



GYSEV CARGO Zrt.
gysevcargo.hu
DATA PROCESSING REGULATIONS
25th May 2018

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1. INTRODUCTION

GYSEV CARGO Zrt. (9400 Sopron, Mátyás király utca 19., hereinafter: Data Controller), as Data Controller, hereby accepts the contents of this present document as legal and binding. It accepts that all data processing connected to its activities shall comply with the requirements set down in these present regulations and the prevailing domestic legal regulations, furthermore in the respective legal acts of the European Union.

Data Controller reserves the right to modify these present regulations any time, with due notification of its respective audience about such modifications in due time.

Data Controller is committed to protect the personal data of its customers and partners and declares that respecting the informational self-determination of its customers is of primary importance. Data Controller shall treat personal data in a confidential manner and take all security, technical and organisational measures to guarantee the safety of such data.

Data Controller shall introduce its data processing practice further below.

2. SCOPE OF PERSONAL DATA, OBJECTIVE, LEGAL TITLE AND DURATION OF DATA PROCESSING

The data processing activities of Data Controller are based on voluntary consent and legal authorization. In case of data processing based on voluntary consent, data subjects can revoke their respective consent in any stage of data processing.

In some cases the processing, storage and transfer of a certain set of data are rendered obligatory by legal regulations, of which data subjects are notified specifically.

We would like to call the attention of data subjects providing Data Controller with data that if these are other than their own personal data, it is their obligation to collect the consent of the affected data subjects.

The data processing regulations of Data Controller are in compliance with the prevailing legal regulations on data protection, including specifically with the following:

Act CXII of 2011 - Act CXII of 2011 on Informational Self-Determination and Freedom of Information (Privacy Act);

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, GDPR);

Act V of 2013 – on the Civil Code (Civil Code Act);

Act C of 2000 – on Accounting (Accounting Act);

PROCESSING CUSTOMER DATA

2.1. Railway freight transport services

Objective of data processing:

Keeping contact with customers, sending and receiving orders while performing railway freight transport services; performing customer service and complaint management activities as part of providing transport services.

Legal titles of data processing:

- a) GDPR article 6 section (1) a) on consent
- b) GDPR article 6 section (1) b) on performance of a contract;
- c) enforcement of the legitimate interests of the Data Controller, GDPR article 6 section (1) f);

Source of processed data: contractual partner

Scope of processed data: (including the definition of the objectives of data processing, the aforementioned legal titles and the term of data processing):

Data category	Objective of data processing	Legal title of data processing	Term of data processing	Use
Name of signatory and contact person	contact	b) performance of a contract	5 years	<ul style="list-style-type: none"> • keeping contact with the customers • compliance with contractual obligations • enforcement of claims resulting from an eventual breach of contract
	sending and receiving orders	b) performance of a contract	5 years	
	customer service activities	b) performance of a contract	5 years	
	complaint management	c) enforcement of rights	5 years	
phone number of signatory and contact person	contact	b) performance of a contract	5 years	
e-mail address of signatory and contact person	feedback	b) performance of a contract	5 years	
	contact	b) performance of a contract	5 years	
	for the confirmation of invoicing items; in case of a breach of contract to clarify disputed issues	d) enforcement of rights: enforcement of business interests and claims	5 years	

Data transfer: none.

Data transfer to third country or to an international organisation: none.

Potential consequences of a failure to provide the data : failure to provide the service in question; the contract not becoming valid; failure to use discount.

2.2. Logistic services

Objective of data processing:

Keeping contact with customers, sending and receiving orders while performing logistic services; performing customer service and complaint management activities as part of providing services.

Legal titles of data processing:

- a) GDPR article 6 section (1) a) on consent
- b) GDPR article 6 section (1) b) on performance of a contract;
- c) GDPR article 6 section (1) c) on compliance with a legal obligation to which Data Controller is subject,;
- d) enforcement of the legitimate interests of the Data Controller, GDPR article 6 section (1) f);

Source of processed data: certification agreement

Scope of processed data: (including the definition of the objectives of data processing, the aforementioned legal titles and the term of data processing):

