

# PRIVACY NOTICE

## Processing of customers' personal data

As the data controller, **thyssenkrupp Materials Hungary Zrt.** (hereinafter the “**Controller**”) shall act in accordance with the provisions of 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 the applicable laws.

thyssenkrupp Materials Hungary Zrt. respects **your** (hereinafter the “**Data Subject**”) rights to the protection of personal data. This Notice summarises in a concise and simple manner what data we collect and how we may use them, and also describes the tools we use as well as the privacy and legal remedy options available to the Data Subject.

Detailed rules can be found in the above-mentioned Regulation. If you need more information, we recommend that you consult the Regulation.

### Definitions

- ‘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;
- ‘Processing’ means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- ‘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;
- ‘Third party’ means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data;
- ‘Consent’ of the data subject means any freely given, specific, informed and unambiguous indication of the data subject’s wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;
- ‘Personal data breach’ means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed;
- Authority: National Authority for Data Protection and Freedom of Information, [www.naih.hu](http://www.naih.hu)

## 1. Identification and contact details of the Controller (service provider)

Name of the Controller: **thyssenkrupp Materials Hungary Zrt.**  
Data Protection Officer: **dr. Samu Németh**  
Registered office: **H-1158 Budapest, Fázis u. 6.**  
Postal address: **H-1158 Budapest, Fázis u. 6.**  
Company registration number: **01-10-042333**  
Call centre: **+36 (1) 414 8700**  
Customer service email address: **[samu.nemeth@thyssenkrupp-materials.com](mailto:samu.nemeth@thyssenkrupp-materials.com)**  
Place and contact details of complaint handling: **H-1158 Budapest, Fázis u. 6.**

## 2. Purpose of the processing, scope of the data processed, duration of the processing, persons entitled to access the data

### Purpose of the processing

Personal data may be processed only for a specific purpose and to the extent necessary, in the interest of exercising a right or performing an obligation. At all stages, any processing should be in accordance with the purpose of the processing, and the collection and processing of data should be fair and lawful. Personal data may only be used to the extent and for the duration necessary to achieve that purpose. The Controller has regulated in internal instructions that only the recipients involved in and necessary for achieving the purpose of the processing should process the data.

The Controller processes personal data of customers on the basis of legitimate interest in the following cases:

- Logistics organisation: transport management, warehousing
- Conclusion of contracts for services/supplies
- Communication, personal partnership building
- Invitations to events, assessment of customer satisfaction, use of direct marketing services
- IT support operations to ensure service

### Scope of the processed data, duration of the processing, scope of persons entitled to access the data

In accordance with the foregoing, the following data will be collected and processed for the indicated retention period, with reference to the indicated legal basis.

### DATA PROCESSED ON GROUNDS OF LEGITIMATE INTEREST

Description of data	Retention period
Name	Until the legitimate interest ceases or 5 years according to the related statutory provision (Civil Code, Section 6:22)
Phone number	
Email address	
Position in the company	
Address	
Photo or video (taken at the event)	By place of publication (newspaper, publication, social media, etc.)

### 3. Collection, use and transfer of personal data

When collecting personal data, the Controller shall comply with the relevant legal regulations, restrictions and ethical standards.

The Controller shall:

- inform the Data Subject of its processing practices in a timely manner and prior to the commencement of the processing, as required by law.
- collect, store and use personal information only for the defined purpose. The information collected is always fit for the purpose, and is relevant and appropriate to the purpose.
- take reasonable steps for the purpose to ensure that the Data Subject's personal data are complete, accurate, up-to-date and reliable to the extent appropriate for the purpose.
- use your personal data for promotional purposes only with your consent and give you the opportunity to opt-out of such communications.

- take proportionate and prudent steps to ensure the protection of the Data Subject's personal data, including in cases where they are transferred to a third party. There is no data transfer to any third party without the prior express consent of the Data Subject.

