

## Privacy Policy

### on the processing of personal data by Grape Solutions Zrt. of natural persons submitting external complaints and natural persons affected by such external complaints

#### Preamble

Grape Solutions Zrt. processes the personal data of natural persons submitting external complaints and natural persons affected by such external complaints (meaning the persons whose behaviour or default gave cause to the complaint and also those persons who have relevant information about the content of the complaint) in connection with the submission, receipt, examination and handling of external complaints due to misuse, irregularities related to the activity or behaviour of the company, or any of its organization units/employees. This Privacy Policy introduces the details of this data processing to the data subjects. This Privacy Policy shall not apply to data pertaining to data subjects other than natural persons.

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

Data Controller means the legal entity who determines the purposes for which and the manner in which any personal data are, or are to be, processed.

In relation to this Policy the Data Controller is:

<b>Data Controller:</b>	<b>Grape Solutions Hungary Zártkörűen Működő Részvénytársaság</b> (in this Policy hereinafter referred to as <b>Data Controller</b> )
Registered seat:	1023 Budapest, Árpád fejedelem útja 26-28.
Postal address:	1023 Budapest, Árpád fejedelem útja 26-28.
Registration no.:	01-10-047087
Website:	<a href="https://grape.solutions">https://grape.solutions</a>
E-mail address:	<a href="mailto:support@grape.hu">support@grape.hu</a>
Telephone no.:	+36-1-880-9200
Data protection officer:	dr. Józán Flóra
Availability:	<a href="mailto:Jozan.Flora@nkm.energy">Jozan.Flora@nkm.energy</a>
Representative:	Gárdonyi Zsuzsa ( <a href="mailto:Gardonyi.Zsuzsa@grape.solutions">Gardonyi.Zsuzsa@grape.solutions</a> )

From the aspect of this Policy Personal Data shall mean 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 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. Subject of this Privacy Policy, legislation serving grounds for the data processing

The present Privacy Policy pertains to **the data processing of the Data Controller of personal data in connection with the external complaints the Data Controller receives.**

The main legislation pertaining to the above data processing:

- the General Data Protection Regulation 2016/679 of the EUROPEAN PARLIAMENT AND COUNCIL (EU) (April 27, 2016) on the protection of natural persons with regard to the processing personal data and on the free movement of such data, and repealing Directive 95/46/EC (hereinafter referred to as: „General Data Protection Regulation” or “GDPR”)
- the Act CXII of 2011, on the Right of Informational Self-Determination and on Freedom of Information (hereinafter referred to as the “Privacy Act”)
- 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
- Act CLV of 1997 on consumer protection

### **3. Legal grounds of the data processing**

The legal grounds for processing data primarily is the Regulation (EU) 2016/679 of the European Parliament and of the Council (**General Data Protection Regulation**) Article 6 section (1):

- point c) (data processing required for compliance with a legal obligation).

Upon data processing required for compliance with legal obligation order by law the provisions of subsection (2) of Section 7. § of the Government Decree No. 339/2019 (XII.23.) and Section 17/A. § of the Act CLV of 1997.

**Further details of the data processing, the legal grounds for data processing as per the data processing purposes are defined in the table under section 12.**

### **4. Purpose of the data processing**

The main purpose of the processing of the personal data of the Data Subjects: receiving, examining and processing of external complaints received in relation to misuse, irregularities in connection with the activity, behaviour of the Data Controller or any of its organizational units/employees, which ensures as required by the Governmental Decree 339/2019 (XII.23.) the development of the notification system for the receipt of complaints, notification on events injuring the corporate integrity of the Data Controller as a publicly owned company and in connection with consumer complaints the requirements of the Act on consumer protection.

**Detailed definition of the data processing purposes of the data processing under this Privacy Policy are included in the table under Section 12.**

### **5. Scope of the data processed, source of the data**

**The detailed definition of the data processed during the data processing under this Privacy Policy are included in the table under Section 12.**

Sources of the data processed: personal data directly provided by the person submitting the complaint and personal data originating during the examination of the complaint. Complaints may be submitted by anyone rights or legitimate interests are injured by the action of the Data Controller or any organizational unit/employee of the Data Controller.

### **6. Persons having access to the personal data, reasons of data forwarding**

**The persons having access to the data defined in this Privacy Policy (persons within the organization of the Data Controller and external recipients) are included in the table under Section 12.**

**In case of the Data Processors detailed under section 9 the reason of the Data Controller’s data forwarding is that the Data Processors can attend their data processing tasks described undersection 9.**

## 7. Term of processing, storing personal data

The duration of the data processing under this Policy are included in the table under Section 12.