Data category	Objective of data processing	Legal title of data processing	Term of data processing	Use
Name of signatory and contact person	contact	b) performance of a contract	5 years	<ul style="list-style-type: none"> • keeping contact with the customers • compliance with contractual obligations • enforcement of claims resulting from an eventual breach of contract
	sending and receiving orders	b) performance of a contract	5 years	
	customer service activities	b) performance of a contract	5 years	
	complaint management	c) enforcement of legitimate interests	5 years	
phone number of signatory and contact person	contact	b) performance of a contract	5 years	
e-mail address of signatory and contact person	feedback	b) performance of a contract	5 years	
	contact	b) performance of a contract	5 years	
	for the confirmation of invoicing items; in case of a breach of contract to clarify disputed issues	d) enforcement of legitimate interests: enforcement of business interests and claims	5 years	

Data transfer: none.

Data transfer to third country or to an international organisation: none.

Potential consequences of a failure to provide the data: failure to provide the service or perform the activity set down in the agreement.

DATA PROCESSING BY GYSEVCARGO.HU

2.3. LOGGING ACTIVITY OF THE WWW.GYSEVCARGO.HU SERVER

Upon visiting the website gysevcargo.hu no user data are recorded by the web server. The server is operated by the IT department of GYSEV Zrt.

2.4. COOKIE MANAGEMENT OF THE WWW.GYSEVCARGO.HU HOMEPAGE

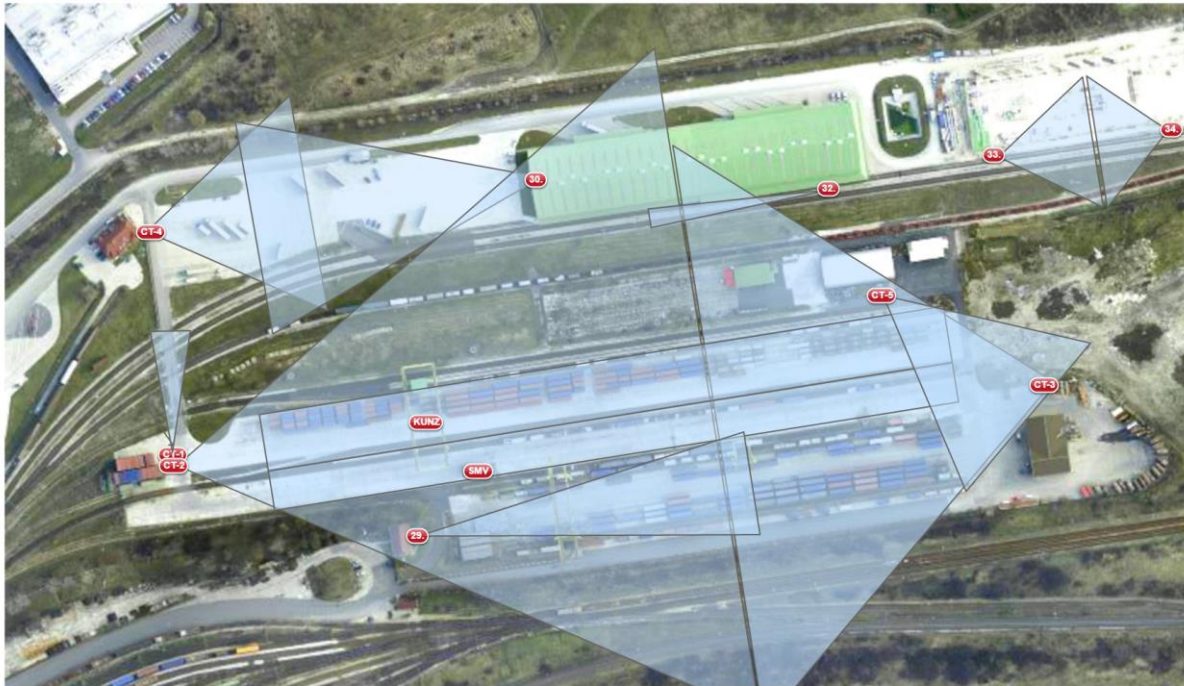
The service provider shall not place any data packages (so-called “cookies”) on the computer of the users for a tailored service.