For the processing of personal data, the Controller uses the following Processor(s) for the specified activities:

Processor	Performed activity
thyssenkrupp AG	ERP system operation
thyssenkrupp Materials Services GmbH	Assessment of customer satisfaction
Salesforce, Inc.	CRM system operation

In addition to the recipients specified in the internal policy/policies, the Controller transfers the data to the following recipients:

- Hungarian Post, courier service

There is no automated decision making or profiling as part of the processing.

The data provided by the data subject are not transferred to third countries.

### 4. Access to, modification, rectification and portability of personal data

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

- a) the purposes of the processing;
- b) the categories of personal data concerned;
- c) the recipients or categories of recipients to whom the personal data have been or will be disclosed.

#### Modification, rectification

The Data Subject shall have the right to obtain from the 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.

#### Portability

Data portability enables the data subject to obtain and further use the “own” data provided by him or her in the system of thyssenkrupp Materials Hungary Zrt. for his or her own purposes and through various service providers. In all cases, the right is limited to the data provided by the data subject; other data are not portable (e.g. statistics, transaction data, etc.). The data subject shall have the right to receive the personal data concerning him or her contained in the system of thyssenKrupp Materials Hungary Zrt.:

- in a structured, commonly used and machine-readable format,
- shall have the right to transmit those data to another controller,
- may request the direct transmission of those data to another controller,
- if technically feasible in the system of thyssenKrupp Materials Hungary Zrt.

thyssenkrupp Materials Hungary Zrt. will fulfil a request for data portability only on the basis of a request sent by email or post. In order to fulfil the request, thyssenkrupp Materials Hungary Zrt. needs to be satisfied that the data subject who is entitled to exercise the right intends to do so. This requires the data subject to provide in his or her request the data that he or she has provided to thyssenkrupp Materials Hungary Zrt on the Website or otherwise in order to be able to identify the requesting data subject by using the data in its system. Under this right, the data subject may request the portability of the data that he or she has voluntarily provided to thyssenkrupp Materials Hungary Zrt. Such data includes name and email address. The exercise of this right does not automatically entail the erasure of the data from the systems of thyssenkrupp Materials Hungary Zrt.

## **5. Erasure of personal data, restriction of processing, right to object, rights of the deceased data subject**

### **Erasure**

(1) 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 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 consent on which the processing is based via the contact option provided by the Controller, and there is no other legal ground for the processing;
- c) the Data Subject objects to the processing on grounds relating to his or her particular situation or because the processing is for the purposes of direct marketing, and there are no overriding legitimate grounds for the processing;
- d) the personal data have been unlawfully processed;
- e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the Controller is subject;
- f) the personal data have been collected in relation to the offer of information society services directly to child.

(2) Where the Controller has made the personal data public and is obliged pursuant to paragraph (1) to erase the personal data, the Controller, 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:

- a) for exercising the right of freedom of expression and information;
- b) for compliance with a legal obligation which requires processing by Union or Member State law to which the Controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller;
- c) for reasons of occupational health or public interest in the area of public health;
- d) 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
- e) for the establishment, exercise or defence of legal claims.

### **Restriction of processing**

(1) The Data Subject shall have the right to obtain from the Controller 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 Controller to verify the accuracy of the personal data;
- b) the processing is unlawful and the Data Subject opposes the erasure of the personal data and requests the restriction of their use instead;
- c) the Controller 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 the processing on grounds relating to his or her particular situation pending the verification whether the legitimate grounds of the Controller override those of the Data Subject.

(2) Where 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 Union or of a Member State.

(3) The Data Subject who has obtained restriction of processing pursuant to paragraph (1) shall be informed by the Controller before the restriction of processing is lifted.

## **Objection**

The Data Subject has 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 if the processing is necessary for the performance of a task carried out in the exercise of official authority vested in the Controller, or if the processing is for the purposes of the legitimate interests pursued by the Controller or by a third party, including profiling based on those provisions. The Controller shall no longer process the personal data unless the Controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the Data Subject or for the establishment, exercise or defence of legal claims.

Where personal data are processed for direct marketing purposes, the Data Subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing.

