

Subject: Partial decision granting the application

termination order

Case number: NAIH / 2020/4365.

NAIH / 2019/1516

NAIH / 2018/6769 / H

Before the National Authority for Data Protection and Freedom of Information (hereinafter referred to as the Authority) [...]

hereinafter referred to as the Applicant) for unlawful processing, access or rectification of personal data

and the right to cancel [...] (hereinafter: I. r. requested) and [...] (hereinafter: II. r.

(hereinafter together referred to as the "Applicants")

shall take the following decisions in the data protection authority proceedings initiated at the request of the

I.1.1. In its decision, the Authority submitted the application in accordance with I. r. requested is illegal

data management

partially accepts and

I.1.2. notes that I. r. the requested data processing activity violated the natural

on the protection of individuals with regard to the processing of personal data and on the protection of such data

2016/679 on the free movement of persons and repealing Directive 95/46 / EC

Article 5 (1) (b) and (c) of the Regulation (hereinafter referred to as the General Data Protection Regulation);

Article 15 (2) and Article 15 (1) and (3).

I.1.3. instructs the I. r. the applicant's written application dated 25 July 2018

to provide information on the issues covered by the

did not reply in its reply and which were subsequently related to the management of the claim

after the end of the data processing, based on the additional data processing purposes referred to

can be answered on the basis of available data.

I.1.4. The I. r. due to unlawful data processing carried out by the Authority ex officio

within 30 days of the final adoption of this Decision

1,000. 000 HUF, ie one million HUF

data protection fine

obliges to pay.

I.2.1. In its decision, the Authority shall unlawful processing of the data subject

for the determination of the

partially accepts and

I.2.2. notes that r. not provided beyond the quality of the data processing requested

adequate information to the Applicant in breach of Article 5 of the General Data Protection Regulation.

Article 1 (1) (a).

I.2.3. A II.r. inadequate information provided to the applicant

30 days from the date on which this Decision becomes final

within

HUF 500,000, ie five hundred thousand forints

data protection fine

obliges to pay.

I.3. The part of the application seeking a declaration by the Authority that the right to rectification is a

Applicants' violation, as well as their unjustified processing of data by a final court

with reference to a decision also in respect of claims which the court has not ruled on

decided by the Authority

rejects.

II. The Authority shall, by order of the official procedure, the data processing prior to 25 May 2018

examination

terminates.

III. In view of the fact that the administrative deadline was exceeded, the Authority exceeded HUF 10,000, ie ten thousand

HUF to the Applicant, at his choice, by bank transfer or postal order

to pay.

I.1.3. the measures provided for in point I. r. requested from the taking of the measure

within 15 days of receipt of the supporting evidence.

to the Authority, so that the information provided to the Applicant (in full) and the

by sending a copy of the post office to the Authority certifying its dispatch.

The time limit for bringing an action shall be the time limit for bringing an action for judicial review

within 15 days of the expiration of the Authority's centralized revenue collection target

forint account (10032000-01040425-000000000 Centralized collection account IBAN: HU83

1003 2000 0104 0425 0000 0000) shall be paid for. When transferring the amount a

NAIH / 2019/1516. JUDGE. number should be referred to.

If the Applicants fail to comply with their obligation to pay the fine within the time limit,

are required to pay a late payment allowance. The rate of the late payment allowance is the statutory interest, which is a

equal to the central bank base rate valid on the first day of the calendar half-year affected by the delay. THE

in the event of non-payment of a fine and a late payment allowance, the Authority shall order the decision

recovery of fines and penalties for late payment. The fine and the

the National Tax and Customs Administration collects the late payment surcharge.

The Authority draws the attention of the Applicants to the fact that it is open to challenge the decision

until the expiry of the time limit for bringing an action or, in the case of an administrative lawsuit, until a final decision of the

court a

data affected by the disputed data processing may not be deleted or destroyed.

By decision of the Authority set out in point I and and III. by the order set out in point

There is no administrative remedy against them, but they are within 30 days of notification

An action brought before the Metropolitan Court may be challenged in an administrative action. THE

an emergency does not affect the running of the time limit for bringing an action. The application must be lodged with the

Authority

submit it electronically, which forwards it to the court together with the case file. The trial

The application for maintenance must be indicated in the application. Not in full personal exemption

for the beneficiaries, the fee for the court review procedure is HUF 30,000, the lawsuit is substantive subject to the right to record duties. Legal representation is mandatory in proceedings before the Metropolitan Court.

EXPLANATORY STATEMENT

I. Procedure and clarification of the facts

The Applicant submitted it to the Authority on 8 November 2018 by proxy unlawful handling of personal data related to claims management, access violation of the right to rectification, and the inadequacy of the data subject's request initiated a data protection official procedure with the Applicants for information against.

The I. r. collects receivables purchased before maturity by the requested companies at its own risk, this was also the case in the Applicant's case. A II. r. processing of the Applicant's personal data with regard to I. r. requested data processor. The assignors, ie [...] (hereinafter:

Service Providers) owns the [...] property (hereinafter: place of consumption)

was a person with a share (hereinafter: Consumer). At the place of consumption a

The applicant also had a share of property, but he never lived a lifestyle there, a

Consumers and other persons have used and used the services of the Service Providers. THE

After the death of a consumer, it collects debts owed to the Service Providers

Applicants called on the Applicant to pay the arrears. The Applicant has repeatedly

complained to the Applicants, requesting rectification and information in the exercise of his rights as a data subject

the legal basis of the claims and requested proof of the legality of the claims.

In this connection, the Applicant submitted a relevant application dated 25 July 2018, which was

I. r. applicant and the II.r. addressed to the applicant.

At the request of the attached stakeholder, I.r. The requested reply provided brief information

in general, that the recovery procedure is well-founded and lawful

to submit or remedy objections (on data management issues

not covered by Articles 12 to 20 of the General Data Protection Regulation. under the procedure laid down in Articles

option, but in court, official proceedings. The I.r. the applicant informed the Applicant and that detailed rules relating to the handling of your data, in addition to this information, are provided by can be found in the linked data management information.

According to the Applicant, the I.r. requested - by letter dated 17 August 2018, which provided a copy of your personal information, which is attached to your application the legal basis for the management of the claims, as well as the supporting documents for the claims despite his request.

The Applicant referred in his application to the data subject - submitted on 28.06.2018 - in person requesting a statement of the dates and amounts of the recovery with regard to I.r. applied for an administrative fee of HUF 1,105 billing at the same time. The fee was paid by the Applicant.