SECURITY SYSTEM

2.5. ELECTRONIC SURVEILLANCE SYSTEM

At the corridors of the office spaces and in the operative areas of Data Controller a surveillance and recording system is operated, as part of which cameras capable of zooming in and equipped with infra-technology, broadcasting a color image at daylight and also a recognizable image in darkness have been installed. Data Controller is renting the office space from GYSEV Zrt., it is the respective organisations of GYSEV Zrt. that are responsible for the positioning and maintenance of the cameras located in the corridors of these office spaces, as well as for the management of the recordings made. In cases specified in an internal decree (extraordinary events, accidents, etc.) the security department of GYSEV Zrt. can decide to deliver, manage or view such images and video recordings for eventual investigations.

The technology-oriented cameras in the area of the Combi-terminal serve the security protection of the goods included in the processes as well as the documentation of the technological processes. Persons entering the surveillance area are informed of this fact by signs and pictograms. Camera surveillance primarily serves the management of excise, high-value and hazardous goods. Recordings are stored for 3 days, those affecting hazardous materials for 30 days. Viewings require the approval and consent of the security department of GYSEV Zrt. and they are implemented through the system operated by the IT department of GYSEV Zrt.



Data controller of personal data: GYSEV CARGO Zrt.

Objective of data processing: operation of electronic surveillance and recording system based on legal right for security and technology reasons.

Legal title of data processing: in case of customers their consent is collected by their entrance to the areas GYSEV CARGO Zrt., in case of employees § 11 of the Act I of 2012 (Labour Code) represents the underlying legal basis.

Scope of processed data: movement and activities of persons entering the office spaces of GYSEV CARGO Zrt. and the area of the Combi-terminal captured by the recordings.

Term of data processing:

Unless use of the recordings becomes necessary, 30 days at most.

Information on storing the recordings: the recordings are stored on the servers located at the company seat of GYSEV Zrt. at rigorous data security measures, ensuring that unauthorized persons cannot access, view or copy the recordings.

Accessing the recordings: only the delegated employee of Data Controller can see the current images of the cameras to ensure compliance with the data processing objectives as set down in these present regulations. Only a delegated employee of GYSEV Zrt. is authorized to view the recordings or copy them to a data carrier to ensure compliance with the data processing objectives as set down in these present regulations.

Logging: eventual viewings of the recordings or any copies made to data carriers are recorded by GYSEV Zrt. in a log including the name of the person performing the respective action, the reason for inspecting the recordings and the date and time.

Potential consequences of a failure to provide the data: failure to enter the surveillance area, obstruction of work processes

Rights of data subjects:

Data subjects, the rights or other justified interests of whom are affected by the recordings, specifying such right or justified interest may request that the recording affected should not be destroyed or deleted by Data Controller before seeking court or authority assistance, but for not longer than 30 days. The person in the recording may furthermore request written information from Data Controller concerning the contents of the recordings they are included in. The data subject can only receive a copy of recordings that do not include other persons or only in an unidentifiable manner. If these conditions cannot be met, Data Controller is to enable the data subject to view the recording he or she is (also) included in.

Data subjects may request deletion of the recording they are included in, the modification of the data concerning the recording or express their objection against such data processing.

CONTACTS

2.6. CUSTOMER CORRESPONDENCE OF DATA CONTROLLER

All e-mails received by Data Controller including the name and e-mail address of the sender, the date and time of the e-mail and all other personal data provided in the e-mail are deleted after three years from the date of receipt.

OTHER DATA PROCESSING

About data processing not specified in these present regulations we shall provide information upon obtaining the data in question.

This is to inform our customers that the court, the prosecutor, the investigating authority, the authority dealing with administrative offences, the public administration authority, the Hungarian National Authority for Data Protection and Freedom of Information, the National Bank of Hungary and - based on legal regulations – other entities may request Data Controller to give information, provide or deliver data, furthermore to make documents available.

Data Controller shall provide such authorities and entities with personal data – after receiving exact information about the objective and the scope of data from the respective authority – only to an extent that is essential to implement the objective of such requests.

3. MANNER OF STORING PERSONAL DATA, SECURITY OF DATA PROCESSING

It is GYSEV Zrt. that provides Data Controller with the IT background required for its operations, accordingly all IT systems and other data storage facilities of Data Controller are located at the seat, premises and data processors of GYSEV Zrt.

