

PRIVACY STATEMENT OF THE HSL PENALTY FARE REGISTER

Updated 24 May 2018

1 CONTROLLER OF THE DATA FILE

The controller of the data file is Helsinki Regional Transport Authority (hereinafter HSL), business ID 2274586-3.

The contact person for matters related to the data file is Inspection Supervisor Kaisa Maijala.

Address: Elielinaukio 3, 00100 Helsinki

Telephone (switchboard): +358 9 4766 4444

E-mail: etunimi.sukunimi@hsl.fi

HSL's Data Protection Officer is Antti-Pekka Röntynen.

Address: Opastinsilta 6 A, PO Box 100, HSL

Telephone (switchboard): +358 9 4766 4444

E-mail: tietosuojavastaava@hsl.fi

2 NAME OF THE DATA FILE

The name of the data file is HSL's Penalty Fare Register.

3 PURPOSE OF THE PROCESSING OF PERSONAL DATA

The purpose of the processing of personal data is the management of penalty fare notices and collection of payments as well as the development of the controller's operations.

4 LEGAL BASIS FOR PROCESSING

The legal basis of the processing of personal data is the necessity of the controller to exercise their public powers and to comply with a legal obligation, pursuant to the EU General Data Protection Regulation (hereinafter referred to as the "GDPR").

5 CONTENT OF THE DATA FILE (GROUPS OF PERSONAL DATA PROCESSED)

The data file contains the following personal data of all data subjects:

- (a) The name, national identity number and address of the person charged with the penalty fare
- (b) Date, time and route on which the penalty fare is issued
- (c) Reason for the penalty fare
- (d) Method of verifying the personal data (driving license, passport, etc.)

- (e) First and last name of the ticket inspector who issued the penalty fare.
- (f) Incident report
- (g) Information about penalty fare payment (original date, cancelled/paid/unpaid)
- (h) Number of unpaid penalty fares
- (i) Information about penalty fare enforcement
- (j) Settlements received from enforcement (monetary payment/inability to collect a payment), transfer notifications and notifications of initiation
- (k) Date of the District Court decision on the commencement of debt settlement
- (l) Information about a rectification claim made against the penalty fare and information about the decision concerning the claim
- (m) Information about an appeal lodged in the Administrative Court of Helsinki: (date of the request for information by the Administrative Court and date of the court ruling, repeal of the penalty fare/leaving it in force)
- (n) Information about interfering with the inspector
- (o) Information about ticket misuse
- (p) Date of the report of an offence and compensations paid

Disclosing personal data is a statutory obligation. It is based on the Act on Penalty Fares in Public Transport (1979/469), the reliable identification of a person in a register in accordance with the Act, and the execution of HSL's rights and obligations. Ultimately, the identity of a ticketless passenger is determined by calling the police to the scene.

6 REGULAR SOURCES OF INFORMATION

Personal data is collected at ticket inspections. If a passenger cannot present a reliable identity document, an attempt is made to determine their identity from the Population Information System.

Other data sources are authorities, such as courts of law, the police and enforcement authorities. Information about the data subjects is also obtained from banks, municipal debt counselling and other debt counselling organizations, Suomen Asiakastieto Oy and other private organizations where HSL has a legal basis for obtaining such information for the data processing purposes defined in this privacy statement.

7 PERSONAL DATA STORAGE PERIOD

Data collected in the data file are stored for only as long and only to the extent necessary with regard to the original or equivalent purposes for which the personal data was originally collected.

The data are stored in the data file for a period required by the Accounting Act and the regulations and recommendations of the Association of Finnish Local and Regional Authorities, after which they are erased. The controller regularly assesses the necessity of storing the data in accordance with its internal code of conduct. In addition, the controller will implement all reasonable measures for ensuring the immediate deletion or correction of data that is inaccurate, erroneous or obsolete for the purposes of processing.

8 RECIPIENTS OF PERSONAL DATA (RECIPIENT GROUPS) AND REGULAR DISCLOSURE OF DATA

Unpaid, past due penalty fare receivables are sent to the enforcement authority weekly. Incident report data are provided to the police upon request. In case of an appeal, all materials associated with a penalty fare case are sent to the District Court.

9 TRANSFER OF DATA TO OUTSIDE THE EUROPEAN UNION OR THE EUROPEAN ECONOMIC AREA

No personal data is transferred from the register to outside the European Union or the European Economic Area.

