

Data Protection Notice

on the processing of data related to the operation of the Whistleblowing System and the conduct of whistleblowing procedures

1. Introduction

As an employer, AW Group has a Whistleblowing System in place, the detailed rules of which are set out in the Whistleblowing Policy. The Employer informs the Data Subjects concerned by the Whistleblowing System about the processing of their data in this Data Protection Notice.

2. Legal basis for processing

In the course of processing, the provisions of Act XXV of 2023 on complaints, disclosures in public interest and related rules on reporting abuses, (the "**Complaints Act**"), EU General Data Protection Regulation 2016/679 (the "**GDPR**"), EU Directive 2019/1937 on the protection of persons who report breaches of Union law (the "**Whistleblowing Directive**"), Act I of 2012 on the Labour Code (the "**Labour Code**") and Act CXII of 2011 on Informational Self-Determination and Freedom of Information ("**Privacy Act**") shall apply.

3. Terms

Except as otherwise provided in this Data Protection Notice, terms defined in the Whistleblowing Policy and the following terms shall have the meanings given to them in the Whistleblowing Policy and the following meanings:

Processing: 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: the person specified in point 4 of this Data Protection Notice;

Processor: any natural or legal person, public authority, agency or any other body that processes personal data on behalf of the Controller including, in particular, the Examiner and Whisly, which receives written Reports;

Data Subject: any person concerned by the processing of data under this Data Protection Notice;

Examiner: Comfort Mind Kft. (registered office: 1096 Budapest, Sobieski János utca 30. fszt. 1., company registration number: 01-09-908604, tax number: 14541902-2-43), the independent external organisation in charge of the internal Whistleblowing System or any competent Whistleblowing Officer;



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Personal Data: 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;

Policy: the Whistleblowing System in place at AW Group and the document establishing and regulating the whistleblowing procedure;

Whisly: Whisly Kft. (registered office: 7953 Királyegyháza, Rigó utca 13., company registration number: 02-09-086270, tax number: 27484540-2-02), which provides the software and IT technical conditions necessary for the operation of the Whistleblowing System on behalf of AW Group.

4. Controller

Controller's data:

- Controller's name: AutoWallis Nyrt.
- Registered office: 1055 Budapest, Honvéd utca 20.
- Company registration number: 01-10-047350
- Contact of the Data Protection Officer: adatvedelem@autowallis.hu

5. Purpose of processing and scope of the data processed

The purpose of processing is to ensure the smooth operation of the Whistleblowing System under the Complaints Act, the successful investigation of abuses, the follow-up of reports, and communication with the Whistleblowers.

Scope of the data processed:

- Name of the Whistleblower (if the report is not anonymous),
- If the Whistleblower chooses to provide the following information:
 - Whistleblower's contact details: telephone number, e-mail address or address,
 - Whistleblower's job title,
 - The right of the Whistleblower to submit a report under Sections 20 (2)-(3) of the Complaints Act,
 - Location, date, duration of the reported abuse,
 - Name of the Reported Person(s),
 - Contact details of the Reported Person(s),
 - Job title and position of the Reported Person(s),
 - Detailed description of the conduct reported,
 - Identification of any Third Party(ies) Concerned by the Report,
 - Indication of Evidence,
 - When and how the Whistleblower became aware of the conduct,

- Description of the measures already taken in relation to the abuse, if any,
- Other personal data provided by the Whistleblower,
- Declaration of reporting in good faith under Section 45 Point (c) of the Complaints Act,
- A statement that the Whistleblower has not already made a report with the same content,
- A declaration that the Whistleblower has read the Policy and the Data Protection Notice,
- Consent of the Whistleblower to the processing of his/her personal data.

Personal Data that are indispensable for the investigation of the Report may only be processed for the purpose of investigating the Report and remedying or stopping the conduct that is the subject of the Report.

6. Legal basis for processing

The legal basis for processing personal data is the consent of the Data Subject in relation to the personal data of the Data Subject (Article 6(a) GDPR) and the fulfilment of a legal obligation to which the Controller is subject (Article 6(c) GDPR).