## 8. Data security

Data Controller undertakes to ensure the protection of the personal data processed by Data Controller. 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, Data Controller shall implement appropriate technical and organisational measures and implement the procedures which ensure that the recorded, stored and processed data are protected, furthermore hinder the destroy, the unauthorized use and change of the data.

Data Controller obliges himself that it will call all third parties to whom Data Controller lawfully forwards or hands over data to comply with the requirements of data security.

Data Controller shall do it best to protect the personal data it processes against unauthorized access, transformation, disclosure, deletion or destruction, accidental destruction or damage. The processed data may only be accessed by the Data Controller, its employees and the data processors deployed by the Data Controller as per access levels, the data shall not be handed over to third persons not having right to access. The employees of the Data Controller and Data Processor shall only have access to the personal data as per scope of job, specific manner and access levels defined by the Data Controller and the Data Processor.

Data Controller for the sake of security of the IT systems shall protect its IT systems with firewall, and in order to prevent external and internal data loss use virus screens. Data Controller has also arranged for the control of all forms of incoming and outgoing communication for the sake of preventing misuse.

Data Controller and Data Processor qualifies and handles the personal data as confidential data. For the protection of the data files stored electronically in different registers Data Controller ensures that the data stored in the registers – save for the exceptions defined by law – could not be directly connected to the Data Subject.

Data Controller shall ensure a level of data security appropriate to the risk, including among others, 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 used for the processing of personal data (operation- and development security, protection against intrusion and detection, prevention of unauthorized 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, handling vulnerability and incidents),
- a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of the processing (maintaining business continuity, protection against harmful codes, safe storage, forwarding, processing of data, safety training of employees).

When determining the appropriate level of security expressly such risks arising from the data processing shall be taken into account which result especially from the incidental or unlawful destruction, loss, modification, disclosure or unauthorized access to the personal data forwarded, stored or otherwise processed.

## 9. Data processors

Data processors are the natural or legal persons carrying out personal data processing on behalf of Data Controller. In connection with your personal data the following companies act as data processors (**Data Processor**):

Data Processor name, seat, ID data	Activity of the Data Processor	Personal data processed by the Data Processor
None	Not relevant	Not relevant

Data Processors shall process the above personal data during the term of their contract with Data Controller and until the duration defined by law in relation thereof.

## **10. The rights in connection with data processing and possibility of enforcement of rights and legal remedy**

### **10.1. Rights in connection with data processing**

The Data Subject may request from Data Controller the followings:

- to receive information about the facts pertaining to the data processing (before the start of the data processing or during processing),
- access to their personal data (provision of their personal data by Data Controller),
- to have their personal data rectified, or amended,
- save for the cases of compulsory data processing to have the processing of their personal data limited or to have their personal data deleted,
- right to data portability,
- may object against processing their personal data.

The Data Subject may submit its request to the Data Controller as per section 10.2 in writing. Data Controller shall perform the Data Subject's request within one month by e-mail, letter sent to the availability provided by the Data Subject.

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

Data Subjects on the availabilities defined under section 10.2 may request information from Data Controller that:

- which personal data,
- under what legal grounds,
- for what purpose,
- from which sources
- for what duration are processed,
- are any data processors deployed, if yes their name, address and activity in relation to the data processing,
- to whom the Data Controller ensured access to or forwarded personal data, when and under what legal regulation,
- the circumstances, impact and the countermeasures taken related to any personal data breach,

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

Data Subject is entitled to receive response from Data Controller regarding whether the Data Subject's personal data are processed by Data Controller and if personal data of the Data Subject are processed get access to their personal data subject to processing together with the following information from Data Controller as per section 10.2 in writing. Data Controller will provide copy of the personal data undergoing processing to the Data Subject if that is not prohibited by law. If Data Subject has submitted its request by electronic means, then the information shall be provided to the Data Subject in a commonly used electronic form unless otherwise requested by the Data Subject.

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

Through the availabilities defined under section 10.2 the Data Subject may request in writing from Data Controller to modify any of his/her personal data (for example may change his/her e-mail address or post address or request rectification any of his/her inaccurate personal data). Considering the purpose of the data processing the Data Subject is entitled to request from the Data Controller the supplementation of any of his/her incomplete personal data undergoing processing.

