



PRIVACY NOTICE

OF NATIONAL TOLL PAYMENT SERVICES PLC. RELATED TO THE HU-GO SYSTEM AND TOLL DECLARATION OPERATORS AND PAYMENT INTERMEDIARIES



Effective: 27 February 2024

The National Toll Payment Services Plc. (hereinafter the "Controller" or the "Company" or "NTPS Plc."), as a wholly state-owned company, is designated and authorized by law to perform on behalf of the Hungarian State the **toll collection, bound service provider and toll enforcement support** functions of the distance-based electronic road use system (hereinafter the "Toll System") for vehicles exceeding the maximum authorized mass of 3.5 tonnes for the use of toll sections in Hungary, pursuant to Act I of 1988 on Road Transport ("Road Transport Act"), Act LXVII of 2013 on Distance-Based Tolls Payable for the Use of Motorways, Expressways and Main Roads ("Toll Act") and Government Decree 209/2013 (VI. 18.) on the implementation of the Toll Act (hereinafter the "Toll Act Implementing Decree").

In carrying out these public functions, our Company processes a range of information that constitutes personal data.

For persons who are obliged to pay a toll, the Company offers the possibility of purchasing an occasional route ticket via its website without registration.

As it may be necessary to purchase a large number of route tickets in a given period, the Company has created the HU-GO system to make the purchase of tolls more convenient and efficient by eliminating the need to purchase occasional route tickets for each road use.

The User and NTPS Plc. shall be entitled to use the assistance of a toll declaration operator and payment intermediary in order to make the toll declaration and payment process even smoother.

In the case of legal entities, company data will be processed, which are not included in this Notice as they do not constitute personal data within the meaning of the GDPR.

Registration in the HU-GO system and the related processes and procedures involve the processing of personal data.

In order to comply with its information obligations under *Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (hereinafter the "GDPR")*, the Company provides information **to national and foreign persons who register in the HU-GO system as data subjects** on the most important characteristics and circumstances of the processing within the framework of this Notice.

For further details regarding the toll system and the Company's obligation to provide and retain receipts, please refer to the Privacy Notice of National Toll Payment Services Plc. related to the distance-based electronic toll system and the Privacy Notice of National Toll Payment Services Plc. related to the obligation to provide and retain receipts, available at nemzetiutdij.hu/kozerdeku-adatak/adatvedelem.

Basic terms used in relation to this processing

"Route ticket": a term as defined in Section 2(30) of the Toll Act.

"Contracted toll payer": a term as defined in Section 2(15) of the Toll Act.

"Toll declaration operator": a term as defined in Section 2(2) of the Toll Act.

"Payment intermediary": a term as defined in Section 2(73) of the Toll Act.

The data protection terms used in this Notice are to be interpreted according to the definitions of terms specified in Article 4 of the GDPR as supplemented by Act CXII of 2011 on the Right to Informational Self-Determination and the Freedom of Information ("Privacy Act").

Contact details of the Company

Contact details for general information relating to the HU-GO system:

Address: H-1134 Budapest, Váci út 45/B,

Postal address: H-1380 Budapest, Pf.: 1170

Phone number: +36 36 587 500

Email address: ugyfel@nemzetiudij.hu

The Company's personal customer services offices are available at the following link:

<https://nemzetiudij.hu/hu/ugyfelszolgalat>

Contact information of the Data Protection Officer

E-mail address: dpo@nemzetiudij.hu

I. Basic information on the circumstances of data processing

Purpose of processing

The main purpose of the processing and the HU-GO system is the creation, definition, modification and monitoring of the performance of the User Agreement, the management of registrations in the HU-GO system, the invoicing of tolls collected and the enforcement of related claims, the availability of data technically indispensable for the provision of the service, the cooperation and settlement with toll declaration operators and payment intermediaries.

