

Last Update: 2 September 2019

## 1. GENERAL PROVISIONS AND CONTACT INFORMATION

**MET Hungary Ltd.** (registered address: 1068 Budapest, Benczúr utca 13/B, company registration number: 01-10-046485, hereinafter referred as : the “**Company**”) processes information considered as “*personal data*” in accordance with Article 4 (1) of Regulation (EU) 2016/679 (hereinafter referred as: “**GDPR**”) in connection with natural gas sale and purchase/electricity sale and purchase contracts and in connection with contracts which are not under the scope of core activities of the Company concluded/contemplated with its present, past or possible clients (hereinafter referred as : “**Clients**”) in the subject of the provision of natural gas/electricity services and services which are not under the scope of core activities of the Company, including in particular the entering into, performance, amendment and termination of such contracts. The present privacy notice (hereinafter referred as: “**Notice**”) provides information on the processing of such personal data, as well as the rights and remedies of the Data Subjects related to the processing of their data. The Company is required to apply the provisions of the GDPR from 25 May 2018.

In addition to this Notice, the provisions of other policies of the Company, to the effect that they do not contradict the present Notice, with respect to certain data processing operations shall also be applicable.

The registered seat of the Company: 1068 Budapest, Benczúr utca 13 B.

Registration number: 01-10-046485

Telephone number: +36 -1-464-1111

E-mail address: [gaz@met.com](mailto:gaz@met.com)

Website: <https://hugas.met.com>

**The contact details of Data Protection Officer (hereinafter the: “DPO”)**

BDO Legal Jókay Law Office

Address: H-1103 Budapest, Kőér street 2/A

Telephone number. +36 1 235 30 10

E-mail address: [adatvedelem@bdolegal.hu](mailto:adatvedelem@bdolegal.hu)

## 2. THE UPDATING AND THE AVAILABILITY OF THE NOTICE

The Company reserves the right to modify the present Notice unilaterally, with effect subsequent to such modification. The Company also reserves the right to modify or revoke the provisions of the Notice on the basis of its unilateral decision, informing the Client of this fact by way of making the effective version of the Notice available on its website. The present Notice may be modified, in particular, when necessary due to any change in the relevant legislation, the practice of the data protection authority, in the business requirements or due to newly discovered security risks.

## 3. RECOGNITION AND ACCEPTANCE OF THE NOTICE

By making the given personal data available, the Client declares that it has become familiar with the version of the present Notice, as in effect at the time of making the data or information available, and that it expressly accepts the same.

The Client declares further that it shall ensure that all Data Subjects also become familiar with the Notice whose personal data the Client makes available to the Company while acting on behalf of or in representation of them (hereinafter referred as: “**Data Subjects**”).

In certain cases, specific data protection conditions may also be applicable, on which the Data Subjects shall be separately informed.

#### 4. THE SCOPE OF THE PROCESSED DATA AND THE PURPOSES OF THE DATA PROCESSING

The Client shall, in all cases, make the personal data available to the Company in compliance with the relevant provisions of law. The Client shall warrant that it has makes the personal data available on the basis of proper and informed consent or any other legal basis. The Company shall not be liable for any damage, loss or injury occurring as a result of the Client's breach of the above obligation or declaration.

In addition to the above, personal data may come from the following publicly accessible source(s):

- <https://www.e-ceggyzek.hu/>
- <https://www.opten.hu/>

The scope of the data processed, the purposes of the data processing, the legal basis of data processing, the duration of the data processing and the scope of the persons authorised to access the data are shown in the following table.