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

Through the availabilities defined under section 10.2 the Data Subject may request in writing from Data Controller the erasure of his/her personal data. Primarily the erasure of personal data may be requested if our data processing is based on your consent, e.g. you consented that your personal data (telephone number, e-mail) may be processed for contacting purposes. In such an event we erase the personal data. If you have provided us your personal data for the purpose to perform a contract or under law then the related processing of these personal data will not automatically cease with the termination of the contract and we cannot perform your request for erasure. In such event we have to process your personal data defined by law further on even after the termination of contract until the duration defined in this Privacy Policy.

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

Through the availabilities defined under section 10.2 the Data Subject may request in writing from Data Controller the restriction of processing of his/her personal data (by clearly indicating the restricted nature of data processing and ensuring processing separated from other data). The restriction shall last until the reason determined by Data Subject makes the storage of the data necessary. Restriction of data may be requested by the Data Subject for example if he/she thinks that his/her data has been processed by the Data Controller unlawfully, but it is necessary that the data should not be erased for the purpose of any court or administrative procedures initiated by the Data Subject. In such cases until the notification of the authority or the court the Data Controller maintains the storage of the personal data which it only erases thereafter.

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

Through the availabilities defined under section 10.2 the Data Subject may request in writing from Data Controller to receive the personal data concerning him/her, which he or she has provided to the Data Controller in a structured and commonly used and machine-readable format and forward these data to another data controller without hindrance from the Data Controller, if

- the data 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
- based on agreement as per Article 6 Section (1) point b); and
- the data processing is carried out by automatic means.

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

Through the availabilities defined under section 10.2 the Data Subject may object in writing the processing of his/her personal data pursuant to point f) Article 6 (1) of the General Data Protection Regulation required for the enforcement of rightful interest of the Data Controller or a third party, including profiling based on those provisions. In such event Data Controller shall not further process the personal data, except if the Data Controller demonstrates compelling legitimate grounds for processing which override the interests, rights and freedoms of the Data Subject or for the establishment, exercise or defence of legal claims. If personal data is processed for the purpose of direct marketing then the Data Subject is entitled to object at any time for the processing of the personal data for this purpose, including profiling if that is related to direct marketing. If the Data Subject objects the processing of the personal data for direct marketing purposes then the personal data may not be processed further on for this purpose.

## **10.2. Enforcement of rights, legal remedies in connection with data processing**

### **Contacting the Data Controller**

We recommend that before initiating any court or administrative procedure please send your request, complaint related to the data processing to Data Controller so that we can examine and satisfy it and so that we can perform your requests, claims under section 10.1 if justified.

Upon exercising any rights of the Data Subject according to section 10.1, request for information on data processing, or objection or complaint against the data processing the Data Controller without undue delay within the deadline defined by current legal regulations shall examine the case, take measures in connection with the request and provide information to the Data Subject. If required considering the complexity and number of requests this deadline may be extended according to law.

If Data Subject has submitted its request by electronic means, then the information shall be provided to the Data Subject in a commonly used electronic form unless otherwise requested by the Data Subject. Should the Data Controller fail to take measures without delay based on the request by the Data Subject at the latest within the deadline defined by law then it shall inform the Data Subject about the reason of the lack of measures, the reasons of denying the request and that the Data Subject may initiate a court or other administrative out of court procedure as follows.

**For the sake of enforcing your rights or if you have any questions, doubt about your data processed by the Data Controller or if you request information or wish to submit a complaint about your data or wish to exercise any of your rights under section 10.1 you may do so as a request by a data subject in letter, e-mail sent to the availabilities of the Data Controller.**

### **Initiating a court procedure**

The Data Subject may initiate a lawsuit against the Data Controller or against the data processor (if any) – in relation to the data processing falling within the activities of the data processor -, if in his/her view the Data Controller or the data processor engaged by Data Controller processes his/her personal data by the breach of the provisions of the legal regulation or the compulsory legal rules of the European Union on processing personal data.

The lawsuit shall fall within the competence of the regional court (törvényszék). The lawsuit – as per the choice of the Data Subject - can also be initiated before the regional court having competence based on the home address or the residence address of the Data Subject.

