

## **General Terms and Conditions of Business Annex 3**

### **INFORMATION about the processing of data of subscribers, users and bill payers**

Vodafone Magyarország Mobil Távközlési Zártkörűen Működő Részvénytársaság complies with its disclosure obligation defined in Decree No. 4/2012 (I.24.) of the National Media and Infocommunications Authority (NMHH) on the rules on data protection and confidentiality obligations associated with public electronic communications services, the special conditions of data protection and confidentiality, the safety and integrity of networks and services, the management of traffic and billing information, the display of identification data and call diversion and in Decree No. 6/2011 (X.6.) of the National Media and Infocommunications Authority on the detailed rules of electronic subscriber communications contracts as well as in Decree No. 2/2015 (III.30.) of the National Media and Infocommunications Authority as follows:

Vodafone Magyarország Mobil Távközlési Zártkörűen Működő Részvénytársaság as Service Provider shall manage all personal information and business secrets acquired in connection with the service or the operation of its network according to Act C of 2003 on electronic communications (hereinafter: Eht.), Decree No. 6/2011 (X.6.) of the National Media and Infocommunications Authority on the detailed rules of electronic communications contracts and Decree No. 2/2015 (III.30) of the National Media and Infocommunications Authority (hereinafter: ESzRSz), Decree No. 4/2012 (I.24.) of the National Media and Infocommunications Authority on the rules on data protection and confidentiality obligations associated with public electronic communications services, the special conditions of data protection and confidentiality, the safety and integrity of networks and services, the management of traffic and billing information, the display of identification data and call diversion, Act C of 2000 on accounting, Act CXII of 2011 on informational self-determination and freedom of information, Act V of 2013 on the Civil Code (hereinafter as Civil Code), Act CLV of 1997 on Consumer Protection (hereinafter as Consumer Protection Act) and other relevant legal regulations.

#### **Definitions**

**Subscriber:** The natural or legal person, economic company (enterprise) without legal personality, including the Hungarian branch office of an enterprise with a foreign seat, with whom the Service Provider has signed or will sign the Subscription Contract.

**User:** The natural person using the (telecommunication) service provided by the Service Provider who does not offer publicly accessible electronic communication services him/herself. In case the User is not identical with the Subscriber, then, generally, the User uses the service with the knowledge and consent of the Subscriber.

**Bill payer:** The natural or legal person who pays the counter value of the service. If the Bill payer is not identical with the Subscriber, then payment for the service shall be made on the basis of an agreement between the Subscriber and the Bill payer. The Bill payer is mostly identical with the User.

**Personal data:** any data that may be associated with a specific (identified or identifiable) natural person (data subject), the conclusion related to the data subject that may be drawn from the data. The personal data shall retain its personal nature during data processing until its relation with the data subject can be reinstated.

**Data processing:** any operation or series of operations that may be performed on data, regardless of the procedure applied; such as collection, recording, saving, filing, storage, change, use, etc.

**Trade secret:** all facts, information, solutions or data related to the business activity whose disclosure, or obtainment or use by unauthorised persons would harm or jeopardise the lawful financial, economic or market interests of the entity authorised for use – with the exception of the Hungarian state-; and in the interest of retaining its confidential nature, the entity authorised for use has taken all necessary measures.

#### **I. PERSONAL DATA PROCESSED DURING THE PROVISION OF THE SERVICE AND THE PRIMARY AIM OF DATA PROCESSING**

- 1) Personal data processed in order to establish, determine the content of, amend and monitor the performance of the contract for electronic telecommunication service by the Service Provider as well as personal data necessary and sufficient for the authentic identification of the subscriber.**

- a) the name, permanent home address or temporary address or seat of the Subscriber,
- b) the location of the Subscription access point,
- c) the billing address of the Subscriber and, if necessary, the bank account number of the Subscriber,
- d) in the case of an individual Subscriber, the Subscriber's name at birth, the mother's name at birth, place and date of birth,
- e) in case the individual Subscriber has limited legal capacity; the personal details of the legal representative as listed in points a), c) and d) in the Subscription Contract on post-paid services,
- f) in case the Subscriber is not a natural person, the company registration number or other registration number of the Subscriber, its VAT number and, if necessary, the bank account number of the Subscriber,
- g) contact details:
  - fa) electronic mailing address,
  - fb) postal mailing address,
  - fc) other telephone number(s),
- h) the type of identification document presented by the Subscriber,
- i) number of identification document presented by the Subscriber,
- j) in case the Subscriber is not a natural person, the type of identification document presented by the representative of the Subscriber,
- k) in case the Subscriber is not a natural person, the numbers of the identification documents of the representative and the Bill payer(s) of the Subscriber.