Where the Data Subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.

## **Enforcement of the rights of the deceased data subject by others**

The rights the deceased had during his or her lifetime, such as the right of access, the right to rectification, erasure, restriction of processing, data portability and object, may be exercised within five years of the death of the data subject by the person authorised by the deceased by means of an administrative disposition or a statement in a public or private document with full probative force, made at thyssenKrupp Materials Hungary Zrt. If the deceased person made more than one such statement at thyssenKrupp Materials Hungary Zrt., the person named in the statement made at a later date may enforce those rights. If the deceased did not make such a statement, the rights the deceased had during his or her lifetime and which are set out in the previous paragraph may be enforced by the close relative of the data subject under the Hungarian Civil Code within five years of the death of the data subject (in the case of more than one close relative, the close relative who exercises this right first is entitled to enforce the above rights). Pursuant to Section 8:1 (1) 1 of the Civil Code, close relative means the spouse, the lineal relative, the adopted child, the stepchild and the foster child, the adoptive parent, the step-parent and the foster parent and the sibling. The close relative of the deceased must prove:

- the fact and date of the deceased's death by means of a death certificate or a court decision, and
  - his or her identity and, if necessary, his or her status as a close relative, by means of a public document.
- The person enforcing the rights of the deceased, in particular in proceedings against thyssenKrupp Materials Hungary Zrt. and before the Authority or the courts, shall be entitled to the rights and shall be subject to the obligations the deceased had during his or her lifetime under the Privacy Act and the GDPR.

Upon written request, thyssenkrupp Materials Hungary Zrt. shall inform the close relative of the action taken, unless the deceased has expressly prohibited this in his or her statement.

## **6. Other legal remedies available for users**

In case of violation of his or her privacy rights and in the cases specified in the Regulation, the user may request the assistance of the National Authority for Data Protection and Freedom of Information:

Name: National Authority for Data Protection and Freedom of Information  
Postal address: H-1530 Budapest, Pf.: 5.  
Address: H-1125 Budapest, Szilágyi Erzsébet fasor 22/c.  
Phone: +36 (1) 391-1400  
Fax: +36 (1) 391-1410  
Web: [naih.hu](http://naih.hu)  
Email: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)

## **7. Addressing personal data breaches**

Personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed. thyssenkrupp Materials Hungary Zrt. keeps records for the purpose of monitoring the measures taken in connection with the personal data breach, informing the supervisory authority and informing the data subject, which include the scope of personal data affected by the breach, the number and scope of the data subjects, the time and date, the circumstances and effects of the breach, and the measures taken to remedy the same. If thyssenkrupp Materials Hungary Zrt. considers that a particular breach poses a high risk to the rights and freedoms of data subjects, it will inform the data subject and the supervisory authority of the personal data breach without undue delay, but within 72 hours at the latest.

## **8. Data security**

thyssenkrupp Materials Hungary Zrt. undertakes to ensure the security of the data, to take technical measures to ensure that the data recorded, stored and processed are protected and to take all necessary measures to prevent their destruction, unauthorised use and unauthorised alteration. It also undertakes to require any third party to whom it may transfer or disclose the data to comply with its obligations in this respect.

The Controller shall ensure the security of the data and shall therefore take appropriate measures to protect the data against unauthorised access, alteration, transmission, disclosure, erasure or destruction, accidental destruction or damage and against inaccessibility resulting from changes in the technology used.

When determining and implementing data security measures, the Controller shall take into account the state of the art and shall choose among several possible processing solutions the one which ensures a higher level of protection of personal data, unless this would involve a disproportionate effort.