The Applicant has been unsuccessful in correspondence with the Applicants and has made an unlawful claim sold its ownership interest in the place of consumption due to arrears of fees. The Applicant a received notice of the obligation to pay even after the sale of its shareholding,

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in which the new owner was already listed as the debtor, but the wrong address was indicated on the letter. THE On the copy of the invoice attached by the applicant - dated 26.07.2018 - as a place of residence [...] was indicated, although it was not [...] but the address of the Applicant.

The Applicant attached to his application the dealings with the Applicants and the Service Providers correspondence, minutes of complaints, litigation relating to a claim documents produced in the proceedings or in the succession proceedings relating to the place of consumption, and documents proving your address and place of residence, non-authentic title deed, with place of consumption a copy of the contract of sale relating to

At the request of the Applicant on the right to information self-determination and freedom of information CXII of 2011 on the basis of Section 60 (1) of the Information Act (hereinafter: the Information Act) official proceedings have been initiated.

The Authority invited the applicant to make a statement in order to clarify the facts,

to which the I.r. sent its statement of 11 December 2018 (a

hereinafter referred to as declaration) and a copy of the supporting documents.

The Authority called on the I.r. applicant, who also has a deadline of 2018.

by letter dated 19 February 2006 ('Declaration No 2').

The I.r. According to Declaration No. 1 of the applicant, the personal data of the Applicant, a

data management related to the enforcement of a claim 24/02/2014 12/07/2018 existed between. THE

The legal basis for data processing related to the enforcement of a claim is the Infotv. Section 5 (1) b)

then Article 6 (1) of the General Data Protection Regulation. Data sources:

KEKKH, TAKARNET, NAV provided data related to implementation.

Data management related to the customer relationship is ongoing in order to fulfill a legal obligation

data handling. The duration of the data processing is 5 years after the reply to the letter. Data management

The legal basis is Infotv. Section 5 (1) (b) and then Article 6 (1) of the General Data Protection Regulation

and the CLV 1997 on consumer protection. Act 17 / A. § (1), the

the source of the data is the communication of the data subject.

In connection with the response to a request for data protection, the I.r. requested by

handles personal data for 5 years after responding to the request. Purpose of data management

compliance with a legal obligation, the legal basis is Article 6 (1) of the General Data Protection Regulation.

and 12-20. the source of the data shall be the communication of the data subject.

The legal basis for the processing of data in connection with the present proceedings is Article 6 (1) of the General Data Protection Regulation.

the duration of the data is 5 years after the conclusion of the procedure, the source of the data is the Authority.

The personal data processed are classified in I.r. requested no. according to his statement: name, mother

name, address, tax ID (required to collect the waste tax in the form of taxes), payer

ID (internal billing ID), the identity card number for which the purpose of data processing is

According to a practice that has been abandoned years ago, proof of customer identification has been provided

volt.

The I.r. applied for no. stated in his statement that on June 28, 2018, the gross amount was HUF 1,105

They were billed with reference to the "Data Fee Statement" service, which is "intended

was the arrears settlement and not the Applicant's right of access under Article 15 of the GDPR

...'

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The I.r. The applicant attached to the letter of information of the Applicant dated 25 July 2018 -

August 17, 2018 - sent a copy of your response stating a claim validation

in addition to the purpose of data processing.

According to the Excel spreadsheet attached to the information sent on 17 August 2018, a

The data processed for the purposes of data processing designated as the enforcement of claims are: name,

address, mother's name, date of birth, place of birth, payer ID and tax ID. In the letter

the Applicant was also informed that the I.r. requested data management information at link [...]

available.

The I.r. In his statement No. 1, the petitioner stated that the Applicant has a general data protection

The right of access under Article 15 of the Regulation was not restricted because, in its view, "a

matters already decided or pending in court / official proceedings

conciliation / complaint / objection may not be submitted in the framework of the procedure under Article 15 of the GDPR,

it does not belong. "

The I.r. Applicant, at the request of the Authority, attached the Applicant's Complaints Procedure

also a copy of its documentation, including the 21/06/2011 Dated P / 18/023390/0006.

and 03.07.2018. Dated P / 18/023390/0004. minutes of the complaint

and FAKT-86411 / 2-2018, FAKT-76895 / 2-2018 and FAKT-92031 / 2-2018 sent to them.

a copy of the letters with the registration number.

The I.r. According to the declaration No. 2 of the claim, the

02.24.-2018.07.12. The purpose of the data processing was to enforce the claim. Data management

The legal basis is Infotv. Section 6 (1) (b) and then Article 6 (1) of the General Data Protection Regulation was paragraph (f). The I.r. did not apply for a balancing test at the request of the Authority sent, according to his statement "The practice so far in the bodies providing data it is sufficient to indicate a legitimate interest, the GDPR does not contain a provision according to which a balancing test should be performed and no impact assessment should be performed at this level of data management shall be carried out. "

The I.r. In his statement No. 2, the applicant also stated that the Gross HUF 1,105 invoiced on the 28th day for copies of documents requested for arrears reconciliation administrative costs are based on the provisions of their current regulations. In this regard, I.r.

The applicant emphasized that the right of access to the data subject was, in principle, free of charge practicable, but excessive and repetitive under the provisions of the General Data Protection Regulation they may charge a fee upon request. The I.r. According to the applicant, "In the present case, it was application fee because the statement applied to a copy request that is already in the had received them earlier (several times, eg letters of formal notice) as an annex to the summary of workloads. " In support of his statement that administrative costs are not always charged, I.r. applicant attached the

The applicant submitted their response to the request for access on 17.08.2018, which is free of charge fulfilled.

The I.r. requested no. According to the declarations of "08.01.2018. issued in the name of [...] load aggregator was indeed sent to [...] instead of [...], which

In this case, an individual clerical error was acknowledged by our Company (for the previous data only the name has been changed, not the presentation title). This error is requested by

In a letter dated 11 August 2018 and sent to our Company on 15 August 2018,

the necessary correction was made and the applicant was informed by letter dated 10.09.2018. " In support of his claims, I.r. the applicant has attached the load summary, the a copy of the notification and the reply.

The I.r. requested no. According to the statement of the II.r. acted as the requested data processor

With regard to the data processing objected to by the applicant. In support of his statement, he attached the

The main intermediary contract between the applicants and the data processing contract

a copy.