10 PRINCIPLES OF DATA SECURITY

Access right to the personal data in the information system is restricted to those persons in charge of the penalty fares issued by the Helsinki Regional Transport Authority, whose role entitles them to process the data. Agreements for securing the data file have been made between the controller and system suppliers. The persons referred to hereinabove have undertaken to maintain professional secrecy and the confidentiality of the data they have obtained in connection with the processing of personal data. Every user logs into the information system with personal credentials provided in connection with granting access rights to the system. The access rights will expire when the person is no longer responsible for the tasks for which they were granted.

The information system is run by HSL's service provider on a server in locked premises in a data center that is secured against unauthorized access. The system supplier is committed to storing the data in the data file in compliance with the applicable data protection legislation and good information processing practices and subject to strict professional secrecy. Workstations that are used for accessing the system are located on HSL premises that are secured against unauthorized entry.

11 RIGHTS OF DATA SUBJECTS

The penalty fare order notifies the data subject that their identifying and contact data will be registered in the Helsinki Regional Transport Authority's ticket inspection system and that the Description of the File for the system is available on the HSL website and in HSL's Registry.

The data subject can submit a request to exercise their right to access to HSL in person or in writing. The decision on the execution of the right to access is made by the person responsible for the data file. The data file does not contain data for which the right to access could not be executed.

No personal data is disclosed from the data file for purposes of direct marketing, market or opinion poll, register of persons and genealogy without the data subject's consent.

The correctness of the personal data is verified from the population information system, if necessary.

The persons managing the data file will immediately correct any errors they discover themselves.

In case a data subject demands that data in the data file be corrected, the decision on whether the data will be corrected will be made by the head of the Ticket Inspection Unit. The demand is presented to the head of the Inspection Unit or the person in charge of the data file. The correction of the data is carried out in accordance with the decision by the person in charge. As a rule, the decision on the correction of the data is made within two weeks from the demand.

Data subjects have the following rights under the EU's General Data Protection Regulation:

- (a) The right to obtain from the controller confirmation as to whether or not personal data concerning them are being processed, and, where such personal data are being processed, access to the personal data and the following data: (i) the purposes of the processing; (ii) the categories of personal data concerned; (iii) the recipients or categories of recipients to whom the personal data have been or will be disclosed; (iv) where possible, the envisaged period for which the personal data will be stored or, if not possible, the criteria used to determine that period; (v) the existence of the right to request from the controller rectification or erasure of personal data or restriction of the processing of personal data concerning the data subject or to object to such processing; (vi) the right to file a complaint with a supervisory authority; (vii) where the personal data are not collected from the data subject, any available information as to their source; [(GDPR Art. 15)]. The basic data referred to hereinabove in (i)–(vii) are provided to the data subject with this form;
- (b) The right to withdraw their consent at any time with no impact on the legality of processing performed by virtue of the consent before its withdrawal (GDPR Article 7).
- (a) The right to demand the controller to correct inaccurate and incorrect personal data concerning the data subject without undue delay, and to have incomplete personal data completed, for example, by means of providing a supplementary statement, taking into account the purposes of the processing (GDPR Article 16).
- (b) The right to obtain from the controller the erasure of personal data relating to them without undue delay, provided that (i) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; (ii) the data subject withdraws the consent on which the processing is based and where there is no other legal basis for the processing; (iii) the data subject objects to the processing on grounds relating to their particular situation, and there are no overriding legitimate grounds for the processing, or the data subject objects to processing for direct marketing purposes; (iv) the personal data have been unlawfully processed; or (v) the personal data have to be erased for compliance with a legal obligation in the Union or Member State law to which the controller is subject; [(GDPR Art. 17)];
- (c) The right to obtain from the controller the restriction of processing where one of the following applies: (i) 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; (ii) the processing is unlawful and

the data subject opposes to the erasure of the personal data and requests the restriction of their use instead; (iii) the 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 defense of legal claims; or (iv) the data subject has objected to processing on grounds relating to their particular situation, pursuant to the pending verification as to whether the legitimate grounds of the controller override those of the data subject. [(GDPR Art. 18)];

- (d) The right to access to personal data concerning them, which they provided to a controller in a structured, commonly used and machine-readable format and to transmit this data to another controller without hindrance from the controller to which the personal data have been provided, where the processing is based on consent or agreement referred to by the Regulation and is carried out by automated means [(GDPR Art. 20)];
- (e) The right to file a complaint with a supervisory authority (Office of the Data Protection Ombudsman, switchboard: +358 29 566 6700, email: tietosuoja@om.fi), if the data subject considers that the processing of his or her personal data is in violation of the EU's General Data Protection Regulation (GDPR Article 77).

Requests concerning the exercise of the rights of data subjects should be addressed to the controller in accordance with instructions provided at www.hsl.fi/privacy.

12 AMENDMENTS

HSL can make amendments to this Privacy Statement by announcing the changes on the HSL website.