When registering in the HU-GO system, the following personal data will be processed:

Personal data processed for individuals:

- Customer ID,
- Account ID,
- Password,
- Individual status,
- Name of the contracted toll payer,
- Language of contact,
- Contact email address,
- Contact mobile phone number,
- Address of the registrant,
 - Country,
 - Postcode, municipality, street name, house number,
 - Optional: floor, door
- Country code of vehicle(s) over 3.5 tonnes,
- Registration number of vehicle(s) over 3.5 tonnes,
- Environmental protection category of vehicle(s) over 3.5 tonnes,
- Telephone number assigned to vehicle(s) over 3.5 tonnes,
- Make of vehicle(s) over 3.5 tonnes,
- Year of manufacture of vehicle(s) over 3.5 tonnes,
- VIN number of vehicle(s) over 3.5 tonnes,
- Picture of the vehicle registration certificate(s) of vehicle(s) over 3.5 tonnes,
- Number of on-board unit(s) of vehicle(s) over 3.5 tonnes,
- Notifications (optional):
 - Account balance falling below the specified amount,
 - Notice of debt.

Personal data processed for individuals and legal entities:

- Contact details (optional):
 - Name(s) of contact person(s),
 - Phone number(s) of contact person(s),
 - Email address(es) of contact person(s).

For foreign vehicles

- Documents proving the details of the foreign registered vehicle(s).

If a toll declaration operator is involved, the following personal data will be transmitted to the Company for individuals registered in the HU-GO system:

- Registration number of vehicle(s) over 3.5 tonnes,
- Number of on-board unit(s) of vehicle(s) over 3.5 tonnes,
- Route of vehicle(s) over 3.5 tonnes.

If a payment intermediary is involved, the following personal data will be transmitted to the Company for individuals registered in the HU-GO system:

- Amount of toll(s) charged and earned by the Company and the related detailed analysis,
- Registration number of vehicle(s) over 3.5 tonnes.

Duration of processing

The Controller, in its capacity as a Bound Service Provider, is **entitled to process the data until the limitation period for the payment of the toll claim expires** pursuant to **Section 26(2) of the Toll Act**.

Personal data related to the HU-GO system are **processed by the Company for the duration of the applicable general civil law limitation period** from the termination of the User Agreement, **currently 5 years**.

Legal bases related to the purposes of processing

In this Privacy Notice, the legal basis for the processing of personal data for the purposes of the HU-GO system is **Article 6(1)(b) of the GDPR, according to which the processing is necessary for the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract**.

Registration on the website of NTPS Plc. (www.hu-go.hu) for the use of the toll system shall also be deemed to be a user agreement between NTPS Plc. and the toll user ("User Agreement").

The relevant General Terms and Conditions are available at the following link:

<https://nemzetiutdij.hu/hu/e-utdij/egyeb-informaciok-eud/e-utdij-aszf>

Parties entitled to access the data and the processors

The data specified in this Privacy Notice can be accessed by the employees of the Company who, based on their job description, are required to perform tasks related to the toll system.

The Controller uses the following processors for data processing in connection with the toll system:

- I. Name of processor:** i-Cell Informatikai Fejlesztő és Szolgáltató Korlátolt Felelősségű Társaság
- I. Registered office of processor:** H-1037 Budapest, Bécsi út 269.
- I. Company registration number of processor:** 01 09 674965
- I. Tax number of processor:** 11756420-2-41

In this processing, the toll declaration and payment intermediary organisations act as independent controllers in connection with the fulfilment of their obligations under the Toll Act and other related legislation and in accordance with the agreement with the data subject.

Transfer and disclosure of data to other data controllers or external bodies

In connection with the performance of its duties in support of toll enforcement, if the Controller establishes that unauthorized road use has occurred, it shall disclose the data to the bodies responsible for toll enforcement in order to implement measures related to the imposition and collection of fines. The fine is considered an administrative fine, so the Company is only obliged and entitled to transmit the data to the following bodies under the provisions of the Toll Act:

- the general law enforcement agency (hereinafter the "Police"),
- the transport authority.