The Authority shall also called on the applicant to make a statement as a data processor and the

any data management activities. A II.r. the applicant has informed the Authority

that there is no independent control over the processing of personal data relating to the Applicant

does not have the right to make decisions, it carries out its activities as a data processor. The Applicant

data were entered on February 24, 2014 in the II.r. requested IT system. The Applicant

name and address are handled by the II.r. does not hold any other personal data requested

obviously. According to his statement, on August 17, 2018, he responded to the II.r. requested by the Applicant

at the request of the data subject, attached a copy of the reply. In the first sentence of the reply

mentions as data controller the II.r. applicant, as follows:

'You, acting as an agent, have submitted an application to our Company (hereinafter:

"Data controller")... ". However, according to the last sentence of the same letter, as a data processor

acted in the Applicant's case.

II. Applicable law

According to Article 2 (1) of the General Data Protection Regulation, the Regulation shall apply to

the processing of personal data in a partially or fully automated manner, and

for the non-automated management of data that is part of a registration system

which are intended to be part of a registration system.

According to recital 47 of the General Data Protection Regulation, if the data processing

legal basis is a legitimate interest, a prior balancing of interests must be carried out

it is necessary to determine, inter alia, the legitimate interest, the effect on the data subject and whether

whether the processing is necessary or proportionate and whether a legitimate interest or consideration is required

and whether the right of the data subject is superior.

According to Article 4 (7) of the General Data Protection Regulation, "controller" means the natural or legal person, public authority, agency or any other body that provides personal data determine the purposes and means of its management, alone or in association with others; if the data management purposes and means are determined by Union or Member State law, the controller or the EU or national law also lays down specific criteria for the designation of a controller you can specify.

According to Article 4 (8) of the General Data Protection Regulation, "data processor" means the natural person or a legal person, public authority, agency or any other body which is the controller handles personal data on its behalf.

Pursuant to Article 5 (1) (a) of the General Data Protection Regulation, personal data:

(a) be processed lawfully and fairly and in a manner which is transparent to the data subject ("legality, fairness and transparency");

Personal data pursuant to Article 5 (1) (b) of the General Data Protection Regulation collected for specified, explicit and legitimate purposes and not processed in a way incompatible with those objectives. ("Purpose-bound").

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Pursuant to Article 5 (1) (c) of the General Data Protection Regulation, personal data are:

they must be appropriate and relevant to the purposes of the processing, and should be limited to what is necessary ("data saving").

Pursuant to Article 5 (2) of the General Data Protection Regulation, the controller is responsible for shall be able to demonstrate such compliance ("Accountability").

Personal data pursuant to Article 6 (1) (f) of the General Data Protection Regulation processing is lawful if the processing is lawful by the controller or a third party necessary to safeguard its interests, unless those interests take precedence

enjoy the interests or fundamental rights and freedoms of the data subject which are personal data protection, especially if the child concerned.

Under Article 16 of the General Data Protection Regulation, the data subject has the right to request the data controller shall correct the inaccurate personal data without undue delay data.

Under Article 17 (1) (d) of the General Data Protection Regulation, the data subject is entitled that, at his request, the controller deletes his personal data without undue delay data, and the controller is obliged to provide personal data concerning the data subject delete without undue delay if personal data have been processed unlawfully.

The processing of data by the processor pursuant to Article 28 of the General Data Protection Regulation the subject matter, duration and nature of the processing established under Union law or the law of a Member State and purpose, the type of personal data, the categories of data subjects and the controller should be governed by a contract or other legal act which binds the data processor to the data controller. The contract or other act in particular, it requires the processor to:

(a) process personal data only on the basis of written instructions from the controller, including personal data to a third country or international organization unless the processing is subject to an EU or EU law applicable to the processor required by the law of a Member State; in this case, the data controller shall inform the controller of this legal requirement prior to the processing of the data, unless the notification of the data controller is relevant to the relevant legislation prohibits it in the public interest;

Pursuant to Article 58 (2) (b), (c) and (i) of the General Data Protection Regulation acting within the corrective power of the competent authority:

(b) reprimands the controller or the processor if he or she is acting in a data-processing capacity has infringed the provisions of this Regulation;

(c) instruct the controller or processor to comply with this Regulation

the exercise of his rights under this Regulation;

(i) impose an administrative fine in accordance with Article 83, depending on the circumstances of the case in addition to or instead of the measures referred to in this paragraph.

Pursuant to Article 17 (3) (c) of the General Data Protection Regulation, paragraphs 1 and 2 do not apply if the processing is for the purpose of submitting or enforcing legal claims, or necessary for its protection.

Pursuant to Article 15 (1) of the General Data Protection Regulation, the data subject is entitled to: receive feedback from the data controller on the processing of your personal data

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is in progress and if such data processing is in progress, you are entitled to personal access to data and the following information:

(a) the purposes of the processing;

(b) the categories of personal data concerned;

(c) the recipients or categories of recipients with whom the personal data are held

have been or will be communicated, including in particular to third country consignees, and international organizations;

(d) where applicable, the intended period for which the personal data will be stored or, failing that, possible criteria for determining this period;

(e) the data subject's right to request personal data concerning him or her from the controller, rectification, erasure or restriction on the processing of such personal data against its treatment;

(f) the right to lodge a complaint with a supervisory authority;

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

(h) the fact of automated decision-making referred to in Article 22 (1) and (4), including: profiling and, at least in these cases, the logic used

comprehensible information on the significance of such processing and on the data subject

the expected consequences.

Pursuant to Article 12 (5) (a) of the General Data Protection Regulation, Articles 13 and 14

information and pages 15-22. The information and action provided for in Articles 31 and 34 shall be provided free of charge

to assure. If the data subject's request is clearly unfounded or - particularly repetitive

excessive, the controller shall provide the information or information requested

or a reasonable fee for the administrative costs of taking the requested action

you can charge.

Pursuant to Article 15 (3) of the General Data Protection Regulation, the controller is the controller

provide the data subject with a copy of the personal data By the person concerned

for additional copies requested, the controller shall be reasonable on the basis of administrative costs

may charge a fee. If the person concerned submitted the application electronically, the information shall be extensive

shall be made available in a widely used electronic format, unless

asks otherwise.

Pursuant to Article 28 (3) (e) of the General Data Protection Regulation, by the controller

processing carried out in accordance with Union law or the law of a Member State

subject matter, duration, nature and purpose, type of personal data, categories of data subjects,

and a contract or other legal instrument defining the obligations and rights of the data controller

should be governed by an act binding the processor vis-à-vis the controller. The contract

or other legal act stipulates in particular that the data controller is of the nature of the processing

appropriate technical and organizational measures as far as possible, taking into account

assist the controller in fulfilling his obligations under Annex III. included in Chapter

responding to requests relating to the exercise of their rights.

