



PRIVACY NOTICE

OF NATIONAL TOLL PAYMENT SERVICES PLC. RELATED TO ITS DISTANCE-BASED ELECTRONIC TOLL SYSTEM



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 over 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. The legal basis for the processing of personal data carried out by the Company includes the sectoral legislation applicable to its operations, Act CLV of 1997 on Consumer Protection, as well as compliance with the requirements of the Company's owner and the body that monitors and supervises the Company's activities and, last but not least, the obligation to perform the aforementioned public functions.

The Company also carries out the toll collection, bound service provider and toll enforcement support functions under the Road Transport Act, the Toll Act and the Toll Act Implementing Decree, under which it has different data processing obligations, which may differ from one another. These details are set out in Chapter I of this document.

The processes and procedures related to the toll system 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 become subject to the toll 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 HU-GO system and the toll declaration operators and payment intermediaries, or the obligation to provide and retain receipts, please refer to the Privacy Notice of National Toll Payment Services Plc. related to the HU-GO system and the toll declaration operators and payment intermediaries, or the Privacy Notice of National Toll Payment Services Plc. related to the obligation to provide and retain receipts, available at nemzetiudij.hu/kozerdeku-adatok/adatvedelem.

Basic terms used in relation to this processing

"Route ticket": the road use authorization purchased in advance for the road use of at least one pre-determined unit tolled section within the toll road network by a pre-determined tolled vehicle.

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 distance-based electronic toll 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@nemzetiudj.hu

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

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

Contact information of the Data Protection Officer

E-mail address: dpo@nemzetiudj.hu

I. Basic information on the circumstances of data processing

Purpose of processing

Based on the tasks set out in the Road Transport Act, the Toll Act and the Toll Act Implementing Decree, to perform the toll collection, bound service provider and toll enforcement support functions of the distance-based electronic road use system for vehicles exceeding the maximum authorized mass of 3.5 tonnes.

Personal data processing in the performance of the Company's toll collection, bound service provider and toll enforcement support functions

The Company is entitled to process the following data in order to perform its bound service provider functions:

- for a road user, holder of the vehicle or contracted toll payer who is a natural person, their name,
- home address,
- mother's name,
- place and date of birth,
- email address,
- phone number,
- payment account number,
- details of the identification document,
- the rate of the toll or fine to be paid,
- the place and time of road use,
- the place and time of toll payment,
- registration number of the vehicle or vehicle combination over 3.5 tonnes,
- characteristics of the vehicle or vehicle combination over 3.5 tonnes required to determine the vehicle category,
- identification data of the registered on-board units,
- where unit tolled sections are used pursuant to a route ticket, the route, the period permitted to cover that route, and the document number,
- the gross weight, axle load and size of the vehicle or vehicle combination.

The Company processes the following personal data in order to perform its toll collection functions, to fulfil the legal obligations of the National Tax and Customs Administration (hereinafter "NTCA") and to report data to the National Axle Weight Measurement System (hereinafter "TSM"):

- the rate of the toll or fine to be paid,

- the place and time of road use,
- the place and time of toll payment,
- registration number of the vehicle or vehicle combination over 3.5 tonnes,
- characteristics of the vehicle or vehicle combination over 3.5 tonnes required to determine the vehicle category,
- identification data of registered on-board units,
- where unit tolled sections are used pursuant to a route ticket, the route, the period permitted to cover that route, and the document number,
- a photo of the vehicle and its registration number
 - with road use authorization,
 - with no road use authorization,
- gross weight, axle load and size of the vehicle or vehicle combination over 3.5 tonnes,
- data regarding the transit speed of the vehicle over 3.5 tonnes.

In its capacity as a toll charger, the Company is entitled to process the following personal data of a vehicle with a foreign registration plate:

- registration number,
- if the vehicle over 3.5 tonnes is equipped with an on-board unit, its identification data;
- the place and time of the alleged violation,
- other positioning specifications,
- photos of the check.