On suspicion of unauthorized road use, if the party authorized to impose an administrative fine contacts NTPS Plc. within the context of an administrative procedure and in the form of national legal aid, NTPS Plc. may release the User's data registered in the Toll System to the police for the purpose of providing national legal aid. In this case, the purpose is to support the lawful imposition of fines. The duration of the data processing by the authority imposing the fine may not exceed the limitation period of the claim for a fine.

Pursuant to paragraph (8) of the Toll Act, the toll service provider is obliged to provide the organisation authorized to carry out toll enforcement and the supervisory authority with the data on persons and vehicles subject to the services contract for road use that it holds and that are required for toll collection and toll enforcement.

Pursuant to paragraph (9) of the Toll Act, the toll charger and the toll service provider shall, as set out in the cooperation agreement between the toll charger, the toll service provider and the supervisory body, cooperate with the entities authorized for the secret collection of information and the use of covert means and with the entities specified in the National Security Services Act and the Act on the Protection Program for Participants of Criminal Proceedings and Persons Co-operating with the Criminal Justice. The toll charger, the toll service provider and the authorized toll enforcement entities shall carry out their activities under this Act in such a way that it does not prevent or make impossible the secret collection of information and the use of covert means.

Pursuant to paragraph (10), the courts, public prosecutor's offices, investigation authorities and bodies conducting preliminary proceedings, the body responsible for internal crime prevention, crime detection and counter-terrorism in accordance with the Police Act, the national security services provided for by law and the National Tax and Customs Administration may, for the purpose of fulfilling their statutory duties and by using the toll system, observe the toll characteristics of vehicles travelling on unit tolled sections (in particular the place and time of road use, the registration number of the vehicle or vehicle combination and other characteristics relevant for the determination of the toll rate) and may store the data obtained from such use.

Pursuant to paragraph (11), the toll charger and the toll service provider shall notify the relevant national security service of any request for data reporting on their vehicles that constitutes qualified data, except in cases of data reporting and data inspection as provided for in the National Security Service Act. The electronic implementation and procedures for notification shall be set out in the cooperation agreement between the toll charger, the toll service provider and the supervisory body.

Pursuant to paragraph 12 of the Toll Act, the data processed by the Controller shall be disclosed to the Central Statistical Office free of charge, in accordance with Section 28 of Act CLV of 2016 on Official Statistics (hereinafter the "Official Statistics Act"), based on the prior justification of the statistical purpose, to the extent necessary, in a manner suitable for individual identification and they may be used by the Central Statistical Office for statistical purposes.

In the event of a transaction giving rise to the suspicion of abuse (in particular, but not exclusively, if, following a bank card payment transaction, the cardholder lodges a complaint with the bank holding their account concerning the card payment transaction), the invoice issued by NTPS Plc. for the transaction and the data contained therein (customer ID, taxpayer identification number, account number, name and billing address) may be transmitted to the provider of the online cashless payment service for the purpose of a comprehensive investigation into the circumstances of the transaction, i.e. the operator of the online payment platform, currently OTP Mobil Szolgáltató Kft. The administrator(s) of the recipient of the data transfer involved in the investigation may process the invoice data until the closure of the comprehensive investigation. Transactions giving rise to the suspicion of abuse must be reported to the competent investigating authority, and all the data processed by NTPS Plc. regarding the user concerned by the transaction(s) may be transmitted to the investigating authority for the purpose of the investigation. In this case, the legal basis for data transfer is NTPS Plc.'s legitimate interest, supported by a balance of interests test, in not being liable to the injured party (cardholder) for damages beyond its control.

The personal data specified in this Privacy Notice will not be transferred by the Controller to any third party.

II. Rights related to processing and means of redress

Rights of the data subject in connection with the processing of their personal data

The Company shall fulfil the petition or request of the data subject regarding the exercise of their rights related to this processing without undue delay, but within a maximum of one month after its receipt, unless this deadline is extended by another two months due to the complexity of the request or the number of requests.

