

## Data Processing Notice

This Data Processing Notice (hereinafter referred to as the “**Data Processing Notice**”) describes the data processing activities carried out by **HUPX Hungarian Power Exchange Ltd. (HUPX Ltd.)** in the course of providing its services (operating the HUPX organized electricity market).

### 1. Name and Contact Details of the Data Controller:

Name of Data Controller:	HUPX Hungarian Power Exchange Ltd. (HUPX Ltd.)
Registered Address of Data Controller:	H-1134 Budapest, Dévai utca 26-28.
Website:	<a href="http://hupx.hu">hupx.hu</a>
Contact Information of Data Controller:	<a href="mailto:dataprotection@hupx.hu">dataprotection@hupx.hu</a>
Data Protection Officer:	Dr. András Sipos

### 2. Data Processing Related to the Services Provided by the Data Controller

#### 2.1. Membership Application for the Organized Electricity Market

Only legal entities are eligible to apply for membership to the Data Controller. However, during the membership application process, a significant amount of personal data is transmitted to the Data Controller. The candidate company becomes eligible to start trading and enter into transactions on the Data Controller’s markets only after successfully being admitted to the exchange. If the membership prerequisites are met—which are detailed on the website—the applicant is required to submit the original copies of the forms and supplementary documents indicated on the website by post, in the specified number of copies, to the Data Controller. A scanned copy of each document must also be sent via email to [membership@hupx.hu](mailto:membership@hupx.hu).

<b>Purpose of Data Processing</b>	Conducting the membership application procedure to the Data Controller.
<b>Scope of Processed Data</b>	The name, email address, phone number, and position of the contact persons.
<b>Data Subjects</b>	Employees of legal entities applying for membership during the membership process.
<b>Legal Basis for Data Processing</b>	Article 6(1)(f) of the GDPR, based on the legitimate interest of the Data Controller in contacting and enforcing rights. Data subjects may object to the data processing using the contact details provided in Section 1.
<b>Data Retention Period</b>	During the membership relationship and for 5 years after its termination.
<b>Source of the Data</b>	The data subject or the company representative.
<b>Rights Exercisable in Relation to Data Processing</b>	Rights specified in points 4/a-d and f.

## 2.2. Traders' Examination and Online Training Conducted as Part of Adult Education

Trader exam and online training within the framework of adult education Traders must have a special qualification in order to pursue trading. The existence of this special qualification must be verified by passing an exam (hereinafter as: “**Trader Exam**”). Once this Trader Exam is passed by the trader, it shall be granted a HUPX Trader qualification.

Candidates can apply for the trader training and exam by sending the duly completed and signed application form, both electronically and in original (hard) copy. For further information regarding the application process, please consult the menu item of the Data Controller’s Website titled “MEMBERSHIP” and within that “TRADER EXAM”.

Both the trader training and the Trader Exam are carried out within the framework of adult education pursuant to Act LXXVII of 2013 on Adult Education (hereinafter as: **Adult Education Act**).

<b>Purpose of data processing</b>	To enter into an adult education contract with the Data Controller, to conduct the Trader Exam, to ensure access to the online training, and to ensure that the Data Controller fulfils its obligations undertaken in the adult education contract concluded according to the Adult Education Act
<b>Scope of processed data</b>	Personal data relating to the Trader Exam and the trader training: <ul style="list-style-type: none"><li>- your natural person identification data (name, name at birth, mother's maiden name, place and date of birth, country of birth),</li><li>- your education identification number in connection with the issue of your education identification number,</li><li>- your e-mail address,</li><li>- your highest level of education,</li><li>- your data processed in relation to the training, relating to your highest level of education, vocational qualification, professional qualification and foreign language skills, your admission into and completion of the training, your exit from training if you have not completed training, your assessment and qualification during training, your payment obligations in relation to training and the training loan taken up,</li><li>- your position,</li><li>- your phone number.</li></ul>
<b>Scope of data subjects</b>	Persons who have entered into an adult education contract with the Data Controller and who participate in the Data Controller's trader training and Trader Exam.
<b>Legal basis of processing</b>	Fulfilment of a legal obligation pursuant to Article 6(1)(c) of the GDPR, except for the data relating to the data subject’s position and phone number, for which the legal basis of processing is the data subject’s consent pursuant to Article 6(1)(a) of the GDPR.
<b>Time limit for data storage</b>	Last day of 8 years from the date when the adult education contract was concluded

