

Privacy Notice (i.e. Privacy Policy)
ON PROCESSING OF PERSONAL DATA SUBJECT TO INDIVIDUAL CONSENT
TO NATURAL PERSONS WHO NOTIFY THE DATA CONTROLLER OF INCIDENTS BREACHING THE INTEGRITY

European Power Services Zrt. as Employer or Data Controller (hereinafter: Employer or Data Controller 1),
and **MVM Zrt., as Data Controller (hereinafter: Data Controller 2)**

- provide the natural persons who notify the controller of incidents breaching the integrity (**hereinafter: Whistleblower**) as well as
- the natural persons affected by the breach of integrity incident (hereinafter: **Data Subjects**)

with the following information on the processing of their personal data.

Pursuant to Articles 13 and 14 of Regulation (EU) 2016/679 of the European Parliament and of the Council 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 (GDPR or General Data Protection Regulation), the Controller provides the data subjects with the following information regarding the processing of their personal data.

This Privacy Notice applies to **the procedure for receiving and investigating notifications of incidents, complaints and risks that may compromise the organisational integrity of Data Controller 1** as defined in point 1, which is suitable for all activities to ensure the enforcement of ethical values and integrity and to effectively prevent corruption and abuse.

This Privacy Notice applies to the processing of personal data of natural persons who, as regards the scope above, notify the Data Controller(s) for the purpose of the investigation of incidents that breach integrity.

The Data Controller-1 expressly draws attention to the fact that the information on the data processing of the natural persons concerned by the notification is provided to the natural persons concerned by the notification in its employee data processing information on its website, in particular, but not exclusively, in point 12 of the information, under the heading "Conduct of an investigation in the event of suspected breach of obligations arising from employment or other legal relationship (e.g. ethical requirements), application of legal consequences in the event of breach of obligations, enforcement of employer/client claims". For the data subject(s) affected by the notification, the legal basis for the processing by the Controller(s) is the legitimate interest of the Controller(s).

1. For the purposes of this notice, the Data Controller(s) shall be:

Data Controller 1:	European Power Services Zrt. (hereinafter referred to in this Notice as: Data Controller 1)
Registered seat:	1037 Budapest, Montevidéó utca 3/A. 3.em. 34/A.
Postal address:	1037 Budapest, Montevidéó utca 3/A. 3.em. 34/A.
Website address:	www.eupowers.hu
E-mail address:	iroda@eupowers.hu
Phone:	+36 20,366 2987
Data protection officer 1:	Dr. Flóra Józán (dpo@mvm.hu)

Data Controller 2: **MVM Zrt.** (hereinafter referred to in this Notice as: **Data Controller 2**)
Registered seat: **1031 Budapest, Váci út 207-209.**
Postal address: **1031 Budapest, Váci út 207-209.**
Website address: www.mvm.hu
E-mail address: mvm@mvm.hu
Phone: +36 1 304 2000
Data protection officer 2: István Kovács (dpo@mvm.hu)

For the purpose of this Notice, personal data shall be regarded as any information relating to an identified or identifiable natural person (the Data Subject). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier (such as a name, identification number, location data, online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the natural person), the Data Subject of this processing being the natural person who made the notification.

If the Whistleblower submits a notification to Data Controller 2, please note that Data Controller 2 will act in accordance with its Privacy Notice (i.e. Privacy Policy), which is available at the following link: [AdatkezelesiTajekoztato/2022_0622_Adatkezelesi_tajekoztato_integritast_serto_esemenyt_bejelentoknek](#)

2. The main legislative rules applicable to this Data Processing

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

Furthermore, for Data Controller 2:

- Act CXXII of 2009 on the more economical operation of publicly owned companies, and the Government Decree 339/2019 (XII.23) on the internal control system of publicly owned companies.

3. The legal basis for processing is Article 6 (1)(a) of the GDPR (**processing based on consent**)

You (or in the case of a child, the parent holding parental responsibility over the child),

- by sending your notification by e-mail or
- by sending your notification by post containing your identifiable information, or
- by submitting the notification in person,

under this Notice, grant your consent to the processing (i.e. entering, recording, organising, storing, using, retrieving, transmitting, blocking, erasing, destroying, preventing further use of the data) of your personal data by the Data Controller(s) for the purposes of the processing specified below.

The provision of personal data shall be at your discretion.

You may voluntarily withdraw your consent at any time, but the withdrawal of consent does not affect the lawfulness of the processing that took place before the withdrawal. An incomplete, inconsistent or unintelligible marking shall be interpreted by the Data Controller(s) as a refusal to give consent.

4. The purpose of the present Processing is to investigate breaches by the Data Controller(s) in the event of a report of an incident that compromises integrity.

