondent's employee informed a Applicant that "now I look, the female colleague called people from whom she did not receive our call, he called those numbers. (...) It should have been a missed call from that number call.", however, the Applicant contested this last statement on the grounds that he was the number display he called despite his ban, so he did not accept the information given by the clerk.

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The Respondent informed the Authority that he was neither present at the time of the above call nor subsequently, the telephone number +[x] was not recorded in the Claimant's claim management system a

Applicant

was made

it was also supported by a screen save.

as your phone number,

claims management

about registration

this

the

Subsequently, in a letter dated January 25, 2021 - received by the Respondent on February 2, 2021

through - the Representative contacted the Application, in which he requested information that

the Respondent "obtained and used" the Applicant's data "from where and by what right."

In the letter, it was explained that the Applicant did not give it to the Respondent's data management

expressed and informed consent and requested that "if it is available to you

Our client's declaration of consent, or that the assignor knew it and to you

has authorized the handling of our Customer's data, I ask that it be made available to us." On this

in addition, he requested information, with reference to Article 15 of the GDPR, that the Respondent a

To which recipients did the Applicant forward his personal data and requested that the Applicant

provide information on the purpose and legal basis of data management. The Representative has one for his letter

He attached a power of attorney issued in Germany, but not certified.

In this regard, the Respondent explained that, in his opinion, Article 12 (6) of the GDPR

on the basis of paragraph

a prerequisite for the exercise of rights is that the person concerned

your identity must be properly verified. The attached power of attorney is a

considered invalid due to the lack of super-authorization, or, according to the Representative's point of view, legal is not authorized to provide representation. In this connection, he also referred to the fact that neither the Authority accepted by the Representative, signed by the Applicant in Germany power of attorney due to deficiencies in its form and content. The Applicant is not sufficiently under did not respond to the access request due to asserted right of representation, however March 2021 In his letter dated 17, he informed the Applicant that his personal data with the [Company] outstanding debt incurred against, acquired by the Respondent through assignment is managed in order to validate it. He attached the assignment declarations to his letter a copy, and a table summarizing the details of the debt.

[...] point,

In relation to the Applicant's claim that his phone number was managed by the Company that he disabled the display of the calling number, the Respondent referred to the [communication service provider's] GTC and public electronic communications to data protection and confidentiality obligations related to the service, data management and privacy protection is special conditions, the security of networks and services and integrity, handling of traffic and billing data, as well as identification display and 4/2012 on the rules for call forwarding. (I. 24.) NMHH decree for § 9, which the display of the phone number is at the disposal of the subscriber with the phone number. On it during a call, during which the calling party allowed the display of the calling number on his own device, a you have allowed your service provider to communicate your phone number to the called party. Referred and also to the fact that, in his opinion, the Applicant only asserted it, but not in any way confirmed that all the ones marked by him towards in the case of an initiated call, you prohibited the display of your phone number.



from the phone number of the Applicant

Regarding the management of the phone number +[x], the Authority considers it necessary to record that a

During the call made on December 30, 2020 at 1:39 p.m., the applicant made several

statements like "I don't have it on my phone", "You searched for a number that isn't there

mine", "They searched, but on a non-existent phone number", "how do they know a number that

does not exist", "You called a seventy number that is not me." On this

statements, as well as the opposite related to the prohibition of displaying the phone number

positions

[communication

to service provider]. The [telecommunications service provider] informed the Authority that the +[x] phone number

its subscriber is the Applicant, the relevant subscriber agreement between them was created on [...] 2017.

for clarification by contacting the Authority

turned to

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In connection with the display of the calling number, he stated that because of the prohibition of the display of the calling number

subscribers also have the option per call, which is why it is only possible based on log files

determining whether the calling party has disabled the display of the calling number for the specific call.

The monitoring systems of the Requested Party store the detailed signaling logs for a maximum of 60 days,

while historical call data logs are stored for a maximum of 45 days. As a result, the [communication

service provider] could not provide information about the phone number +[x] December 2020

During the call made at 11:19 on the 29th, the display of the calling number was disabled.

### III. Applicable legislation

Article 12 (2) of the GDPR: The data controller facilitates the data subject 15-22. of his rights under Article a practice.

GDPR Article 12 (4): If the data controller does not take measures following the data subject's request, without delay, but at the latest within one month from the receipt of the request

data subject about the reasons for the failure to take action, as well as whether the data subject can file a complaint with a supervisory authority and may exercise his right of judicial remedy.

GDPR Article 12 (6): Without prejudice to Article 11, if the data controller has reasonable doubts there are 15–21. in relation to the identity of the natural person submitting the application pursuant to Article, further, may request the provision of information necessary to confirm the identity of the person concerned.