Pursuant to Article 28 (3) (g) of the General Data Protection Regulation, by the controller

processing carried out in accordance with Union law or the law of a Member State

subject matter, duration, nature and purpose, type of personal data, categories of data subjects,

and a contract or other legal instrument defining the obligations and rights of the data controller

should be governed by an act binding the processor vis-à-vis the controller. The contract or other legal act stipulates in particular that the data controller is a data processing service will delete all personal data at the discretion of the controller upon termination of the provision or return it to the controller and delete the existing copies, unless the Union or the law of a Member State requires the storage of personal data.

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Pursuant to Article 58 (2) (c) of the General Data Protection Regulation, the supervisory authority instructing the controller or processor to comply with the exercise of the data subject's rights under this Regulation.

Pursuant to Article 58 (2) (b) and (i) of the General Data Protection Regulation the data controller or processor acting under the corrective powers of the competent authority if breached the provisions of the Regulation or Article 83 impose an administrative fine accordingly, depending on the circumstances of the case in addition to or instead of the measures referred to in

The conditions for the imposition of an administrative fine are set out in Article 83 of the General Data Protection Regulation. contained in Article. Infotv. 75 / A. § of the General Data Protection Regulation.

taking into account the principle of proportionality in particular in the legislation on the processing of personal data or requirements laid down in a binding act of the European Union

Article 28 of the General Data Protection Regulation in particular by alerting the controller or processor.

The CLV 1997 on consumer protection. Act (hereinafter: Fgy.) § 1 (2) the scope of this Act does not extend to matters relating to the supervision of the financial intermediation system activities supervised by the Magyar Nemzeti Bank (hereinafter: the MNB) organizations and persons supervised by the MNB (hereinafter: financial services activities).

Act CCXXXVII of 2013 on Credit Institutions and Financial Undertakings Section 288 (2) of the Act

In the case of telephone complaints under paragraph 1, the financial institution shall be independent telephone communication between the intermediary and the client with the recording of the financial institution records and preserves the sound recording for five years. About this to the customer at the beginning of the telephone administration must be informed. At the request of the customer, the audio recording must be reproduced, and shall be made available free of charge on request within twenty - five days a certified record of the sound recording or a copy of the sound recording.

CCIX of 2011 on water utility services. Act (hereinafter: Vksztv.) § 2 point 6

user: the water utility service within the framework of a contractual relationship under this Act or 31 / A. § (1) during the period of the temporary service a natural or legal person actually using it with the prior consent of the water utility provider a person without legal personality who (which) enters the water utility service the user of the activated property and, in turn, the owner of the property behind it.

CCXXXV on waste. Pursuant to Section 38 (1) and (2) of the Act (hereinafter: Hgt.):

(1) The user of real estate shall meet the conditions necessary for the provision of the public waste management service provides it to the public service operator and uses the public service.

(2) The real estate user is responsible for the provision of public waste management services pay a public service fee under this Act as well as a public service fee for waste management laid down in a decree of the Minister responsible for conditions.

A Hgt. Pursuant to Section 2, Clause 34, real estate user: the owner, owner, trustee of the real estate, and the condominium and housing association, which (which) provides the public waste management service e within the framework of a contractual legal relationship and to whom (which) is available to the public service operator at regular intervals.

A Hgt. In the case of real estate jointly owned pursuant to Section 52 (5), in a household lifestyle owners, in the case of shared property, the lifestyle the liability of living users or holders is joint and several.

III. Authority decision

III.1. Data processing period examined

Data processing objected to by the Applicant 24.02.2014-20.07.07. existed between. The Ákr. Section 47 (1)

Pursuant to paragraph 1 (a), the Authority shall initiate the data protection authority procedure on 25 May 2018

terminated prior to the processing of data processing, as the request

did not comply with Infotv. Section 60 (2), as the applicant

there was no general data protection regulation in this part of the data processing period

applicable, so that it is subject to a data protection official procedure before the Authority upon request

cannot be started. In the present proceedings, the Authority will only deal with the processing requested

For the period from 25 May 2018 to 12 July 2018.

III.2. A II.r. the handling of the requested data, inadequate information and action

during the execution of the data subject's request

In its application, the Applicant also objected to the processing of the data requested

received incomplete, contradictory and untrue information.

With reference to the above, the Authority invited the applicant to make a separate statement. The I.r.

According to the documents attached by the applicant, Article 4 (8) of the General Data Protection Regulation

pursuant to point II.r. the data processing objected to by the Applicant acted as the requested data processor

because the means and purposes of data processing are not defined independently and the I.r.

acted on the basis of the requested mandate.

The I.r. At the invitation of the Authority, the

Framework Agreement on Data Processing "is based on Article 28 of the General Data Protection Regulation.

shall be considered a data processing contract within the meaning of Article 3 (3). In addition, I.r. requested by the applicant

attached - concluded on 17 December 2015 - "Mandate contract financial services

I.r. Requested for that

claim that II.r. Applicant acted as a data processor in the Applicant's Claims Management

during the processing of data relating to the case. A II.r. The applicant refers to Article 2 as existing contracts.

to the above documents.

A II.r. Applicant also confirmed the I.r. the applicant's statement that the Applicant

in relation to his personal data, he acted as a data processor because of the data processing

they did not have any independent decision-making power in this regard.

The Authority found that a discrepancy could be discovered at the request of the Authority in I.r.

sent by the applicant 05/25/2018 and Data Management made on January 18, 2019

Prospectus (hereinafter: the requested data management information of I.r.) and the Applicants

between its declaration on the quality of the data processor. The I.r. requested data management

in the prospectus of II.r. The applicant is not listed as a data processor because, as a data processor, the

Page 6 lists 3 companies, none of which are listed in I.r. requested. Furthermore, II.r. requested

just like "Hpt. Section 10 (1) a) of the Data Protection Act

Notes and notes in the next paragraph that "The above list is not exhaustive,

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[...] reserves the right to use an additional data controller, the identity of which shall be no later than

provide information in a unique manner at the start of the data processing. "

To the Authority, the II.r. forwarded by the applicant, at the request of the Applicant concerned, the II.r. requested

The text of the e-mail sent by you on 27 March 2019 is also contradictory given that the

refers in the first sentence to the II.r. requested, while in the last sentence

indicates that it is acting as a data processor.

Attached to the Authority's invitation dated 17 August 2018 Internal Data Processing

Clause 13 of the framework contract ('the contract') provides:

"13.1. The Data Processor shall cooperate with the Data Controller in accordance with this Agreement

processing issues.