The IT equipment used by Data Controller to process personal data during their services and located at the affected organisations of GYSEV Zrt. are selected and operated in a manner ensuring that the data processed should

- a) be accessible for the authorized persons (accessibility);
- b) remain authentic and certifiable (authenticity of data processing) and
- c) its integrity can be verified (integrity of data);
- d) be protected against unauthorized access (confidentiality of data).

In the operation of GYSEV Zrt the data are protected by Data Controller with appropriate measures especially against unauthorized access, modification, transfer, making public,

deletion or destruction, furthermore against accidental loss or damage or against becoming inaccessible due to modification of the technology used.

For the protection of the data files processed electronically in the various records of Data Controller, with the assistance of GYSEV Zrt. and using the appropriate technical solution it shall ensure that the data stored should not be directly identifiable and attributable to the data subjects affected, unless specifically required by legal regulations.

With respect to the prevailing state of technology, the Data Controller shall take all technical, organisational and institutional measures to maximize the protection level of data processing and minimize potential risks.

During the processing of data Data Controller shall preserve

- a) confidentiality: protecting information so that only authorized persons can access it;
- b) integrity: protecting the accuracy and completeness of information and the respective processing methodology;
- c) accessibility: ensuring that authorized users can actually access the necessary information, if needed, furthermore that they have the equipment required to do so.

The IT system and network of Data Controller and its partners are protected against computer-supported fraud, espionage, sabotage, vandalism, fire and flood, furthermore against computer viruses, hacker attacks and attacks targeting conscientious objection. GYSEV Zrt., as the operator of the IT systems of Data Controller shall take care of security using server level and application level protection procedures.

This is to inform our users that electronic messages sent through the internet, regardless of the protocol used (e-mail, web, ftp, stb.) are vulnerable to network threats targeting indecent activities, contesting contracts or revealing/modifying information. The operator shall take all precautionary measures that can be reasonably expected from him. He shall monitor the systems to record any security anomalies and have proof in case of eventual security events. Monitoring the system furthermore represents a tool to check the efficiency of the precautionary measures used.

4. DATA, CONTACTS OF THE DATA CONTROLLER

Company name: GYSEV CARGO Zrt.

Seat: Sopron, Mátyás király u. 19.

Company register number: 08-10-001824

Name of the registering court: Győr-Moson-Sopron Megyei Bíróság

Tax number: 14834251-2-08

Phone number: +36 (99) 577 151

E-mail: info@gysevcargo.hu

Data Protection Officer: ÁRVAI Tibor

Name: ÁRVAI Tibor

Phone number: +36 (30) 396-94-56

E-mail: tarvai@gysev.hu

5. RIGHTS OF DATA SUBJECTS, LEGAL REMEDY OPTIONS

Data subjects can request information about the processing of their personal data, they can furthermore request correction or – with the exception of obligatory data processing – erasure or revocation of their personal data, they can use their data transfer and objection right in the manner indicated upon providing said data or using the contact options of Data Controller specified above.

Right for information:

Data Controller shall take appropriate measures to provide any information referred to in Articles 13 and 14 and any communication under Articles 15 to 22 and 34 relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language .

The right to information can be exercised through the contacts specified in the Introduction and Section 4. When requested by the data subject, the information may be provided orally, provided that the identity of the data subject is proven by other means.

Right of access by the data subject:

The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information: the purposes of the processing; the categories of personal data concerned; 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; the envisaged period for which the personal data will be stored; the existence of the right to request rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing; the right to lodge a complaint with a supervisory authority; information as to the source of data; the existence of automated decision-making, including profiling, and meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject. Where personal data are transferred to a third country or to an international organisation, the data subject shall have the right to be informed of the appropriate safeguards relating to the transfer.

Data Controller shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, Data Controller may charge a reasonable fee based on administrative costs. Where the data subject sent his or her request electronically, Data Controller shall provide information in an electronic form also.

Data Controller shall provide the requested information within one month from the submission of the request.

Right to rectification :

The data subject shall have the right to obtain from Data Controller the rectification of inaccurate personal data concerning him or her or to have incomplete personal data completed.

Right to erasure :

The data subject shall have the right to obtain from the controller 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 necessary in relation to the purposes for which they were collected or otherwise processed;
- the data subject withdraws consent on which the processing is based and where 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 in Union or Member State law to which the controller is subject;
- the personal data have been collected in relation to the offer of information society services.