**2) Personal data processed for the purposes of invoicing and collecting the fees for the services of the Service Provider**

- a) data according to Section I.1) points a) – g),
- b) Name of the Bill payer,
- c) Billing address of the Bill payer, and his/her bank account number, if necessary,
- d) Contact details of the Bill payer:
  - da) electronic mailing address,
  - db) postal mailing address,
  - dc) other telephone number(s).
- e) data related to the payment of fees and outstanding fees,
- f) in the case of passing on debts, events related to the termination of the Subscription Contract,
- g) other data available to the Subscriber and the User, related to non-electronic communication service, particularly to the invoicing of such service.

**3) Personal data processed for the purposes of determining the fees of voice (call service) and non-voice (other) services by the Service Provider and the issuing of the invoice and the detailed invoice appendix**

- a) data according to Section I.1) points a) – g),
- b) the SIM card number or other identification number of the Subscriber,
- c) the mobile phone number associated with the Subscriber SIM card (MSISDN),
- d) the type of the mobile device or other Subscriber end device,
- e) the number of total units that may be accounted in the settlement period,
- f) Subscriber numbers of incoming and outgoing calls,
- g) the type of call or other service,
- h) the direction of the call,
- i) the starting time of the call or other type of service,
- j) the duration of the call or other type of service,
- k) as well as the extent of data transmitted,
- l) the network providing the service and its cell identification,
- m) the International Mobile Equipment Identity (IMEI) number of the device used during the service,
- n) the identification codes applied in the case of IP networks,
- o) the date of the call or other service,
- p) data related to fee payment and outstanding fees,
- q) in the case of passing on debts, events related to the termination of the Subscription Contract

**4) Personal data that are essential due to the nature of the service or from a technical point of view, processed for the purpose of providing the service**

***In the case of services provided with stationary Internet access***

- a) in the case of DSL service accessed via telephone line, the name and birth name, place and date of birth, mother's name at birth, as well as the customer ID number of the Subscriber of the telephone line at Magyar Telekom Nyrt.

- b) the address of the service access point
- c) name, birth name, place and date of birth and mother's name at birth of the owner of the property in which the service access point is to be established
- d) the telephone number, contact telephone number of the Subscriber and name of contact

***Data necessary for the provision of value-added services, in the case of determining location***

- e) All data processed in the network of the Service Provider that are suitable for determining the geographic location of the end device of the Subscriber/user.

***In the case of the verification of authorisation prior to the fulfilment of the service provision or personal data request***

- f) security code registered by a natural person,
- g) identification code registered for a service or natural person,
- h) "golden questions" and "golden answers" registered for a natural person,
- i) communication channel and its identification code (e.g. email address, mobile telephone number) designated for the receipt of a confirmation code, in the use of and registered by a natural person

***Data necessary for the provision of value-added services in case of devices or terminal equipment used for the services, setting the parameters of the ordered services and backing up or recovering data***

- j) type and identification data of the device or terminal equipment used,
- k) service-specific identification data and parameters of the device or terminal equipment used (such as mailbox, e-mail address, service identifier, basic Internet address),
- l) contact lists stored in the device or terminal equipment used and partial and stored data associated with the list data (such as address lists, phone number lists, browser lists, log data of recent events, saved or stored files, communications, etc.).

**5) Personal data processed in a data file, established by the Service Provider or in association with several other service providers; for the purposes of the prevention of the evasion of other obligations related to the payment of fees or the contract, and the refusal of contract conclusion**

- a) data according to Section I.1) points a) – g),
- b) justification of placement into data file.

**6) Personal data processed for the purposes of the proof and documentation of the use and attempted use of Subscriber terminal equipment – especially terminal equipment banned by their owner – in order to use the Subscription service unlawfully**

- a) data according to Section I.1) points a) – g),
- b) The Subscription SIM card number or other identification mark detected in devices that were unlawfully used or whose unlawful use was attempted, the mobile telephone number (MSISDN) associated with the Subscription SIM card,
- c) The type of the mobile device that was unlawfully used or whose unlawful use was attempted,
- d) The incoming and outgoing Subscription numbers during the call transactions carried out from the unlawfully used mobile device,
- e) The type, direction and starting date of call or other services rendered by the unlawful use of the device, the duration of the phone call, the size of the data transmitted, the network and cell providing the service as well as the International Mobile Equipment Identity (IMEI) number of the device used during the service, the identification codes applied in the case of IP networks,
- f) The date of the call or other services rendered by the unlawful use of the device

**7) Personal data processed for the purposes of investigating Subscriber error reports or complaints**

- a) Mailing address, or other identification data of Subscriber (e.g. email address),
- b) Telephone number or other identification data of Subscriber,
- c) Description of error
- d) Time of error reporting (year, month, day, hour),
- e) Measures taken to establish the root cause of the error, and their results
- f) The root cause of the error,
- g) Method and date of troubleshooting (year, month, day, hour), and its result (or lack of positive result and its cause),
- h) The method and time of notifying the Subscriber, **in particular, the method and time of notifying the Subscriber of the receipt of a report made by the Subscriber and providing notice about those specified in the previous section,**
- i) Sound recording of the communication between the user (customer) and the customer helpdesk.

