



## Privacy Notice

### on the personal data processed by MVM Optimum Zrt. in relation to the heating and cooling system modernisation service

#### Introduction

This Notice concerns the processing performed by MVM Optimum Zrt. in relation to the personal data disclosed to it or inevitably become known to it with regard to the provision of the heating and cooling system modernisation service. The content of the Notice shall not be applicable to data concerning persons other than natural persons.

#### 1. Description of the Controller; definition of personal data and Data Subject

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

In relation to this Notice, the following group company of MVM Group shall be deemed controller (hereinafter: „**Controller**”):

Controller:	<b>MVM Optimum Zrt.</b>
Registered office:	H-1023 Budapest, Árpád fejedelem útja 26-28.
Postal address:	H-1023 Budapest, Árpád fejedelem útja 26-28.
Company registration no.:	01-10-048700
Website:	<a href="http://www.mvmoptimum.hu">www.mvmoptimum.hu</a>
Email address:	<a href="mailto:muhel.tamas@mvm.hu">muhel.tamas@mvm.hu</a>
Phone number:	+36 70 / 489 74 62
Data Protection Officer:	Dr Flóra Józán <a href="mailto:dpo@mvm.hu">dpo@mvm.hu</a>
Representatives:	Ádám Szörényi, CEO ( <a href="mailto:szorenyi.adam@mvm.hu">szorenyi.adam@mvm.hu</a> ) and Dr Tamás Muhel, Senior Legal Counsel ( <a href="mailto:muhel.tamas@mvm.hu">muhel.tamas@mvm.hu</a> )

For the purposes of this Notice, personal data shall mean 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, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person).

#### 2. The subject matter of this Privacy Notice; legislation under which the processing is performed

##### The process of the provision of the heating and cooling system modernisation service:

A platform for price calculation has been developed on the Controller’s website; through the platform the Data Subjects may request a non-binding online offer for the provision of the heating and cooling system modernisation service. By accepting this Privacy Notice and subsequently by providing his or her personal data, the Data Subject may request the Controller to contact him or her based on the online calculation.

Upon contact, the Controller shall inform the Data Subject about which Processor (subcontractor) it wishes to engage in the performance in relation to the onsite assessment necessary for preparing the individual offer. After the onsite assessment, the Controller shall send you as Data Subject its final offer.

If you accept the Controller’s offer, you will enter into a contract with the Controller which shall provide you with the heating and cooling system modernisation service.

If you wish to carry out the modernisation of the heating and cooling systems using funds from tenders or credit institutions in relation to which the Controller performs an activity regarding the intermediation of tender consultants



or consultants dealing with the compilation of loan applications (hereinafter collectively: Tender Consultants), upon your consent the Controller shall be entitled to transfer your personal data indicated in this Privacy Notice to the Tender Consultants qualifying as independent controllers after the data transfer.

**In relation to the use of the Controller's heating and cooling system modernisation service, this Notice applies to processing**

- a) based on the Data Subjects' freely-given consent (request for offer, transfer of the personal data to the Tender Consultants),
- b) necessary for the performance of the contract established between the Controller and the Data Subject natural person if the offer has been accepted.

We hereby draw your attention to the fact that you are not obliged to consent to the processing of your data; however, the failure to consent results in the non-performance of the service (onsite assessment, making an offer, intermediation of tender consultants, contracting).

The Controller reserves the right to unilaterally modify this Notice with regard to the future. You will be informed of the changes through the Controller's website or if requested, via email.

**By providing your personal data, you declare that you have become familiar with and expressly accepted the version of this Notice valid upon data provision.** You will find below the details of processing as per each purpose of processing.

As stated in the declaration of consent, **you shall be entitled to withdraw your consent to processing at any time in the case of processing based on consent (request for offer).**

If you ask for an offer regarding the use of the heating and cooling system modernisation service, and after accepting such offer, enter into a contract with the Controller, your personal data provided in connection therewith will be processed by the Controller in accordance with the currently applicable Hungarian and EU data protection laws.

**Main legislation relating to the processing activities above:**

- a) 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
- b) Act CXII of 2011 on Informational Self-determination and Freedom of Information
- c) Act CLV of 1997 on Consumer Protection

**3. Legal bases for processing**

The legal bases for our processing shall be the following points of Article 6(1) of Regulation (EU) 2016/679 of the European Parliament and of the Council („General Data Protection Regulation“)

- a) point (a) (request for offer, data transfer to the Tender Consultants – processing based on consent), and
- b) points (b) and (c) (processing necessary for taking the measures necessary for concluding the contract and for the performance of the contract concluded as well as for the fulfilment of the legal obligation associated therewith).

**The details of processing as per each purpose of processing are included in the table below.**

**4. Purposes of processing**

The purposes of processing in relation to the processing activities set out herein are specified in detail in the table below.

