Privacy Notice (i.e. Notice of Privacy Policy)

on the processing of personal data of natural persons (collectively referred to as "intermediaries") designated as contact persons in contracts and other documents concluded by European Power Services Zrt. or by other organisations or business partners associated with the company and who contribute to the performance of contracts

Introduction

This Notice applies to the processing of personal data by European Power Services Zrt. of its business partners' intermediaries. The provisions of this Notice do not apply to data relating to non-natural persons.

The primary task of the Company as Data Controller is to determine the scope of the personal data it processes, the legal basis and purpose of the processing, as well as the means and methods of processing, in order to ensure compliance with the constitutional principles of data protection and the requirements of data security, to prevent unauthorised access to personal data, the alteration and unauthorised disclosure or use of personal data, and to ensure protection against deletion, damage or destruction.

1. Name of the Data Controller, definition of personal data and Data Subject

The Data Controller is the legal person which, alone or jointly with others, determines the purposes and means of the processing of personal data.

In the context of this information notice

Data Controller:	**European Power Services Zrt.** (hereinafter referred to in this Notice as: **Data Controller**)
Registered seat:	**1037 Budapest, Montevideo u. 9. 1. em. 6.**
Postal address:	**1037 Budapest, Montevideo u. 9. 1. em. 6.**
Website address:	www.eupowers.hu
E-mail address:	iroda@eupowers.hu
Phone:	+36 20 849 99 17
Data protection officer:	Dr. Józan Flóra (jozan.flora@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 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).

2. The subject of this Privacy Notice, the legislation on which the processing is based

The main legislative rules applicable to this Data Processing:

- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)
- Act CXII of 2011 on the Right to Informational Self-Determination and Freedom of Information
- Act V of 2013 on the Civil Code

3. Legal basis for processing

The legal basis for our data processing is primarily Article 6(1) (f) of Regulation (EU) 2016/679 of the European Parliament and of the Council, i.e. the General Data Protection Regulation;

- (Article 6(1) (f): processing necessary for the purposes of legitimate interests).

The details of the processing, the legal bases for the processing according to the purposes of the processing are set out in the table in Section 12.

4. Purposes of the processing:

- Keeping records of internal documents generated during the performance of contracts (minutes, technical documents, official authorisation documents, etc.).
- Data management for account (invoice) management purposes.
- Organisational unit-level records to ensure contact details of business partners and authorities.

The detailed definitions of the processing purposes of the processing under this Privacy Notice are set out in the table in Section 12.

5. Scope of the data processed, and source of the data

Source of the data processed: *other data controller, business partner, bidder, and contractual party.*

The scope of the data processed under this Privacy Notice is set out in the table in Section 12.

6. Persons entitled to access the data, grounds for transfers

The parties entitled to access the data under this Privacy Notice (external recipients) are set out in the table in point 12.

In the case of the Data Processors detailed in Section 9, the reason for the transfers by the Data Controller is to enable the Data Processors to carry out their processing activities as described in Section 9.

7. Period of processing and storage of personal data

The periods of processing under this Privacy Notice are set out in the table in Section 12.

8. Data security

The Data Controller undertakes to ensure the security of the personal data it processes. Taking into account the state of science and technology as well as the costs of implementation, the nature, scope, context and purposes of the processing and the varying degrees of probability and severity of the risk to the rights and freedoms of natural persons, it shall take the technical and organisational measures and establish the procedural rules to ensure that the data recorded, stored or processed are protected and to prevent their destruction, unauthorised use or unauthorised alteration.

The Data Controller also undertakes to require all third parties to whom it transfers or discloses the data on any legal basis to comply with the requirement of data security.

The Data Controller shall ensure that the processed data cannot be accessed, disclosed, transmitted, modified or deleted by any unauthorised person. Only the Data Controller, its employees and its data processor(s) may access the processed data according to the level of authorisation, and the Data Controller shall not disclose the data to third parties

who are not authorised to access the data. Employees of the Data Controller and the Data Processor may access personal data in a specific manner, according to the job functions defined by the Data Controller and the Data Processor, and according to the level of access rights.

To ensure the security of the IT systems, the Data Controller protects the IT systems with a firewall and uses a malware-detecting and malware-removing anti-virus software to prevent external and internal data loss. The Data Controller has also ensured that incoming and outgoing communications in any form are adequately monitored to prevent misuse.