When purchasing an ad-hoc route ticket, the following personal data will be processed:

- Registration number of vehicle over 3.5 tonnes,
- Country code of vehicle over 3.5 tonnes,
- Category of vehicle over 3.5 tonnes,
- Environmental protection category of vehicle over 3.5 tonnes,
- Route plan of vehicle over 3.5 tonnes,
- Tariff calculation data of vehicle over 3.5 tonnes,
- Amount of the toll to be paid.

When purchasing an ad-hoc route ticket, registration in the HU-GO system is not required.

The scope of the data concerned by the processing and the duration of the processing are set out in the table below

Controller's capacity and entitlement	Scope of data that can be processed	Duration for which data can be processed
<p>The Controller in its capacity as a Bound Service Provider for the toll payment claim pursuant to Section 26(2) of the Toll Act.</p>	<ul style="list-style-type: none"> • for a road user, operator or contracted toll payer who is a natural person, their name, residence, mother's name, place and date of birth, email address, phone number, payment account number and the data of their personal identification document, • the rate of the toll or fine to be paid, • the place and time of road use, • the place and time of toll payment, • registration number of the vehicle or vehicle combination, • characteristics of the vehicle or vehicle combination required to determine the vehicle category, 	<p>Until the toll payment claim becomes statute-barred.</p>

	<ul style="list-style-type: none"> • identification data of registered on-board units, • where unit tolled sections are used pursuant to a route ticket, the route, the period permitted to cover that route, and the document number, • the gross weight, axle load and size of the vehicle or vehicle combination. 	
The Controller in its capacity as a Toll Charger pursuant to Section 26(3) of the Toll Act.	<ul style="list-style-type: none"> • the rate of the toll or fine to be paid, • the place and time of road use, • the place and time of toll payment, • registration number of the vehicle or vehicle combination over 3.5 tonnes, • characteristics of the vehicle or vehicle combination over 3.5 tonnes required to determine the vehicle category, • identification data of registered on-board units, • where unit tolled sections are used pursuant to a route ticket, the route, the period permitted to cover that route, and the document number, 	7 years
The Controller in its capacity as a Toll Charger pursuant to Section 26(3) of the Toll Act.	<ul style="list-style-type: none"> • Photo of the vehicle and its registration plate with road use authorization 	360 days
The Controller in its capacity as a Toll Charger pursuant to Section 26(3) of the Toll Act	<ul style="list-style-type: none"> • Photo of the vehicle and its registration plate with no road use authorization, 	2 years
The Controller in its capacity as a Toll Charger pursuant to Section 26(3) of the Toll Act following the disclosure of data to the NTCA and TSM.	<ul style="list-style-type: none"> • the gross weight, axle load and size of the vehicle or vehicle combination, • data regarding the transit speed of the vehicle 	2 years
The Controller, in its capacity as a Toll Charger, is entitled to process the data of vehicles with foreign registration plates pursuant to Section 26(6) of the Toll Act.	<ul style="list-style-type: none"> • registration number, • if the vehicle over 3.5 tonnes is equipped with an on-board unit, its identification data; • the place and time of the alleged violation, • other positioning specifications, • photos of the check. 	2 years

Legal bases related to the purposes of processing

The legal basis for the processing of data in connection with toll collection, bound service provider and toll enforcement support functions in this Privacy Notice is the compliance with a legal obligation

pursuant to Article **6(1)(c) of the GDPR**, based on **Sections 17 and 26 of the Toll Act** and the provisions of the Toll Act Implementing Decree.

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:** Asura Toll Services Zártkörűen Működő Részvénytársaság
- I. Registered office of processor:** H-1051 Budapest, Széchenyi István tér 7-8. C. ép. 4. em.
- I. Company registration number of processor:** 01 10 142380
- I. Tax number of processor:** 32300512-2-41

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

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.

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 Controller cannot assert the right to erasure with respect to this processing** under Article 17(3)(b) of the GDPR, as it processes the personal data for the purpose of performing a task within the framework of the fulfilment of an obligation under Member State law.
 - **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.