***Further personal details processed in the case of stationary Internet access points***

- j) in the case of a DSL service provided through telephone line, personal details of the Subscriber of the telephone line; i.e. name, birth name and customer registration number at Magyar Telekom Nyrt.,
- k) address of the service access point

**8) Pictures and data recorded by security cameras, processed for the purposes of personal and property security**

Closed circuit camera systems installed at the retail outlets of the Service Provider are continuously recording the events taking place in the areas under surveillance by the cameras, without direct personal surveillance, including the recordings of persons appearing in these areas; for the purposes of personal and property security.

The Service Provider shall only use the recordings made for the purposes of the posterior investigation of the circumstances of the crime or other extraordinary event – relevant from the perspective of the surveillance - taking place in the area under surveillance.

**9) Personal data retained and processed for the purposes of criminal investigation, and national security and defence**

- a) in the case of stationary telephone or mobile telephone service, Internet access service, Internet based telephone and mailing service or, in the case of a combination of these, the data listed in Section I.1) points a)-e),
- b) in the case of stationary telephone- or mobile telephone service, Internet access service, Internet based telephone and mailing service or, in the case of a combination of these, the telephone number of the Subscriber, or user terminal equipment, or Subscriber access point, or other constant technical-technological identifications required for the individual identification of the Subscriber or user, stipulated in the Subscription Contract, or assigned to the Subscriber or user in any other way,
- c) in the case of stationary telephone service, stationary Internet access service or, in the case of a combination of these, the installation address and type of the Subscriber or user terminal equipment or the Subscriber access point,
- d) in the case of stationary telephone or mobile telephone service, Internet access service, Internet based telephone and mailing service or, in the case of a combination of these, the telephone numbers, individual technical-technological identifications, user ID codes of Subscribers and users taking part in the communication; the type of the electronic communication service, the date of communication and its starting and ending time,
- e) in the case of stationary telephone or mobile telephone service or, in the case of call diversion and call forwarding applied through the use of the combination of these; the intermediary Subscriber or user telephone numbers involved in the establishment of the call,
- f) in the case of mobile telephone service, the International Mobile Equipment Identity (IMEI) and International Mobile Subscriber Identity (IMSI) numbers used by the parties taking part in communications while using the service,
- g) in the case of mobile telephone service, the network and cell identification of the service provider at the time of starting the transmission, as well as data facilitating the identification of the actual geographic location of the cell associated with the cell identification code at the time of providing the service,
- h) in the case of Internet based mailing or telephone services or, in the case of a combination of these, data related to the communication that was initiated towards the intended recipient; in accordance with point d) of the present Section,
- i) in the case of Internet access, Internet electronic mailing, Internet telephone service or, in the case of a combination of these, the type of the electronic communication service and the date and starting and ending time of the use of the service by the Subscriber, the IP address that was used during the use of the service, the user ID and telephone number,
- j) in the case of Internet access, Internet electronic mailing, Internet telephone service or a combination of these; the data required for the purposes of following any transformation of Subscriber or user individual technical or technological identifications by the electronic communication service provider (IP address, port number),
- k) in the case of pre-paid mobile telephone service with anonymous telephone card, the date and time of the first use of the service as well as the identification of the cell from which the activation has taken place,
- l) the Service Provider shall retain the data belonging to the data categories according to points a)-k) of the present Section even if they arise, or are processed by the Service Provider through unsuccessful calls.

**10) Personal data of contract tenderers and Subscribers, processed by the Service Provider for the purposes of the analysis of the creditworthiness of the contracting party, the approval of device sale with a special price support offered by the Service Provider prior to the signature of post-paid Subscription Contracts; and the prevention of fraud and monitoring of contract performance following contract conclusion**

- a) The other telephone number of the Subscriber; at work or at home,
- b) The number of the ID/document serving as official proof of the identity and home address or temporary residence of the Subscriber or his/her legal representative,

