

DATA-PROCESSING INFORMATION

(in force as from August 08, 2021)

Rail Cargo Hungaria Zrt. as Data Controller commits itself to comply with the provisions of this present data-processing information and the relevant legislation regarding its data processing activities in connection with job applications

The purpose of this present information is to demonstrate the main principles and criteria of data processing in accordance in particular with the following:

- Regulation (EU) 2016/679 of the European Parliament and of the Council (General Data Protection Regulation or GDPR),
- Act CXII of 2011 on Information Self-determination and Freedom of Information

Data Controller

- Name: Rail Cargo Hungaria Árufuvarozási Zártkörűen Működő Részvénytársaság
- Seat: 1133 Budapest, Váci út 92.
- Court of registration and registration number: Fővárosi Törvényszék Cégbírósága, Cg. 01-10-045318
- Homepage: www.rch.railcargo.com (hereinafter: Homepage)
- Data Protection Officer: dr. Nagy Dóra Adriána (office@ndalegal.hu)

Scope of processed data

Surname, title, first name, date of birth, home address, telephone number, e-mail address, data related to the degree, qualification, other knowledge (experiences) necessary for filling the advertised post; curriculum vitae, photo, motivation letter submitted by the Applicant as well as personal data therein provided by the Applicant

Purpose of data processing

Record of the Applicants entered in the Data Controller's database (hereinafter referred to as Applicant), assessment of submitted applications, organisation of personal interviews, notification of Applicants after the closing of the selection process (in case of separate consent the submitted application's continued storage for possible future job application).

Nature and legal basis of data processing

The data processing is carried out upon the Applicants' **voluntary, preliminary declaration after being well-informed in advance** including the Applicant's **explicit consent** to the use of the data for the purposes specified herein.

The Applicants may at any time **withdraw** their consent by using the contacts details provided below; this however does not affect the legality of data processing before the withdrawal.

The Applicant is responsible at all times that the data provided by him/her in the application are true and correct.

Principles and means of data processing:

The Data Controller (hereinafter referred to as Controller) shall process personal data in accordance with the principles of good faith, fairness and transparency; the processing shall be carried out only for purposes set out in this present Information respectively in legislation.

In each case when the Controller wishes to use the personal data for purposes different from the original data collection he shall inform the Applicant and shall obtain the Applicant's prior express consent therefor; respectively ensure that the Applicant can prohibit the use of data.

The Controller shall inform the Applicant concerned and all those, whom the personal data he transferred to beforehand about the rectification, restriction and erasure of personal data. The information may be omitted if this in regard of the data processing does not prejudice the legitimate interest of the Applicant.

Personal data may only be made available to third parties or authorities upon decision of authorities or the explicit prior consent of the Applicants (unless provided otherwise in legislation).

The Controller shall take all **technical and organisational measures** which are laid down by relevant legislation for the security of data;

- shall comply with the requirements set out in the rules of IT-security
- shall submit the incoming set of data for virus checks and to other security screening
- the Controller shall ensure that the personal data processed by him
 - o are accessible only to persons entitled to their access (human resources expert, head of human resources and future employer)
 - o remain authentic,
 - o remain unchanged,
 - o are protected against unauthorised access, use, change and distribution.

The Controller shall call each third party for the fulfilment of such obligations, who are recipients of data transfer.

The incoming applications may only be processed by the human resources expert entitled to processing due to his/her position in a designated separate network folder in the internal network of the Controller.

- the paper documents are being stored in a locked separate premise by the human resources organisation
- the Controller's IT-devices are located in the server room at the seat of the Controller.

Applied technology of data processing: processing manually and by means of IT-system

Data processing period: the Controller shall erase all personal data of the Applicant within 8 days after the closing of the application process.

In case the Applicant withdraws his/her consent, the Controller shall immediately erase the Applicant's personal data from his records after the withdrawal, respectively shall destroy the curriculum vitae and application material of the Applicant.

In case an authority or court orders the erasure of personal data in a final ruling the Controller shall execute the erasure. Instead of erasure the Controller, informing the Applicant thereof, shall limit the processing of personal data in case it was requested by the Applicant or the erasure is likely to prejudice the legitimate interests of the Applicant. The Controller shall not erase the personal data until the purpose of data processing - which excludes the erasure of data - still exists.

Source of data: the Controller processes data being provided directly by the Applicant

Data processor: the Controller shall not engage data processors for data processing.

Transfer of data: depending of the advertised position the Controller may transfer personal data for purposes related to the filling of the post of *the following companies of his company group* in case the Applicant has given his/her explicit prior consent hereto.

- Rail Cargo Carrier Kft. (1133 Budapest, Váci út 92., Fővárosi Törvényszék cégbírósága, Cg. 01-09-563289)
- Rail Cargo Operator - Hungaria Kft.(1133 Budapest, Váci út 92., Cg. 01-09-866127)
- Rail Cargo Logistics - Hungaria Kft. (1133 Budapest, Váci út 92., Cg. 01-09-167497)
- Rail Cargo Terminal - BILK Zrt. (1239 Budapest, Európa utca 4., Cg. 01-10-044722).

