

All Łukasiewicz-GIT Information Clauses are available on the website: <https://git.lukasiewicz.gov.pl/dane-osobowe/>

INFORMATION CLAUSE for persons signing an agreement / understanding and persons selected for the performance of the agreement / understanding

Pursuant to Articles 13(1) and (2) and 14(1) and (2) of the General 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 (General Data Protection Regulation, hereinafter: "**GDPR**"), we inform you that:

1. The Administrator of your personal data is the Łukasiewicz Research Network - Upper Silesian Institute of Technology (also referred to as "**Łukasiewicz-GIT**") with its registered office in Gliwice, with regard to personal data of the Party with whom the Agreement / Understanding is concluded and personal data of persons representing the Party for the performance of the Agreement / Understanding, i.e. for contact and performance of the Agreement / Understanding.

The Administrator can be contacted as follows:

- by telephone: (+48) 32 23 45 205
- by e-mail: sekretariat@git.lukasiewicz.gov.pl
- by letter: Sieć Badawcza Łukasiewicz – Górnośląski Instytut Technologiczny, ul. Karola Miarki 12-14, 44-100 Gliwice.

2. The Administrator has appointed a Data Protection Officer

You may contact the Data Protection Officer on all matters relating to the Administrator's processing of your personal data and the exercise of your rights in relation to the processing of such data, as follows:

- by e-mail: iod@git.lukasiewicz.gov.pl
- by letter: Inspektor ochrony danych osobowych, Sieć Badawcza Łukasiewicz – Górnośląski Instytut Technologiczny, ul. Karola Miarki 12-14, 44-100 Gliwice.

3. Legal basis and purposes of processing your personal data

The Administrator will process your personal data:

- a) Article 6(1)(b) of GDPR - at your request, in order to take the measures necessary for the conclusion or performance of the Agreement / Understanding (referring to the Parties of the Agreement / Understanding),
- b) Article 6(1)(c) of GDPR - in order to comply with a legal obligation incumbent on the Administrator arising from applicable law, including: tax, reporting and accounting law and document archiving,
- c) Article 6(1)(f) of GDPR - for the purposes resulting from the legitimate interests pursued by the Administrator or by a third party, i.e.: to contact and perform the Agreement / Understanding (refers to the persons representing the Party and appointed by the Party to perform the Agreement / Understanding); to keep documentation related to the performance of the Agreement / Understanding for evidential purposes for the period resulting from the limitation periods for claims; to carry out information, marketing activities, including evaluation of services provided, satisfaction surveys, etc., to which you may object to the Administrator at any time.

4. Recipients or categories of Recipients of your personal data

The Administrator will provide your personal data to the authorities supervising the Administrator's activities, to superior units and public authorities or entities entitled to obtain data on the basis of applicable regulations and to entities providing services to the Administrator within the framework of concluded contracts, inter alia in the scope of:

- a) provision of document shredding and archiving services,
- b) provision of technical and organisational services to the Administrator to ensure efficient management (in particular: ICT service providers, equipment suppliers, courier and postal companies, entities cooperating in the preparation and distribution of publications, entities operating websites, social media, etc.),
- c) provision of legal, insurance and consultancy services.

5. Transfer of your personal data to a third country or international organisation

Your personal data **will not be transferred** to a third country (a country outside the European Economic Area) or an international organisation within the meaning of the GDPR, subject to the following:

The Administrator uses Microsoft 365, which should not result in the transfer of your personal data to a third country. On its website, in its privacy statement, Microsoft explains what personal data it processes, where and how it processes it and for what purposes: <https://privacy.microsoft.com/pl-pl/privacystatement>. Microsoft applies the EU contractual clauses. For more on Microsoft's commitments to protecting the data and privacy of users using the Online Services, including the geographic restriction of data processing from the European Union and Microsoft's compliance with the provisions of GDPR, please visit the Microsoft Trust Centre: <https://www.microsoft.com/pl-pl/trust-center/privacy>.

6. Retention period of your personal data

The Administrator will keep your personal data for the period of duration of the Agreement / Understanding, and then until the end of the period of limitation of claims resulting from generally applicable provisions of law, including Article 118 of the Act of 23 April 1964 Civil Code. The Administrator will keep your personal data for archival purposes for the period of time resulting from the Act of 14 July 1983 on National Archival Resources and Archives to the extent that these requirements are applicable and the internal regulations of Łukasiewicz-GIT. At the end of these periods, your personal data will be deleted.

7. Your rights in relation to processing of your personal data

- a) You have the right, pursuant to Articles 15-20 of GDPR, to request from the Administrator, in the manner set out in point 1 above, access to your personal data, its rectification, erasure ("right to be forgotten"), restriction of processing and the right to data portability.
- b) You have the right, pursuant to Article 21(1) of GDPR, to object to the Administrator on grounds relating to your particular situation, in the manner set out in point 1 above, to the processing of your personal data for purposes arising from legitimate interests pursued by the Administrator or by a third party (Article 6(1)(f) of GDPR). You have this right only if there are no compelling legitimate grounds for the processing overriding your interests, rights and freedoms or grounds for the establishment, assertion or defence of claims.
- c) You have the right to lodge a complaint with the supervisory authority, i.e. the Prezes Urzędu Danych Osobowych, ul. Stawki 2, 00-193 Warszawa, <https://uodo.gov.pl/pl/p/kontakt>, tel. (+48) 22 531 03 00, if you consider that the Administrator's processing of your personal data violates the provisions of GDPR.

8. Information about the requirement to provide your personal data

Your provision of personal data necessary for the conclusion or performance of the Agreement / Understanding is indispensable for its conclusion or execution. Failure to provide this data will result in the impossibility to conclude or properly perform the Agreement / Understanding. Providing your personal data necessary for the fulfillment of an obligation incumbent on the Administrator (Article 6(1)(c) of GDPR) is a statutory requirement under applicable law.

9. Source of your personal data and categories of data

The Administrator has received your personal data from a Party to the Agreement / Understanding. The personal data received shall be ordinary personal data, i.e.: first name, surname, position/function, business contact details (telephone, e-mail) and other data resulting from the provisions of the Agreement / Understanding.

10. Compliance with information obligations

The Party with whom the Contract / Agreement is signed undertakes to communicate this Information Clause to all persons representing the Party and appointed by the Party for contact and to execute the Contract / Agreement.

Definitions:

1. **personal data/data** - means information about 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 the natural person;
2. **Administrator** - means a natural or legal person, public authority, entity or another body which alone or jointly with others determines the purposes and means of the processing of personal data;
3. **Recipient** - means a natural or legal person, public authority, individual or another entity to whom personal data is disclosed, whether or not that person is a third party. Public authorities that may receive personal data in the context of specific proceedings in accordance with the European Union or Member State law, but are not considered Recipients; the processing of this data by these public authorities must comply with the data protection legislation applicable according to the purposes of the processing;
4. **third party** - means a natural or legal person, public authority, entity or body other than the data subject, the Administrator, the processor or the persons who, under the authority of the Administrator or the processor, may process personal data;
5. **processing** - means an operation or set of operations which is performed upon personal data or 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;
6. **consent of the data subject** - means a freely given, specific, informed and unambiguous indication of the will by which the data subject, either by a statement or by a clear affirmative action, consents to the processing of personal data concerning him or her.