Scope of the data processed	The purpose of the data processing	The legal basis of data processing	Retention period	Persons authorised to access the data
Name, position, place of work, phone number/mobile number/fax number, e-mail address, postal address	In connection with the performance, amendment, termination of contract maintenance of contact, enforcement of claims	Legitimate interest as defined in GDPR Article 6 (1), paragraph f)	5 years after the end of being a party to a contract between the Company and the Client or until the exercise of the right of objection	To the extent necessary for the performance of tasks by employees of the Company's units engaged in retail and wholesale, claim management and financial activities (including, in particular, the Retail/Wholesale/Marketing and Communication, Financial Departments)
Name, position, place of work, phone number/mobile number/fax number, e-mail address, postal address	Settling of accounts, accounting,	The performance of a legal obligation, as defined in GDPR Article 6 (1), paragraph c)	8 years after the end of the contractual relationship	To the extent necessary for the performance of tasks by employees of the Company's units engaged in retail and wholesale, claim management and financial activities (including, in particular, the Retail/Wholesale/Marketing and Communication, Financial Departments)
Name, position, place of work, phone number/mobile number/fax number, e-mail address, postal address	For direct marketing purposes; sending of offers to Clients in a contractual relationship or contacting them with a marketing purpose	Legitimate interest as defined in GDPR Article 6 (1), paragraph f)	5 years after the end of being a party to a contract between the Company and the Client or until the exercise of the right of objection	To the extent necessary for the performance of tasks by employees of the Company's units engaged in retail and wholesale, claim management and financial activities (including, in particular, the Retail/Wholesale/Marketing and Communication, Financial Departments)

In the course of the balancing test carried out to define the scope of data to be processed, the Company has assessed that the performance (conclusion, amendment, termination) of the contract, compliance with certain of the Company's legal obligations, the enforcement of its claims and the protection of its interests at a proper level is not possible without the processing of the personal data identified in the present Notice

#### 5. THE DETAILS OF THE DATA PROCESSING

**The purpose of the data processing: general business-purpose data processing.** The processing of data for the purposes of concluding and performing contracts with the Clients, settling accounts, accounting, enforcing claims, maintaining contact (invoicing, metering, financial, nomination contractual contact persons), providing offers. Without the processing of these data, the Company would not be able to maintain contact with the Client, comply with its obligations arising from accounting and taxation laws, and the lack of data processing may have an adverse effect on the Company's possibilities for enforcing claims.

**The legal basis of the data processing:** GDPR, Article 6 (1) paragraph a) and/or c) and/or f).

**Scope of the data processed:** Personal data related to the Client and the natural persons acting on the Client's behalf, such as (name, position, place of work, phone number/mobile number/fax number, e-mail address, contact address, postal address)

**The duration of the data processing (retention period)**

- In connection with the enforcement of a civil law claim or the performance of an obligation, the data shall be retained, pursuant to Section 6:22 of Act V of 2012 on the Civil Code (hereinafter: the "**Civil Code**") for a period of **5 years** after the end of the civil-law legal relationship with the Data Subject.
- If the Company is required to retain the data pursuant to Sections 168-169 of Act C of 2000 on accounting (hereinafter: the "**Accounting Act**"), then the Company shall delete such data **8 years** after the end of the contractual relationship. One such case in practice is when the data constitute a part of the documents supporting the accounting, such as data included in documents related to contracting (e.g. in an order) or an issued invoice.
- If the Company processes personal data for the purpose of making or providing offers for Clients or for further maintenance of contacts, such data may be processed until the Data Subject **exercises his or her right to object**.

## **6. PERSONS ENTITLED TO ACT AS PROCESSORS**

The Company shall not use further data processors for the performance of the technical tasks related to the data processing operations.

## **7. THE TRANSMISSION OF DATA TO OTHER CONTROLLERS**

The Company shall not transmit the personal data- beyond legal obligation- to other data controllers. In case Company transmits the personal data excluding the case of legal obligation it shall disclose such information to the Data Subject.

## **8. DATA SECURITY MEASURES**

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 Company shall implement appropriate technical and organisational measures – as determined in a separate, internal policy – to ensure a level of security appropriate to the risk.

