

Privacy Policy in accordance with Art. 13 and 14 of the General Data Protection Regulation („GDPR“) for the usage of the OMV eMotion app for users located in Hungary

The following privacy notice shall be applicable for all individuals located in Hungary. The data controllers in Hungary are:
OMV International Services GmbH, Trabrennststraße 6-8, 1020 Wien (**“OIS”**) acting as controller in the meaning of GDPR;

and

OMV Hungária Kft, 1117 Budapest, Október huszonharmadika utca 6-10. 5. floor 5/A. door (**“OMVHU”**) as joint controller with OIS in the meaning of GDPR
(hereinafter jointly referred to as **“OMV”** or **“we”**).

1. Introduction

This privacy policy provides information on the purpose and the manner of processing personal data in connection with the OMV eMotion mobile app (the **“Application”**).

OMV provides access to publicly accessible charging stations in order to charge electric or hybrid vehicles with electrical power (**“Services”**). The charging station is a power supply device that supplies electrical power for recharging electric vehicles (including battery electric vehicles, electric trucks, electric buses and plug-in hybrid vehicles). The charging station may be maintained by the OMV network, partner network or roaming network. The OMV eMotion App (**“Application”**) allows customers to locate the charging stations and facilitates payment of customers for the Services.

OMV processes personal data of the Application users (**“you”**) in connection with the Services and the Application for the purposes listed below.

We collect the data directly from you through the services offered to you within the application. If you have legal or contractual obligation to provide us with any personal data, we will identify them as mandatory when we ask you to provide them. If you do not provide the mandatory data with respect to a particular service, you will not be able to use that service.

We do not use automated decision-making, including profiling, which produces legal effects concerning you or similarly affects you significantly.

When OMV processes your personal data on the basis of our legitimate interest (see below under Section 2), You have the right to object to that processing (for further explanation, see Section 4.6). If You wish to exercise this right, please contact us at the email contact details specified in this privacy notice.

2. Purpose, legal basis of the personal data processing, categories of personal data and retention periods and other circumstances of the processing

Please find detailed information on the purpose and other relevant circumstances of processing categorized by the purposes below.

2.1. Providing the Application

2.1.1. The purpose of processing your personal data: providing the Application.

2.1.2. The legal basis for processing your personal data: our legitimate interest to identify you as customer and ensure the collection of payment for the Services.

2.1.3. The categories of personal data concerned: name, gender, billing address, e-mail address,.

2.1.4. The period for which the personal data will be stored: At least for the duration of your use of the Application, in any case no longer than 12 months after the account is closed.

2.1.5. Recipients: ChargePoint Austria GmbH, ChargePoint Technologies India Pty Ltd and ChargePoint, Inc. USA for the provision, maintenance, development and support of the Application.

2.1.6. Data transfer outside the EEA: OMV transfer the personal data to the USA and India.

2.2. Processing payments and invoicing

2.2.1. The purpose of processing your personal data: To administer and process the payments for the Services through the Application.