The data subject has the following rights in relation to this processing:

- ***the right to information and access***, based on which the data subject shall have the right to obtain from the Company confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the following information:
 - the personal data processed,
 - the categories of personal data concerned,
 - the purposes of processing,
 - the recipients or categories of recipients to whom the personal data have been or will be disclosed by the Company,
 - where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period,

- the information that the data subject may request from the Company the rectification, erasure or restriction of the processing of their personal data and may object to the processing of such personal data,
 - information on the right to lodge a complaint with a supervisory authority,
 - where the personal data are not collected from the data subject by the Company, any available information as to their source,
 - the existence of automated decision-making (including profiling), and, in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
- **the right to rectification**, based on which the data subject shall have the right to obtain from the Company without undue delay the rectification of inaccurate personal data concerning him or her, and, taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement,
 - **the right to erasure**, based on which the data subject shall have the right to obtain from the Company the erasure of personal data concerning him or her without undue delay where one of the following grounds applies:
 - the personal data are no longer needed by the Company in relation to the purposes for which they were collected or otherwise processed,
 - the data subject withdraws consent and there is no other legal ground for the processing,
 - the data subject objects to the processing and there are no overriding legitimate grounds for the processing,
 - the personal data have been unlawfully processed,
 - the personal data have to be erased for compliance with a legal obligation to which the Company is subject,
 - the personal data have been collected in relation to the offer of information society services.

If the data subject provides the Company with personal data that are not requested or not necessary for the specific purpose of the processing, the Company shall return the data that are incompatible with the principle of necessity to the data subject, unless this imposes a disproportionate burden and cost, stating the reasons for the return or, if it is not possible to return the data, delete or destroy them.

- **the right to restriction of processing**, based on which the data subject shall have the right to obtain from the Company restriction of processing where one of the following applies:
 - the accuracy of the personal data is contested by the data subject,
 - the processing is unlawful, and the data subject opposes the erasure of their personal data and requests the restriction of their use instead,
 - the Company no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims,
 - the data subject has objected to processing, pending the verification whether the legitimate grounds of the Company override those of the data subject.
- **the right to data portability**, based on which the data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to the Company, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the Company.
- **the right to object**, based on which the data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her if processing is necessary for the purposes of the legitimate interests

pursued by the controller or by a third party. The Company will not terminate the processing based on the objection if the processing is justified by compelling legitimate reasons that take precedence over the interests, rights and freedoms of the data subject, or that are related to the establishment, exercise or defence of legal claims.

Options to enforce data subject rights in relation to this processing

If you believe that the way the Company processes your personal data is wrongful, we recommend that you first send your request to one of the Company's contact details provided at the beginning of this Notice or contact the data protection officer. We will in each case investigate your complaint and do everything we can to handle it adequately. If, despite your complaint, you still find the way the Company processes your personal data to be wrongful, or if you do not wish to file a complaint with us, you may use the following legal remedies.

The right to lodge a complaint with a supervisory authority:

Without prejudice to other administrative or judicial remedies, all data subjects are entitled to lodge a complaint with the National Authority for Data Protection and Freedom of Information (hereinafter: "Supervisory Authority") if, in their opinion, the Company or a data processor acting on its behalf has committed a violation of the law through its activities or omissions, or has caused the risk of such a violation.

Contact details of the Supervisory Authority:

Registered office: H-1055 Budapest, Falk Miksa utca 9-11.

Postal address: H-1363 Budapest, Pf. 9.

Phone: +36 1/391-1400

Fax: +36 1/391-1410

Right to effective judicial remedy against the Company or a data processor engaged by it:

Without prejudice to the available administrative or non-judicial legal remedies, including the right to lodge a complaint with the supervisory authority, all data subjects are entitled to an effective judicial remedy if, in their opinion, their rights related to the processing of their personal data have been violated.

Hearing the case falls within the competence of the regional courts. The data subject may decide to bring the lawsuit before the court with jurisdiction as per their place of residence or stay.

The list of regional courts is available at <https://birosag.hu/torvenyszekek>.

This Privacy Notice is effective from 27. February 2024.

National Toll Payment Services Plc.