The Data Controller or Data Processor classifies and processes personal data as confidential. In order to protect the electronically managed data files in the various registers, the Data Controller shall ensure that the data stored in the registers cannot be directly linked and attributed to the Data Subject, subject to the exceptions provided for by law.

The Data Controller shall ensure a level of data security appropriate to the level of risk, including, where applicable:

- the pseudonymisation and encryption of personal data,
- guaranteeing the continued confidentiality, integrity, availability and resilience (operational and development security, intrusion protection and detection, prevention of unauthorised access) of the systems and services used to process personal data
- in the event of a physical or technical incident, the ability to restore access to and availability of personal data in a timely manner (data leakage prevention; vulnerability and incident management)
- a procedure to regularly test, assess and evaluate the effectiveness of the technical and organisational measures taken to ensure the security of data processing (maintaining business continuity, protection against malicious code, secure storage, transmission and processing of data, security training of our employees)

In determining the appropriate level of security, explicit account should be taken of the risks arising from the processing, in particular from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of or access to personal data transmitted, stored or otherwise processed.

9. Data processors

It is the natural or legal person who processes personal data on behalf of the Data Controller. The following companies act as data processors ("Data Processor") in relation to Your Personal Data:

Name, registered office, identifier of the data processor	Activity carried out by the data processor	Personal data processed by the data processor
MVMI Zrt. (7030 Paks, Vasút u. 1.)	Running the IT systems of the Data Controller	The personal data described in Section 12 in the details of the purpose of the processing
MVM Services Zrt. (1081 Budapest, II. János Pál papa tér 20.)	Provision of administrative services to the Data Controller	The personal data described in Section 12 in the details of the purpose of the processing

Data processors are entitled to process the above personal data for the duration of their contract with the Data Controller and for the related period specified by law.

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<u>Possibilities for enforcement and redress in relation to data management</u>

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/fail 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/they shall inform the Data Subject of the reasons for the failure to act or refusal to comply with the request and

<u>of the possibility for the Data Subject to take legal or official/administrative action in accordance with the following</u>.

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).

11. Miscellaneous

The processing of personal data detailed in this Privacy Notice **does not involve** automated decision-making or profiling. Personal data **will not be** transferred to third countries or international organisations.

The Data Controller reserves the right to unilaterally amend this Notice in the future.

12. Detailed description of the data processing(s)

Purpose of the processing	Scope of the data processed	Legal basis for data processing	Period of data processing	Persons entitled to access the data, recipients (if any)	Purpose of the disclosure (if there is a recipient)
Registering documents generated during the performance of contracts	Name, Place of work, Job, Contact details	Legitimate interest: the processing of all documents generated by the Data Controller in the course of contractual relations established by	Retention period of records according to the subject of relevant contract or business relationship.	MVMI Zrt., (7030 Paks, Vasút u. 1.) MVM Services Zrt. (1081 Budapest, II. János Pál papa tér 20.)	Operation of other IT systems used by the Data Controller. Providing administrative services to the Data Controller.

Purpose of the processing	Scope of the data processed	Legal basis for data processing	Period of data processing	Persons entitled to access the data, recipients (if any)	Purpose of the disclosure (if there is a recipient)
(minutes, technical documents, official authorisation documents, etc.)		the Data Controller in order to fulfil contractual obligations.		Another company involved in the performance of the contract (third party).	Information-sharing, cooperation, liaising for the performance of the contract and taking into account environmental, health and safety aspects.
Invoice management	Name, Place of work, Job, Contact details	Legal obligation, legitimate interest: the management of invoices generated during the term of contractual relations established by the Data Controller.	Until the limitation period following (normally 8 years) the creation date of the document.	MVMI Zrt. (7030 Paks, Vasút u. 1.) MVM Services Zrt. (1081 Budapest, II. János Pál papa tér 20.)	Operation of other IT systems used by the Data Controller. Providing administrative services to the Data Controller.
Organisational unit level register to ensure the contact details of (existing/potential) business partners, official bodies.	Name, Place of work, Job, Contact Details, Postal address. Phone number, E-mail address	Legitimate interest: in order to facilitate smooth contact with persons working outside the Data Controller's organisational units, contractual partners, competent authorities.	5 years after the cease of the legal relationship.	MVMI Zrt. (7030 Paks, Vasút u. 1.) MVM Services Zrt. (1081 Budapest, II. János Pál papa tér 20.)	Operation of other IT systems used by the Data Controller. Providing administrative services to the Data Controller.