- 2.2.2. The legal basis for the processing: (i) OMV's legitimate interest to collect the payment for the Services provided, and (ii) invoicing as necessary to comply with legal obligations (the obligations set out Article 169. § (2) of Act C of 2000 on Accounting).
- 2.2.3. The categories of personal data concerned: Name, billing address, email address, invoice and revenue data, unique identifier of the identification medium, log information associated with the charging process, information on the use of the charging station (including consumption).
- 2.2.4. The period for which the personal data will be stored: (i) Accounting documents: for 8 years after the issue of the accounting document (§ 169 (2) of Act C of 2000 on Accounting); (ii) Documents subject to the General Value Added Tax Act CXXVII of 2007 ("VAT Act") for 3 years after the issue of the accounting document pursuant to Section 179 of the VAT Act; (iii) other personal data: at least for the duration of your use of the Application, in any case no longer than 12 months after the account is closed
- 2.2.5. Recipients:
 - 2.2.5.1. ChargePoint Austria GmbH, ChargePoint Technologies India Pty Ltd and ChargePoint, Inc. USA for the provision, maintenance, development and support of the Application.
 - 2.2.5.2. Payment gateway and payment service providers
- 2.2.6. Data transfer outside the EEA: OMV transfer the personal data to the USA and India.
- 2.3. **Providing information on charging stations**
 - 2.3.1. The purpose of processing your personal data: providing you with information about the charging stations and the location of accessible charging stations.
 - 2.3.2. The legal basis for the processing: Our legitimate interest in allowing you to identify the appropriate charging stations for your need.
 - 2.3.3. The categories of personal data concerned: unique identifier of the identification medium, location of the charging station, information on the charging station as requested by you.
 - 2.3.4. The period for which the personal data will be stored: Until you close the Application.
 - 2.3.5. Recipients: ChargePoint Austria GmbH, ChargePoint Technologies India Pty Ltd and ChargePoint, Inc. USA for the provision, maintenance, development and support of the Application.
 - 2.3.6. Data transfer outside the EEA: OMV transfer the personal data to the USA and India.
- 2.4. **Fraud prevention**
 - 2.4.1. The purpose of processing your personal data: preventing fraudulent use of the Application and the Services.
 - 2.4.2. The legal basis for the processing: Our legitimate interest in avoiding that you or an unauthorized third party uses the Application or the Services in contravention of the contractual terms.
 - 2.4.3. The categories of personal data concerned: name, gender, billing address, email address, unique identifier of the identification medium, log information associated with a charging process, location of the charging station, information on the charging station, information of the use of the charging station (including, consumption), credit card details.
 - 2.4.4. The period for which the personal data will be stored: At least for the duration your use of the Application, in any case no longer than 12 months after the account is closed.
 - 2.4.5. Recipients: ChargePoint Austria GmbH, ChargePoint Technologies India Pty Ltd and ChargePoint, Inc. USA for the provision, maintenance, development and support of the Application.
 - 2.4.6. Data transfer outside the EEA: OMV transfer the personal data to the USA and India.
- 2.5. **Complaints**
 - 2.5.1. OMV handles consumer complaints in accordance with the complaints policy and privacy policy available here: privacy@omv.com
- 2.6. **Customer care**
 - 2.6.1. The purpose of processing your personal data: ensuring the correct functioning of the Application and the Services.
 - 2.6.2. The legal basis for the processing: Our legitimate interest in maintaining our customers satisfied.
 - 2.6.3. The categories of personal data concerned: name, gender, email address, unique identifier of the identification medium, log information associated with a charging process, location of the charging station, information on the charging station, information of the use of the charging station (including, consumption), credit card details, your message.
 - 2.6.4. The period for which the personal data will be stored: At least for the duration your use of the Application, in any case no longer than 12 months after the account is closed.



2.6.5. Recipients:

- 2.6.5.1. ChargePoint Austria GmbH, ChargePoint Technologies India Pty Ltd and ChargePoint, Inc. USA for the provision, maintenance, development and support of the Application.
- 2.6.5.2. IT service providers providing IT maintenance and support services.
- 2.6.5.3. ENERGISED and the Rocket Science Group LLC, USA for operation of mail services.

2.6.6. Data transfer outside the EEA: OMV transfer the personal data to the USA and India.

3. International data transfers

- 3.1. As indicated in section 1, for some purposes your personal data is disclosed to recipient outside the EEA. With such companies, appropriate safeguards according GDPR have been concluded, such as EU Standard Contractual Clauses. The copies of these safeguards can be requested at the contact details included in this privacy policy.