- c) The VAT number of the Subscriber, in case the Subscriber is not a natural person,
  - d) In the case of Subscribers purchasing devices in the framework of special price support schemes, identification data featured on the personal identification data pages of personal identification documents – and identical to the data contents of the given document -, in accordance with the data listed in point c) of the present Section,
  - e) The following data entered on the so-called information data sheet:
    - ea) surname, first name,
    - eb) marital status (married, single, divorced, widow, living in civil union),
    - ec) data related to the flat/house (how long has he/she been residing here, owner, tenant, relative, number of persons living within the household),
    - ed) highest completed level of education (basic, secondary, higher level, none, other),
    - ee) type of bank card owned (electronic, credit card, none),
    - ef) data of the place of employment (name, address, telephone number),
    - eg) total net income of the household (<60,000 Ft, 60-140,000 Ft, 141-220,000 Ft, >220,000 Ft),
    - eh) type of employment (employee in management position, employee in subordinate (non-managerial) position, co-op member, member of partnership, self-employed, pupil/student, pensioner, unemployed, housewife/on child care fee, enlisted man/aidee of relative, other),
    - ei) period of employment at current job (years, months),
    - ej) economic field of employment (student, public servant, education/healthcare, construction, traffic, financial/insurance, housewife, agriculture, service sector, industrial, unemployed, telecommunication, commerce, pensioner, other),
    - ek) type and number of current mobile telephone subscriptions (pre-paid card, monthly subscription, at Vodafone, at other mobile telephone service provider),
  - f) Other Subscriber personal data processed for the purposes of carrying out creditworthiness analysis necessary when purchasing a device with partial payment option
    - fa) Data contained in the certificate of employment (in the case of a valid employment contract)
      - name of employer;
      - VAT number of employer;
      - type of employment (definite/indefinite period);
      - total gross wage;
      - the total of net wages in the last three months;
    - fb) Data contained in the certificate of pension (when the Subscriber is a pensioner without any legal employment status)
      - name and registration number of pensioner;
      - total of pension received by bank transfer in the last month;
    - fc) Data contained in the bank account statement
      - total of regular transfers made in the last three months;
      - total of regular debits from the account in the last three months;
    - fd) Account details originating from other mobile phone provider
      - the total of the mobile phone bills at a different mobile phone service provider, related to the account registered under the Subscriber's own name in the past three months;
      - total of the monthly charges payable at a different mobile phone service provider, related to the mobile phone service account registered under the Subscriber's own name in the past three months
  - g) data listed in Section I. 1), points a), b), d), h) and k);
  - h) the limitation of the Subscription Service arising due to a cause related to the Subscriber (including the occurrence of the limitation, as well as the time of and reason behind it);
  - i) Affirmation of the termination of contract by the Subscriber as well as the time of and reason behind termination;
- 11) Personal data processed for the purposes of the verification of the purchase limit stipulated in Section 2.1 of the General Terms and Conditions, prior to the conclusion of the pre-paid Subscription Contract**
- a) data listed in Section I.1) points a) - g),
  - b) the number of previous purchases
- 12) Data processing objectives subject to the approval of the Subscriber and related personal data**
- a) managing the Subscriber registry
    - aa) surname,
    - ab) first name,
    - ac) telephone number,
    - ad) part of home address intended for public access,
    - ae) type of use of the terminal equipment (if requested, telephone/fax),
    - af) job (if requested)

- ag) highest completed level of education (if requested),
- ah) vocational qualification (if requested)
  
- b) the provision of location services in addition to traffic data
  - ba) the address of the base station,
  - bb) or geo-coordinate,
- c) direct business acquisition, information, public opinion polls or market research,
  - ca) name,
  - cb) postal address,
  - cc) electronic address,
  - cd) telephone number,
- d) request for detailed invoice annex, or a comprehensive list of calls
  - da) name,
  - db) billing address,
  - dc) telephone number
  - dd) other data supplied voluntarily by the Subscriber or User,
  
- e) provision of value added services or own business acquisition by the Service Provider
  - ea) data listed in Section I.1) points a) - f),
  - eb) the number of the Subscriber's SIM card, or other identification code,
  - ec) the mobile phone number associated with the Subscriber SIM card (MSISDN),
  - ed) the model type of the mobile device and other Subscriber terminal equipment,
  - ee) the total number of units accountable in the accounting period,
  - ef) Subscriber numbers dialled and numbers from which calls were received,
  - eg) type of the call or other service,
  - eh) direction of call,
  - ei) starting time of the call or other service type,
  - ej) duration of the call or other service type,
  - ek) as well as the size of the transferred data,
  - el) the identification of the network and cell providing the service,
  - em) the International Mobile Equipment Identity (IMEI) number of the device used during the service,
  - en) the identifications applied in the case of IP networks,
  - eo) the date of the call or other service,
  - ep) data related to the payment of fees and outstanding debts,
  - eq) in the case of passing on debts, the events related to the termination of the Subscription Contract
- f.) construction of analytical models, client profiling, analysis
  - fa) the data according to paragraphs a)-g) of Section I.1),
  - fb) the data according to paragraphs b)-q) of Section I.3)
  - fc) all data processed in the network of the Service Provider that are suitable for determining the geographical location of the end device of the Subscriber/user,
  - fd) the domain address from which the content downloaded by the Subscriber was downloaded;
  - fe) the fact of use of mobile telephone applications, the start and end time of use;
  - ff) the nature of the content downloaded by the Subscriber (e.g. video content, image content, audio content, text content);
  - fg) both the uplink bandwidth and the downlink bandwidth.
  - fh) the data according to paragraph i) of Section I.7),
  - fi) data related to mobile call number porting (ported number, receiving service provider, delivering service provider, number porting time window)
  
- 13) **Personal data processed by the Service Provider in order to check the performance of the duty of the customer assistant to establish live voice contact**
  - a) starting time of the call made to the Service Provider's telephone customer service center,
  - b) duration of the call made to the Service Provider's telephone customer service center.

