

INFORMATION CLAUSE CONCERNING PERSONAL DATA PROCESSING BY ŁUKASIEWICZ - PORT

**as the Contracting Authority for the purposes of
procurement procedures conducted excluding the
provisions of the Public Procurement Law (in particular:
below the threshold of PLN 130,000.00) and for the
purposes of concluding and performing such contracts**

RE CONTRACT TITLED **Purchase of apparatus for Fiber Optic Photometry**

Pursuant to Article 13(1) and (2) 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 repealing Directive 95/46/EC (the "General Data Protection Regulation") ("**GDPR**"), the Contracting Authority (Controller) hereby informs that:

1. The Controller of the personal data provided to the Contracting Authority in the context of this procedure (and for the purposes of concluding and performing the contract as a result thereof) is (contact details): Łukasiewicz Research Network - PORT Polish Center for Technology Development, ul. Stabłowicka 147, 54-066 Wrocław, KRS No.: 0000850580; NIP: 893140523; biuro@port.lukasiewicz.gov.pl ("**Controller**").
2. The Controller has appointed a Data Protection Officer ("**DPO**"). Contact the DPO: iod@port.lukasiewicz.gov.pl
Feel free to contact us on all matters concerning the processing of your data.
3. Information specific to the processing of data in your case:

Who is affected by the processing	How personal information is obtained	Legal basis for processing personal data	Personal data processed	Purpose of personal data processing	Period of processing of personal data
The Contracting Authority (Procedure Participant), persons representing it, its attorneys and representatives through whom it acts in the	from you (you provide the Contracting Authority with your personal data; we may receive your data from your employer or	article 6(1)(b) GDPR - the data are required for the execution of your request for review of the tender / application by the	any personal information you provide in the course of this procurement process. This may include, but is not limited to: first name, last	conducting a procurement procedure, specifically indicated in the documentation to which this information clause is attached	as a rule - 4 (four) years from the end of the contract award procedure, but for no less than the term of the contract concluded

proceedings, supervisory bodies, etc. and other persons indicated by the Contracting Authority (Procedure Participant) in the tender and other documentation submitted to the Contracting Authority	contractor as part of their tender or application in the proceedings)	Contracting Authority, and you seek to obtain a positive outcome for you. Failure to provide data prevents the request from being fulfilled.	name, social security number, date and place of birth, information about experience and occupation, licenses, convictions, home addresses, contact information		as a result of this procedure (by analogy with article 78 of the Public Procurement Law)
Persons concluding a contract as a result of the award of a public contract and whose details are indicated in such a contract on the part of the successful contractor	from you directly or from your employer	as above	name, contact addresses, position, phone number, email address; also possible: NIP [Tax ID], REGON [Statistical ID].	conclusion and performance of the Contract following an award	as above, however, not shorter than until the statute of limitations for all claims under the contract in question and settlement of the claims asserted
Persons not expressly mentioned in the Contract, but performing the Contract on behalf of the Contractor (e.g. persons actually performing installation work for the purchased equipment on the Controller's premises)	from you directly or from your employer	Article 6(1)(f) GDPR - The Controller has a legitimate interest to know with whom in a contractual relationship they are contacting, who is entering their premises, in what role the other person is acting etc.	name, contact addresses, position, telephone number, email address; if you perform work on the Controller's premises: image (as part of the monitoring, which you are informed of if it is applied on site)	performance of the Contract following an award	as above, however, not shorter than until the statute of limitations for all claims under the contract in question and settlement of the claims asserted

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

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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 with public funds, referred to in Article 6(1)(f) GDPR, in which case the further archiving period will not be longer than a further 5 years. If the funds disbursed by the Contracting Authority in this proceeding come from sources other than the Contracting Authority, it is possible that the data processing period will depend on the regulations governing the settlement of such funds with a third party (funding institution).

5. If the law in any respect provides for a longer processing period, this longer period shall apply.
6. The Controller may, in accordance with the law, transfer your data further to other recipients. It is a possibility. Recipients of your personal data may be, in particular:
 - a) duly authorized associates of the Controller or their service providers, to the extent necessary and reasonable, including, for example, IT, software, legal, accounting, tax, hosting, and insurance service providers;
 - b) entities entitled to statutory or contractual control or supervision over the Controller, in particular the Łukasiewicz Center and the President of the Łukasiewicz Center, also the competent minister;
 - c) other entities authorized by law to supervise and control, and other entities authorized by law;
 - d) in case of a relationship between you and the Controller for the purposes of subsidized scientific projects or commercialization - a subsidizing institution, an intermediary institution, a funding institution, etc., in particular NCBiR or NCN;
 - e) entities providing maintenance or support of IT systems used by the Administrator, entities providing hosting services, etc;
 - f) courier and postal companies, etc.
7. Your personal information may also potentially be disclosed through access to public information.
8. Your personal data will not be transferred to third countries or international organizations. If this should happen, we will inform you in a separate communication. However, this does not apply to the transfer of data for the purposes of implementing and accounting for grants, subsidies, scientific programs, etc. funded from the budget of the European Union to which international organizations data may be transferred by the Controller to the extent necessary for the execution of obligations and proper spending of public funds.
9. No automated decisions will be made with respect to your personal data.

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There will also be no profiling based on them.

10. To exercise your rights, please contact the Controller at the above mentioned contact details of the Data Protection Officer. You have the right to:

- a) access the personal data you have provided;
- b) as a general rule, rectify or supplement the personal data provided;
- c) as a general rule, request the restriction of the processing of personal data;
- d) make a complaint to the President of the Office for Personal Data Protection about the processing of data by the Controller;
- e) as a general rule, erasure of data (right to be forgotten);
- f) as a general rule, carry-over of personal data. However, we inform you that: this right does not apply to processing that is necessary for the performance of a task carried out in the public interest (Article 20(3) GDPR);
- g) as a general rule, to object to the processing of personal data;
- h) revoke your freely given consent to processing at any time - if processing is based on consent. Revocation of this consent does not affect the existing processing on that basis prior to revocation. As a general rule, in this case your data will not be processed on the basis of consent, so this right does not apply.

Please note that the law and the nature of the proceedings conducted may result in further restrictions to your rights in specific cases. If you have any concerns, please contact the Purchaser's Data Protection Officer.