<b>Source of the data</b>	Data collected from the data subject. The educational identifier may also be provided by the data reporting system.
<b>Possible consequences of failure to provide the data</b>	The provision of data is mandatory (except for the data relating to the position and phone number of the data subject). Please note that the provision of your data as a natural person participating in the training is a prerequisite for the conclusion of the adult education contract in accordance with the relevant legislation, and without the processing of your personal data we cannot ensure your participation in the adult education and we cannot fulfil our data reporting/data transfer obligations
<b>Data transfer to third countries or to international organisations</b>	<p>Please be informed that the Data Controller, as an adult education provider, provides data to the adult education state administration body in the adult education data reporting system pursuant to the Adult Education Act. The following data are affected by the data reporting:</p> <ul style="list-style-type: none"> <li>- information on the name, nature, place, number of hours of the training, the first day of training and, except in the case of closed system distance learning (e-learning), the planned date of completion of the training;</li> <li>- your natural person identification data, your e-mail address and your highest level of education; -data on the training fee and the payer of the training fee.</li> </ul> <p>Please be informed that no data are transferred to third countries or to international organisations.</p>
<b>Rights exercisable in relation to data processing</b>	<p>For mandatory data: Rights specified in points 4/a-d.</p> <p>For optional data: Rights specified in points 4/a-e and g.</p>

**We inform you that the adult education administrative authority will send a questionnaire to the participant after the training.**

### **2.3. Data Processing Related to Job Applications**

During the selection of employees, Data Controller processes personal data. Applicants may apply for different vacancies under the menu item of the Website titled “Career”.

Information related to this data processing shall be provided by the Data Controller under the Data Processing Notice available at the following link: <https://hupx.hu> under the menu item title “Career”

### **2.4. Contact data**

The Data Controller ensures the opportunity for its clients and users visiting the Website to contact the Data Controller through any of the contact channels specified on the Website.

<b>Purpose of processing:</b>	Liaising with clients and contacting them.
<b>Scope of processed data:</b>	Name, address, e-mail address, possibly phone number of the data subject, and other information related to the request/contacting.

<b>Scope of data subjects:</b>	Persons contacting the Data Controller.
<b>Legal basis of data processing:</b>	Based on Article 6(1)(f) of the GDPR, the Data Controller has a legitimate interest in maintaining contact and enforcing its rights. You may object to the data processing using the contact details provided in Section 1.
<b>Time limit for data storage:</b>	Until the termination of the contact or until the contact person is replaced. In the case of personal data included in a contract, for 5 years following the termination of the contract.
<b>Source of the data:</b>	Data collected from the data subject
<b>Rights exercisable in relation to data processing:</b>	Rights specified in points 4/a-d and f.

## 2.5. Registration and use of HUPX LABS platform

The Data Controller ensures the opportunity for its clients and users visiting the HUPX LABS website (labs.hupx.hu) to contact the Data Controller through any of the contact details provided on the website, register and use the services available on the website.

<b>Purpose of processing:</b>	Liaising with clients, contacting and provide service to them.
<b>Scope of processed data:</b>	Name, address, e-mail address, possibly phone number of the data subject.
<b>Scope of data subjects:</b>	Persons contacting the Data Controller.
<b>Legal basis of data processing:</b>	Based on Article 6(1)(f) of the GDPR, the Data Controller has a legitimate interest in maintaining contact and enforcing its rights. You may object to the data processing using the contact details provided in Section 1.
<b>Time limit for data storage:</b>	Until the termination of the contact or until the contact person is replaced. In the case of personal data included in a contract, for 5 years following the termination of the contract.
<b>Source of the data:</b>	Data collected from the data subject
<b>Rights exercisable in relation to data processing:</b>	Rights specified in points 4/a-d and f.

## 3. Currently effective list of the processors of the Data Controller

- **BDO Magyarország Könyvelő és Bérszámfejtő Korlátolt Felelősségű Társaság** (registered office: 1103 Budapest, Kőér utca 2/A C. ép.; company registration number: 01-09-683046; tax number: 11915609-4-42; for the purpose of performance of bookkeeping and payroll accounting tasks);
- **CEEGEX Közép-Kelet-Európai Szervezett Földgázpiac Zártkörűen Működő Részvénytársaság** (registered office: 1134 Budapest, Dévai utca 26-28.; company

registration number: 01-10-047091; tax number: 23408612-2-41; for the purpose of performance of market operation, market development and market surveillance tasks);