In this context, it shall immediately inform the Data Controller if any request for information receives complaints from data owners, in particular for the rectification of personal data, requests for cancellation or blocking under the third chapter of the GDPR rights of the data subject.

13.2. The Data Processor does not respond to the requests referred to in Section 10.1

this is the right of the Data Controller unless required to do so by law, official or court decision obliges. "

Based on the above, it can be concluded that Annex II. r. the applicant would not have been responsible for the data subject responding to requests because it is the responsibility of the data controller to do so as a data processor

provides the necessary assistance, however, the II.r. sent the requested reply to

At the request of the claimant, instead of complying with the above provisions of the contract, it

the I.r. would have exceeded the quality of the data processor. The

for proper information in accordance with the General Data Protection Regulation, the data controller, ie I.r.

under Article 5 (2) of the General Data Protection Regulation

to account for.

A II.r. According to the annex to the requested letter of 27 March 2019, the II.r. applied for personal

data is stored for a period of "response to the request + 5 years", "Data controller data protection

official for the purpose of processing the application and keeping records'. Given that the email also referred to the II.r.

therefore a reply was sent to the Applicant

nor is it clear from the point of view that in the present case I.r. requested or II.r.

requested to store the response to the request + 5 years of personal data.

Given that the II.r. the information requested is misleading and contradictory, as

also refers to II.r. as data controller and data processor. therefore the Authority

found that by providing information that went beyond the quality of its data processing, the II.r.

breach of Article 5 (1) (a) of the General Data Protection Regulation

principle of transparency.

III.3.1. The Applicant I.r. request for access written by the applicant on 25 July 2018

The Applicant's application was submitted to the II.r. The applicant also replied on the same day as the I. r. requested, i.e., on August 17, 2018, and the letter was sent by the same person who is Irish. as the requested Data Protection Officer [...] also replied to the Applicant, in this case the I.r. indicated the applicant under his name in the email.

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According to the letter of the Applicant dated 25 July 2018, the I.r. requested by the General Data Protection Regulation It replied on 17 August 2018 within the deadline set out in Article 12 (3). The I.r. on the basis of Declaration No 1 requested by the which he enclosed with a copy of his request.

The attached stakeholder application is 9 pages, which is in Annex II. in point 13 (i-xiii)

Applicant's questions. The I.r. The applicant's response to this was short in a one-page Excel spreadsheet provides information on the scope of the data processed in general, the time of data processing, the the purpose of the data processing, the legal basis and the processors, in separate sections "the claim data processing related to the enforcement of a claim "

"data management", "customer relationship" and "data protection request handling"

detailed. The Authority found that the following questions from the Applicant had not been made transparent information in the I.r. from applicant:

1. The number of times the Applicant has initiated a collection order against NAV transfer of your data? (Point II (iv))
2. During the transmission of data to NAV for the purpose of initiating a collection order a to what amounts and when was the data transferred in the recovery process? (II. point V)
3. The date on which they occurred in relation to the above property of the Applicant changes to your data (correction / clarification)? (Point II (vii))
4. What is the legal basis for the effort to correct / clarify the data

rejected and for the receipt and filing of the relevant documentation

the obligation to copy? (Point II (viii))

5. Criteria for rejecting a complaint, including

the result of the balancing of interests in the legitimate interest of the data controller! (Point II (x))

6. The Applicant has commenced, modified and completed the above property

what database / data source (documentation) was available for the management of the data a

Available to the Service Provider (copies thereof)? (Point II (xi))

7. As the data were not collected from the Applicant, the information indicated in the previous point

documentation and / or data relating to the above property, not to him

what is the connection of the recipient service provider's claims with the data of the Applicant

based on / logical / interest / procedure? (A copy of the relevant documentation

Please provide a copy indicating the origin of the data source. (II.

point xii. subheading)

The right of access of data subjects serves the transparency of transactions involving personal data,

in this way in Article 5 (1) (e) of the General Data Protection Regulation

the principle of fair data management.

The I.r. In its reply, the applicant informed the Applicant that its recovery procedure

to raise objections to the merits and legality of the

remedies (in addition to data management issues) are not available in proceedings under Article 1220 of the General Data

Protection Regulation, but in court or official proceedings.

He also stated that his data management was beyond the scope of this information

detailed rules can be found in the linked Data Management Information.

However, the prospectus is not about the data management process performed in the specific case of the Applicant

contains information that would provide information about the personal data of the data subject

operations carried out.

Under Article 15 of the General Data Protection Regulation, the data subject has the right to obtain from the controller receive feedback on whether the controller handles your personal data, and if so, you are also entitled to have your personal data processed as well as the also have access to data management information. The General Data Protection Regulation Article 15 (3) provides that the controller is the subject of the processing provide a copy of the personal data to the data subject, as this will enable the effective and complete access to personal data. The I.r. requested on this due to his failure to fulfill his obligations, he did not provide the data subject with the data processing concerning him transparency of the process.

In the absence of the requested information, the data subject could not be informed of the circumstances of the data processing

the lawfulness or illegality of the I.r. requested a breach of general privacy the principle of transparency enshrined in Article 5 (1) (a) of this Regulation.

Given that I.r. provided by the applicant in an Excel spreadsheet sent to the Applicant the content of the information is unsatisfactory, as it is not specific to the Applicant's questions nor did it inform the data subject of the reason for the non-response notes that I.r. the applicant has infringed Article 5 (1) of the General Data Protection Regulation and Article 15 of the Applicant's General Data Protection Regulation regulated access and did not comply with Article 12 of the General Data Protection Regulation. nor by the obligation under Article 4 (4), by the Applicant requesting information did not provide information on 8 questions in its letter and did not justify not replying sem.

III.3.2. Request for a copy of the applicant's personal data

Based on the administrative cost under Article 15 (3) of the General Data Protection Regulation, a reasonable fee may be charged only if the person concerned requests an additional copy personal data which is the subject of data processing.

The I.r. According to the applicant's statement No. 2, "A fee was applied in the present case because by means of a statement, the request for a copy concerned data which was already in the possession of the data subject received them earlier (on several occasions, eg as an annex to letters of formal notice, on the load aggregators). "

Article 15 (3) of the General Data Protection Regulation applies only if the data subject has previously requested a copy of the I.r. from the applicant, however, in the present case, the Applicant exercised this for the first time in this General Data Protection Regulation guaranteed right.