## II. LEGAL TITLE OF PROCESSING PERSONAL DATA

- 1) **The Service Provider processes the data of Subscribers on the basis of legislative authorisation or obligation. In accordance with this, the Service Provider**

- a) processes data listed in Section I. 1) on the basis of legislative authorisation in accordance with Act C of 2003 on electronic communications (hereinafter: Eht) Article 129, Section (5) point a); and ESzRSz Article 7, Section (1) point a),
  - b) processes data listed in Section I. 1) points h) - k) on the basis of the enforceability of legal obligation in accordance with Eht Article 47, Section (13),
  - c) processes data listed in Section I. 2) on the basis of legislative authorisation, in accordance with Eht Article 157, Section (2), points a) - d) and h) - i),
  - d) processes data listed in Section I. 3) on the basis of legislative authorisation in accordance with Eht Article 157, Section (2), points a)-i) and ESzRSz Article 13, Section (2),
  - e) processes data listed in Section I. 4), and Section I. 7) points j) - k) on the basis of legislative authorisation in accordance with Eht Article 154, Section (3),
  - f) processes data listed in Section I. 5) on the basis of legislative authorisation in accordance with Eht Article 158, Section (2),
  - g) processes data listed in Section I. 6) on the basis of legislative authorisation in accordance with Eht Article 157, Section (2), point k),
  - h) processes data listed in Section I. 7), points a) - h) and Section I. 11) on the basis of legal obligation in accordance with Eht Article 141, Section (2),
  - i) processes data listed in Section I. 7), point i) on the basis of legislative obligation in accordance with Eht Article 141, Section (1) and NMHH 2/2015 (III.30.) (ESzRSz) Article 25, Section (1) and Article 22, Section (7),
  - j) processes data listed in Section I. 9) on the basis of legal obligation in accordance with Eht Article 159/A,
  - k) processes the data listed in Section I. 7) point i), and Section I. 13), point a-b) based on the statutory obligation imposed in Article 138, Section (10) of the Electronic Communications Act and Article 17/B., Section (3) of the Consumer Protection Act
- 2) **The Service Provider shall process data listed in Sections I. 10) and I. 12) after the Subscribers having given their voluntary and straightforward consent based on sufficient information obtained previously in the matter. The Service Provider accepts the effective decision of the affected person as a binding obligation upon itself.**
  - 3) **The Service Provider shall inform the affected persons of the fact that picture recording by security cameras is in progress for the purposes stated in Section I. 8) at the entry locations of areas equipped with security cameras and picture recording systems. Affected persons give their consent to the recording of camera images with their presence in these areas – as their implied conduct.**
  - 4) **The Service Provider shall process the data listed in Section I. 4) point e) either in the case of prior consent by the user or Subscriber, on the basis of the legal provision in accordance with Eht Article 156, Section (14) or; in other cases, in accordance with the obligation under Eht Article 156, Section (16).**
  - 5) **According to Article 6, Section (2) of the Information Act, as well as Eht Article 156, Section (17), the Service Provider is entitled to process the personal data belonging to the data categories listed in Section I. points 1)-8) and made available to the Service Provider to the extent absolutely necessary for the protection of the Subscriber's or user's own interests, or the vital interests of other persons, and the prevention or remedy of catastrophes or states of emergency even if the person authorised to decide over the processing of the personal data available to the Service Provider is unable to give his/her consent to the processing of the data in question, for reasons of physical disability.**
  - 6) **Article 4, Section (4) of the Information Act provides that the Service Provider is entitled to check whether the data processed according to section I. 1), points a), d), i) and k), and section I. 10), points b) and g) are correct and up to date.**

