

PRIVACY NOTICE

On the processing of personal data of natural persons making a report within the framework of the feedback mechanism operated by the CCGT project of MVM Tisza Erőmű Kft.

Introduction

Pursuant to Articles 13 and 14 of Regulation (EU) 2016/679 of 27 April 2016 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 (the 'GDPR'), the Data Controller provides the following information on the processing of personal data to the Data Subjects.

MVM Tisza Erőmű Kft. is committed to transparent, responsible, and open operations regarding the implementation of the CCGT (Combined Cycle Gas Turbine Power Plant) project. As part of this, it operates a feedback mechanism that provides an opportunity for stakeholders to submit their questions and observations regarding the project in a structured and documented manner. Feedback may be submitted by any natural person or organization who considers themselves affected by the project or can be regarded as an interested party. Feedback may be submitted directly or through an authorized representative.

The provisions of this notice do not apply to non-natural persons with respect to the relevant data.

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

Regarding this notice

Controller:	MVM Tisza Erőmű Kft. (hereinafter: Controller)
Registered office:	Debreceni út 2/A Tiszaújváros, Zip: 3580
Postal address:	Pf.:53 Tiszaújváros Zip: 3581
Website:	balance.mvm.hu/hu-HU/Tisza-Eromu
E-mail address:	info@tisza.mvm.hu
Phone number:	+36 49 547 333
Data Protection Officer:	István Kovács (dpo@mvm.hu)

personal data' means any information relating to an identified or identifiable natural person ('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;

controller' means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;

processor' means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;

'recipient' means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

2. Subject of this Data Processing Notice, legal framework for data processing

This Data Processing Notice applies to the processing of personal data of natural persons making a report within the framework of the Data Controller's feedback mechanism.

Main legislation relating to the processing activities and abbreviations used in this Notice:

- 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, GDPR**)
- Act CXII of 2011 on Informational Self-determination and Freedom of Information

3. Legal Basis for Data Processing

The legal base for our processing is **point (a) of Article 6(1) (processing based on consent)** of Regulation (EU) 2016/679 of the European Parliament.

Regarding the consent, please be informed that by performing an active action expressing your consent (filling out and submitting the feedback reporting form), you consent to the processing of your personal data specified below for the purposes specified below. Furthermore, since the legal basis is your consent, you are entitled to **withdraw your consent at any time**. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal. You may send your declaration regarding the withdrawal of consent to the Data Controller's contact details listed in Section 1, primarily via post or e-mail.

4. Purposes of Data Processing

MVM Tisza Erőmű Kft. operates a CCGT feedback mechanism to allow Data Subjects to report their questions and comments regarding the project. The purpose of data processing is to enable Data Subjects to provide feedback on significant project-related topics (e.g., environmental impacts, social or community involvement, health and safety, construction or operational concerns, information requests).

5. Set of processed data; source of data

Description of the data categories (if the Reporter provides personal data)	Why is it necessary?
Name	The information required to identify the natural person making the report and to register the report

Contact information (e.g., email address, phone number, mailing address, as provided by the Data Subject)	Providing feedback regarding comments made by the reporting individual via one of the contact details provided by the reporter.
Any other personal data voluntarily provided by the natural person making the report in the report itself that is relevant to the investigation of the report.	This is necessary for the evaluation and thorough investigation of the report.

The source of the processed data is the data subject themselves — the individual submitting the report or comment — who wishes to express an opinion, make a comment, or file a report regarding the CCGT project.

6. Entities entitled to access the data

Name of recipients	Purpose of disclosure
MVMI Zrt. (7030 Paks, Vasút utca 1.) adószáma: 13649588-2-17	Data Processor, responsible for operating the IT systems used by the Data Controller.

As a general rule, the Data Controller's designated employees may access the Data Subject's personal data for the purpose of performing their duties; these employees receive reports and participate in the investigation.

The personal data of the Data Subject employees can be accessed by the employees of the Data Controller performing human activities related to the purpose of data processing. Personal data is transferred to the above recipients. The Data Controller transfers the personal data of the Data Subject to other state bodies only in exceptional cases. For example, if court proceedings are initiated in a pending legal dispute between the Data Subject and the Data Controller and the proceeding court requires the transfer of documents containing the personal data of the Data Subject, the police will contact the Data Controller and will request the transfer of the documents containing the personal data of the Data Subject for the investigation. In addition, for example, the attorney-at-law legally representing the Data Controller will also have access to the personal data in the event of a legal dispute between the Data Subject and the Data Controller.

7. Duration of the processing and storage of personal data

Data processing based on consent continues until the consent is withdrawn. If the Data Subject does not withdraw their consent, the Data Controller will process the personal data provided by the reporting party for a maximum of 5 years following the conclusion of the investigation related to the report — in order to enforce any legal claims that may arise in connection with the report — in accordance with the general statute of limitations under civil law.