The legal basis for the processing of personal data relating to the Reported Person is the fulfilment of a legal obligation to which the Controller is subject (Article 6(c) GDPR).

With respect to the Third Party(ies) Concerned by the Report, the legal basis for the processing of personal data is the fulfilment of a legal obligation to which the Controller is subject (Article 6(c) GDPR).

7. Recipients and categories of recipients of personal data

The personal data contained in the Report, as well as the personal data obtained during investigation of the Report, may only be disclosed to the Examiner.

The Examiner may share information relating to the content of the Report and the Reported Person to the extent strictly necessary for the conduct of the investigation with the Employer's other organizational units or employees until the conclusion of the investigation or the initiation of formal accountability as a result of the investigation.

The personal data of the Whistleblower who discloses his/her identity and of the Reported Person may not be disclosed to anyone other than the eligible persons.

The personal data of the Whistleblower may only be disclosed to the body competent to conduct the procedure initiated on the basis of the report if this body is entitled to process the data by law or if the Whistleblower has consented to the disclosure of the data.

If it becomes apparent that the data or information provided by the Whistleblower is false and has been provided in bad faith and there are indications that a criminal offence or misdemeanor has been committed, the personal data must be disclosed to the body or person responsible for the conduct of the proceedings or, if there is reasonable ground to believe that the Whistleblower has caused unlawful damage or other legal harm to another person, the personal data must be disclosed to the body or person responsible for the initiation or conduct of the proceedings upon request.

Processed data may only be transferred to a third country or an international organisation if the recipient has given a legal commitment to comply with the rules of the reporting set out in the Complaints Act and subject to the provisions on the protection of personal data.

8. Duration of storage of personal data

The data processed shall be deleted without delay if they are not indispensable for the investigation of the Report, or for the purpose of remedying or stopping the conduct that is the subject of the Report.

If an investigation under the Whistleblowing System is carried out and action is taken or other proceedings are initiated, the data relating to the Report may be stored until the investigation, action or other proceedings are concluded at the latest. If a Report is not investigated, data relating to the Report may be stored until the decision to not investigate is made. An exception to the provisions of this paragraph is the storage of limited data stored under the obligation to keep records as laid down in the Complaints Act.

9. Rights of Data Subjects in relation to processing

Data Subjects are authorised, in respect of personal data processed by the controller, to:

- a) access their personal data,
- b) request the rectification of their personal data,
- c) request the erasure of their personal data,
- d) request the restriction of the processing of their personal data,
- e) object to the processing of their personal data,
- f) receive their personal data and forward them to another data controller, if the legal preconditions for this exist,
- g) withdraw their consent at any time if the processing of their personal data is based on their consent.



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Out of the rights mentioned above, the rights set out in points (c) to (f) do not, or only to a limited extent, apply to the Reported Person in accordance with the purpose of the Whistleblowing System.

If the Report concerns a natural person, in exercising his or her right to information and access under the provisions on the protection of personal data, the personal data of the Whistleblower may not be disclosed to the person requesting the information.

10. Right to legal remedy

If the Data Subject believes that the Controller has breached the applicable data protection requirements in the processing of his or her personal data, the Data Subject

- may submit a complaint with the Authority (National Authority for Data Protection and Freedom of Information, postal address: 1363 Budapest, Pf. 9. E-mail: ugyfelszolgalat@naih.hu, website: www.naih.hu), or
- has the right to turn to court, which will rule on the matter out of turn, in order to protect the data. In such a case, the Data Subject may choose whether to file the lawsuit at the court competent according to his/her place of residence (permanent address) or place of stay (temporary address), or the registered office of the Controller. You can find the court competent for your place of residence or place of stay at <http://birosag.hu/ugyfelkapcsolati-portal/birosag-kereso>. Lawsuits based on the registered office of the Controller fall within the jurisdiction of Regional Court of Budapest.