

## ANNEX NO. 9 OF DOCUMENTATION OF PROCUREMENT PROCEDURE

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### INFORMATION ON PROCESSING OF PERSONAL DATA OBTAINED WITHIN PUBLIC PROCUREMENT PROCEDURE

in accordance with Articles 13 and 14 of Regulation (EU) 2016/679 of the European Parliament and of the Council (hereinafter referred as to the "**GDPR**")

The Contracting Authority shall provide the data subject with the following information on the processing of personal data, regardless of whether personal data are obtained from the data subject (Article 13 (1) GDPR) or personal data not obtained from the data subject (Article 14 (3) GDPR).

- **The Contracting Authority shall administer personal data processed within procurement procedure: Expansion of infrastructure capacities for measuring mixed phenomena II.**
- **Identification and contact details of the administrator and possible deputy:**

**administrator:** Charles University, Faculty of Mathematics and Physics, Company Reg. No.: 00216208, with registered office: Ovocný trh 560/5, 116 36 Praha 1

e-mail: uk@cuni.cz

phone number: +420 224 491 111

**deputy:** KOUKAL LEGAL, advokátní kancelář s.r.o. (Law Firm), Company Reg. No.: 10800387, with registered office: Brno, Příkop 834/8, postcode 602 00

e-mail: vz@koukallegal.cz,

phone number: +420 721 084 271

- **Contact details of the Data Protection Officer:**

**Data Protection Officer** Mgr Petra Kubáčková

e-mail: gdpr@cuni.cz

phone number: +420 771 232 578

- **The purpose of the processing of personal data and the legal basis of this processing:**
  - the purpose of the processing of the personal data is to ensure a proper conduct and archiving of the documentation of a public procurement procedure;
  - the administrator shall process personal data in order to achieve the above purpose pursuant to Article 6 (1) (c) GDPR, according to which the processing is necessary to fulfill the legal obligation, as administrator is a subject to this obligation;
  - in case, the processing of personal data is not a legal obligation of the Contracting Authority, personal data are processed pursuant to Article 6 (1) (f) GDPR, according to

which the processing is necessary for the purposes of the legitimate interests of the administrator particularly:

- in communication with the data subject in case of personal identification and contact details, or
- for assessment of qualifications and conducting evaluations in case of descriptive personal data (eg CV data, academic certificates, etc.).

- **Categories of data subjects whose personal data may be processed within procurement procedure, including the definition of the categories possibly demanding personal data:**

The economic operator (is not a natural person)

- Identification and contact details, especially name, surname, registered office, telephone number and e-mail address
- Descriptive data regarding the economic operator's ability to fulfill the subject matter of a public procurement, in particular personal data in the academic certificates, documents that certifies that an economic operator has received a specific education or authorization

Employees and members of the economic operator's bodies

- Identification and contact details, especially name, surname, registered office, telephone number and e-mail address, eventually a signature in case they are members or alternates of the Committee
- Descriptive data regarding the economic operator's ability to fulfill the subject matter of a public procurement, in particular personal data in the academic certificates, documents that certifies they have received a specific education or authorization

Members of the implementation team

- Identification and contact details, especially name, surname, registered office, telephone number and e-mail address
- Descriptive data regarding the economic operator's ability to fulfill the subject matter of a public contract, in particular personal data in the academic certificates, documents that certifies they have received a specific education or authorization

Subcontractors and other persons to whom the economic operator must submit his qualification

- Identification and contact details, especially name, surname, registered office, telephone number and e-mail address
- Descriptive data regarding the economic operator's ability to fulfill the subject matter of a public procurement, in particular personal data in the academic certificates, documents that certifies that an economic operator has received a specific education or authorization

#### Employees and members of the economic operator's bodies

- Identification and contact details, especially name, surname, registered office, telephone number and e-mail address
- Descriptive data regarding the economic operator's ability to fulfill the subject of a public procurement, in particular the personal data in the academic certificates, documents that certifies that an economic operator has received a specific education or authorization

#### Members or alternates of the Committee, or invited experts

- Identification and contact details, especially name, surname, registered office, telephone number, e-mail address and signature