5. Scope and source of the data processed

Description of the sets of data	Why is it necessary?
<u>Name:</u>	It is necessary to identify the Whistleblowing (i.e. reporting) Natural Person.
Personal data (place of birth, date of birth, residential address) voluntarily provided by the Whistleblower in his/her notification, which makes it possible to identify the Whistleblower.	It is necessary to identify the Whistleblowing (i.e. reporting) Natural Person.
<u>E-mail address</u>	Required in order to notify the Whistleblower of the fact that an investigation is initiated or refused.
Any other personal data voluntarily provided by the Whistleblower in their notification and necessary for the investigation of the case.	It may be necessary for a partial and accurate investigation.

Source of the data processed: directly the Whistleblower concerned.

6. Those entitled to access the data

Name of addressees	Purpose of disclosure
MVMI Zrt. 7030 Paks, Vasút utca 1. Tax number: 13649588-2-17	Provides IT services to the Data Controller(s), qualifies as Data Processor.

As a general rule, the Data Subject's personal data may be accessed by employees of the Data Controller(s) in order to perform their tasks. For example, employees of the Data Controller(s) involved in the investigation of ethical issues (in particular, the individual exercising the employer's rights and the designated staff of the legal compliance function) in order to investigate the notification. The personal data will be transferred to the above Addressees. The Data Controller(s) will only transfer the Data Subject's personal data to public authorities in exceptional cases. For example, in the event of an ongoing dispute between the Data Subject and the Data Controller(s) or the natural person concerned by the notification, where official or judicial proceedings are initiated and the authority or court in charge requires the transfer of documents containing the Data Subject's personal data, or where the police approaches the Data Controller(s) and requests the transfer of documents containing the Data Subject's personal data for the purposes of its investigation. In addition, for example, the lawyer legally representing the Controller(s) will also have access to the personal data in the event of a dispute between the Data Subject and the Controller(s).

7. The duration of the processing shall be until the Data Subject voluntarily withdraws his or her consent, or for 5 years from the closure of the investigation.

8. Data security

The Data Controller(s) shall store the personal data provided by the Data Subject at the registered office or registered place of business of the Controller(s).

The Data Controller(s) shall ensure that appropriate information security measures are in place to protect the personal data of the Data Subject against, inter alia, unauthorised access or unauthorised alteration. For example, access to personal data stored on servers shall be logged, so it can always be checked who has accessed what personal data, and when. The Data Controller(s) shall take appropriate organisational measures to ensure that personal data cannot be made available to an indeterminate number of persons.

9. **Miscellaneous**

Personal data will not be transferred to third countries or international organisations. The processing of personal data detailed in this Privacy Notice does not involve automated decision-making or profiling. This Privacy Policy is available on the website of European Power Services Zrt. (www.eupowers.hu). The Data Controller 1 reserves the right to unilaterally amend this Notice in the future. Data Subjects will be informed of the amendments via the website of Data Controller 1.

10. **Rights in relation to data processing and possibilities for enforcement and redress in relation to data processing**

10.1 **Rights in relation to data processing**

The Data Subject may request the Controller(s) to:

- provide information about the processing of his or her personal data (prior to the start of the processing or during the processing)
- grant access to his or her personal data (making their personal data available by the Data Controller),
- rectify or supplement his or her personal data,
- erase or restrict (block) his or her personal data, except for mandatory processing,
- provide Data Subject with the right to data portability,
- Data Subject may object to the processing of his/her personal data.

The Data Subject may submit a data subject's request to the Data Controller(s) in accordance with point 10.2. The Data Controller(s) shall comply with the Data Subject's legitimate request within a maximum of one month and shall notify the Data Subject by sending a letter to the contact details provided by the Data Subject.

10.1.1. **Right to request information (based on the data controller's obligations under Articles 13-14 of the General Data Protection Regulation)**

The Data Subject may request information from the Data Controller(s) in accordance with point 10.2 regarding

- what of his or her personal data,
- on what legal basis,
- for what purpose,
- from what source,
- for how long are processed,
- whether it employs a data processor, and if so, the name and address of the processor, if any, and its activities in relation to the processing,
- to whom, when, under what law, to which personal data, and to whom the Data Controller(s) has (have) given access or to whom the personal data have been disclosed,
- the circumstances of any data breach, its effects and the measures taken to remedy it.

10.1.2. **Right of access (under Article 15 of the General Data Protection Regulation)**

The Data Subject has the right to receive feedback from the Controller(s) as to whether or not his or her personal data are being processed and, if such processing is ongoing, the right to access the personal data processed and to request the Controller(s) to do so in accordance with point 10.2.

The Data Controller(s) shall provide the data subject with a copy of the personal data subject to processing, unless otherwise prevented by law. Where the Data Subject has made the request by electronic means, the information shall be provided in a commonly used electronic format, unless the Data Subject requests otherwise.