### III. THE DURATION OF PERSONAL DATA PROCESSING AND RETENTION

- 1) **In accordance with Eht Article 143, Section (2) and Article 157, Section (3), the Service Provider**
  - a) shall process the data listed in Section I. 1) and Section I. 4) points a) – d) and f) – i) until the end of the first year following the termination of the Subscription Contract at the latest or, in the case of legal disputes concerning the payment of fees or other issues, until the claims arising as a result of these lapse,
  - b) shall process the billing and sales data listed in Sections I. 2) and I. 3) until the end of the first year following the fulfilment of services related to the invoice or, in the case of pre-paid services, until the end of the first year following the provision of the service, and, in the case of legal disputes concerning the payment of fees or other issues, until the claims arising as a result of these lapse,
- 2) **Vodafone will retain the data required for the provision of value-added services as defined in Section I. 4), points e), j), k) and l), and in Section I. 12), point e) only to an extent and for a duration that is absolutely necessary for the provision of value-added services and for the sales activity, or that has been consented to by the user or the Subscriber in advance.**
- 3) **On the basis of the provisions stipulated in Article 169 of Act C of 2000 on accounting, the Service Provider must retain the accounting receipts directly or indirectly supporting its bookkeeping accounts for a period of 8 years; as well as all analytical and detailing file records and data directly or indirectly supporting these receipts. In order to comply with this legal provision, the Service Provider shall retain and process for a period of 8 years**
  - a) the invoices issued to the Subscriber and/or their electronic copies,
  - b) sales and other identification data of the Subscriber – available to the Service Provider in relation to the Subscriber's use of the electronic communication services of the Service Provider – that support the receipt(s) and accounting document(s) used in the bookkeeping accounts of the Service Provider.
- 4) **In accordance with Eht Article 158, Section (5), the Service Provider shall process the data listed in Section I. 5) for a maximum of one year**
- 5) **In accordance with Eht Article 157, Section (2) point k), the Service Provider shall process the data – as listed in Section I. 6) - that are created and become available in the electronic communication network of the Service Provider in relation to the unlawful use or attempted unlawful use of Subscriber terminal equipment during the use of the Subscription service – especially in the case of terminal equipment whose use has been restricted by the owner - for a maximum of one year**
- 6) **Pursuant to Section 138 (10) of the Eht, the Service Provider shall keep the personal data specified in Section I. 7), points a)–h) and j)–k) that have been electronically recorded during the reporting and investigation of errors or complaints for at least one year from the date of reporting the error, and pursuant to Article 138, Section (10) and Article 141, Section (1) and (2), point h) of the Eht, and Article 25, Section (1) and Article 22, Section (7) of NMHH Decree 2/2015 (III.30) (ESzRSz) applied pursuant to Article 138, Section (10), the sound recording specified in Section I. 7), point i) and Section I. 13), point a)-b) for at least one year from the date of making the sound recording, but for a maximum of 2 years.**
- 7) **The Service Provider shall process (retain) the image records as listed in Section I. 8) for a maximum of 3 days, except if an investigating authority or other authorised body requests the retention or disclosure of these data for a longer period – on the basis of effective legislation**
- 8) **Based on Article 159/A, Section (3) of the Eht; in order to ensure the provision of data for the duly authorised national security bodies, investigating authorities, public prosecutors, and courts, the service provider shall**
  - a) retain the data listed in Section I. 9) points a) – b) for a period of one year following the termination of the Subscription Contract,
  - b) retain the data listed in Section I. 9) points d) – k) for a period of one year following the date on which they were created,
  - c) retain the data listed in Section I. 9) point l) for a period of six months following the date on which they were created.



- 9) The Service Provider shall process the data listed in Sections I. 10) and I. 12) and processed for the purposes listed therein until the voluntary and straightforward withdrawal of the Subscriber's consent to the processing of the data or, in the lack thereof, until the date stated in Section III. 1) point a) at the latest
- 10) On the request of the investigating authorities – in cases specified by separate laws regulating their operation and with the conditions specified therein – the Service Provider is obliged to retain the data stored in its computer systems for a longer period than specified in Sections III. 1) – III. 9), to the extent and for the period that is appropriate with regard to the objective of data retention

#### IV. CONDITIONS AND METHOD OF DISCLOSING, FORWARDING PERSONAL DATA TO THIRD PARTIES

The Service Provider shall only disclose or forward the personal data it processes to third parties if such disclosure or forwarding is ensured by a legislative provision, or if the Subscriber or the user of the service has given his/her consent to such disclosure or forwarding.

- 1) **Based on Article 157, Sections (9)-(10) of the Eht; out of the data listed in Section I. 1) points a) and f), Section I. 3) points b) - q) and Section I. 6) points b) - f), the Service Provider may facilitate access to those data that are required for the purpose of data processing**
  - a) to those who, on the basis of assignment by the Service Provider, carry out the invoicing and management of claims, the management of distribution or provide information to customers,
  - b) to bodies possessing legislative authorisation to resolve legal disputes related to invoicing and distribution,
  - c) to the duly authorised national security bodies, investigating authorities, public prosecutors, and courts, for the purposes of national security, national defence and the protection of public safety, the prosecution of crimes of public prosecution and the unauthorised or unlawful use of the electronic communication system,
  - d) to the bailiff, in accordance with the Act on court orders.

In relation to the data disclosed in accordance with the present point, the recipients of the data are bound by the same obligation of confidentiality as the Service Provider.

