

## Personal Data Processing Information for Contractors in the context of a Project \_\_\_\_\_ name \_\_\_\_\_

According to 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) (OJ EU L 119, p. 1), further referred to as GDPR, I hereby provide you with information regarding the processing of your personal data:

1. The personal data administrator is **LABPLUS Spolka Akcyjna**. The company's registered address Wyspa Słodowa 7, 50-266 Wrocław, registered in the National Court Register under number 0001018188, NIP 8961622267, Regon 524450039
2. Contact to Administrator: e-mail: [rodo@labplus.pl](mailto:rodo@labplus.pl).
3. Contact regarding data protection can be made by mail to the address: Wyspa Słodowa 7, 50-266 Wrocław, or **via email**, which we prefer for communication with you..
4. **You have the right to\***: access your personal data, rectify them, request their deletion or object to their processing, request the restriction of data processing, as well as their transfer or deletion. Taking these actions on your request does not affect the lawfulness of processing carried out before such request.
5. **You can always**: lodge a complaint with the President of the Personal Data Protection Office if you believe that the Administrator does not properly comply with data protection regulations or processes personal data incorrectly. The procedure for submitting objections to the Administrator and to the President of the Personal Data Protection Office can be found in the Privacy Policy available at the office and on the website [www.labplus.pl/rodo](http://www.labplus.pl/rodo).
6. The Administrator will process personal data provided by you in the bid and documents submitted with the bid, for the proper implementation of the project to which the Contractor's bid was submitted, for tax purposes, for the assertion of claims under civil law. The Administrator may also use the data on marketing and information materials within the framework of statutory obligations imposed by the project. After the completion of the contract and to the extent that your personal data is not required, your consent is necessary for its processing and this applies in particular to the sending of marketing information of cooperators or the use of your data within the framework of future competitions and offers of the Administrator. The execution of the contract is also understood as actions taken prior to its conclusion, if they are necessary, e.g. the process of selecting the most advantageous offer, publication of the results of the proceedings with the data of the bidders.
7. Providing data as required by the Public Procurement Law, the Public Finance Law, and other specific laws related to the procedure in which the offer is submitted is mandatory and conditions participation in the proceedings. If you also provide other data voluntarily or at the request of the Administrator, such data may be processed only with your consent, which may also be implied by sending and providing such data. Lack of consent or failure to provide data not required according to the Terms of Reference does not affect the selection of the offer. The Administrator will also, in



accordance with legal requirements, particularly the provisions of the Act on Access to Public Information, publish the selection of the most advantageous offer with the personal data of the bidders participating in the proceedings or only the bidder whose offer was selected, in the public register, e.g., in the competitiveness database.

8. Voluntary consent to data processing can be withdrawn at any time, without affecting the validity of processing prior to the withdrawal of consent.
9. **We process your personal data based on:**
  - a) **Article 6(1)(c) of the GDPR:** for the purpose related to the tender procedure, excluded from the application of the provisions of the Public Procurement Law, or for the conclusion or performance of a contract for the execution of the order forming the subject of the tender procedure in this project;
  - b) **Article 6(1)(a), (b) of the GDPR:** processing is necessary for the performance of actions at your request prior to entering into a contract, such as providing information about the request for quotation;
  - c) **Article 6(1)(f) of the GDPR:** the processing is necessary for the purposes of legitimate interests pursued by the Administrator, e.g. archiving of offers; marketing of the Administrator's own products;
  - d) **Article 9(2)(f) of the GDPR:** processing is necessary for the establishment, investigation or defense of claims, e.g. litigation, complaints, disciplinary proceedings;
  - e) **Article 9(2)(b) and (h) of the GDPR:** Processing of special categories of data is based on specific provisions if it concerns a particular tender procedure with regard to healthcare entities.
10. The recipients of your personal data will be:
  - a) entities handling personnel, administrative, and technical office support.;
  - b) entities providing financial support for the project, entities handling the inquiry and publication of offers.;
  - c) In the case of marketing activities, promotional efforts, and creating newsletters, recipients may include entities engaged in marketing services, newsletter creation, and distribution of promotional materials. The list of processors, meaning entities that process your data on behalf of the Administrator or acquire this data in the course of fulfilling orders, is open. The Administrator regularly updates the list of these entities and shares your personal data only when necessary. They also conduct periodic audits of processors.
11. Your personal data may be transferred to third countries in connection with the Administrator's conclusion of your personal data may be transferred to third countries, i.e. countries that are not considered by the EU to guarantee the protection of personal data at the EU level, in connection with the Administrator's conclusion of agreements with third-party service providers, e.g. business services