Based on the above, I.r. from the declaration requested by the applicant charged a gross administrative fee of HUF 1,105 on 28/06/2018 to get this data already previously sent as an attachment to payment requests or an extract from the debit therefore, in his view, the request for data was repetitive. In the opinion of the Authority this is not a valid reason to charge the fee because the statements previously sent are not a They concerned the exercise of the rights of the applicant concerned, the Authority therefore that by charging the fee the I.r. The applicant infringed Article 12 of the General Data Protection Regulation. the obligation under Article 2 (2) to exercise the rights of the data subject by unjustifiably charging an administrative cost to the I.r. however, the hindered the exercise of the rights of the data subject.

Applicant I.r attached it to the Applicant in support of his statement No. 1

Its reply to the request made in the exercise of the right of access sent on 17.08.2018,

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which he performed free of charge. The attached document was a copy of the data management notice, so it is not contained data. In the opinion of the Authority, I.r. the argument put forward is not acceptable because the fact that a subsequent application submitted by a concerned person is not granted free of charge makes the earlier calculation of costs lawful, and in the present case the later one

The response to the data subject's request was of a general nature, only the privacy statement

a copy of which was forwarded to the Applicant.

III.4. Legal basis

III.4.1. Liability for compliance as defined in the sectoral legislation applicable to service providers

reference

The I.r. In his statement No 1 to the Authority, the applicant referred to a

provisions of the sectoral legislation on public utilities, such as the Vksztv. § 2 point 6 and a

Hgt.38. § (1) - (2), as well as Hgt. § 2 (1) and the Hgt. Section 52 (5)

in order to substantiate its data management practices with regard to the fact that the

the liability status of the owners depends on the provisions of sectoral legislation.

In the opinion of the Authority, I.r. the requested argument cannot be accepted as a legal basis for data processing

having regard to the fact that the I.r application does not fall within the scope of the sectoral legislation referred to

under. The I. r. deals with the recovery of purchased receivables requested, i.e. the assignment

personal data obtained during the recovery of the claim with reference to a legitimate interest

a separate legal basis for the collection of personal data in addition to the data received

required.

The Authority established the information sent by the Service Providers attached to the Service Provider - 30 July 2018.

and dated 24 August 2018 - from a copy of the letters that the Service Providers, which requested

are subject to the sectoral legislation (Vksztv. and Hgt.) referred to in

the personal data of the Applicant, so the sources of this data were not the Service Providers.

The I.r. The applicant also confirmed in a statement sent to the Authority that

source of receivables management data: KEKKH, TAKARNET, NAV for execution

related data provision. Personal data obtained from these sources will be processed by I.r. requested

collected and treated with reference to the fulfillment of a legal obligation applicable to it.

III.4.2. Legitimate interest and balance of interests

The data management information valid from 25.05.2018 is available at the [...] link 3.1. point

Under the heading “purchased receivables” governs the enforcement of receivables

data management purpose. At this point, however, the legal basis for data processing is a legal obligation marked the fulfillment of I.r. also contains a list of sectoral legislation reference to the legal basis, as follows:

-

Section 169 (2) of Act C of 2000 on Accounting,
CCXXXVII of 2013 on Credit Institutions and Financial Undertakings Act (a hereinafter: Hpt.) Section 3 (1) (I) and Section 161 (1) (c),
Act CXII of 2011 on the Central Credit Information System law.

Section 169 (2) of Act C of 2000 on Accounting and the Central Credit Information CXII of 2011 on the system. reference was made to the enforcement of claims is not appropriate for data management purposes, because Section 169 (2) of Act C of 2000 on Accounting sets out a data management purpose for the enforcement of non-claims. The central

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CXII of 2011 on the credit information system law reference is not sufficient legal basis because it is not acceptable without a precise legal provision.

According to the Authority, Hpt. Section 161 (1) (c) shall not be considered personal as a separate legal basis for the transfer of data, given that this legal provision does not include mandatory data processing, it only allows the financial institution to to disclose bank secrecy to a third party if it has an interest in doing so with the customer to sell your claim or assert your overdue claim. However, this is does not constitute a legal obligation that would create an independent legal basis, as Infotv.

With regard to Section 5 (3), the law should also regulate the circumstances of data processing.

Instead, the Hpt. Section 161 (1) (c) in the case of data processing based on a legitimate interest is means the determination of the legitimate interest of the data controller and the purpose of the data processing, for which the the data controller is also required to carry out further steps in the balancing of interests. From all this consequently, therefore, I.r. the legal provisions referred to by the applicant are not considered

the appropriate legal basis for the transfer of the Applicant's personal data, in particular

that the concessionaires were not banks but utilities.

In the course of its examination of the above - mentioned information document, the Authority concluded that

consideration of interests in the data management listed in section 3.1, records of receivables

for the purposes of

The I.r. requested at the request of the data subject requesting the Applicant - on 17 August 2018

- indicated in his reply the legitimate interest in the enforcement of the claim

however, despite the invitation of the Authority

attached, arguing that the General Data Protection Regulation does not require it to be drawn up.

The data controller is responsible for the lawfulness of the data processing carried out by him. The general privacy policy

due to the nature of the legal basis under Article 6 (1) (f) of

invoking this plea must be able to accurately indicate that it is a specific personal data

which legitimate interest of the controller is justified and why

it is necessary to manage the data, at the same time to prove and prove that it has priority

against the legitimate interests, fundamental rights and freedoms of the data subject.

The legal basis indicated as the legal basis for data processing and the need for data processing based on it

and in the absence of a verifiable comparison with the interests of the data subject, I.r. applicant did not

comply with the principle of accountability under Article 5 (2) of the General Data Protection Regulation.

The I.r. According to the statements sent at the request of the requested Authority, the legal basis for the processing is

Article 6 (1) of the General Data Protection Regulation to enforce a claim,

related to customer relations, data protection and the present proceedings

also in the case of data management. The I. r. not in the statements made at the request of the Authority

clarified the legal basis for data processing. Article 6 of the General Data Protection Regulation, which it designates.

Article 1 (1) lists the applicable legal bases, of which only one is at a time

can be assigned to a data management purpose. The I.r. however, it applied for more than one plea in law

marked. The I.r. the applicant thereby infringed Article 5 (1) of the General Data Protection Regulation

the principle of transparency referred to in paragraph 1 (a).

III.4.3. Budapest XVIII. and XIX. District Court Judgment [...] and legal basis for data processing

The I.r. Budapest XVIII. and XIX. According to the judgment of the District Court [...], the

The court initiated proceedings against the Applicant as a defendant for the payment of a fee debt of HUF 77,157 and its contributions.

in the lawsuit against I.r. dismissed the action brought by the applicant.

