

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

INFORMATION CLAUSE for business (cooperation with Łukasiewicz Research Network Institutes)

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, in relation to your personal data contained in the message you send to the Administrator via e-mail, chat or contact form.

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)(a) of GDPR – on the basis of your freely given, informed consent, also in the form of a voluntary confirmatory action, e.g. by sending a message to the Administrator via e-mail, chat or contact form, for the processing of your personal data by the Administrator, in the form of: first name, surname, contact telephone number and e-mail address, contained in the sent message, in order to provide you with an answer to the questions, opinions, suggestions, comments, etc. sent in the message, or to send an offer with a proposal to solve the issue described in the message or to carry out the commissioned project, and to make available, if necessary, your personal data to other Łukasiewicz Research Network Institutes or external entities for the purpose of preparing an offer. You may withdraw this consent at any time,
- b) Article 6(1)(b) of GDPR – at your request, in order to take steps necessary for the conclusion and performance of an agreement to implement a solution proposed by Łukasiewicz-GIT or to carry out a commissioned project,
- c) Article 6 para. 1(a) of GDPR – on the basis of your free, informed consent for the Administrator to process your personal data, contained in the message you sent to the Administrator, for the purpose of sending marketing, promotional and commercial information, including products and services information, to the e-mail address you provided, in the scope of activities undertaken by Łukasiewicz-GIT, including, but not limited to, sending by e-mail commercial offers, information materials, newsletters, advertisements for subscriptions to "Materials Science and Welding Technologies", invitations to fairs, conferences, seminars, courses, trainings and other events organised or co-organised by Łukasiewicz-GIT. You may withdraw this consent at any time,
- d) Article 6(1)(c) of GDPR – processing is necessary for the fulfillment of the legal obligation incumbent on the Administrator and Article 6(1)(e) of GDPR – processing is necessary for the performance of a task carried out in the public interest pursuant to Articles 1(2), 2(2), 3(2) and 4 of the Act of 21 February 2019 on the Łukasiewicz Research Network and the Act of 6 September 2001 on Access to Public Information, provided that, based on separate regulations, the information is not covered by secrecy or does not violate the right to privacy, in order for Łukasiewicz-GIT and other Łukasiewicz Research Network Institutes to carry out their statutory activities, including research and development, information, promotion, education, marketing and commercialisation activities, in particular knowledge transfer and implementation of the results of scientific research and development work into the economy through their commercialisation, with the aim of integrating, developing and promoting Polish science and increasing the competitiveness of Polish enterprises in the international arena,
- e) Article 6(1)(f) of GDPR – processing is necessary for the purposes of the legitimate interests pursued by the Administrator or by a third party, i.e.: establishing long-term cooperation with the contractor you represent and maintaining business contacts for the purpose of executing future orders; enabling you to contact the Administrator by sending a message to the Administrator via e-mail, chat or the contact form and the Administrator providing you with answers to the questions, opinions, suggestions, comments, etc. sent in the message, or sending an offer with a proposal to solve the issue described in the message or to carry out the commissioned project; saving correspondence in paper and electronic form for evidentiary purposes for the period resulting from the limitation periods for claims; conducting information and 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 other Łukasiewicz Research Network Institutes or external entities solely for the purpose of preparing an offer with a proposal for solving an issue or carrying out a project commissioned by you, and, in addition, to the authorities supervising the Administrator's activity, to superior units and public authorities or entities authorised to obtain data on the basis of valid regulations and to entities providing services to the Administrator within the framework of concluded contracts, inter alia, in the scope of:

- a) the provision of document shredding and archiving services,
- b) the 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 by the preparation and distribution of publications, entities operating websites, social media, etc.),
- c) the 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 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 retain your personal data for the duration of the contact for the purpose of answering the questions, opinions, suggestions, comments, etc. sent by you in the message or sending an offer with a proposal for solving the issue described in the message or implementing the commissioned project, and then until the end of the period of limitation of claims under generally applicable 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. The Administrator will process your personal data for marketing and commercial purposes until these purposes cease or you withdraw your freely given consent to the Administrator.

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, pursuant to Article 7(3) of GDPR, to withdraw at any time the consent you have given to the Administrator, in the manner set out in point 1 above, where the processing is based on your freely given consent, pursuant to Article 6(1)(a) or Article 9(2)(a) of GDPR. The withdrawal of consent is not retroactive and does not affect the lawfulness of the processing carried out on the basis of consent before its withdrawal.
- d) You have the right to lodge a complaint with the supervisory authority, i.e. Prezes Urzędu Ochrony 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

Providing your personal data necessary for contact is a condition for answering your questions, opinions, suggestions, comments, etc., or for sending an offer with a proposal of a solution to the issue described in the message or the implementation of the commissioned project, and also for establishing long-term cooperation and maintaining business contacts for the purpose of carrying out future orders. Failure to provide this data will result in the impossibility to fulfill the aforementioned purposes. 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. Providing your e-mail address for the purpose of receiving marketing, promotional and commercial information by e-mail is entirely voluntary.

9. Source of your personal data and categories of data

The Administrator has obtained your personal data from the contractor for whom you work, or from another Institute of the Łukasiewicz Research Network, or from an external entity, provided as a contact person for an offer to solve an issue

or carry out a commissioned project. The personal data received is the usual personal data, i.e.: name, surname, telephone number and e-mail for contact.

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.