As part of its IT security responsibilities, the Controller shall, in particular:

- a. deny unauthorised persons access to processing equipment used for processing (hereinafter the "processing system");
- b. prevent the unauthorised reading, copying, modification or removal of data media;
- c. prevent the unauthorised input of personal data into the processing system and the unauthorised inspection, modification or deletion of personal data stored in the processing system;
- d. prevent the use of processing systems by unauthorised persons using data communication equipment;
- e. ensure that persons authorised to use the processing system only have access to the personal data covered by their access authorisation;

- f. ensure that it is possible to verify and establish to which recipients personal data have been or may be transmitted or made available using data communication equipment;
- g. ensure that it is subsequently possible to verify and establish which personal data have been input into processing system and when and by whom;
- h. prevent the unauthorised reading, copying, modification or deletion of personal data during transfers of personal data or during transportation of data media;
- i. ensure that the processing system may, in the case of interruption, be restored;
- j. ensure that the processing system is operational, that any errors occurring during its operation are reported and that the personal data stored cannot be altered by the faulty operation of the system.

## 9. Balancing of interests test

### 9.1. Legitimate interest of the Controller:

- Scope of the data subjects: in the case of legal person or other entity customers concluding a contract with the controller, their contractual contact persons, representatives and employees. Natural person customers are in all cases persons engaged in commercial economic activities, typically sole traders, primary producers, farmers, etc. Customers are always the recipients of online questionnaires sent by the controller or processor.
- Type of data: personal data of natural person customers and of the contractual contact persons, representatives and employees of legal person or other entity customers specified in this document, i.e. in the case of natural person customers (e.g.: sole traders, primary producers): name, address and email address of the potential recipient; in the case of legal person or other entity customers: name and address of the customer (company), as well as the email address used for contacting the customer, and, if necessary, the name and position of the contact person (for addressing purposes).
- Purpose of the processing: Logistics organisation: transport management, warehousing, conclusion of contracts for services/supplies, communication, personal partnership building, invitations to events, customer satisfaction surveys, use of direct marketing services, IT support operations to ensure service, satisfaction assessment and general market research to improve our products and services, as well as evaluation of the results and drawing conclusions.
- Justification of legitimate interest, demonstration of legitimate interest: the processing of personal data described in the above points is strictly necessary for the purposes of providing high quality services to customers, preparing and developing business relationships, assessing customer satisfaction, improving the image of the controller and, in this context, strengthening its economic performance, developing its products and services.

The scope of personal data processed is kept to the minimum necessary. In view of the above, the processing of personal data serves the legitimate business interests of the controller and, at the same time, the interests of the customers, as the customer can participate in the development of the products and services of the controller, which the customer also uses, and his or her satisfaction can be improved, based on the results of the satisfaction assessment, according to the conclusions drawn from it.

### 9.2. Necessity of the processing

A clear and unambiguous demonstration that the processing is strictly necessary, appropriate and proportionate for the purposes of the interest pursued: the processing of personal data referred to in paragraph 1 above is strictly necessary, appropriate and proportionate for the purposes of building business relationships, providing products and services, assessing satisfaction and general market research for the provision and development of our products and services, and ensuring the rights of our customers as described above. The sending of information about the availability of online questionnaires and the use of direct marketing services by email and the subsequent drawing of conclusions from the summary of the results can only be done by processing this minimum set of personal data.

Assessing whether there are alternative solutions that are less restrictive from the data subject's



perspective and that can be used to achieve the controller's interest. Are alternative solutions available to achieve the objective without processing personal data / processing less personal data / processing personal data in a different way?

The processing of the above-mentioned personal data is strictly necessary for the marketing of the services and products provided by the controller, for sending the availability of online questionnaires, for drawing conclusions from their completion and for providing information on direct marketing services, since this processing purpose cannot be achieved by an alternative solution or by a solution involving the processing of less personal data or by processing personal data in a different way. Anonymisation of personal data or processing of less personal data would make it impossible to prepare transactions, send communications and availability of online questionnaires, assess satisfaction and contact customers and meet their needs in this context. In accordance with the principle of data minimisation, the controller has taken care to process only the personal data strictly necessary for the purposes for which they are processed.

### 9.3. Evaluation of the effects of the processing and other security measures

#### 9.3.1. Evaluation of the effects of the processing

- Demonstration of the positive and negative effects of the processing on the data subject. Does the data subject benefit from the processing? Does it adversely affect the data subject or cause harm or interference with the data subject's rights: the processing is not restrictive from the data subject's perspective.