- **European Power Exchange SE** (registered office: 75002 Párizs, 5 Boulevard Montmartre, Franciaország; company registration number: 508 010 501; tax number: FR10508010501; for the purpose of providing trading system);
- **HUDEX Magyar Derivatív Energiatőzsde Zártkörűen Működő Részvénytársaság** (registered office: 1134 Budapest, Dévai utca 26-28.; company registration number: 01-10-049303; tax number: 25941667-2-41; for the purpose of IT services);
- **KARÁDI Rendszerház Korlátolt Felelősségű Társaság** (registered office: 4400 Nyíregyháza, Dózsa György utca 3. 1. em.; company registration number: 15-09- 064405; tax number: 11496573-2-15; for the purpose of IT services);
- **Oxy-Med Orvosi Szolgáltató Korlátolt Felelősségű Társaság** (registered office: 1132 Budapest, Váci út 32. 1. em. 1.; company registration number: 01-09-930569; tax number: 11696704-1-41; for the purpose of provision of occupational health services);
- **SBP Systems Korlátolt Felelősségű Társaság** (registered office: 1037 Budapest, Montevideo utca 6. III. em. 1.; company registration number: 01-09-896815; tax number: 14278565-2-41; for the purpose of operation and development of applications);
- **Zoho Corporation B.V.** (registered office: 3527 HT UTRECHT, Netherlands; for the purpose of storing customer data in relation to the operation of the ZOHO CRM software)
- **FelhőNet Kft.** (registered office: 2039 Pusztazámor, Erkel Ferenc utca 17/A.; for the purpose of storing customer data and providing support activities in relation to the operation of the ZOHO CRM software.)
- **Lexunit Zrt.** (registered office: 1136 Budapest, Tátra utca 15/A 3. em. 3. ajtó; for the purpose of providing support activities in relation to the operation of the HUPX LABS).

#### **4. Enforcement of the rights of data subjects**

You are entitled to the rights detailed in this section. If you wish to exercise any of these rights, please contact us using one of the means provided in Section 1.

##### *Identification*

Before fulfilling your request, we must verify your identity. To do so, it is sufficient to provide some personal data that we already have on record.

##### *Response to the Request*

After identification, we will provide information regarding your request or inquiry—either by letter or email, depending on the form of your submission.

##### *Response Time*

We will provide information on the actions taken in response to your request within 1 (one) month of receiving the request at the latest. If necessary, taking into account the complexity and number of requests, this deadline may be extended by an additional 2 (two) months, of which

you will be notified within the initial 1 (one) month response period. If no action is taken, you will be informed within the 1 (one) month response time, and you have the right to submit a complaint to the NAIH and seek judicial remedies.

#### *Fees for Processing*

The requested information and actions are free of charge. An exception applies if the request is clearly unfounded or—particularly due to its repetitive nature—excessive. In such cases, we may charge a fee or refuse to comply with the request.

#### **a) Right to information and access**

In accordance with the obligation set out in Article 13 of the GDPR, the Data Controller is required to provide the following information on data processing to the data subject, if the personal data comes from the data subject, at the time of obtaining the personal data:

- a) the identity and the contact details of the controller and its representative;
- b) the contact details of the data protection officer, where applicable;
- c) the purpose of the processing for which the personal data are intended as well as the legal basis for the processing;
- d) the recipients or categories of recipients of the personal data, if any;
- e) the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period;
- f) information about the existence of the right to request from the data controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject or to object to processing as well as the right to data portability;
- g) where the processing is based on consent, the existence of the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal;
- h) the right to lodge a complaint with a supervisory authority;
- i) whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the data subject is obliged to provide the personal data and of the possible consequences of failure to provide such data.

Where personal data have not been obtained from the data subject, the Data Controller shall provide the data subject with the above information and in addition to them, pursuant to Article 14 of the GDPR, the following information:

- a) the categories of personal data concerned;
- b) the recipients or categories of recipients of the personal data, if any;
- c) from which source the personal data originate, and if applicable, whether it came from publicly accessible sources.

#### **b) Right to rectification**

The data subject shall have the right to obtain from the Data Controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes

of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

### **c) Right to erasure (“right to be forgotten”)**

The data subject shall have the right to obtain from the Data Controller the erasure of personal data concerning him or her without undue delay and the Data Controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- b) the data subject withdraws his/her consent underlying the processing and there is no other legal basis for the processing;
- c) the personal data have been unlawfully processed;
- d) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the data controller is subject; OR
- e) the personal data have been collected in relation to the offer of information society services.