**5. Set of processed data, source of data**

The set of data processed within the framework of the processing activities set out herein is specified in the table below.



During the request for offer and upon the conclusion of the contract, the Data Subject provides the Controller with his or her personal data necessary and sufficient for making the offer and concluding the contract; therefore, the source of data shall be the Data Subject.

#### **6. Persons entitled to access the data, the reason for data transfers**

The persons entitled to access the data specified in this Privacy Notice are included in the table below.

In the case of the Processors, the reason for data transfers by the Controller is to enable the Processors to perform their processing activities.

If you wish to carry out the modernisation of the heating and cooling systems using funds from tenders or credit institutions in relation to which the Controller performs an activity regarding the intermediation of tender consultants or consultants dealing with the compilation of loan applications, upon your consent the Controller shall be entitled to transfer your personal data indicated in this Privacy Notice to the Tender Consultants qualifying as independent controllers after the data transfer.

#### **7. The period of processing and storing the personal data**

The personal data processed shall be erased without delay if processing was performed not for the purposes stipulated by law or the purpose of processing no longer exists.

The data processed based on the Data Subject's consent shall also be erased at any time upon the Data Subject's request.

The period of processing under this Privacy Notice is also specified in the table below.

#### **8. Security of personal data**

The Controller undertakes to ensure the security of personal data processed by it. Taking into account the state of the art, the costs of implementation and the nature, scope, context and purposes of processing as well as the risk of varying likelihood and severity for the rights and freedoms of natural persons, the Controller shall implement appropriate technical and organisational measures and develop appropriate procedural rules to ensure the protection of the recorded, stored and processed data and to prevent the destruction, unauthorised use and unauthorised alteration thereof.

The Controller also undertakes to request every third party to whom the data are transferred or disclosed based on the Data Subjects' consent to comply with the requirements of the security of personal data.

The Controller shall ensure that the processed data are not accessible to unauthorised persons, and cannot be disclosed, transferred, altered or erased by such persons. The processed data shall exclusively be accessible to the Controller, its employees and the processor(s) engaged by it based on permission levels. The Controller shall not disclose such data to any third person not entitled to access the data.

The employees of the Controller and the Processor may access the processed personal data based on the job roles specified by the Controller and the Processor, in a specified manner and as per the permission levels. The Controller and the Processor deem personal data confidential and process the data as such.

In order to ensure the security of the IT systems, the Controller protects such systems with firewall and also uses virus scanner and anti-virus programs in order to prevent internal and external data loss. The Controller has also taken measures to properly check the electronic incoming and outgoing communication to prevent abuse. In order to ensure the protection of data sets processed electronically in various records, the Controller makes sure that the data stored in the records cannot be directly combined and associated with the user, with the exceptions stipulated by law.



The Controller shall ensure a level of security appropriate to the risk, including inter alia as appropriate:

- a) the pseudonymisation and encryption of personal data,
- b) the ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services (security in terms of operation and development, intrusion control and detection, prevention of unauthorised access),
- c) the ability to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident (prevention of data leak; vulnerability and incident management),
- d) a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of the processing (maintenance of business continuity and the protection thereof against malicious codes; secure storage, transfer and processing of data; security-related training of our employees).

In assessing the appropriate level of security account shall be taken in particular of the risks that are presented by processing, in particular from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed.

## **9. Processors**

The Processor means a natural or legal person which processes personal data on behalf of the Controller.

The Processor engaged in the performance shall be named after contact has been established with the Controller and in the event of entering into a contract, it shall also be specified therein. The Processors shall be entitled to process the personal data specified herein during the term of their contract concluded with the Controller or until the Data Subject's consent is withdrawn.

## **10. Rights related to processing and the means of right enforcement and legal remedies available related to processing**

### **10.1. Rights related to processing**

The Data Subject may request from the Controller the following:

- a) information on the processing of personal data concerning him or her (before the commencement of processing and during processing),
- b) access to the personal data concerning him or her (the provision of his or her personal data by the Controller),
- c) the rectification or completion of his or her personal data,
- d) the erasure of his or her personal data and the restriction of processing (blocking) with the exception of mandatory processing,
- e) the Data Subject has the right to data portability,
- f) the Data Subject may object to the processing of his or her personal data.

#### **10.1.1. Right to request information (based on Articles 13-14 of the General Data Protection Regulation)**

The Data Subject may request the following information in writing from the Controller through the contact details indicated in Section 10.2

- a) the processed personal data,
- b) the legal basis for processing,
- c) the purpose of processing,
- d) the source of data,
- e) the period of processing,



- f) whether a processor is engaged, and if so, the name, address and processing activity of such processor,
- g) to whom the Controller has provided access to the personal data, when, based on which law and to which data, or the person to whom it has transferred the personal data,
- h) the circumstances and effects of any personal data breach and the measures taken to eliminate such data breach.