## **9. THE RIGHTS AND LEGAL REMEDIES AVAILABLE TO DATA SUBJECTS**

### **9.1 Rights and legal remedies related to data protection**

The rights and legal remedies available to Data Subjects shall be those included in detail in the relevant provisions of the GDPR (including, in particular, Articles 15, 16, 17, 18, 19, 20, 21, 22, 77, 78, 79, 80 and 82). The following summary includes the most important provisions, and the Company provides information to Data Subjects accordingly on their rights and remedies related to the data processing.

The Company shall provide information on actions taken on a request (see Articles 15 to 22 of the GDPR) to the Data Subject without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests. The Company shall inform the Data Subject of any such extension within one month of receipt of the request, together with the reasons for the delay.



The Company shall provide the information requested by the Data Subject in writing or – where the Data Subject makes the request by electronic form – electronically. The information may also be provided to the Data Subject orally, provided that the identity of the Data Subject is proven for the Company.

## 9.2 Right of access by the Data Subject

- (1) The Data Subject shall have the right to obtain from the Company confirmation as to whether or not personal data concerning him or her are being processed. If such data processing is in progress, the Data Subject shall have the right of access to the personal data and to the following information:
  - a) the purposes of the data processing;
  - b) the categories of personal data concerned;
  - c) the recipients or categories of recipients to whom the personal data has been or will be disclosed by the company, in particular recipients in third countries or international organisations;
  - d) if applicable the planned duration of storing the personal data, or when it is not possible to provide, the criteria for the determination of such duration;
  - e) the existence of the right to request from the Company access to and rectification or erasure of personal data or restriction of processing concerning the Data Subject and to object to processing as well as the right to data portability;
  - f) the right to lodge a complaint with a supervisory authority;
  - g) if the personal data is not collected from the Data Subject, any available information as to their source;
  - h) the existence of automated decision-making, including profiling (see Article 22(1) and (4) of the GDPR) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the Data Subject.
- (2) If the personal data is transferred to a third country or to an international organisation, the Data Subject shall have the right to be informed of the appropriate safeguards relating to the transfer.
- (3) The Company shall provide a copy of the personal data undergoing processing. For any further copies requested by the Data Subject, the Company may charge a reasonable fee based on administrative costs. If the Data Subject submitted the request by electronic means, and unless otherwise requested by the Data Subject, the information shall be provided in a commonly used electronic form.

## 9.3 Right to rectification

The Data Subject shall have the right to request that the Company rectify any incorrect personal information pertaining to him/her, when requested, without any undue delay. The Data Subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

## 9.4 Right to erasure (“right to be forgotten”)

- (1) The Data Subject shall have the right to obtain from the Company the erasure of personal data concerning him or her without undue delay where one of the following grounds applies:
  - a) the personal data is no longer necessary in relation to the purposes for which they were collected or otherwise processed by the Company;
  - b) the Data Subject withdraws its consent on which the processing is based, and where there is no other legal basis for the processing;

- c) the Data Subject objects to the processing and there are no overriding legitimate grounds for the processing;
  - d) the personal data have been unlawfully processed;
  - e) the personal data has to be erased for compliance with a legal obligation in European Union or Member State law to which the Company is subject;
  - f) the personal data have been collected in relation to the offer of information society services referred.
- (2) If the Company disclosed the personal data and is obliged to erase under the above provisions the Company, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the Data Subject has requested the erasure by such controllers of any links to, or copy or replication of, those personal data.
- (3) Paragraphs (1) and (2) shall not apply to the extent that processing is necessary, including the following cases:
- a) for the purpose exercising the right of freedom of expression and information;
  - b) for compliance with a legal obligation which requires processing by European Union or Member State law to which the Company is subject;
  - c) for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Company;
  - d) for the purpose of public interest in the area of public health;
  - e) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in so far as the right referred to in paragraph (1) is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
  - f) for the establishment, exercise or defence of legal claims.