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 Controllers, their employees and the processor(s) engaged by them based on permission levels, 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 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 a level of security appropriate to the risk, including inter alia as appropriate:

- the pseudonymisation and encryption of personal data,
- 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)
- 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)
- 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. Other

The Data Controller does **not transfer personal data to third countries.**

During the above-described personal data processing, the Data Controller **does not perform automated decision-making or profiling.**

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 is entitled to:

- appropriate and transparent information, including to receive feedback from the Data Controller as to whether his/her personal data is being processed;
- request the correction of inaccurate personal data;
- request the deletion of his/her processed personal data, if the data processing is based solely on the consent of the Data Subject, or if the data is no longer necessary for the purposes for which they were collected, or if the data processing is unlawful;
- exercise the right to data portability, i.e. to receive his/her personal data in a commonly used, machine-readable format, to transmit it to another data controller, or request this, provided that the data processing is automated and based on a contract or consent, and that the exercise of the aforementioned right does not violate the legitimate interests or freedoms of others;
- request the restriction of the processing of his/her personal data (for example, if the accuracy of the data subject's data is disputed or the unlawfulness of the data processing has arisen until these circumstances are clarified);
- object to the processing of his/her personal data (for example, if the legal basis for data processing is the legitimate interests of the data controller or a third party), or to withdraw his/her previously given consent at any time,
- contact a supervisory authority or court in the event of data processing deemed harmful.

10.2. Content of individual rights of the Data Subject

- a) the right to access personal data:

The Data Subject has the right to receive feedback from the Controller as to whether his/her personal data is being processed and, if so, to have access to the following information:

- the categories of personal data processed,
- the purpose of the data processing,
- the recipients to whom the personal data have been or will be disclosed,
- the planned period of data storage or the criteria for determining the period
- the data subject's right to request from the data controller the rectification, erasure or restriction of processing of personal data concerning him/her and to object to the processing of such personal data;

- the source of the data, if the data were not collected from the data subject,
- the right to lodge a complaint with a supervisory authority,
- if automated decision-making or profiling is carried out during the data processing, the fact, logic and the expected consequences for the data subject;
- in accordance with the above, the data subject has the right to access the data concerning him/her – without prejudice to the personal rights of others – and to receive a free copy of it once.

b) the right to rectification of personal data

The Data Subject has the right to request that the Controller correct inaccurate personal data concerning him or her without undue delay, or to request that incomplete personal data be completed, including by means of a supplementary statement.

c) the right to delete personal data

The Data subject shall have the right to obtain from the Controller the erasure of personal data concerning him or her without undue delay, and the Controller shall be obliged to erase personal data concerning him or her without undue delay where:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed or;
- where the processing is based on the Data subject's consent, the Data Subject withdraws his or her consent and there is no other legal basis for the processing or;
- the Data Subject objects to the processing and there are no overriding legitimate grounds for the processing or;
- the personal data have been processed unlawfully or;
- the personal data must be erased for compliance with a legal obligation to which the Controller is subject or;
- the personal data were collected in connection with the provision of information society services.

There may be important reasons or interests that may allow the processing of the data subject's data even if they have requested its deletion (such as exercising the right to freedom of expression and information, or if it is necessary for the establishment, exercise, or defence of legal claims, or if the processing of the data is mandatory due to a legal requirement).

d) the right to restrict data processing

the Data Subject has the right to request that the Controller restrict the processing of the data if:

- the Data Subject disputes the accuracy of the personal data (in this case, the restriction shall last until the Controller verifies the accuracy of the personal data) or;

- the data processing is unlawful, and the Data Subject requests the restriction of their use instead of erasure, or;
- the Controller no longer needs the personal data for the purposes of the processing, but the data subject requires them for the establishment, exercise or defence of legal claims; or
- the Data Subject has objected to the processing (in this case, the restriction shall last until it is determined whether the legitimate grounds of the Controller override those of the Data Subject);

During the period of the restriction – except for cases related to important public interest or the protection of the rights of individuals – no other data processing operation may be carried out with the data other than separate storage.

e) the right to data portability

The Data Subject has the right to receive the personal data concerning him or her, which he or she has provided to a data controller, in a structured, commonly used and machine-readable format and has the right to transmit those data to another data controller. The Data Subject has this right if the processing is based on his or her consent or on a contract concluded by him or her and is carried out by automated means. The exercise of this right may not adversely affect the rights and freedoms of others.

f) right to protest

where the legal basis for the processing is the legitimate interests pursued by the controller, or where the processing is necessary for the performance of a task carried out in the public interest, the data subject shall have the right to object at any time to the processing of his or her personal data on grounds relating to his or her particular situation. In such a case, 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.

10.2.1. Exercise of data subject rights depending on the individual legal basis for data processing

Depending on each of the data processing rights, you can exercise your rights as follows								
	Information to be provided		right of access (15. article, 60-63., Pream)	Right to rectification+ supplement (16. article, 65. Pream)	right to erase/ right to be forgotten (17. article, 65., és 66. Pream)	right to restriction of processing (18. article)	right to data portability (20. article, 68. Pream)	right to object (21. article, 69. és 70. Pream)
	if personal data are collected from the data subject	if personal data have not been obtained from the data subject						
GDPR 6. article. (1) a) point, / consent	yes	yes	yes	yes	yes	yes	yes	no
GDPR 6. article. (1) b) point / contract	yes	yes	yes	yes	NO	yes	yes	NO

GDPR 6. article. (1) c) point, / legal obligation	yes	no	yes	yes	no	yes	no	no
GDPR 6. article. (1) f) point, / legitimate interest	yes	yes	yes	yes	yes ¹	yes	NO	yes

10.3. 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 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 Annex 1.

¹ the actual cancellation depends on the outcome of the balancing of interests

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., website: <http://naih.hu>; postal address: H-1363 Budapest, Pf.: 9.; phone: +36-1-391-1400; fax: +36-1-391-1410; email: 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).