The data subject’s right to erasure can only be restricted in the case of the following exceptions as per the GDPR, i.e. even if the above reasons exist, the further retention of personal data may be considered lawful,

- a) if it is necessary for exercising the right to freedom of expression and information, or
- b) if it is necessary for compliance with a legal obligation (i.e. a legal obligation in the Data Processing Register for an activity defined by the legal basis for a period appropriate to the purpose of data processing), or
- c) if it is necessary for performance of a task carried out in the public interest, or
- d) if it is necessary for the exercising of an official authority vested in the data controller, or
- e) if it is necessary for the fulfilment of public interest affecting the area of public health,
- f) if it is necessary for archiving in the public interest, or
- g) if it is necessary for scientific or historical research or for statistical purposes, or
- h) if it is necessary for the establishment, exercise or defence of legal claims.

### **d) Restriction of Data Processing**

Data subjects may request the restriction of data processing if any of the following conditions are met:

- a) If data subjects contest the accuracy of the personal data, in which case the restriction applies for the period necessary to verify the accuracy of the personal data;
- b) The data processing is unlawful, but data subjects oppose the erasure of the data and instead request the restriction of their use;
- c) The personal data is no longer needed for the purposes of the data processing, but data subjects require it for the establishment, exercise, or defense of legal claims;

- d) Data subjects have objected to the data processing; in this case, the restriction applies for the period until it is determined whether the legitimate grounds of the Data Controller override those of the data subjects.

In the case of restriction, personal data may only be processed, except for storage, with the data subjects' consent, or for the establishment, exercise, or defense 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 Union or of a Member State.

#### **e) Right to data portability**

The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to the Data Controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another data controller without hindrance from the data controller to which the personal data have been provided, if:

- the data subject's consent was the legal basis of processing or the processing was necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract [Article 6(1) or point (b) or Article 9(2)(a) of the GDPR]

AND

- the processing is carried out by automated means.

#### **f) Right to Object to the Processing of Personal Data**

Data subjects have the right to object to the processing of their personal data if the legal basis for the processing is the legitimate interest of the Data Controller or a third party. In such cases, the personal data will be deleted unless the processing is justified by compelling legitimate grounds that override the interests, rights, and freedoms of the data subjects, or if it is necessary for the establishment, exercise, or defense of legal claims.

#### **g) Right to Withdraw Consent**

If the legal basis for the processing of personal data by the Data Controller is the data subject's consent, then the data subject has the right to withdraw their consent to the data processing at any time.

#### **Legal Remedy**

The Data Controller shall compensate the damages caused to any party as a result of unlawful processing of the data subject's data or violation of the data security requirements, and shall pay the aggravated damages (compensation for injury to feelings) payable in the event the Data Controller or the data processor hired by it caused personality right infringements. The data controller shall be exempt from the liability for the damages caused and from the obligation to pay the aggravated damages if it proves that it is not in any way responsible for the event giving rise to the damage.

The data subject shall be entitled to turn directly to the Data Controller for remedy regarding any violation caused to them or in relation to any complaint, at the following e-mail: [dataprotection@hupx.hu](mailto:dataprotection@hupx.hu)

Should the data subject have any complaints regarding the data processing carried out by the Data Controller, the data subject may file a complaint to the Hungarian National Authority for Data Protection and Freedom of Information (address: 1055 Budapest, Falk Miksa utca 9-11., mailing address: 1363 Budapest, Pf.: 9.; phone number: +36 (1) 391-1400; e-mail: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu), website: [www.naih.hu](http://www.naih.hu)).

The data subject may refer their case to court in order to protect their data, and the court will address their case in an accelerated procedure. In such an event, the data subjects may decide whether they file their legal action to the regional court having competence according to their domicile (permanent address) or according to their habitual residence (temporary address)(<http://birosag.hu/torvenyszekek>). They can look up the regional court having 14 competence according to their domicile or habitual residence on the website at <http://birosag.hu/ugyfelkapcsolati-portal/birosag-kereso>.

#### **Miscellaneous provisions, entry into force**

This Privacy Notice is effective from November 29, 2024, until its withdrawal.

For matters not specified in this Privacy Notice, the provisions of the GDPR shall apply, and in cases permitted by the GDPR, the supplementary rules of the Hungarian Information Act (Infotv.) shall be applicable.