## 9.5 Right to restriction of processing

- (1) The Data Subject shall have the right to obtain from the Company restriction of processing where one of the following applies:
- a) the accuracy of the personal data is contested by the Data Subject, for a period enabling the Company to verify the accuracy of the personal data;
  - b) the processing is unlawful and the Data Subject objects to the deletion of the personal data and requests the restriction of these thereof instead;
  - c) the Company no longer needs the personal data for the purposes of the processing, but they are required by the Data Subject for the establishment, exercise or defence of legal claims; or
  - d) the Data Subject has objected to processing, pending the verification whether the legitimate grounds of the Company override those of the Data Subject.
- (2) If the data processing has been restricted under paragraph (1), such personal data shall, with the exception of storage, only be processed with the Data Subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the European Union or of a Member State.
- (3) A Data Subject who has obtained restriction of processing pursuant to paragraph (1) shall be informed by the Company before the restriction of processing is lifted.

## 9.6 Notification obligation regarding rectification or erasure of personal data or restriction of processing

The Company shall communicate any rectification or erasure of personal data or restriction of processing carried out to each recipient to whom the personal data has been disclosed, unless this proves impossible or involves disproportionate effort. The Company shall inform the Data Subject about those recipients if the Data Subject requests it.

### 9.7 Right to data portability

- (1) The Data Subject shall have the right to receive the personal data concerning him or her, which he or she has provided to the Company, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the Company, where:
  - a) the processing is based on consent or on a contract; and
  - b) the processing is carried out by automated means.
- (2) In exercising his or her right to data portability pursuant to paragraph (1), the Data Subject shall have the right to have the personal data transmitted directly from one controller to another (including between the Company and other controllers), where technically feasible.
- (3) The exercise of the right to referred to above shall be without prejudice to the right to erasure ("right to be forgotten") and shall not adversely affect the rights and freedoms of others.

### 9.8 Right to object

- (1) The Data Subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her which is based on a legitimate interest, including profiling. The Company shall no longer process the personal data unless the Company 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.
- (2) If the personal data is processed for scientific or historical research purposes or statistical purposes, the Data Subject, on grounds relating to his or her particular situation, shall have the right to object to processing of personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

### 9.9 Right to lodge a complaint with the supervisory authority

The Data Subject shall have the right to lodge a complaint with a supervisory authority, in particular in the Member State of his or her habitual residence, place of work or place of the alleged infringement, if the Data Subject considers that the processing of personal data relating to him or her infringes the provisions of the GDPR. The competent supervisory authority in Hungary: **National Authority for Data Protection and Freedom of Information** (website: <http://naih.hu/>; physical address: 1125 Budapest, Szilágyi Erzsébet fasor 22/c; postal address: 1530 Budapest, P.O. Box 5; phone number: +36-1-391-1400; fax number: +36-1-391-1410; e-mail: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)).

### 9.10 Right to an effective judicial remedy against a supervisory authority

- (1) The Data Subject shall have the right to an effective judicial remedy against a legally binding decision of the supervisory authority concerning him or her.
- (2) The Data Subject shall have the right to an effective judicial remedy where the supervisory authority does not handle a complaint or does not inform the Data Subject within three months on the progress or outcome of the complaint lodged.
- (2) Proceedings against a supervisory authority shall be brought before the courts of the Member State where the supervisory authority is established.

#### 9.11 Right to an effective judicial remedy against the Company or the data processor

- (1) Without prejudice to any available administrative or non-judicial remedy, including the right to lodge a complaint with a supervisory authority, each Data Subject shall have the right to an effective judicial remedy where he or she considers that his or her rights under the GDPR have been infringed as a result of the processing of his or her personal data in non-compliance with the GDPR.
- (2) Proceedings against the Company or the data processor shall be brought before the courts of the Member State where the controller or processor has an establishment. Alternatively, such proceedings may be brought before the courts of the Member State where the Data Subject has his or her habitual residence. For further information regarding the contact details of the competent court please refer on the following website: <https://birosag.hu/>