GDPR Article 15 (1): The data subject has the right to receive feedback from the data controller regarding whether your personal data is being processed and if such data processing is taking place is in progress, you are entitled to the personal data and the following information get access to:

- a) the purposes of data management;
- b) categories of personal data concerned;
- c) recipients or categories of recipients to whom the personal data was disclosed or will be communicated, including in particular third-country recipients and international organizations;
- d) where appropriate, the planned period of storage of personal data, or if this is not possible, criteria for determining this period;
- e) the data subject's right to request personal data relating to him from the data controller rectification, deletion or restriction of processing and may object to such personal data against treatment;

f) the right to submit a complaint addressed to a supervisory authority;

g) if the data were not collected from the data subject, all available information about their source;

h) 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 its comprehensibility

information about the significance of such data management and what can be expected for the data subject has consequences.

Article 58(2)(b), (c), (g) and (i) of the GDPR: Acting within the corrective powers of the supervisory authority

b) condemns the data manager or the data processor if his data management activities violated e

the provisions of the decree;

c) instructs the data manager or the data processor to fulfill the data subject's requirements according to this regulation

your request to exercise your rights;

g) orders the correction of personal data in accordance with the provisions of Articles 16, 17 and 18,

or deletion, or limitation of data management, as well as Article 17 (2) and Article 19

properly orders the notification of the recipients with whom or with whom it is personal

data were reported

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i) imposes an administrative fine in accordance with Article 83, depending on the circumstances of the given case, e

in addition to or instead of the measures mentioned in paragraph

Infotv. Section 2 (2): Personal data according to (EU) 2016/679 of the European Parliament and of the Council

regulation (hereinafter: general data protection regulation) is the general

data protection decree III-V. and VI/A. In Chapter 3, as well as § 3, 4, 6, 11, 12, 13, 16, 17,

21., 23-24. point, paragraph (5) of § 4, paragraphs (3)-(5), (7) and (8) of § 5, § 13 (2)

paragraph, § 23, § 25, § 25/G. in paragraphs (3), (4) and (6) of § 25/H. § (2)

in paragraph 25/M. in paragraph (2) of § 25/N. § 51/A. in paragraph (1) of § 52-54. §-

in, paragraphs (1)-(2) of § 55, paragraphs 56-60 § 60/A. (1)-(3) and (6) of § § 61 (1)

paragraphs a) and c), § 61 paragraphs (2) and (3), paragraph (4) b) and (6)-(10)

in paragraph 62-71. §, § 72, § 75 (1)-(5), § 75/A. in § and 1.

shall be applied with the additions specified in the annex.

Infotv. Validation of the right to the protection of personal data based on § 60, paragraphs (1) and (2).

in order to do so, the Authority will initiate a data protection official procedure at the request of the data subject. The

for official data protection procedure CL. of 2016 on general public administrative order. law (a

hereinafter: Ákr.) rules shall be applied with the additions specified in the Infotv. and the

with deviations according to the general data protection regulation. For the initiation of the official data protection procedure

a request can be submitted in the case specified in Article 77 (1) of the GDPR.

Data protection and

confidentiality

obligation, the special conditions of data management and confidentiality, the networks and

for the security and integrity of services, the management of traffic and billing data, as well as

4/2012 on the rules for identification display and call forwarding. (I. 24.) NMHH decree

Section 9 (1): Free of charge to service providers providing number-based interpersonal communication services

must provide based on the subscriber's written request

a) for the calling user to block the display of his ID on the called device for each call;

b) for the calling subscriber to block the display of his ID at each subscriber access point

on the called device;

c) to the calling user that - despite the blocking specified in point b) - it is possible for each call

display your ID on the called device;

d) to the called subscriber, so that the caller ID is not displayed on his device;

e) for the called subscriber to refuse to accept calls for which the caller is

disabled the display of your ID.

ARC. Decision

IV.1. The legality of handling the Applicant's phone number

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In his application for the official data protection procedure, the Applicant requested that the Authority establish and that the Respondent handles his telephone number illegally and without legal basis, and the Authority order the deletion of the illegally managed telephone number.

Regarding the management of the Applicant's phone number, there was a contradiction during the procedure between the parties, from what source the Respondent obtained it, since the Applicant so stated that during each call he called the Respondent from a hidden number, while the Respondent according to his statement, during the call made on December 29, 2020 at 11:19:19, the number display was active, so the number could be recorded by its call routing system. THE

The applicant made this statement about the system used to make the phone calls

he also supported it with a screenshot, according to which there was a non-receipt at the above time calling the Respondent from +[x] phone number.