The erasure of personal data cannot be initiated to the extent that processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation which requires processing by Union or Member State law to which Data Controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in Data Controller; for reasons of public interest in the area of public health; for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes; for the establishment, exercise or defence of legal claims.

Right to restriction of processing :

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

- 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;
- the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- Data 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; or
- the data subject has objected to processing pending the verification whether the legitimate grounds of the controller override those of the data subject.

Where processing has been restricted, 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.

A data subject who has obtained restriction of processing shall be informed by the controller before the restriction of processing is lifted.

Right to data portability:

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

Right to object:

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 performance of a task carried out in the public interest or in the exercise of official authority vested in the controller processing is necessary for the purposes of the

legitimate interests pursued by Data Controller or by a third party, including to profiling based on those provisions.

In case of an objection, Data Controller shall no longer process the personal data unless Data 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.

Right to automated decision-making in individual cases, including profiling:

The data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.

The right above shall not apply if such decision

- is necessary for entering into, or performance of, a contract between the data subject and Data Controller;
- is authorised by Union or Member State law to which Data Controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests; or
- is based on the data subject's explicit consent.

Right of revocation:

The data subject shall have the right to revoke his or her consent at any time. Such revocation shall not affect the legitimate nature of processing based on consent preceding such revocation.

Rules of procedure:

Data Controller shall inform the data subject without undue delay but within one month from the receipt of the request about measures taken in response to the request based on Articles 15–22 of the GDPR. Considering the complexity and the number of requests, this deadline may be extended by further two months, if necessary.

Data Controller shall inform the data subject about the extension of the deadline specifying the reasons for the delay within one month from the receipt of the request. Where the data subject submitted the request electronically, Data Controller shall provide information in an electronic form, unless requested specifically otherwise by the data subject.

If no measures are taken by Data Controller as a result of the request of the data subject, Data Controller shall, without delay but not later than one month from the submission of such request, inform the data subject about the reasons for such delay, furthermore about the fact that the data subject shall have the right to lodge a complaint with a supervisory authority or exercise his or her right to effective judicial remedy.

Data Controller shall provide the requested information free of charge. If the request of the data subject is clearly unfounded or – especially because of its repeated nature – exaggerated, Data Controller may charge a reasonable fee based on administrative costs relating to the information supply or the measure to be taken, alternatively Data Controller may refuse to take measures based on said request.

Data Controller shall inform all recipients obtaining the personal data affected about any modifications, erasures or restrictions of processing concerning said data, unless this proves impossible or requires disproportionate efforts. If requested, Data Controller shall inform the

data subject about the recipients affected. Data Controller shall provide the data subject with a copy of the personal data representing the subject of processing. Data Controller may charge a reasonable fee based on administrative costs for further copies requested by the data subject. Where the data subject submitted the request electronically, Data Controller shall provide information in an electronic form, unless requested specifically otherwise by the data subject.

Indemnification and compensation :

Any person who has suffered material or non-material damage as a result of an infringement of the GDPR shall have the right to receive compensation from Data Controller or the data processor for the damage suffered. The data processor shall be liable for the damage caused by processing only where it has not complied with obligations of the GDPR specifically directed to processors or where it has acted outside or contrary to lawful instructions of Data Controller. Where more than one data controller or processor, or both a controller and a processor, are involved in the same processing and where they are, under paragraphs 2 and 3, responsible for any damage caused by processing, each controller or processor shall be held liable for the entire damage in order to ensure effective compensation of the data subject.

The Data Controller or the data processor shall be exempt from such liability if it proves that it is not in any way responsible for the event giving rise to the damage.

Right to an effective judicial remedy:

The data subject shall have the right to an effective judicial remedy where he or she considers that his or her rights under the GDPR have been infringed.

The court shall treat such cases as a priority.

Data Protection Authority procedure:

Complaints can be submitted to the Hungarian National Authority for Data Protection and Freedom of Information:

Name: Nemzeti Adatvédelmi és Információszabadság Hatóság

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

Seat: 1125 Budapest, Szilágyi Erzsébet fasor 22/C.

Mailing address: 1530 Budapest, Pf.: 5.

Phone: 06 1 391-1400

Fax: 06 1 391-1410

E-mail: ugyfelszolgalat@naih.hu

Homepage: <http://www.naih.hu>