

Privacy Policy

Regarding the personal data processed in the course of administrative proceedings conducted for the purpose to prevent the spread of COVID-19 disease

The purpose of this Policy is to inform the **Clients** of Budapest Metropolitan Government Office (hereinafter: Government Office) on the personal data processed in the course of administrative proceedings conducted for the purpose to prevent the spread of COVID-19 disease.

The Government Office, in the course of processing clients' personal and medical data, acts in accordance with the provisions Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 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 (General Data Protection Regulation), and Act XLVII of 1997 on the Processing and protection of medical and related personal data (hereinafter: Eüak).

	Controller	Data Protection Officer
Name:	Budapest Metropolitan Government Office	dr. Zsolt Volenszki
Head Office:	1056 Budapest, Váci str. 62-64.	1056 Budapest, Váci str. 62-64.
Mailing address:	1364 Budapest, PO. 234	1139 Budapest, Teve str. 1/a-c
E-mail:	budapest@bfkh.gov.hu	volenszki.zsolt@bfkh.gov.hu

Laws applicable on the administrative proceeding for the purpose of preventing the spread of COVID-19 disease:

- Act CLIV of 1997 on Healthcare
- NM Decree No. 18/1998 (VI. 3) on the pandemic measures required to prevent contagious diseases and pandemics
- Act XI of 1991 on Medical administrative activities
- Government Decree No. 408/2020. (VIII.30.) on the Travel restrictions of the pandemic awareness period
- Act CL on 2016 on General administrative proceeding

1. Purpose of Data Processing

The purpose of data processing is to conduct the administrative proceedings provided in Government Decree No. 408/2020 (VIII.30.) on Travel restrictions of the pandemic awareness period.

2. Grounds of Date Processing

The grounds of data processing is GDPR, Art. 6 (1) e) (required to the undisturbed fulfilment of public authority duties) considering the necessity of the undisturbed fulfilment of public authority duties, in case of special (medical) categories of personal data, GDPR, Art. 9 (2) i) (data processing is required for public interest related to public health, such as protection against transnational serious medical hazards).

3. Scope of Personal Data Processed

Scope of personal data processed in particular:

- natural personal ID data
- data on medical condition

4. Term of Data Processing

The term of conducting the proceeding as well as the term provided in the relevant laws.

5. Transfer of Personal Data

The Government Office transfers the administrative statements including the personal data processed to the competent police department, and to the Ministry of Interior for the purpose to check the compliance with the content of the statements and the execution thereof.

6. Data Safety Measures

The Government Office, as Controller, considering the actual status of science & technology and the costs of implementation, the nature, scope, circumstances and purposes of data processing, as well as the risks of different probability and severity on the rights and freedoms of natural persons, executes appropriate technical and organizational measures for the purpose to guarantee the data safety eligible to the extent of the risk.

The Government Office chooses and operates the IT equipment, professional systems so, that the personal data processed:

- shall be accessible to the authorized parties (accessibility);
- its validity and certification shall be ensured (credibility of data processing);
- its integrity shall be certified (data integrity);
- shall be accessible only for the authorized party, and shall be protected against unauthorized access (data confidentiality).

7. Data Subjects' Rights

Pursuant to GDPR, Art. 15, the Data Subject may request the access to the personal data related to him/her as follows:

Data Subject shall have the right to receive confirmation in regards whether the processing of his/her personal data is still in progress, and to get access to his/her personal data and the following information:

- a) purposes of processing;
- b) the categories of Data Subject's personal data concerned;
- c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- e) the existence of the right to request from the Government Office rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;

- f) the right to lodge a complaint with a supervisory authority;
- g) where the personal data are not collected from the data subject, any available information as to their source;
- h) the existence of automated decision-making, including profiling, and, at least 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.

Pursuant to GDPR, Art. 16, the data subject shall have the right to obtain from the Government Office without undue delay the rectification of inaccurate personal data concerning him or her.

In the event of Data Subject's such request, the Government Office shall rectify without undue delay the inaccurate personal data related to him/her. 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.

Pursuant to GDPR, Art. 17, Data Subject may request from the Government Office the erasure of the personal data related to him/her:

The data subject shall have the right to obtain from the Government Office the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- b) the data subject objects to the processing for the purpose of exercising public authority or to the processing for the legitimate interest of Controller (third party) and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing for processing for direct marketing purposes;
- c) the personal data have been unlawfully processed;
- d) the personal data have to be erased for compliance with a legal obligation in Union or Member State (Hungarian Laws) law to which the controller is subject;

Where the controller has made the personal data public and is obliged pursuant to paragraph 1 to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the data subject has requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

Restriction of Data Subject's right to erasure is possible only in case of the existence of the following exceptions provided in the GDPR, i.e. in case of the existence of the above causes, further retaining of the personal data may be deemed legitimate, where it is necessary for:

- exercising the right of freedom of expression and information
- the compliance with a legal obligation, or
- for reasons of public interest, or
- for exercise of public authority licence vested to Controller, or
- for reasons of public in the area of public health,
- for archiving purposes in the public interest, or
- for scientific or historical research purposes or statistical purposes, or
- for the establishment, exercise or defence of legal claims.

Pursuant to GDPR, Art. 18, the data subject may request from the Government Office the restriction of processing of personal data related to him/her as follows:

The data subject shall have the right to obtain from the controller restriction of processing where one of the following applies:

- a) the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data;
- b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- c) the controller 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;
- d) the data subject has objected to processing for public interest purposes, or processing for the interest of Controller (third party); in such case, the restriction refers as long as there is a pending verification whether the legitimate grounds of the controller override those of the data subject.

Where processing has been restricted as provided above, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

Pursuant to GDPR, Art. 21, the data subject may object the processing of personal data related to him/her, from the Government Office as follows:

The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing for the purpose of exercise of public authority or for the legitimate interest of Controller (third party), including profiling. In such event, the controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing. Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.

At the latest at the time of the first communication with the data subject, the right to object shall be explicitly brought to the attention of the data subject and shall be presented clearly and separately from any other information.

Where personal data are processed for scientific or historical research purposes or statistical purposes, the data subject, on grounds relating to his or her particular situation, shall have the right to object to processing of personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

Pursuant to GDPR, Art. 20, the data subject shall have the right to portability of his/her personal data as follows:

The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have

the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where:

- the grounds of processing is based on Data Subject's consent or on a contract arranged with Data Subject.
- the processing is carried out by automated means.

In exercising his or her right to data portability, the data subject shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible.

The exercise of the right shall be without prejudice to right to erasure. That right shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

The right to portability shall not adversely affect the rights and freedoms of others.

Data Subject's remedy at Court, Complaint submitted to supervisory authority

In the event of illegitimate processing experienced by Data Subject, a lawsuit may be filed against Controller. The judgement of the lawsuit is of the Superior Court's competence. The lawsuit – upon Data Subject's choice, may be also filed at the Superior Court as per the data subject's residence (list and contact details of superior courts are available at: <http://birosag.hu/torvenyszekek>)

Without prejudice to any other administrative or judicial remedy, every data subject shall have the right to lodge a complaint with a supervisory authority, in particular in the Member State of his or her habitual residence, place of work or place of the alleged infringement if the data subject considers that the processing of personal data relating to him or her infringes this GDPR.

National Authority for Data Protection and Freedom of Information (NAIH)

address: 1125 Budapest, Szilágyi Erzsébet alley 22/c

mailing address: 1530 Budapest, PO. 5

e-mail: ugyfelszolgalat@naih.hu

phone No.: +36 (1) 391-1400

fax.: +36 (1) 391-1410

website: www.naih.hu