10.1.3. Right to rectification and supplementation (under Article 16 of the General Data Protection Regulation)

The Data Subject may request that the Data Controller(s) amend any of his or her personal data (for example, he or she may at any time change his or her e-mail address or postal address or request that any inaccurate personal data processed by the Controller(s) be corrected by the Controller(s), in accordance with point 10.2. Taking into consideration the purpose of the processing, the Data Subject has the right to request that his or her incomplete personal data processed by the Data Controller(s) be duly completed.

10.1.4. Right of erasure (under Article 17 of the General Data Protection Regulation)

The Data Subject may request the Data Controller(s) to erase his/her personal data in accordance with point 10.2. In principle, you can request the deletion of your personal data if our processing is based on your consent, in which case your personal data will be deleted.

10.1.5. Right to restriction of processing (under Article 18 of the General Data Protection Regulation)

The Data Subject may request that his or her personal data be blocked by the Controller(s) (by clearly indicating the limited nature of the processing and ensuring that it is kept separate from other data) in accordance with point 10.2. The blocking lasts as long as the data storage is necessary for the reason indicated by the Data Subject.

The Data Subject may request the blocking of data, for example, if he or she believes that his or her notification has been unlawfully processed by the Controller(s), but it is necessary for the purposes of the official or judicial proceedings initiated by him or her that the notification is not deleted by the Controller(s). In this case, the Data Controller(s) will continue to store the personal data (e.g. the particular notification) until requested by the authority or court, after which it will delete the data.

10.1.6. Right to data portability (under Article 20 of the General Data Protection Regulation)

The Data Subject may, in accordance with point 10.2, request to receive personal data concerning him or her which he or she has provided to the Controller(s) in a structured, commonly used, machine-readable format and shall have the right to transmit such data to other controller(s) without hindrance from the Controller(s), where:

- the processing is based on consent pursuant to point (a) of Article 6(1) or point (a) of Article 9(2) or on a contract pursuant to point (b) of Article 6(1) of the GDPR; and
- or on a contract pursuant to point (b) of Article 6(1); and
- the processing is carried out by automated means.

10.2 Possibilities for enforcement and redress in relation to data management

Submitting request to the Data Controller

We recommend that you should send your request or complaint regarding the processing of your personal data to the Data Controller(s) before initiating legal or official/administrative proceedings, so that we can investigate and provide a satisfactory remedy, or, if justified, comply with any of your requests or claims under point 10.1.

The Data Controller(s) shall, without undue delay, investigate the matter, act on the request and provide information to the Data Subject in the event of the Data Subject's assertion of a right to data processing, request for information on data processing or objection or complaint regarding data processing pursuant to point 10.1, within the time limits provided for by the applicable legislation. If necessary, taking into account the complexity of the request and the number of requests, this time limit may be extended as provided for in the legislation.

If the Data Subject has submitted the request electronically, the information will be provided electronically where possible, unless the Data Subject requests otherwise. If the Data Controller(s) fails to take action on the basis of the Data Subject's request without delay, but at the latest within the time limit specified by law, it shall inform the Data Subject of the reasons for the failure to act or refusal to comply with the request and of the possibility for the Data Subject to take legal or official/administrative action in accordance with the following.

In order to exercise your rights in relation to data processing or if you have any questions or doubts about your data processed by the Data Controller(s), or if you wish to obtain information about your data, or if you wish to lodge a complaint or exercise a right under point 10.1, you may do so by means of a so-called "data subject request", in particular in writing by ordinary mail or e-mail, via the contact details of the Data Controller(s) specified in point 1.

Initiation of court proceedings

The Data Subject may take legal action against the Data Controller(s) or, in the context of processing operations within the scope of the Data Processor's activities, against the Data Processor, if he or she considers that the Controller(s) or the Data Processor acting on its behalf or at its instructions is processing his or her personal data in breach of the provisions on the processing of personal data laid down by law or by a legally binding act of the European Union.

The court shall have jurisdiction to hear the case. The lawsuit may also be brought, at the choice of the Data Subject, before the competent court having jurisdiction over the place of residence or domicile of the Data Subject.

Initiation of an official (administrative) procedure

The Data Subject may lodge a complaint with the National Authority for Data Protection and Freedom of Information (1055 Budapest, Falk Miksa utca 9-11., website: <http://naih.hu>; postal address: 1363 Budapest, Pf. 9.; phone: +36-1-391- 1400; fax: +36-1-391-1410; e-mail: ugyfelszolgalat@naih.hu) to enforce their rights, they may initiate an investigation or an administrative procedure on the grounds that their personal data are being processed in a way that has resulted in, or is likely to result in, an imminent breach of their rights, in particular,

- if they consider that the Data Controller(s) is restricting the exercise of their data subject rights as set out in point 10.1 or refusing their request to exercise those rights (initiation of an investigation); and
- if they consider that, in processing their personal data, the Data Controller(s) or a Data Processor acting on their behalf or at their instructions is (are) in breach of the provisions on the processing of personal data laid down by law or by a legally binding act of the European Union (request for a public authority procedure).