The Controller shall fulfil the Data Subject's request within one month at the latest by sending a letter to the contact details provided.

#### **10.1.2. Right of access (based on Article 15 of the General Data Protection Regulation)**

The Data Subject shall have the right to obtain from the Controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data processed.

The Controller shall provide a copy of the personal data undergoing processing to the Data Subject if it does not breach any other legal provisions. Where the Data Subject makes the request by electronic means, and unless otherwise requested by the Data Subject, the information shall be provided in a commonly used electronic form.

#### **10.1.3. Right to rectification and completion (based on Article 16 of the General Data Protection Regulation)**

The Data Subject may request the Controller in writing through the contact details indicated in Section 10.2 to modify any of the personal data concerning him or her (e.g. he or she may change his or her email address or postal address at any time, or may request from the Controller the rectification of the inaccurate personal data concerning him or her and processed by the Controller).

Taking into account the purposes of the processing, the Data Subject shall have the right to have incomplete personal data concerning him or her and processed by the Controller completed.

The Controller shall fulfil the request within one month at the latest and notifies the Data Subject thereof in a letter sent to the contact details provided.

#### **10.1.4. Right to erasure (based on Article 17 of the General Data Protection Regulation)**

The Data Subject may request the Controller in writing through the contact details indicated in Section 10.2 to erase the personal data concerning him or her.

Basically, the erasure of personal data may be requested if our processing is based on your consent, e.g. you have consented to the processing of your personal data for the purpose of sending a quotation. In such a case, your personal data will be erased.

**If the purposes of processing are the performance of the contract in effect and the fulfilment of a legal obligation, your request to erase cannot be fulfilled.**

In such a case, we shall continue to process your personal data under the applicable law even after the termination of the contract until the expiry of the period of processing specified in this Notice.

Where no such obligation exists, the Controller shall fulfil the request within one month at the latest and notifies the Data Subject thereof in a letter sent to the contact details provided for such purpose.

#### **10.1.5. Right to blocking (restriction of processing) (based on Article 18 of the General Data Protection Regulation)**

The Data Subject may request the Controller in writing through the contact details indicated in Section 10.2 to block the personal data concerning him or her (by clearly indicating the restricted nature of processing and by performing processing separately from any other data).



Blocking shall be maintained until the reason provided by the Data Subject requires the storage of data.

The Data Subject may request the blocking of data for example where he or she deems that his or her data have been unlawfully processed by the Controller; however, for the purposes of the authority or judicial proceedings initiated by him or her the Controller shall not erase such data.

In such a case, the Controller shall continue to store the personal data (e.g. the submission or personal data concerned) until being contacted by the authority or the court; thereafter the data shall be erased.

#### **10.1.6. Right to data portability (based on Article 20 of the General Data Protection Regulation)**

The Data Subject may request in writing through the contact details indicated in Section 10.2 to receive the personal data concerning him or her, which he or she has provided to the Controller, in a structured, commonly used and machine-readable format and shall have the right to transmit those data to another controller without hindrance from the Controller, where

- a) the processing is based on consent pursuant to point (a) of Article 6(1) or point (a) of Article 9(2) of the General Data Protection Regulation, or
- b) the processing is based on the contract pursuant to point (b) of Article 6(1), and
- c) the processing is carried out by automated means.

In exercising his or her right to data portability, the Data Subject shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible.

#### **10.1.7. Right to object (based on Article 21 of the General Data Protection Regulation)**

The Data Subject shall have the right to object – in writing through the contact details indicated in Section 10.2 – to processing of personal data concerning him or her which is necessary to enforce the legitimate interests of the Controller or a third party and which is based on point (f) of Article 6(1) of the General Data Protection Regulation, including profiling based on those provisions.

The Controller shall no longer process the personal data unless the Controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the Data Subject or for the establishment, exercise or defence of legal claims.

Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing. Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.

### **10.2. Means of right enforcement and legal remedies available related to processing**

#### **Sending a request to the Controller**

Before initiating judicial or authority proceedings, we recommend you to contact the Controller and send your complaint to it regarding the processing of personal data concerning you to enable us to investigate the case and provide a reassuring solution or to fulfil any of your requests or claims under Section 10.1 if it is reasoned.

In the case of the enforcement of any rights of the Data Subject in relation to processing under Section 10.1, the Data Subject's request for information regarding processing, or his or her objection to or complaint regarding processing, the Controller shall investigate the case without undue delay and within the period specified in current laws, take action in relation to the request and provide information on the case to the Data Subject. That period may be extended as stipulated by law where necessary, taking into account the complexity and number of the requests. Where the Data Subject makes the request by electronic form means, the information shall be provided by electronic means where possible, unless otherwise requested by the Data Subject. If the Controller does not take action on the request of the Data Subject, the Controller shall inform the Data Subject without delay and at the latest within the period specified by law of the reasons for not taking action and for refusing to fulfil the request, and on the possibility of initiating judicial or authority proceedings in the case as follows.