### **Initiating administrative procedure of the supervisory authority**

The Data Subject is entitled to request an investigation procedure or the conduction of an administrative procedure from the Hungarian National Authority for Data Protection and Freedom of Information (1055 Budapest, Falk Miksa u. 9-11., post address: 1363 Budapest, Pf. 9., telephone: +36-1-391-1400, fax: +36-1-391-1410, e-mail: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)) in order to enforce his/her rights with reference to the fact that infringement has occurred in connection with the processing of his/her personal data or the direct threat of such infringement occurred, such as in particular:

- according the Data Subject's opinion the Data Controller restricts the exercising of the rights of the Data Subject defined under Section 10.1 or rejects the request of the Data Subject regarding the enforcement of such rights (initiation of an examination), or
- in view of the Data Subject during the processing of his/her personal data the Data Controller or the data processor engaged by the Data Controller infringe the provisions of law or the compulsory legal regulations of the European Union pertaining to data processing (request for conducting an administrative procedure).

## **11. Encumbrances**

During the processing of the personal data described in this Privacy Policy automated individual decision-making, profiling does not take place.

Forwarding of personal data to third countries or international organisations does not take place.

This Privacy Policy can be found at <https://grape.solutions> website.

Data Controller reserves the right to unilaterally amend this Privacy Policy for the future. Data Controller will notify the Data Subjects of the amendments on its website and through the Intranet.

12. Detailed description of the data processing

Purpose of the data processing	Processed personal data	Legal grounds of the data processing	Duration of the data processing	Persons having access to the data External recipients (if any)	Purpose of disclosure (if there is a recipient)
<p><b>I. Ensuring the notification system for the receipt of complaints, notification on events injuring the corporate integrity – receiving and examination of complaints, disclosing the results of the examination, curing, ending the behaviour being the subject of the complaint, registration of the complaints</b></p>	<p>Name of the person submitting the complaint and his/her availabilities [depending on the manner of the submission postal address or e-mail address].</p> <p>Such personal data of the persons affected by the complaint (meaning the person whose behaviour, default gave reason for the complaint and the person who has relevant information on the content of the complaint) – also including special category of personal data and criminal data – which are inevitable for the curing, ending of the behaviour subject to the complaint.</p> <p>Furthermore the personal data provided in the complaint by the person submitting the complaint (in the description of the action being the cause of the complaint, the evidence, in the appeal), and other personal data provided by, become known during the examination, hearings from the person(s) affected by the complaint (e.g. person complained against, witness).</p>	<p>Article 6 section (1) point c) of the General Data Protection Regulation – compliance with legal regulation pertaining to the Data Controller</p> <p>Operation of the notification system as per subsection (2) Section 7. § of the Government Decree 339/2019 (XII.23.).</p>	<p>If as a result of the examination of the complaint the complaint is unjustified, or no further action is required: the personal data shall be deleted within 60 days from the date the examination has been finished.</p> <p>If based on the complaint action (e.g. legal procedure, disciplinary action) shall be taken: the personal data shall be processed by Data Controller until date the procedures initiated by the Data Controller are closed in a final and legally binding way.</p>	<p>Employees appointed for the receipt and docketing of complaints arriving by post or e-mail, Operating Director of the Data Controller, employee appointed for the examination/handling of the complaint, CEO of the Data Controller</p> <p>Data Controller does not use any data processors.</p> <p>Should the examination of the complaint raise the suspicion of a crime, criminal offence or unlawful damages or other injuries the Data Controller is entitled to initiate the proper procedures during which data forwarding may take place towards the authority performing the procedure (e.g. police, courts).</p>	-
<p><b>II. Complaints submitted by consumers – receiving and examination of complaints, disclosure of results of the</b></p>	<p>The name, address or in case of e-mail submission the e-mail address of the person submitting the complaint and qualifying as a consumer.</p> <p>Furthermore the personal data provided in the complaint by the person submitting the complaint (in the</p>	<p>Article 6 section (1) point c) of the General Data Protection Regulation – compliance with legal regulation</p>	<p>Until the expiry of the 3-year term open for initiating a procedure before the consumer protection supervisory authority [subsection (3) of Section 46. § of the Act CLV of 1997].</p>	<p>Employees appointed for the receipt and docketing of complaints arriving by post or e-mail, Operating Director of the Data Controller, employee appointed for the examination/handling of the</p>	-

<b>examination, curing, ending the behaviour being the subject of the complaint, registration of the complaints</b>	description of the action being the cause of the complaint, the evidence, in the appeal), and other personal data provided by, become known during the examination, hearings from the person(s) affected by the complaint (e.g. person complained against, witness).	pertaining to the Data Controller  Section 17/A. § of the Act CLV of 1997 on consumer protection		complaint, CEO of the Data Controller  Data Controller does not use any data processors.	
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