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The decision of the court in the lawsuit filed for the payment of a HUF 77,157 fee debt and contributions is water with regard to the utility fee and the chimney sweep fee related to the use of I. r.

the applicant did not substantiate his claim either in its legal basis or in its amount.

The I.r. requested no. his statement stated that "in our view, where appropriate, one a final negative court judgment in respect of the period of consumption is concerned only may have an obligation to delete data for that period, only if

if the time limits for extraordinary remedies have already expired, as in the meantime the processing of data legal basis exists '.

The I.r. requested no. according to the statement of the court judgment 2017. 12.05. rose on the day final force. "As a direct result of the verdict, a data processing measure was taken by our Company Failure to act against the applicant ... '.

On the basis of the above, contrary to what is stated in the application, the existence of claims determination of jurisdiction and the question of the lawfulness of data processing therefore Infotv. Pursuant to Section 38 (2) - (2a), the Authority is not subject to the tasks and competence. Since that judgment was invoiced for a specified amount and for a specified period contains a decision on claims, therefore it cannot be deduced from this that I.r.

in respect of all claims against the Applicant

unlawful data processing because it demands the I.r. the actual consumer from the applicant

failed to pay fees. The Authority does not agree with the I.r. applied for

that the legal basis for data processing is still in force in respect of claims,
as long as the court does not state in its judgment that the claim has no legal basis because it is a legal basis
data processing may also take place in respect of outstanding claims. In the present case
In the case of receivables, unjustified data processing can also be established, for which no data was generated
court decision regarding the existence of the claim, because I.r. requested no.

The sectoral legislation referred to in its declaration does not require it to process data. THE
in the case of data processing for the purpose of debt collection, there was a legitimate interest in the legislation
in principle.

In view of the above, the Authority rejects the Applicant's request for a finding from the Authority
the unjustified processing of data by the Applicants with reference to a final court decision
also for claims which have not been decided by the Court in its judgment.

III.4.4. Accountability

The I.r. Applicant did not compare the interests of the Applicant with its own data management
the rights and interests of the
He did not substantiate his priority over the applicant's rights and interests. In particular, it did not prove it
Irish. requested which data was actually processed in relation to the Applicant
necessary and that this data processing is necessary to protect the personal data of the Applicant
proportionate to its interests and fundamental rights and freedoms.

Based on the principle of accountability, data controllers throughout the data processing process so
they must implement data management operations in order to be able to protect data
to demonstrate compliance with the rules. The principle of accountability, and not just in general,
process level can be interpreted, all specific data management activities, a specific stakeholder
also applies to the processing of your personal data.

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The data controller is responsible for the lawfulness of the data processing carried out by him. The general privacy policy
due to the nature of the legal basis under Article 6 (1) (f)

whoever invokes this plea must be able to indicate precisely that it is a specific personal data

which legitimate interest of the controller is justified and why

it is necessary to manage the data, at the same time to prove and prove that it has priority

against the data subject's legitimate interest in protecting his or her personal data. The legitimate interest

the existence of a legal basis must be established by a balance of interests in accordance with the general data protection regulation (47)

also on the basis of recital

Pursuant to Article 5 (2) of the General Data Protection Regulation, I.r. the applicant must know

certify that your data processing complies with the provisions of the General Data Protection Regulation, ie

in the present case, that it carried out a balancing of interests. Given that I.r. requested

did not prove, at the request of the Authority, that it had carried out the general data protection

the Authority therefore concludes that the I.r. requested

infringed Article 5 (2) of the General Data Protection Regulation.

III.5. Right of rectification with regard to the processing of data for the purpose of claims management

The I. r. inaccurate personal data claimed by the applicant as an administrative error a

Applicant dated 11/08/2018 and 15/08/2018 II.r. indicated in a letter to the applicant that

as a result of which the I.r. The applicant made the necessary correction and informed the

Applicant by letter dated 10.09.2018.

The Authority found that I.r. requested by and with the execution of the data transfer

Article 16 of the General Data Protection Regulation and the General

fulfilled its obligations under Article 12 (3) of the Data Protection Regulation.

III.6. Breach of purpose and breach of the principle of data protection

Data management information available at the [...] link, effective from 25 May 2018 3.1. at point

The purposes listed in the register of purchased receivables were not shown separately as

did not indicate the legal basis of the data processing, the scope of the processed data and the

duration of data processing.

As a data management purpose, the I.r. The applicant indicated the following: "Register of claims, differentiation of debtors, enforcement of claims, individual payment concluding agreements, ensuring installment payment, interest in case of late payment charging and compliance with accounting obligations, as well as the provision of data, identification and registration of payments. "

In the opinion of the Authority, the registration and enforcement of claims and debtors are separate discrimination, enforcement of claims, conclusion of individual payment agreements, ensuring installment payment, charging interest in case of late payment can be interpreted as a sub-objective in connection with receivables management, however, the fulfillment of the accounting obligation, and the provision of data services is a separate goal that cannot be handled with the former together. For the latter two purposes, the scope of the processed data and the duration of the data processing are also different.

Personal data pursuant to Article 5 (1) (b) of the General Data Protection Regulation may be collected for a clear and legitimate purpose. This means starting data management the purpose of the data processing must be specified and assessed accordingly which personal data are required and this should be clearly stated. This requirement can only be met on a per-target basis, in the case of multiple targets linked to the targets

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data processing conditions should be assessed separately and clearly broken down by purpose to describe.

With reference to the above, the Authority concluded that I.r. requested that the different purposes to be treated separately and the scope of the data processed, and did not separate the duration of the processing for these purposes, infringed the "lawfulness, the principle of due process and transparency, ie Article 5 (1) of the General Data Protection Regulation paragraph 1 (a) and Article 12 (1).

III.7. Legal consequences

The Authority granted the Applicant's request in part and Article 58 of the General Data Protection Regulation

(2) b) condemns the Applicants because I.r. requested

breached Article 5 (1) (b) of the General Data Protection Regulation

and (c), Article 5 (2), Article 15 (1) and (3), and requested

breached Article 5 (1) (a) of the General Data Protection Regulation.

point.

The Authority examined of its own motion whether a data protection fine against the

imposition. In this context, the Authority shall comply with Article 83 (2) of the General Data Protection Regulation and

Infotv.75 / A. § considered ex officio all the circumstances of the case and found that a

in the case of an infringement detected in the present proceedings, the warning is neither proportionate nor dissuasive

therefore a fine should be imposed.

