

## **INFORMATION CLAUSE ON PERSONAL DATA PROCESSING OF A BIDDER**

In accordance with Article 13 para. 1 and para. 2 of the Regulation of the European Parliament and of the Council (EU) 2016/679 of 27 April 2016 on the protection of natural persons in regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46 /EC (Official Journal of the European Union L. 2016.119.1), General Data Protection Regulation, hereinafter referred to as "GDPR", we would like to inform you that:

1) The administrator of bidder's personal data is the Centrum Badań i Rozwoju Technologii dla Przemysłu Spółka Akcyjna, ul. Ludwika Waryńskiego 3A, 00-645 Warsaw, entered into the Register of Entrepreneurs kept by the District Court for the Capital City of Warsaw in Warsaw, 12th Commercial Division of the National Court Register under KRS number: 0000486167, share capital: PLN 5,423,124.00, paid up in full, Tax no.: 5252575062, hereinafter referred to as the Administrator.

### 2) Contact details

The data administrator can be contacted via email: [office@cbrtp.pl](mailto:office@cbrtp.pl) or in writing at the address of the administrator's office with the note "Data protection".

3) The personal data of contact persons, representing or employed by the bidder (hereinafter referred to as "personal data") provided by the bidder will be processed on the basis of:

- Art. 6 sec. 1 point b) GDPR in order to implement the rights and obligations related to activities prior to the conclusion of the agreement and resulting from the concluded agreement;
- Art. 6 sec. 1 lit. c) GDPR, processing is necessary in order to fulfill the legal obligations incumbent on the Administrator or in the scope of personal data contained in documents subject to archiving on the basis of legal provisions;
- Art. 6 sec. 1 lit. f) GDPR, processing is necessary for the implementation of the legitimate interests of the Administrator or a third party and does not excessively affect the interests or fundamental rights and freedoms of data subjects. Such legitimate interest is:
  - i. verification of submitted offers;
  - ii. enabling the Administrator to contact the bidders;
  - iii. verification of the bidder's potential and experience and the possibility of using information in other procedures (creating a supplier base);

- iv. storage of documentation for the purpose of demonstrating compliance with the obligations arising from the settlement of subsidies from public funds;
- v. preventing fraud and criminal activity;
- vi. conducting internal audit processes;
- vii. establishing or pursuing civil law claims by the Administrator as part of the conducted activity, as well as defense against such claims;
- viii. verification of Bidders in public registers.

Failure to provide the required personal data will result in the inability to establish cooperation and conclude a contract.

4) The recipients of personal data will be persons or entities that will participate in the bidding process and the performance of the agreement. Personal data may be accessed by authorized employees of the Administrator, members of the Administrator's bodies, technological and logistic partners, entities and persons providing legal services, units managing and intermediating in spending national and EU funds, entities archiving documents, as well as authorities authorized to receive personal data on the basis of legal provisions. The entities mentioned have been or will be obliged to maintain confidentiality in relation to the personal data entrusted to them or made available to them.

5) The period of personal data storage is the period of conducting the proceedings and the duration of the agreement, and after its expiry the period necessary to enable the handling of the procedure and agreement, securing or pursuing any claims due to the Administrator and fulfilling the Administrator's legal obligation (e.g. resulting from tax or accounting regulations, archiving). The period of personal data processing may be extended each time, if there is another legally justified need of the Administrator to process this data for a longer period.

6) The person whose personal data pertains (if separate provisions do not exclude the possibility of exercising the above-mentioned rights):

- based on Article 15 GDPR, the right to access this personal data;
- based on Article 16 GDPR, the right to rectify this personal data;
- based on Article 17 GDPR, the right to delete data - only if the conditions set out in Article 17 sec. 1 GDPR;
- based on Article 18 GDPR, the right to request the Administrator to limit the processing of personal data, subject to the cases referred to in Article 18 sec. 2 GDPR;
- based on Article 20 GDPR, the right to transfer personal data, i.e. the right to receive personal data in a structured, commonly used, machine-readable IT format.

The right to transfer personal data applies only to data that is processed in an automated manner, i.e. in electronic form, on the basis of a contract.

- based on Article 21 GDPR, the right to object to the processing of personal data, due to the special situation of the data subject, in cases where we process personal data on the basis of a legally justified interest or performance of a public task.

In order to exercise the rights, please contact the Administrator using the data provided in this clause.

7) When the data subject decides that the processing of his data violates the provisions on the protection of personal data, he / she has the right to lodge a complaint with the supervisory body, which is the President of the Personal Data Protection Office, based in Warsaw, ul. Stawki 2, 00-193 Warsaw.

8) The provided personal data is not and will not be subject to automated decision making, including profiling referred to in Article 22 GDPR.

9) The provided personal data will not be transferred outside the European Economic Area.

10) The source of the data is the bidder.

11) In connection with the proceedings and the concluded contract, the following personal data may be processed:

a) name and surname, company, business address and correspondence addresses,

b) numbers in the relevant registers (e.g. Tax number),

c) contact details, such as e-mail address or telephone or fax number,

d) position held within the organization or function performed,

e) experience or qualifications;

f) other data included in the bidder's declarations or references presented in a given procedure, including, in particular, specific identification numbers that are not generally assigned numbers (e.g. business or professional ID number, bank account number, professional title, education).

12) As part of the proceedings, we may obtain personal data from publicly available sources, such as business registers in order to verify the information provided by the bidder. In such a case, the scope of processed data will be limited to data available to the public in relevant registers.

13) The bidder undertakes to immediately make the content of this information clause available to all persons whose personal data is provided to the Administrator as part of the procedure and cooperation.