

## Customer Information

### On the submission of request for information / rectification concerning the processing of personal data

#### inNOVA form included in information

Case group: Requesting data

Identifier	Title of form
IN-100141	Személyes adatok kezelésével kapcsolatos tájékoztatás/helyesbítés kérése
IN-100141	Application for information/rectification concerning the processing of personal data

**This information is effective as of 18 December, 2020.**

## Information

#### Brief description of the case

Using the present inNOVA any natural person is, as a data subject, entitled to request information concerning his personal data processed by a data controller established for the purposes of general policing tasks and to request the rectification of his personal data processed by the data controller.

Unless otherwise requested by the data subject, the information shall be sent to the applicant's Client Gateway storage space in the shortest possible time, but at the latest within 25 days of the submission of the request. The information shall be provided in writing, in a readily intelligible form and shall include:

- a) the data relating to the data subject, including those processed by a data processor on behalf of the data controller or according to his/her notice
- b) the sources from where the data were obtained;
- c) the purpose,
- d) grounds,
- e) and duration of the data processing;
- f) the name and address of the data processor and on its activities relating to data processing;
- g) the conditions and effects of the data incident and measures taken with a view to eliminate them and
- h) in case of data transfer, the legal basis thereof and the recipients.

The data controller may refuse to provide information to the data subject, however, in that case it shall inform the data subject in writing as to which provision of which law serves grounds for refusal. If information is refused, the data controller shall inform the data subject of the possibilities for seeking judicial remedy or lodging a complaint with the National Authority for Data Protection and Freedom of Information.

Where a personal data is deemed inaccurate, and the correct personal data is at the controller's disposal – and the data subject can provide sufficient proof thereof using this e-Form-, the data controller shall rectify the personal data in question. If the accuracy of an item of personal data is contested by the data subject and its accuracy or inaccuracy cannot be ascertained beyond doubt, the data controller shall mark that personal data for the purpose of referencing. When data is rectified or marked, the data subject and all recipients to whom it was transmitted for processing shall be notified. Notification is not required if it does not violate the rightful interest of the data subject in light of the purpose of processing.

### **Who is eligible for the procedure**

Any natural person is entitled to initiate the procedure whose personal data are controlled by the Police and who can provide sufficient proof of his personal identity (this occurs automatically when the inNOVA form is submitted).

### **What data need to be submitted**

- The identification data of the applicant (when an inNOVA form is submitted, the applicant's first name and surname; first name and surname at birth; place and time of birth; and the mother's first name and surname)
- On what and for which period should the information be provided

### **What documents are required**

No further documents need to be attached to the application.

### **Costs and expenses of the procedure**

Information on the processing of personal data is free of charge, if no previous application for information on the same subject has been submitted by the applicant to the data controlling authority in the same year.

In other cases, the costs of the procedure shall be charged.

Applications for corrections concerning personal data incur no charge.

### **Where shall it be addressed**

At the authority performing general policing tasks that handles the personal data, using the present inNOVA form.

### **Administration deadline**

The data controlling authority has to provide the information requested in the shortest possible time, at the latest within 25 days of submitting the application.

### **Available legal remedies**

In the event of any infringement of his rights, the data subject may request court action against the controller. The court shall hear such cases in priority proceedings.

The action shall be heard by the relevant tribunal. If so requested by the data subject, the action may also be brought before the tribunal in whose jurisdiction the data subject's home address or temporary residence is located. Any person otherwise lacking legal capacity to be a party to

legal proceedings may also be involved in such actions. The National Authority for Data Protection and Freedom of Information may intervene in the action on the data subject's behalf.

If no court proceedings have been commenced concerning the case, the data subject may submit a report to the National Authority for Data Protection and Freedom of Information (1125 Budapest, Szilágyi Erzsébet fasor 22/c; [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu) ) to initiate an investigation on the grounds that his rights concerning the processing of personal data have been infringed or there is an imminent risk thereof.

### **On what grounds may the personal data be provided?**

Access to personal data may only be provided to identify natural persons, based on a relevant application.

### **Who can provide information on the processing of personal data**

The head of the data controlling authority, or a person authorised by him in the rules for organisation and operation; or in the order of business.

### **Important terms:**

*data subject*: any natural person identified or directly or indirectly identifiable on the basis of personal data;

*personal data*: data relating to the data subject, in particular, their name and identification number, as well as one or more factors specific to their physical, physiological, mental, economic, cultural or social identity as well as conclusions drawn from the data concerning the data subject;

*data controller*: any natural or legal person, or organisation without legal personality which alone or jointly with others determines the purposes and means of the data control; makes and executes decisions concerning data control (including the means used) or contracts a data processor to execute them;

*tagging data*: marking data with a special ID tag to differentiate it;

*data protection incident*: unlawful control or processing of personal data, with special regard to unauthorised access, modification, transfer, disclosure, deletion or destruction, accidental destruction and damage.

### **Relevant legislation:**

- Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information