If you wish to enforce your rights relating to processing, you have any questions or doubts regarding your personal data processed by the Controller, you wish to request information on your data or lodge a complaint, or you wish to exercise any of your rights under Section 10.1, you may do so through the concerned Controller's contact details listed in Section 1.

#### **Initiation of judicial proceedings**

The Data Subject may initiate judicial proceedings against the Controller or – in connection with processing operations falling within the scope of the processor's activity – the processor if in his or her opinion the controller or the processor acting on behalf of or on the instruction of the controller processes his or her personal data infringing the requirements relating to the processing of personal data and set out in the law or binding legal act of the European Union.

The decision in the lawsuit shall fall within the competency of the tribunal. The lawsuit may be filed – at the choice of the Data Subject – before the tribunal competent for the Data Subject's place of residence or place of abode.

#### **Initiation of authority proceedings**

In order to enforce his or her rights, the Data Subject may request from the National Authority for Data Protection and Freedom of Information (H-1055 Budapest, Falk Miksa u. 9-11. and postal address: H-1363 Budapest, Pf.: 9.; website: <http://naih.hu>; phone: +36-1-391-1400; fax: +36-1-391-1410; email: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)) the initiation of investigation or authority proceedings with reference to the fact that infringement has occurred in relation to the processing of his or her personal data, or there is an imminent risk associated therewith, thus in particular

- if in his or her opinion, the Controller restricts the exercise of his or her rights – as Data Subject – under Section 10.1 or refuses his or her request for the enforcement of such rights (initiation of investigation), and
- if in his or her opinion, during the processing of the personal data concerning him or her, the Controller or the processor acting on behalf of or on the instruction of the Controller violates the requirements relating to the processing of personal data and set out in the law or binding legal act of the European Union (requesting the conduct of authority proceedings).

#### **11. Miscellaneous**

During the processing of personal data detailed herein automated decision-making, profiling and the transfer of the personal data to third countries or international organisations are not performed.

This Privacy Notice is available on the <https://www.mvmnext.hu/> website.

The Controller reserves the right to unilaterally modify this Notice with regard to the future. The Controller informs the Data Subjects of such modifications through its website.

#### **Detailed description of the processing activities under this Notice**



Description and purpose of processing	Legal basis for processing	Set of processed data	Period of processing	Persons entitled to access the data
<p><b>Sending an offer (including onsite assessment and the intermediation of tender consultants) with the purpose of concluding and performing the contract</b></p>	<p>The Data Subject's consent – point (a) of Article 6(1) of the General Data Protection Regulation</p>	<ul style="list-style-type: none"> <li>- Name</li> <li>- Place and date of birth</li> <li>- Permanent address</li> <li>- Address for service</li> <li>- Address for invoicing</li> <li>- Phone number</li> <li>- Email address</li> <li>- The address of the real estate where the heating and cooling system is to be modernised</li> <li>- Photographs taken of the real estate, the construction works and the Equipment to be installed</li> </ul>	<p>If the Data Subject withdraws his or her consent, the personal data shall be erased in accordance with this Notice without delay. If the Data Subject does not accept the Controller's indicative offer, the data shall be erased within eight days after the Controller becomes aware thereof.</p>	<p>The employees of the product development area, the area dealing with renewable energy and the efficiency, sales, financial and legal areas at MVM Optimum Zrt., the executive officers and CEO of the Company as well as the Tender Consultants and Processors in relation to whom the Controller informs the Data Subject in advance.</p>
<p><b>Conclusion, performance and termination of the contract</b></p>	<p>Taking the measures necessary to conclude the contract and the performance of the contract concluded as well as the fulfilment of the legal obligation associated therewith (e.g. invoicing) – points (b) and (c) of Article 6(1) of the General Data Protection Regulation</p>	<ul style="list-style-type: none"> <li>- Name</li> <li>- Place and date of birth</li> <li>- Permanent address</li> <li>- Address for service</li> <li>- Address for invoicing</li> <li>- Phone number</li> <li>- Email address</li> <li>- Address of the real estate where the heating system is to be modernised</li> <li>- Photographs taken of the real estate, the construction works and the Equipment to be installed</li> </ul>	<p>Eight years following the termination of the contract document or – depending on the nature of the data – the contract (in cases set out in the Act on Accounting) or until the lapse of the general civil-law limitation period of five years.</p>	<p>The employees of the product development area, the area dealing with renewable energy and the efficiency, sales, financial and legal areas at MVM Optimum Zrt., the executive officers and CEO of the Company as well as the Processors in relation to whom the Controller informs the Data Subject in advance.</p>