4. Your rights under GDPR

In order to ensure a fair and transparent processing, the controller informs you about the rights you benefit from, as data subjects, according to the applicable legal provisions:

- 4.1. **The right of access to processed personal data:** You have the right to request access from OMV your personal data processed by OMV and obtain information regarding: the purpose of processing; what categories of personal data are processed; to whom OMV transfers or discloses your personal data; for what period OMV processes your personal data; your rights in connection with data processing carried out by OMV regarding your personal data; your right to lodge a complaint with a supervisory authority regarding the processing; in case OMV collects your personal data from other sources than from you, any available information as to the source; the existence of automated decision-making and related information, including the logic involved, as well as the significance and the envisaged consequences of such processing for you; whether your personal data is transferred outside the EEA and regarding the conditions of these transfers. OMV will provide you with a copy of your personal data processed by OMV in case you require OMV to do so.
- 4.2. **The right to request the rectification of personal data:** You have the right to request OMV to rectify your inaccurate personal data and to request OMV to complete your incomplete personal data by means of providing OMV with a supplementary statement.
- 4.3. **The right to erasure of personal data:** OMV erases any of your personal data if you request OMV to do so in the event of the following:
 - i. your personal data is no longer necessary for the purpose concerned;
 - ii. you withdraw your consent and there is no other legal basis for the processing;
 - iii. you object to the processing and there are no overriding legitimate grounds for the processing;
 - iv. your personal data has been processed unlawfully;
 - v. your personal data has to be erased according to relevant laws.

Please note that OMV is entitled to not erase your personal data if it is necessary - inter alia - for exercising the right of freedom of expression and information, for compliance with legal obligations, and for establishment, exercise or defense of legal claims.

- 4.4. **The right to request the restriction of processing:** you have the right to obtain a restriction of processing from OMV where one of the following applies:
 - i. you have contested the accuracy of your personal data (you will obtain restriction for a period enabling OMV to verify the accuracy of your personal data);
 - ii. the processing is unlawful and you oppose the erasure of your Personal Data and request the restriction of their use instead;
 - iii. OMV no longer needs your personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defense of legal claims.
 - iv. Where processing has been restricted, personal data shall, with the exception of storage, only be processed with your 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 European Union or of a Member State.
- 4.5. **The right to withdraw your consent for processing:** You have the right to withdraw your consent at any time, without affecting the lawfulness of processing based on your consent before its withdrawal.
- 4.6. **The right to object to the processing of personal data:** Where personal data is processed for direct marketing purposes, you have the right to object at any time to the processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct



marketing. You also generally have the right to object to the processing of personal data on grounds relating to your particular situation, where the legal basis of the processing activity is our legitimate interest (or the legitimate interest of a third party). OMV shall no longer process the personal data unless OMV demonstrates compelling legitimate grounds, which override your interests, rights and freedoms or for the establishment, exercise or defense of legal claims.

- 4.7. **The right to data portability:** If certain conditions apply, you have the right to receive your personal data, which you have provided to OMV, in a structured, commonly used and machine-readable format and have the right to transmit that data to another controller without hindrance from OMV. You also have the right to have your personal data transmitted directly from OMV to another controller, where technically feasible.

5. Further information and contact details

- 5.1. Further information on data protection including the rights to which you are entitled on the basis of the GDPR can be also found under Data protection is important to us | OMV.com and for the Hungarian customers under <https://www.omv.hu/hu-hu/omv-rol/kapcsolat/adatvedelmi-tajekoztato>.
- 5.2. If you have any questions, the Group data protection officer of OMV can be contacted at privacy.hu@omv.com.

6. Remedies

In case you do not agree with our response or action, or if you consider that your rights have been infringed, you may lodge a complaint with the Hungarian Supervisory Authority of your habitual residence, place of work or place of the alleged infringement, in particular, with the following data protection supervisory authority: Hungarian National Authority for Data Protection and Freedom of Information (address: HU-1055 Budapest, Falk Miksa utca 9-11, mailing address: 1363 Budapest, Pf.: 9.; tel.: +36-1-391-1400; e-mail: ugyfelszolgalat@naih.hu); website: www.naih.hu).

You can also bring a legal action against OMV in the event of unlawful processing of personal data. You can also file a lawsuit in the court of your place of residence (for a list of courts and their contact details, please click on the following link: <http://birosag.hu/torvenyszekek>).