

## INTEREST ASSESSMENT TEST

**Subject: The receipt and processing of personal data related to clinical trial by Opt-X-pense Ltd. (Data Controller) based on legitimate interest, for the purpose of initiating bank transfer administration at the request of clinical trial participants.**

### I. Reason for Conducting the Interest Assessment Test

Opt-X-pense Ltd. provides expense reimbursement services to clinical trial participants upon their explicit request. The request for reimbursement must be submitted by the data subject participating in the clinical trial through the healthcare institution conducting the study. This request is made by completing the document titled "**Consent Declaration for Personal Data Processing for Clinical Trial Participant**", which must be completed with the assistance of a staff member of the healthcare institution and sent, signed, to the email address indicated in the document for verification and processing by the Data Controller.

Following verification, the completed and signed document is recorded in the system operated by the Data Controller. During data entry, no health-related data is recorded - only the following personal data: name, permanent address, mailing address (if different), patient ID number, bank account number, technical data required for bank transfers (e.g., SWIFT code or Revtag#), and, if the data subject has given explicit consent, their phone number and email address.

The processing of personal data for the purpose of recording the information necessary for expense reimbursement serves the legitimate interest of the data subject, as without this data, the Data Controller is unable to execute the reimbursement service related to the clinical trial.

The processing of the above personal data is strictly necessary, as the purpose of this data processing cannot be achieved through alternative means that would involve fewer personal data or different methods of data handling. Furthermore, such alternatives have been declined by the data subject (e.g., prepaid card payments, which do not require the provision of banking details).

In order to determine whether Opt-X-pense Ltd. has a legitimate interest in processing the personal data subject to this test, it is necessary to conduct the present Interest Assessment Test.

Process of the Interest Assessment Test:

1. Identification of the legitimate interest of Opt-X-pense Ltd.
2. Determination of the interests, fundamental rights, and freedoms of the data subject
3. Balancing the interests identified in points 1 and 2, and establishing whether the personal data may be lawfully processed based on the outcome of this assessment

### II. Identification of the Legitimate Interest of Opt-X-pense Ltd.

In the context of the present data processing activity, the Data Controller's obligation to record data and execute payments cannot be subject to the existence of the data subject's consent. This is because, upon the data subject's request, both payment and accounting obligations arise.

The prerequisite for executing the payment is the recording and use of data necessary to initiate the bank transfer. Without the use of such data, the reimbursement request cannot be fulfilled. The deletion or absence of certain personal data (e.g., in the event of withdrawal of consent) would

either make identification of the individual impossible or render the reimbursement request unenforceable.

### **III. Determination of the Interests, Fundamental Rights, and Freedoms of the Data Subject**

The data subject has a protected interest in ensuring that:

- they can exercise their right to informational self-determination,
- they retain control over how their personal data is processed by others,
- their privacy is respected by data controllers,
- the legal provisions that support the exercise of informational self-determination and safeguard personal data - and thereby privacy - are upheld,
- Opt-X-pense Ltd. handles all personal data not only in accordance with data protection regulations but also in compliance with banking secrecy requirements, ensuring enhanced protection,
- based on the consistent practice of the Constitutional Court, certain rights derived from human dignity - such as the right to self-determination in the context of personal data - may be restricted in a necessary and proportionate manner.

### **IV. Balancing the Interests of Opt-X-pense Ltd. and the Data Subject**

In the present case, the enforcement of Opt-X-pense Ltd.'s legitimate interest, as outlined in Section II, takes precedence over the data subject's right to control their personal data. The Data Controller's payment obligation is always based on the explicit request of the data subject and the recording of the data provided in that request. In other words, data subjects have voluntarily undertaken to provide their personal data in order to receive expense reimbursement.

According to Section 169 (2) of the Accounting Act: "Accounting documents that directly or indirectly support bookkeeping records (including general ledger accounts, analytical or detailed records) must be retained in a readable format and retrievable based on accounting entries for at least 8 years."

The processing of personal data in this context is minimized, time-bound, purpose-specific, and aligned with the principle of storage limitation. Accordingly, the scope of processed data is limited to what is strictly necessary for the purpose.

There is no alternative, less restrictive method available to the Data Controller for recording the data provided during the reimbursement request.

As stated in Recital (4) of the GDPR: "The right to the protection of personal data is not an absolute right; it must be considered in relation to its function in society and be balanced against other fundamental rights, in accordance with the principle of proportionality." Therefore, the data subject's right to the protection of personal data is not an unrestricted or absolute right.

Based on the above, the interest of the data subject in the protection of their personal data is appropriately balanced against the private economic interest of Opt-X-pense Ltd.

The data subject's right under the GDPR to the protection of personal data cannot take precedence in cases where the impossibility of lawful data processing would result in the loss of financial benefits to which the data subject is otherwise entitled.

For these reasons, the data processing described herein does not cause disproportionate harm to the data subject.

## **V. Safeguards**

Opt-X-pense Ltd. ensures full compliance with the principles of personal data processing as set out in Article 5 of the GDPR throughout its data processing operations.

In the event that the data subject exercises their right to object, Opt-X-pense Ltd. shall cease processing the personal data concerned, unless the processing is justified by compelling legitimate grounds that override the interests, rights, and freedoms of the data subject, or the processing is necessary for the establishment, exercise, or defense of legal claims.

Opt-X-pense Ltd. processes personal data in a manner that guarantees an appropriate level of security and confidentiality, including measures to prevent unauthorized access to personal data and to the systems used for processing such data, as well as unauthorized use. These safeguards ensure compliance with the GDPR and other applicable data protection and data security regulations.

Opt-X-pense Ltd. guarantees the data subjects' ability to exercise their rights under Articles 15–21 of the GDPR. The detailed rules for exercising these rights, along with information on the purpose, legal basis, duration, and other circumstances of the data processing, are provided in the publicly accessible "Data Privacy Information" document available on Opt-X-pense Ltd. website.

The data processing does not involve any special categories of personal data as defined in Article 9 of the GDPR.

Opt-X-pense Ltd. handles all personal data not only in accordance with data protection regulations but also in compliance with banking secrecy requirements, ensuring enhanced protection. The data processing does not involve any intrusive interference with the data subjects' privacy or rights.

The Data Controller has a clear interest in ensuring that the evidence necessary for asserting legal claims or fulfilling accounting obligations remains available.

## **VI. Outcome of the Interest Assessment Test**

The enforcement of Opt-X-pense Ltd.'s legitimate interest outweighs the data subject's interest in the protection of their personal data, particularly in light of the following:

- Opt-X-pense Ltd. has a substantial and clearly defined interest in processing the personal data of the data subject;
- The processing of the personal data addressed in this Interest Assessment Test does not result in significant harm to the data subject's interests;
- The safeguards provided by Opt-X-pense Ltd. further mitigate any potential adverse impact on the data subject.

**As a result of this Interest Assessment Test, it has been established that the legitimate interest referred to in Article 6(1)(f) of the GDPR constitutes a valid legal basis for the processing of the personal data in question. Accordingly, such data may be lawfully processed by Opt-X-pense Ltd. for the purpose of pursuing its legitimate interest.**

**Budapest, 1<sup>st</sup> of October 2025**

**Opt-X-pense Ltd.**

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