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That on December 29, 2020, calls were made twice from the Applicant's phone number to

To the Respondent, it is also supported by the call details attached by the Applicant, on the other hand, the

Attached by the applicant, between the applicant and the employee of the applicant December 30, 2020

according to the transcript of the conversation, the Applicant himself said that "I called this yesterday the number, I'll tell you when, at 11:19 a.m."

According to the Authority's point of view, the Respondent correctly referred to the fact that the Applicant a however, he only made assertions about blocking a phone number during every call

he did not support it in any way. It is merely the assumption of a violation of law, its assertion is not sufficient in itself to prove a violation of law, the burden of proof is on the Applicant to fulfill the obligation. The request to the Authority in the official procedure initiated on the request must be judged based on the content and reasons contained in it, the probability of the infringement a shall be borne by the applicant. As a result, and based on the evidence attached by the Applicant, a

The Authority establishes the facts as that the Applicant on December 29, 2020 at 11:19 called the Applicant from a non-hidden number, whose system was thus able to record the number +[x].

However, the number +[x] was recorded only so that the Applicant can call him back, given that he was unable to answer the call. It should be emphasized that a

The Respondent could not connect the telephone number to the Applicant, as it is the previous one during a conversation - December 29, 2020 11:15 a.m. - while prohibiting the display of your phone number the Applicant called. That is, the number was not recorded as the Applicant's personal data line, and the Respondent was unable to connect it to the Applicant during the call back the next day in view of the fact that no information suitable for identifying the Applicant during the conversation was said. The above phone number is still the Applicant's access request dated January 25, 2021 it could not be connected to him based on either, since it did not include the phone number or the time of the calls was included, the connection between it and the phone number is the data protection authority of the Authority was created by his notification of the procedure.

Consequently, neither on December 30, 2020, nor the access request at the time of submission, you did not treat the phone number +[x] as the Applicant's phone number, and even after the Authority's inquiry, the Applicant's contact information was not recorded as data.

The Requested phone number - not tied to the Requester, not the Requester as your phone number - based on your legitimate interest according to Article 6 (1) point f) of the GDPR recorded it. Your legitimate interest is to be able to operate your customer service efficiently, and furthermore, to comply with the 2013 Law on Credit Institutions and Financial Enterprises

CCXXXVII. of his obligation according to § 288 of the Act to make a complaint by telephone and information should be provided to all customers by making sure that all incoming no calls the number back in case of an received call. The purpose of data management is also exclusively for that was limited to the calling party who unsuccessfully initiated the telephone communication on the same will call you back at this number, and this data management purpose was not necessary for the data subject data management in a manner suitable for identification.

Based on the above, the Authority concludes that the telephone number in the previous paragraph its handling for a specific purpose and legal basis was lawful, and for other purposes and legal basis, assigned to the Applicant, the Respondent did not manage the Applicant's telephone number data.

#### IV.2. Ensuring the Applicant's right of access

(32) In the data protection authority procedure, the Applicant requested that the Authority condemn the Respondent, as it has not complied with its access request dated January 25, 2021, and requested that the Authority oblige the Applicant to fulfill it.

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(33) In the access request, the applicant shall state the source of his personal data, his personal data asked about the purpose and legal basis of its processing, as well as the identity of potential recipients information from the Application, and requested that "if it is available to you Our client's declaration of consent, or that the assignor knew it and to you has authorized the handling of our Customer's data, I ask that it be made available to us." The the latter document presumably means the assignment notice, although the application wording is not clear enough.

(34) The Respondent did not answer the request for the Representative - since, according to his opinion, a Based on the documents at his disposal, the Applicant was not entitled to be a representative to provide his representation - but sent an information letter to the Applicant's home address. On this informed the Applicant in a letter about the source of his personal data (the Company), the personal on the purpose of processing his data (enforcement of an overdue claim against him), this

referred to it, but did not explicitly describe that the legal basis for data management is the claim legitimate interest in its enforcement. He attached the Applicant's debts to the letter details, and a copy of the notices on the assignment. The latter are the Authority according to his point of view, they can be matched with the access request in the previous paragraph to documents described in the quoted manner.

(35) According to the Authority's point of view, the Respondent does not fully, but partially, comply with the above fulfilled the Requester's access request, from which certain circumstances of data management already exist were recognizable, while others were missing: the information provided by the Applicant it only related to data management for the purpose of claims management, the answer did not cover, for example, the for data processing for complaint handling purposes, and the purpose and legal basis of data processing is not personal determined by data in accordance with the requirement of transparency, or failed to do so to inform the Applicant about the identity of potential recipients.