from Google, server administrator, who allow the possibility of cross-border data transfer, including outside the EU and EEA. In such a situation, the Administrator always verifies that the service provider has entered into agreements on standard contractual clauses with the entity located in that third country where your personal data will be located, consistent with the model of the Commission Decision of February 5, 2010 on standard contractual clauses for the transfer of personal data to processors established in third countries under Directive 95/46/EC of the European Parliament and of the Council (notified under document number C(2010) 593) (2010/87/EU). The Administrator's website, [www.labplus.pl/rodo](http://www.labplus.pl/rodo), provides information about the rights of persons affected by the transfer of data to third countries, as well as countries outside the EU and EEA guaranteeing the standard of personal data protection, and includes information about the standard contractual clauses included by service providers, in the document Labplus S.A. Privacy Policy.

12. We process your personal data for the time specified in the project and special laws, including the Public Finance Act, the Public Procurement Law; for a further time after the end of the contract and resulting from special laws, e.g. on archiving personnel or insurance documents, or resulting from the statute of limitations for claims by both the Administrator and you.
13. Your data is not profiled.

**\*Explanation:**

- i) **failure to confirm receipt of the information clause does not mean that the Administrator has not fulfilled its legal obligations. It is sufficient to demonstrate that the individual whose data is obtained has been provided with this information or has been given** the opportunity to familiarize themselves with the information on data management.
- ii) **the exercise of the right to rectification cannot result in changing the outcome of the tender procedure** or altering the provisions of the contract in a manner inconsistent with the legal provisions governing the conduct of the relevant proceedings.
- iii) **The right to restrict processing** does not apply to the storage necessary to ensure the exercise of legal claims or to protect the rights of another natural or legal person, or for important reasons of public interest of the European Union or a Member State in connection with the implementation of the project, within the scope of the submitted offer.

**Additional information:**

It is the Contractor's obligation to fulfill all formal and legal requirements imposed by the GDPR, the Personal Data Protection Act, and those related to participation in the proceedings in question and project implementation..

**These responsibilities include:**

- i) These responsibilities include obligation to provide information as indicated in Article 13 of the GDPR to persons whose personal data it processes as part of an offer made or documents submitted at the request of the Administrator;
- ii) The information obligation indicated in Article 14. of the RODO with respect to persons whose personal



data the Contractor processes and obtained indirectly and included in the offer or in documents submitted at the request of the Administrator. - with the provision of information about the processing of such data by the Administrator in the bidding procedure or as a result of the selection of the Contractor's offer



## Voluntary consents

Dear Sir/Madam,

Below, we have provided consent forms for the processing of personal data. Providing them is voluntary and does not affect the execution of the main contract. Please familiarize yourself with their content and select the appropriate responses; failure to respond will be understood as a refusal to consent.

**Note: If you wish to cooperate with us in the future, on new projects, consenting to the use of your data in future tender inquiries, after the expiration of the current agreement, will allow us to engage you in further assignments of our Company.**

### Consent to use data for proceedings and advertising.

I consent to the Administrator's use of my personal data: *name, surname, professional qualifications (completed schools, professional qualifications)*, image - provided in contractual documents for the purposes related to tender proceedings of Ltts S.A., within the scope of conducted business activities, where I will be registered as a potential contractor or person involved in the project, even after the expiry of the agreement.

YES

NO

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Location, date, signature