In imposing the fine, the Authority took into account the following factors:

-

The identified unlawful data processing significantly affected the privacy of the Applicant,

also in view of the fact that it has therefore decided to sell its shareholding (general

Article 83 (1) (a) of the Data Protection Regulation)

-

Illegal data processing by the intentional conduct of the Applicants, data processing

(Article 83 (1) (b) of the General Data Protection Regulation)

point)

-

The infringement is serious because II.r. requested data management in the general data protection

infringed several articles of that regulation, including an infringement of a fundamental principle, and

did not comply with a fundamental provision of the General Data Protection Regulation by stating that

legitimate interest invoked without weighing up the interests (Article 83 of the General Data Protection Regulation)

Paragraph 1 (a)

-

By imposing fines, the Authority 's specific deterrent effect is to encourage

Applicants to review the data management related to receivables management

practice, in particular with regard to the balancing of interests (Article 83 of the General Data Protection Regulation).

Article 2 (2) (k)

-

In determining the amount of the fine to be imposed, the Authority shall take into account the specific purpose of the retaliation

also took into account the general preventive purpose to be achieved with the fine, by which - I.r.

all market participants

data processing practices.

Indeed, the legitimate interest existed as a legal basis not an unconstrained, any data controller

a rule applicable to a case in which there is an interest, but also a legitimate interest

precise reference to the reference is also required, which you must be able to account for

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to the controller (Article 83 (2) (k) of the General Data Protection Regulation)

-

To convict the Applicants for violating the General Data Protection Regulation

has not yet taken place, and the Applicants are cooperating in the investigation of the violation

conduct which was assessed by the Authority as an attenuating circumstance (general

Article 83 (2) (e) and (i) of the Data Protection Regulation)

-

The Authority assessed the Authority's delay as another mitigating circumstance

(Article 83 (2) (k) of the General Data Protection Regulation)

-

The I.r. The requested pre-tax profit for 2018 was HUF 837,000 thousand.

The requested pre-tax profit for 2017 was HUF 890,000 thousand. The imposed

the data protection fine is a token amount and does not exceed the maximum fine that can be imposed.

-

Article 83 (2) of the General Data Protection Regulation applies to the imposition of fines.

the following provisions of paragraph 1 were not taken into account because it was not in the present case were relevant: (c), point (d), point (f), point (g), point (h), point (j).

The I.r. Infringements by the applicant under Article 83 (5) of the General Data Protection Regulation in accordance with points (a) and (b) of paragraph II.r. the infringement committed by the applicant is general in accordance with Article 83 (5) (a) and (b) of the Data Protection Regulation constitute an infringement falling within the category of fines. Based on the nature of the infringements - data management breach of the principles and rights of data subjects - the upper limit of the fine that can be imposed is general data protection EUR 20 000 000 under Article 83 (5) (a) and (b) of Regulation (EC) No up to 4% of total world market turnover for the year.

ARC. Rules of procedure

The powers of the Authority shall be exercised in accordance with Infotv. Section 38 (2) and (2a), its jurisdiction is covers the whole country.

The Ákr. Pursuant to § 112 and § 116 (1) and § 114 (1) and the order is subject to administrative redress.

The rules of administrative litigation are laid down in Act I of 2017 on the Procedure of Administrative Litigation (a hereinafter: Kp.). A Kp. Pursuant to Section 12 (2) (a), the Authority

The administrative lawsuit against the decision of the Criminal Court falls within the jurisdiction of the court. Section 13 (11)

The Metropolitan Court shall have exclusive jurisdiction pursuant to A Kp. Section 27 (1)

legal representation is mandatory in litigation within the jurisdiction of the tribunal. A Kp. Section 39 (6)

the submission of the application for the entry into force of the administrative act has no suspensive effect.

A Kp. Section 29 (1) and with this regard Pp. Applicable in accordance with § 604, electronic

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

hereinafter: the e-administration Act), the client's legal representative pursuant to Section 9 (1) (b)

obliged to communicate electronically.

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The powers of the Authority shall be exercised in accordance with Infotv. Section 38 (2) and (2a), its jurisdiction is covers the whole country.

CL of 2016 on General Administrative Procedure. pursuant to Section 112, Section 16 (1) and Section 114 (1) of the Act (hereinafter: the Civil Code)

there is an administrative remedy against him.

The place and time of the submission of the application is Section 39 (1). THE

Information on the possibility of requesting a hearing is provided in the CM. Section 77 (1) - (2)

based on. The amount of the fee for an administrative lawsuit shall be determined in accordance with Act XCIII of 1990 on

Fees. law

(hereinafter: Itv.) 45 / A. § (1). From the advance payment of the fee is

Itv. Section 59 (1) and Section 62 (1) (h) shall release the party instituting the proceedings.

The Ákr. Pursuant to Section 135 (1) (a), the debtor complies with the statutory interest

shall be required to pay a late payment penalty if he is not in a timely manner

satisfy.

Act V of 2013 on the Civil Code 6:48. § (1)

in the case of a pecuniary debt, the debtor from the date of default

interest at the rate of the central bank base rate applicable on the first day of the calendar half-year in question

is required to pay interest.

If the Applicants do not duly demonstrate that the required obligations have been met, a

The Authority considers that the obligations have not been fulfilled in time. The Ákr. Section 132

if the Applicants have not complied with their obligation under the Authority's final decision,

the executable. The decision of the Authority Pursuant to Section 82 (1), the communication shall become final

becomes. The Ákr. Section 133 of the Enforcement - unless otherwise provided by law or government decree ordered by the decision-making authority. The Ákr. Under section 134 of the enforcement - if a law, a government decree or, in the case of a municipal authority, a decree of a local government unless otherwise provided - by the state tax authority. Infotv. Section 60 (7) to carry out a specific act contained in a decision of the Authority the decision as to the obligation to conduct, tolerate or stop shall be carried out by the Authority.

During the procedure, the authority exceeded the Infotv. One hundred and twenty days in accordance with Section 60 / A (1) administrative deadline, therefore Ákr. Pursuant to Section 51 b), it pays ten thousand forints to the Applicant. Pursuant to Section 46 (1) (a) of the Act, the authority rejects the application if the procedure there is no statutory condition for initiating proceedings, and this law is different has no legal effect.

The Ákr. Section 47 (1) (a) states that the authority shall terminate the proceedings if a would have been a ground for rejecting the application, but for a reason after the initiation of the proceedings came to the attention of the authority.

Budapest, May 28, 2020

Dr. Attila Péterfalvi

President

c. professor