

**Annex 5 to the Request for Bid -Clause on the processing of personal data**  
File No.: SZID.272.232.2025

**INFORMATION CLAUSE PERTAINING TO PROCESSING OF PERSONAL DATA BY  
ŁUKASIEWICZ – PORT**

**AS THE CONTRACTING AUTHORITY FOR THE PURPOSES OF PROCEEDINGS BASED ON THE  
PROVISIONS OF THE PUBLIC PROCUREMENT LAW**

**Re: CONTRACT ENTITLED**

**"Pre-clinical trial"**

Pursuant to Art. 13 and Art. 14 of the Regulation of the European Parliament and of the Council (EU) 2016/679 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 repealing Directive 95/46/EC (so called General Data Protection Regulation) ('GDPR') and Art. 19 of the Public Procurement Law Act, the Contracting Authority (Controller) informs that:

1. The Controller of the personal data provided to the Contracting Authority within the framework of the present procedure is (contact details): Sieć Badawcza Łukasiewicz – PORT Polski Ośrodek Rozwoju Technologii (Łukasiewicz Research Network – PORT Polish Centre for Technology Development) with its registered office in Wrocław, at ul. Stabłowicka 147, 54-066 Wrocław, KRS: 0000850580; NIP:8943140523; biuro@port.lukasiewicz.gov.pl ('**Controller**').
2. The Controller has appointed a Data Protection Officer ('**DPO**'). Contact with the DPO: iod@port.lukasiewicz.gov.pl Feel free to contact us in all matters concerning the processing of your data.
3. Information specific to the processing of data in your case:

<b>Whom the processing concerns</b>	<b>Personal data acquisition methods</b>	<b>The legal basis for the personal data processing</b>	<b>Processed personal data</b>	<b>The purposes of personal data processing</b>	<b>Personal data processing duration</b>
The Economic Operator (Procedure Participant), persons who represent it, its attorneys and representatives through whom it acts in the procedure, supervisory bodies, etc., and other persons indicated by the	From you (it is you who provides the Contracting Authority with your personal data; it may happen that we receive your data from your employer or counterparty as part of its tender or application in	Article 6(1)(c) of the GDPR in conjunction with the provisions of the Public Procurement Law (in the case of data on convictions – in conjunction with Article 10 of the GDPR)  In the alternative: Article 6(1)(b) of the GDPR – the	Any personal data that you provide in the course of this public procurement procedure or any other such procedure under the Public Procurement Law. This may include in particular:	Conducting a public procurement procedure (or other appropriate procedure) based on the provisions of the Public Procurement Law, specifically indicated in the documentation	As a rule – 4 (four) years from the date of completion of the public Contract award procedure, but for no less than the term of the Contract concluded as a result of the procedure (Article 78 of

Economic Operator (Procedure Participant) in the tender and other documentation submitted to the Contracting Authority	the procedure)	data are required to meet your request for consideration of the tender/application by the Contracting Authority, and you are seeking to obtain a positive outcome for you in the procedure. Failure to provide the data makes it impossible to meet the request.	name, surname, PESEL (Personal Identification Number), date and place of birth, information about your experience and occupation, qualifications, convictions, addresses of residence, contact details	to which this information clause is attached	the Public Procurement Law).
Persons concluding a Contract as a result of the award of a public Contract and whose data are indicated in such a Contract on the part of the selected economic operator	Ibid	Ibid	Name, surname, contact addresses, position, telephone number, e-mail address; possible also: NIP, REGON.	Conclusion and performance of a contract as a result of the award of a public contract	as above, however, not less than until the prescription of all claims under the contract in question and the resolution of the claims asserted
Persons not expressly indicated in the Contract but performing the Contract on behalf of the Economic Operator (e.g. persons actually performing installation work for the purchased equipment on the Controller's premises) or	From you directly or from your employer	Article 6(1)(f) of the GDPR – the Controller has a legitimate interest to know with whom it contacts in a contractual relationship, who enters its premises, in what role that person acts, etc.	Name, surname, contact addresses, position, telephone number, email address; if you carry out work on the Controller's premises: image (as part of the monitoring that you are informed	Performance of a Contract as a result of the award of a public Contract	as above, however, not less than until the prescription of all claims under the contract in question and the resolution of the claims asserted

persons indicated in the Contract and performing the Contract on behalf of the Economic Operator			about if it is applied on site)		
--	--	--	---------------------------------	--	--