- 2) **Based on Article 157, Section (8) of the Eht, in the framework of proceedings initiated in cases of insider trading, market manipulation, or unauthorised provision of services; the Service Provider is entitled to forward to the Hungarian Financial Supervisory Authority (PSZÁF) the following data, belonging to the data category listed in Sections I. 1) and 3):**
  - a) the surname and first name of the Subscriber;
  - b) the Subscriber's name at birth,
  - c) the home address, place of residence of the Subscriber,
  - d) the Subscription station number, or other identification data;
  - e) the Subscription numbers calling the Subscriber and those called by the Subscriber, the date and starting time of calls or other services.
- 3) **In case the conditions stipulated in Article 158 of the Eht arise, (e.g. the Subscriber has intentionally misled or attempted to mislead the Service Provider for the purpose of causing damage, especially if the document used for identification was obviously fake, counterfeit or invalid) the Service Provider is entitled to transfer the data listed in Section I. 5) to another electronic communication service provider, or accept the data from another electronic communication service provider, or establish a joint data file, together with other service providers.**

The Service Provider shall promptly inform the Subscriber of such data transfer.
- 4) **Magyar Telekom Nyrt. and Telenor Magyarország Zrt. (together with Vodafone Magyarország Zrt., in this point hereinafter referred to as: service providers) may have access to data forwarded to the joint database (hereinafter: joint database) established for the purpose stated in Section I. 5).**

**The following may also request data from the joint database:**

- a) bodies and authorities listed in Section IV. 1) point c) and Section IV. 2),
- b) any customer, in view of the type of data that the database contains in relation to him/her.

**Data of the Subscriber may be transferred, or entered into the joint database, if**

- a) the Subscriber has an outstanding debt overdue for more than 3 months towards any universal service provider, arising from the use of any universal electronic communication service, or
- b) the Subscription Contract that had existed earlier had been terminated due to a termination cause defined by legal provision up to 6 months prior to the offer made.
- c) the service provider has terminated the contract due to overdue invoices, or has imposed partial or full limitations to the Subscriber's use of the service, or
- d) the service provider initiated proceedings against the subscriber at court or via authorities due to the invoice debt accumulated, or the place of residence of the subscriber is unknown, or
- e) the requestor or subscriber has misled the service provider or intends to mislead the service provider (especially if the document used for identification was obviously fake, counterfeit or invalid).

**In respect of the persons featured in the joint database, service providers with access to the joint database may take the following decisions:**

- a) refusal of the conclusion of the subscription contract, or
- b) binding the conclusion of the subscription contract to the payment of a deposit fee.

**Affected persons may turn to the following with any complaints against the transfer of their personal data into the common database:**

- a) the Customer Service office of the service provider forwarding the data to the joint database,
- b) the data protection officer of the service provider forwarding the data to the joint database (the data protection officer at Vodafone Magyarország Zrt. is: Dr. György Papp, Data Protection Manager, 1476 Budapest, Pf.: 350).
- c) the National Media and Infocommunications Authority (Authority),
- d) the Office of the National Data Protection and Freedom of Information.

**In the case of any infringement of Subscriber or user rights related to the processing and protection of personal data by the Service Provider, the Subscriber or user may bring the against the Service Provider to the court.**

**The data controller and data processor of the joint database is Sysman Informatikai Zrt. (1031 Bp. Záhony utca 7.).**

- 5) **According to Article 6, Section (2) of the Information Act, as well as Article 156, Section (17) of the Eht, the Service Provider is entitled to forward to third parties the personal data belonging to the data categories listed in Section I. points 1) - 8) and made available to the Service Provider, to the extent absolutely necessary for the protection of the Subscriber's or user's own interests, or the vital interests of other persons, or the prevention or remedy of catastrophes or states of emergency even if the person authorised to decide over the processing of the personal data available to the Service Provider is unable to give his/her consent to the forwarding of the data in question to third parties, for reasons of physical disability.**
- 6) **Upon the conclusion of the Subscription Contract, the list of third parties processing the personal data of the Subscriber on the basis of assignment by Vodafone must be handed over to the Subscriber. Subscribers give their consent to Vodafone assigning the third parties on this list with the processing of the personal data of Subscribers by the conclusion of the Subscription Contract. Subscribers must be promptly notified of any changes affecting this list, and at the same time, Subscribers must be given an opportunity to modify their declarations of consent related to the processing of their data. All data processing by a data controller and processing by a data processor carried out at the third party – to which the Subscriber gives his/her consent through a declaration, as stated above – must also be reported to the data protection records managed by the Office of the National Data Protection and Freedom of Information.**
- 7) **Based on its legal obligation in Article 145, Section (2) of Eht; at the request of emergency services, the Service Provider is obliged to provide data facilitating the identification and locating of the calling party – by a method specified in a separate legal provision – for purposes of responding to emergency calls, even in spite of the lack or withdrawal of consent related to the identification display or locating data of the calling party. In the framework of this legal obligation, the Service Provider shall provide the telephone number of the calling party towards the recipient of the call in real-time, in the case of calls initiated to telephone numbers of establishments essential for the operation of the state and the service of the general public, in accordance with the Ministry of Interior (BM) decree 24/1997. (III.26.), the police, fire department and the ambulance services; also including calls, and SMS and MMS messages, to "112", the unified European emergency hotline.**
- 8) **For the purpose of carrying out tasks of the investigating authority, public prosecution authority, court, and the national security service possessing authorisation for data request in accordance with a separate legal Act; in the framework of data provision to these authorities and in accordance with the contents of their request:**
  - a) The Service Provider shall provide data to these bodies belonging to the data categories listed in Section I. 9), retained on the basis of legal obligation (Article 159/A, Section (1) of Eht),
  - b) The Service Provider shall determine and forward the locating data related to the user or Subscriber to these bodies (Article 156, Section (16) Eht).
- 9) **Based on effective legislation, the Service Provider is obliged to cooperate with organisations authorised by law to gather confidential information or obtain confidential data, as well as with frequency**