The controller fully allows the restriction of the use of the data if the processing would cause disturbance to the data subject. The data subject has the right to object pursuant to Article 21(1) of the General Data Protection Regulation (EU) 2016/679 of the European Parliament and of the Council ("GDPR"). In addition, the necessary processing of personal data for the purposes of communication, providing products and services, sending information and assessing satisfaction and general market research to improve our products and services also benefits customers by improving the controller's products and services and increasing customer satisfaction. The processing of personal data does not involve harassment, regular additional actions or intrusive interference with the privacy and rights of data subjects, and information and questionnaires are sent out no more than a few times a year.

- Assessment of the situation of the data subject, in particular whether he or she belongs to a vulnerable or sensitive group (e.g. child, patient, etc.): the data subjects do not include children or other vulnerable groups requiring special protection, as the majority of customers are businesses.

- Further assessment of the data subject's reasonable expectations at the time of collection and in the context of whether he or she could reasonably have expected that the processing would be carried out for the purposes of the legitimate interest pursued: considering that the controller sends information and questionnaires and provides services to customers who have concluded a contract with the controller, the customers concerned, since they are also customers of the controller, and, in the case of legal person or other entity customers, the contractual contact persons, representatives and employees of the customers, may reasonably expect, given their legal relationship with the customer, that the controller will seek to assess and continuously improve their satisfaction and the quality of its products and services, subject to the provisions of recital 47 of the GDPR.

The Privacy Notice is available in electronic form on the website of the controller <https://www.thyssenkrupp-materials.hu/hu/adatvedelem.html>.

- Method of the processing (is it comprehensive? Can its effects be calculated?). This includes whether the data are (may be) disclosed: the method of the processing is transparent prior to processing, and the controller processes the data in a secure IT environment, with employees who are adequately trained in data protection and data security. The controller takes all reasonable data security measures to ensure that personal data processed by it in the context of sending the availability of online questionnaires and their processing are not disclosed to the public and are not accessible in any way to unauthorised third parties.

- Information on how the controller informs the data subject about the processing and its interests. Is the information sufficiently clear and unambiguous? The controller provides information to data subjects through the privacy notice as described above. In the case of legal person or other entity customers, these



customers may also be expected to inform their acting contractual contact persons, representatives and employees of the applicable data protection provisions. In addition, data subjects may contact the controller with questions using the contact details provided in the controller's privacy notice and may use these contact details to contact the controller to exercise their privacy rights.

- Demonstration of whether the data subject has the possibility to control or object to the processing: data subjects can control the processing as described in this balancing of interests test and in this Notice and exercise their rights as described therein, and have the right to object.

#### 9.3.2. Other security measures

- Data security measures: as described in section "8. Data security" of this Notice.

Processing of data for a limited period of time: the controller processes personal data in accordance with the purpose limitation principle with the customer concerned until a legitimate interest exists or until the data subject prohibits the processing, i.e. until the exercise of the right to object pursuant to Article 21(1) of the GDPR (whichever is the earlier).

- Restriction of access to data: access to the personal data concerned is strictly limited to those employees within the controller's organisation who have a legitimate need to know the personal data.

#### 9.4. The outcome of the balancing of interests and its documentation

On the basis of the above, it can be concluded that the legitimate interest of the data subjects are proportionately limited by the legitimate interest of the controller. The processing of the personal data concerned is indispensable for the purposes of communication, the marketing of products and services, the sending of information and the availability of questionnaires and the drawing of conclusions from their completion, and there are no alternative data processing solutions that involve the processing of less personal data or that follow a different methodology.

### 10. Changes to this Notice

The Controller reserves the right to modify or update this "Notice" at any time without prior notice and to publish the updated version on its websites. Any modifications shall only apply to personal information collected after the publication of the modified version.

Please check our Notice regularly to keep up to date with any changes and to learn about how the changes affect you.

Last updated: May 2023