4. Your personal data may also be processed - on grounds of the Controller's legitimate interest (Article 6(1)(f) GDPR) for the purposes of tax settlements, financial settlements, etc. and for proceedings related to claims by or against the Controller. Your personal data may also be processed – after exhausting other legal grounds – for archiving purposes, which is the legitimate interest of a state legal entity performing public tasks assigned by law using public funds, referred to in Article 6(1)(f) of the GDPR, in which case the further archiving period will not be longer than further 5 years. If the funds disbursed by the Contracting Authority in this procedure come from sources other than the Contracting Authority, it is possible that the data processing period will depend on the regulations determining the principles of settlement of such funds with a third party (financing institution).
5. If legal regulations in any scope provide for a longer data processing period, this longer period shall apply.
6. The Controller may, in accordance with the law, transfer your data further, to other recipients. This is a possibility. The recipients of your personal data may be, in particular:
  - a) duly authorised associates of the Controller or its service providers, to the extent necessary and reasonable, including, for example, IT, software, legal, accounting, tax, hosting, insurance service providers;
  - b) entities authorised to exercise statutory or contractual control or supervision over the Controller, in particular the Łukasiewicz Centre and the President of the Łukasiewicz Centre, also the competent minister;
  - c) other entities authorised by law to exercise supervision and control, and other entities authorised by law;
  - d) in the case of a relationship between you and the Controller for the purposes of subsidised scientific projects or commercialisation – a subsidising, intermediary or funding institution, etc., in particular NCBiR or NCN;
  - e) entities providing maintenance or support of IT systems used by the Controller, entities providing hosting services, etc.;
  - f) courier and postal companies etc.
7. Your personal data may also be potentially disclosed by way of access to public information.
8. Your personal data shall not be transferred to third countries or international organisations. If this is the case, we will inform you separately. However, this does not apply to the transfer for the purpose of implementing and accounting for grants, subsidies, scientific programmes, etc. funded from the budget of the European Union, to which the data may be transferred by the Controller to the extent necessary for the implementation of obligations and proper spending of public funds.
9. With regard to your personal data, decisions will not be taken by automated means. There will be also no profiling on their basis.
10. In order to exercise your rights, please contact the Controller by e-mail at the above-mentioned contact details. You have the right:

- a) to access to the personal data provided;
- b) as a rule, to rectify or supplement the personal data provided. We further inform you that: the exercise of the right to rectify or supplement one's personal data by the data subject may not result in changing the outcome of the public procurement procedure or in changing the provisions of the public contract to the extent incompatible with the Public Procurement Law (Article 19(2) of the Public Procurement Law);
- c) as a rule, to request the restriction of personal data processing. We would like to inform you additionally that: in a procurement procedure, the submission of a request for restriction of processing does not restrict the processing of personal data until the end of that procedure (Article 19(3) of the Public Procurement Law);
- d) to lodge a complaint to the President of the Personal Data Protection Authority regarding the processing of data by the Controller;
- e) as a rule, to data erasure ('right to be forgotten'). However, we would like to inform you that the right to data erasure (right to be forgotten), to the extent designated by Article 17(3)(b), (d) or (e) of the GDPR, does not apply to you as long as the basis for the processing of your data is Article 6(1)(c) of the GDPR (it is limited due to the fact that the processing is carried out for purposes arising from the law – the Contracting Authority must process the data lawfully);
- f) as a rule, to portability of personal data. However, we inform you that: this right does not apply to processing necessary for the performance of a task carried out in the public interest and is restricted in this procedure (Article 20(3) of the GDPR);
- g) as a rule, to object to the processing of personal data. We further inform you that: as long as the basis for the processing of your data is Article 6(1) (c) (or alternatively: (b)) of the GDPR, you unfortunately do not have the right to object (Article 21 (1) of the GDPR);
- h) to withdraw your freely given consent to processing at any time – if processing is based on the consent. The withdrawal of this consent does not affect the existing processing on this basis before the withdrawal. As a rule, in these proceedings your data will not be processed on the basis of your consent, so this right does not apply in principle.

We would like to point out that the provisions of law and the nature of proceedings conducted on the basis of the provisions of the Public Procurement Law may result, in specific cases, in further limitations to your rights. In case of any doubts, please contact the Contracting Authority's Data Protection Officer.