management authorities which, in cases and with conditions and guarantees determined by law, may observe, tap or store the transmissions on the network of the Service Provider (voice and data transfers), or may otherwise interfere in the transfer or transmission for the purposes of observation.

- 10) The Service Provider is entitled to check the personal data (document number, name, gender, name at birth, place of birth, date of birth, mother's maiden name) appearing in personal identification documents presented by the subscriber or his representative in cooperation with GIRO Elszámolásforgalmi Zártkörűen Működő Részvénytársaság (registered office: 1054 Budapest, Vadász utca 31., Court of Registration of the Budapest Metropolitan Court Cg. 01-10-041159) in the database of the Central Office for Administrative and Electronic Public Services.
- 11) Section 47 (9a) of the Consumer Protection Act provides that the Service Provider is required to disclose the data listed in Section I. 13), points a) and b) at the request of the consumer protection authority.

## V. CONDITIONS AND METHOD OF PROCESSING THE DETAILED INVOICE APPENDIX

In case the Service Provider provides a detailed invoice appendix or a detailed list of calls at the request of the Subscriber, in order to enable the Subscriber to familiarise him/herself with and verify the sales and billing data serving as the basis of fee calculation; the Service Provider shall, to the extent and by a method required to calculate the fee and decide over any fee dispute, display the sales and billing data on the basis of a voluntary and straightforward declaration made by the Subscriber.

### 1) The basic service of the invoice appendix, detailed list of calls

As a basic service, the detailed list of calls does not include, in an identifiable way:

- a) all digits of the telephone numbers of parties called,
- b) telephone numbers announced by the National Media and Infocommunications Authority as "unidentifiable telephone numbers",
- c) data unnecessary for calculating the fee,
- d) data suitable for the identification of the caller initiating received calls.

### 2) The detailed invoice appendix, detailed list of calls with more detailed data

The Service Provider shall once again call the attention of the Subscriber to the fact that, in case the Subscriber orders a detailed call list that contains data with a higher extent of details than in the case of the basic service, then, in addition to the detailed list, the Subscriber may also gain access to the personal data of other users; and the Subscriber is only authorised to view such data if the affected users have given their consent to this, having been duly informed of such disclosure of information. The Service Provider is not obliged to verify the presence of such consent or its contents, the Subscriber is solely responsible for the consent.

The Service Provider is not authorised to include, even in the detailed list of calls with more detailed data:

- a) the detailed data of the "unidentifiable telephone numbers", announced by the National Media and Infocommunications Authority,
- b) data suitable for the identification of the calling party initiating calls received on the device of the Subscriber requesting the detailed list of calls.

## VI. IDENTIFICATION DISPLAY

On rendering voice based mobile telephone services, the Service Provider shall ensure, according to NMHH decree number 4/2012, (I.24) Article 9., Section (1):

- a) that the User initiating the call may restrict the display of his/her telephone number on the called device per each call made;
- b) that the Subscriber initiating the call may restrict the display of his/her telephone number on the device called per each Subscriber access point;
- c) that the User initiating the call may; in spite of the restriction made in point b) above, enable the display of his/her telephone number on the device called per each call made;
- d) that the Subscriber receiving the call may restrict the display of the caller identification on the device of the Subscriber receiving the call;
- e) that the Subscriber receiving the call may refuse the receipt of calls where the caller has restricted the display of caller identification.

The restriction of the display of the caller party telephone number, in accordance with Section VI. points a) and b) may not be applied in the case of calls initiated to telephone numbers of establishments essential for the operation of the state and service of the general public, in accordance with the Ministry of Interior (BM) decree 24/1997. (III.26.), the police, fire department and the ambulance services; also including calls, and SMS and MMS messages to "112", the unified European emergency hotline.

In the case of calls initiated with the use of Voice mail services, the restriction of caller telephone number is not possible due to technical reasons.

If the Subscriber fails to make a written declaration with regard to the restriction of the display of his/her telephone number, then the Service Provider considers this as consent to the display of the Subscriber's telephone number.

The Service Provider carries out the display of calls arriving from the network of different electronic communication providers on the basis of the individual decision by the Subscriber and the network contract signed between service providers.