Rights of the Applicant and means of exercise of rights

<p><i>Right of access by the Applicant</i></p> <p>The Applicant 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.</p>	<p>The Applicant shall have the right to obtain information</p> <ul style="list-style-type: none">• whether his/her personal data is being processed• about the purposes of the processing• about the categories of personal data concerned• about the recipients to whom the personal data is going to be disclosed• about the period for which the personal data will be processed• about the right to lodge a complaint against the data processing• about the existence of automated decision-making, including profiling• whether personal data are transferred to a third country and where that is the case, about the appropriate safeguards <p>The Applicant may request a copy of the personal data free of charge. For any further copies requested by the Applicant, the Controller may charge a reasonable fee based on administrative costs. Where the Applicant makes the request by electronic means, the information shall be provided in a commonly used electronic form, unless requested otherwise by the Applicant. For additional copies the Controller may charge a reasonable fee.</p>
<p><i>Right to rectification</i></p>	<p>The Applicant may request RCH to correct inaccurate personal data without</p>

	<p>undue delay. The Applicant may request to have incomplete personal data completed.</p>
<p><i>Right to erasure ('right to be forgotten')</i></p>	<p>The Applicant shall have the right to obtain from the Controller the erasure of personal data concerning him or her without undue delay if:</p> <ul style="list-style-type: none"> - the personal data are no longer necessary in relation to the purposes for which they were collected, - 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 RCH is subject; <p>Where the Controller has made the personal data public, he/she shall take reasonable steps to inform controllers which are processing the personal data that the Applicant has requested the erasure of any links to, or copy or replication of those personal data from the Controller.</p> <p>The provisions above shall not apply, respectively the request for erasure may be denied to the extent that processing is necessary:</p> <ul style="list-style-type: none"> - 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, or in public interest, - for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, - for the establishment, exercise or defence of legal claims. <p>The Controller shall inform the Applicant in every case about the refusal of his/her request for erasure, specifying the grounds for refusal.</p>

<p><i>Right to restriction of processing</i></p>	<p>The Applicant shall have the right to obtain from the Controller restriction of processing where one of the following applies:</p> <p>a) the accuracy of the personal data is contested by the Applicant, for a period enabling the Controller to verify the accuracy of the personal data;</p> <p>b) the processing is unlawful and the Applicant opposes the erasure of the personal data and requests the restriction of their use instead;</p> <p>c) the Controller no longer needs the personal data for the purposes of the processing, but they are required by the Applicant for the establishment, exercise or defence of legal claims;</p> <p>Where processing has been restricted, such personal data shall, with the exception of storage, only be processed with the Applicant'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.</p> <p>Applicants shall be informed by the Controller before the restriction of processing is lifted.</p> <p>The Controller shall communicate any rectification or erasure of personal data or restriction of processing to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort.</p>
<p><i>Right to data portability</i></p>	<p>The Applicant may request to receive the data he/she provided to the Controller concerning him/her (in a commonly used, machine-readable format), or if it is technically feasible may request the direct transfer of the data to another controller.</p>
<p><i>Right to object</i></p>	<p>The Applicant shall have the right to</p>

	<p>object, at any time to processing of personal data concerning him/her:</p> <ul style="list-style-type: none"> - if the processing is necessary for the performance of a task carried out for reasons of public interest; - if the data are processed for the purposes of direct marketing, public opinion research or scientific research; - if the processing is carried out solely in accordance with a legal obligation to which the Controller is subject, or for the purposes of the legitimate interests pursued by the Controller or by a third party. <p>The Controller shall examine the lawfulness of the objection of the Applicant, and in case the objection is determined by the Controller as reasoned the data processing shall be terminated. The Controller shall inform all those parties about the objection and the measures taken upon it, to which the personal data subject to objection were transferred.</p>
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Ensuring the enforcement of rights of the Applicant

- The Controller shall take appropriate measures to provide any information and communication in an *easily accessible and legible form, using clear and plain language*.
- The Controller considers the request for information credible in case the Applicant is clearly identifiable according to the request.
- The Controller shall assess the requests without undue delay but *no longer than within one month* of receipt of the request by electronic means, unless otherwise requested by the Applicant. That period may be extended when duly justified.
- Necessary information and actions shall be provided by the Controller *free of charge*, unless requests from an Applicant are manifestly unfounded or excessive.
- In case the Applicant does not agree with the decision of the Controller, he shall have the right to apply to the courts within thirty days after the notification about the decision.

- In case of infringement of the rights of the Applicant he/she may apply to the **court** against the Controller, the assessment of the case falls into the competence of regional courts which shall assess the case with priority. The Applicant may as well launch legal proceeding at a competent regional court within whose territory the place of residence or the place of stay of the Applicant is located.
- the Applicant shall have the right seek judicial remedy and complaint at the ***Hungarian National Authority for Data Protection and Freedom of Information:***
 - seat: 1055 Budapest, Falk Miksa utca 9-11.,
 - phone: +36-1-391-1400
 - e-mail: ugyfelszolgalat@naih.hu
 - www.naih.hu

Further information in connection with data processing

The provision of personal data is not a statutory or contractual requirement, or a requirement necessary to enter into a contract. The consequence of the failure to provide personal data is the Applicant's disqualification from the application and selection procedure. No automated decision-making is carried out during the data processing.

For further information concerning data processing under this present Information and possible complaints you can reach the Controller at one of the ***following contacts:***

- via email: office@ndalegal.hu
- via registered mail or registered mail with proof of receipt: Rail Cargo Hungaria Zrt. Humánerőforrás szervezet, 1133 Budapest, Váci út 92.

Budapest, 08th 08. 2021

*Rail Cargo Hungaria Private Limited
Company*