

All Łukasiewicz-GIT GDPR Information Clauses are available on the website: <https://git.lukasiewicz.gov.pl/en/personal-data/>

INFORMATION CLAUSE

for persons whose data, including image data, is published and disseminated in information, promotional, educational and marketing materials

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 Controller 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 Poland, in relation to your personal data processed by the Controller for the purposes listed in point 3 below.

The Controller 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, POLAND

2. The Controller has appointed a Data Protection Officer

You may contact the Data Protection Officer on all matters relating to the Controller'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, POLAND

3. Legal basis and purposes of processing your personal data

The Controller will process your personal data:

- a) Article 6(1)(a) of GDPR and Article 81(1) of the Act of 4 February 1994 on Copyright and Related Rights – on the basis of your voluntary, free consent to the use, without time and territorial limitations, of your personal data, including image data, in the form of photos/video recordings/online broadcasts, etc., for the purpose of their possible publication in audiovisual materials (works) on the website and social media profiles of Łukasiewicz-GIT and other Institutes of the Łukasiewicz Research Network and Łukasiewicz-GIT partners, as well as for their possible dissemination in the form of press and television publications and in the form of publications: in magazines, monographs, prospectuses, brochures, leaflets, etc., solely for informational, promotional, educational and marketing purposes. The Controller ensures that the above-mentioned audiovisual materials (works) will not violate your personal rights or the rights of third parties and will not be published in forms generally considered offensive or unethical. You may withdraw this consent at any time by sending information about your withdrawal to the following email address: sekretariat@git.lukasiewicz.gov.pl,
- b) Article 6(1)(a) of the GDPR – on the basis of your free, informed consent, also in the form of voluntary action, e.g. by sending a message to the Controller via e-mail, chat or contact form, for the use of personal data for the purpose of contacting you, in the form of: name, surname, e-mail address and other data requested in the chat or contact form. You may withdraw the consent at any time,
- c) Article 6(1)(c) of the GDPR – processing is necessary for compliance with a legal obligation to which the Controller is subject, and Article 6(1)(e) of the GDPR – processing is necessary for the performance of a task carried out in the public interest, in accordance with Article 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, unless, under separate provisions, the information is confidential or does violate the right to privacy, for the purpose of carrying out statutory activities by Łukasiewicz-GIT and other Institutes of the Łukasiewicz Research Network, including research and development, informational, promotional, educational, marketing and commercialization activities, among others, by publication of audiovisual materials (works), in accordance with the Act of 4 February 1994 on copyright and related rights, on the website and social media profiles of Łukasiewicz-GIT and other Institutes of the Łukasiewicz Research Network and Łukasiewicz-GIT partners, as well as their possible dissemination in the form of press and television publications and in the form of publications: in magazines, monographs, prospectuses, brochures, leaflets, etc., solely for informational, promotional, educational and marketing purposes, or by posting audiovisual materials (works) from other Institutes of the Łukasiewicz Research Network and Łukasiewicz-GIT partners on the website and social media profiles of Łukasiewicz-GIT,
- d) Article 6(1)(c) of the GDPR – processing is necessary for compliance with a legal obligation to which the Controller is subject; Article 6(1)(e) of the GDPR – processing is necessary for the performance of a task carried out in the public interest; Article 6(1)(f) of the GDPR – processing is necessary for the purposes of the legitimate interests pursued by the Controller or by a third party, i.e., to operate and maintain the Łukasiewicz-GIT website and social media profiles, including to ensure the inviolability and integrity of published content and the security of your personal data; to enable you to contact the Controller, send messages, inquiries, complaints, comments, etc., regarding the website, social media profiles, the processing and protection of your personal data, etc.; retention of electronic correspondence for evidentiary purposes for the period resulting from the limitation periods for claims.



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4. Recipients or categories of Recipients of your personal data

The recipients of your image data, obtained on the basis of your voluntary and informed consent, may be entities providing services to the Controller (e.g. companies processing digital materials, entities cooperating in the development and distribution of publications, entities operating websites and social media profiles, press publishers and television broadcasters, as well as other Łukasiewicz Research Network Institutes and Łukasiewicz-GIT partners, etc.) for the purpose of publishing and disseminating audiovisual materials (works) containing your personal data, including image data, while maintaining their protection on the basis of concluded, relevant agreements.

The Controller will provide your personal data to the authorities supervising the Controller'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 Controller 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 Controller to ensure efficient management (in particular: ICT service providers, equipment suppliers, courier and postal companies, 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 Controller 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 the GDPR, please visit the Microsoft Trust Centre: <https://www.microsoft.com/pl-pl/trust-center/privacy>.

6. Retention period of your personal data

The Controller will process your personal data, including image data, for the duration of the informational, promotional, educational and marketing activities until these purposes cease or you withdraw your freely given consent to the Controller. The Controller will keep your personal data until the end of the period of limitation of claims resulting from generally applicable laws, including Article 118 of the Act of 23 April 1964 Civil Code. The Controller 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 the processing of your personal data

- a) You have the right, pursuant to Articles 15-20 of the GDPR, to request from the Controller, 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 the GDPR, to object to the Controller 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 Controller or by a third party (Article 6(1)(f) of the 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 the GDPR, to withdraw your consent to the use of your personal data, including image data, in the manner specified in point 1 above, at any time, if the processing is based on your voluntarily given consent, in accordance with Article 6(1)(a). Withdrawal of consent will result in the Controller being obliged to cease publication or suspend the broadcast and delete your data, including image data and audiovisual materials (works) with your direct participation, from the websites and social media profiles of Łukasiewicz-GIT and other Institutes of the Łukasiewicz Research Network and Łukasiewicz-GIT partners, as well as from publications: magazines, monographs, prospectuses, brochures, leaflets, etc. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.
- d) You have the right to lodge a complaint with the supervisory authority, i.e., President of the Personal Data Protection Office in Poland, by telephone: (+48) 22 531 03 00, by email: <https://uodo.gov.pl/pl/p/kontakt> or by letter at the address: Prezes Urzędu Ochrony Danych Osobowych, ul. Stanisława Moniuszki 1A, 00-014 Warszawa, POLAND, if you consider that the Controller's processing of your personal data violates the provisions of the GDPR.

8. Information about the requirement to provide your personal data

Your consent for the Controller to process your personal data, including image data, is entirely voluntary. Failure to consent to the processing of your personal data, including image data, for the aforementioned purposes will result in the cessation of photographing, audio-video recordings, and online broadcasts involving your direct participation, as well as the permanent deletion of any photographs and audiovisual materials (works) already taken and recorded involving your direct participation. Providing your personal data required by email, chat, or contact form in order to send a message to the Controller via email, chat, or contact form is voluntary but necessary for the Controller to respond to your questions, opinions, suggestions, comments, etc. Failure to provide this data or providing incorrect data results in the inability to respond and the Controller will delete your message.



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9. Source of your personal data and categories of data

The Controller has received your personal data from another Łukasiewicz Research Network Institute or a Łukasiewicz-GIT partner. The personal data received includes ordinary personal data, i.e., image/voice, first name, surname, degree/title, position, name of Institute/Department/Institute and business contact details (e-mail and telephone).

10. Information on automated decision-making, including profiling

During the processing of your personal data, there will be no automated decision-making, including profiling, which means that no actions referred to in Article 22(1) and (4) of the GDPR will be taken.

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. Controller** - 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 Controller, the processor or the persons who, under the authority of the Controller 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.