#### **Storage limitation**

- Personal data shall be stored at the Contracting Authority for the necessary period of archiving of the procurement documentation stipulated by the law, ie for 10 years from the date of termination of a public procurement procedure or the change of the commitment from the a public procurement unless another legal regulation stipulates a longer period of time

#### **Rights of the data subject**

*The data subject has:*

- the right of access to personal data

The data subject has the right to request information about:

- *the purposes of processing personal data;*
- *categories of personal data;*
- *the recipients or categories of recipients to whom personal data has been or will be made available;*
- *the planned time for which personal data will be stored;*
- *the existence of the right to require from the Administration of the Basic Registers to correct or erase your personal data or limit its processing, or raise an objection to such processing;*
- *the right to lodge a complaint with a supervisory authority – The Office for Personal Data Protection;*
- *any available information about the personal data source unless it is obtained from the data subject.*

- The right to correct inaccurate personal data;

*If the personal data of the data subject processed by the Contracting Authority are imprecise, the data subject has the right to request immediate correction. If necessary for processing purposes, you also have the right to request the addition of incomplete personal information.*

- The right to delete personal data

*The data subject has the right to require from the administrator to delete the personal data of the data subject without undue delay if one of the following reasons is given:*

- *personal data are no longer needed for the purposes for which they were collected or otherwise processed;*
- *you withdraw the consent under which the data were processed and there is no further legal reason for processing;*
- *you raise an objection to processing and there are no overriding lawful grounds for processing;*
- *personal data have been unlawfully processed;*
- *personal data must be deleted to comply with a legal obligation laid down in European Union law or in a Member State that applies to the Administration of the Basic Registers;*
- *the parent's consent was not given to the processing of the child's personal data.*

- the right to limit processing of the provided personal data;

*The data subject has the right to require from the administrator to restrict the processing in any of the following cases:*

- *denies the accuracy of personal data for the time necessary for the administrator to verify the accuracy of the personal data of the data subject;*
- *processing is illegal and the data subject refuses to erase personal data and instead of that he requests restrictions on their use;*
- *the administrator no longer needs personal data for processing but the data subject requires them to identify, perform or defend legal claims, and does not want them to be erased;*
- *the data subject raises an objection to processing until it is verified that legitimate reasons of the administrator outweigh the legitimate reasons of the data subject.*

*In case that processing has been restricted, such personal data, with the exception of their deposit, may be processed only with the consent of the data subject or for the purpose of determining, enforcing or defending legal rights, for the protection of the rights of another natural or legal person, or for reasons of major public interest to the European Union or a Member State.*

- The right to portability of the provided personal data.

*The data subject has the right to obtain personal data provided to the administrator in a structured, commonly used and machine-readable format, and the right to pass this data to another data administrator without resistance from the original administrator.*

*The data subject has the right to require personal data to be passed directly to another administrator if this is technically feasible.*

*Applying the right of portability without prejudice to any other rights the data subject has against the administrator in relation to the processing of personal data of the data subject.*

*This right shall not be adversely affect the rights and freedoms of others.*

- The right to lodge a complaint with the Supervisory Authority

*The data subject has the right to lodge a complaint with the Office for Personal Data Protection, if he considers that processing of his personal data is violated by GDPR.*

- The right to raise an objection

*The data subject has the right to raise an objection to processing his personal data, which the administrator processes on the basis of his legitimate interest.*

*After the objection has been raised and the administrator does not show serious legitimate reasons for processing that outweigh the interests or rights and freedoms of the data subject or for determining, enforcing or defending legal claims, does not process personal data further.*

The data subject is entitled to apply the aforementioned rights by submitting to the administrator or the Personal Data Protection Officer through the above contact details.

- **Recipients of personal data**

- If the Contracting Authority is represented by a deputy in procurement procedure, he shall provide the personal data obtained from tenders by the deputy of the Contracting Authority.
- If a public contract is financed by a grant, the Contracting Authority provides the personal data obtained from tenders by the grant provider.
- Experts other than the Contracting Authority are involved in the assessment of compliance with the participation conditions.

- **Source of personal data**

- The source of personal data is the economic operator's tender.

- **More information**

- The Contracting Authority does not intend to transfer personal data to a third country or an international organization.
- Automated decision making, including profiling, will not occur in relation to personal data.