(36) In connection with the non-fulfilment of the access request, the Respondent referred to his position at the time of submitting the access request, the Representative did not have a valid power of attorney with authority, so the request could not be accepted as coming from the Applicant, and thus a Based on Article 12 (6) GDPR, you could not fulfill the request. The Authority rejects this argument does not consider it acceptable, as Article 12 (6) of the GDPR provides that if the data controller has reasonable doubts about the data subject submitting the application in relation to the identity of a natural person, including the identity of the person concerned can request the provision of information necessary for its confirmation, but this has not been done, a The Respondent did not indicate to either the Applicant or the Representative that the Representative contested right of representation. In this regard, the Authority notes that data subject rights are not only a legal representative, but Act V of 2013 on the Civil Code 6:11. §-the can be exercised through any representative according to However, the Authority considers it appropriate to The position of the applicant is that the Representative himself refers to it in the attached power of attorney Act LXXVIII of 2017 on lawyer activity. to § 34 of the Act, and to the fact that it is legal



provides representation, so the power of attorney must comply with the one asserted by yourself requirements.

(37) According to the Authority's point of view, the doubt did not arise in connection with the identity of the Applicant For the respondent, but in connection with the Representative's right of representation - this is also supported by that the Respondent partially responded to the inquiry and mailed it to the Applicant's home address - therefore, based on Article 12 (2) of the GDPR, he should have informed the Applicant and Representative. Paragraphs (2), (4) and (6) of Article 12 of the GDPR also provide a legislator's intention that if, according to the data controller's point of view, the data subject's request there is some obstacle to its fulfillment - insufficiently verified identity, not sufficiently accurate or a clear request - the data subject must inform about this reason in order to

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to be able to remove the circumstances that are a barrier to performance and to do what is necessary measures to fulfill your request. Based on the above, the Authority finds that the Respondent violated Article 12 (2) of the GDPR when a did not inform the person concerned of his doubts regarding the right of representation, and did not call the for the unequivocal proof of the right of representation.

(38) Based on the above, the Authority further states that the Respondent violated the Applicant's right of access according to Article 15 (1) GDPR, when the access did not give a complete answer to his request, as the entire request could have been fulfilled a Answered to the applicant's home address, regardless of the Representative's representation authority since its existence.

#### IV.3. Legal consequences

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The Authority finds that the Respondent has violated Article 12 (2) of the GDPR and of Article 15 (1) and, therefore, granting the Applicant's request, Article 58 (2) of the GDPR shall be convicted on the basis of point b).

The Authority rejects the Applicant's request to oblige the Applicant a to delete your phone number, given that the phone number was provided by the Applicant does not treat it as the Applicant's contact information for claim management purposes, it is a is not listed in the claims management register.

At the request of the Applicant, the Authority orders the

The Requester's request for access is accepted in accordance with Section IV.2 of this decision. according to point for the fulfillment of all personal data and data management purposes.

The Authority imposes a data protection fine on the Applicant and makes the decision public bringing

rejects your request. The reason for this is, on the one hand, because e

the application of legal consequences does not directly affect the rights or legitimate interests of the Applicant,

such a decision of the Authority does not create any right or obligation for him, as a result

with regard to the application of these legal consequences falling within the scope of enforcing the public interest -

regarding the imposition of a fine and the publication of the decision - the Applicant did not

Akr. is considered a customer. Based on paragraph 10.§ (1), therefore, a request in this respect

there is no place for its submission, this part of the submission cannot be interpreted as a request.

In the matter of whether the imposition of a data protection fine is justified, the Authority is the general one

Article 83 (2) of the data protection decree and Infotv.75/A. considered ex officio on the basis of §

all the circumstances of the case and established that the violation revealed during this procedure

there is no need to impose a data protection fine, the infringement is a sufficient measure

establishing and obligating the Requester to fulfill the Requester's access request.

The Authority considers it sufficient to convict the Respondent for unlawful data management, because you have not previously violated the provisions of the GDPR, the established violation does not affects special categories of personal data. In addition, the Respondent is only partially did not comply with the Requester's access request, thus improper fulfillment of the request infringement caused by can be considered of minor importance.

Based on the above, the Authority decided in accordance with the provisions of the relevant section.

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A. Other questions

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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.

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

Based on § 82, paragraph (1), it becomes final upon its publication.

The Akr. § 112, and § 116, paragraph (1), and § 114, paragraph (1) with the decision

and there is a legal remedy against the termination order through an administrative lawsuit.

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. Section 13, paragraph (3).

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

legal representation in a lawsuit within the jurisdiction of the court based on paragraph b).

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

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

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. 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.

Budapest, November 10, 2021.

Dr. Attila Péterfalvi

president

c. professor