

INFORMATION CLAUSE

ŁUKASIEWICZ RESEARCH NETWORK - INSTITUTE OF POLYMER MATERIALS ABOUT THE PROCESSING OF PERSONAL DATA GENERAL

In order to comply with the legal obligation imposed on the Controller of personal data by the provisions of Article 13(1) and (2) and Article 14(1) and (2) of 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 L 119, p. EU L 119 of 4 May 2016, p. 1 and OJ L 127 of 23 May 2018, p. 2) – hereinafter referred **to as GDPR**, we hereby inform you that:

1. **The administrator of personal data is:**

Łukasiewicz Research Network - Institute of Polymer Materials with its registered office in Toruń at 55 Marii Skłodowska-Curie Street, (87-100 Toruń), using the abbreviated name "**Łukasiewicz-IMPiB**", which can be contacted:

- 1) via e-mail address: **sekretariat@impib.lukasiewicz.gov.pl**;
- 2) by letter to the address of the registered office: **87-100 Toruń, 55 Marii Skłodowska-Curie Street** or via the e-delivery box: **AE:PL-69485-13407-CBVJH-24**
- 3) by phone: +48 (56) **650-00-44**; fax number: +48 (56) 650-03-33, weekdays from 7.00 a.m. to 3.00 p.m.

2. **Contact details of the Data Protection Officer**

The Administrator has appointed a Data Protection Officer – this is Mr. Marek Bystrowski, whom you can contact via e-mail: **iod@impib.lukasiewicz.gov.pl** or by letter to the Administrator's address.

The Data Protection Officer can be contacted in all matters related to the processing of personal data and the exercise of rights related to data processing.

3. **Joint Data Controllers**

The Administrator is an institute of the Network operating on the basis of the Act of 21 March 2019. *on the Łukasiewicz Research Network*. In connection with the implementation of the statutory tasks of the Łukasiewicz Research Network, the Administrator has concluded an agreement with other entities belonging to this Network on the joint administration of personal data.

To the extent specified in this agreement, personal data may be processed by joint controllers who are entities forming the Łukasiewicz Research Network, if it is necessary for the performance of the statutory tasks of the Network and its members.

The main content of the arrangements between the joint controllers, including in particular the list of joint controllers and the division of responsibilities related to the processing of personal data, is described in the information clause on the joint management of personal data, available on the Controller's website.

In order to implement the provisions of the agreement, the joint controllers have appointed a common point of contact available at the following email address: **rodo@lukasiewicz.gov.pl**

Regardless of the agreement between the joint controllers, you can exercise the rights under the GDPR against each of the joint controllers.

4. **Purposes of processing and legal basis of processing**

Depending on the circumstances and the purpose of the processing, your personal data may be processed by the Controller on one or more of the following legal bases, for the following purposes:

- 1) to take pre-entry measures and to conclude and perform a contract or other legal relationship, pursuant to Article 6(1)(b) of the GDPR, where processing is necessary at the request of the data subject or for the performance of a concluded contract;
- 2) in order to fulfil obligations arising from the provisions of law pursuant to Article 6(1)(c) of the GDPR, in particular in connection with the performance of obligations arising from: the Łukasiewicz Research Network Act, the Law on Higher Education and Science; labour law, the

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Act on the principles of state property management, the Act on the Company Social Benefits Fund; the Act on Credit Unions; the Public Procurement Law, the Act on Access to Public Information, the Press Law, the Whistleblower Protection Act, the Copyright and Related Rights Act, the Industrial Property Law Act, the Act on Conducting Business Activity in the Field of Production and Trade in Explosives, Weapons, Ammunition and Products and Technology for Military or Police Purposes; tax regulations, accounting regulations, archival regulations, regulations governing the financing of science, research and implementation activities and other provisions of generally applicable law;

- 3) in order to perform tasks carried out in the public interest, pursuant to Article 6(1)(e) of the GDPR, in connection with the implementation of the statutory tasks of the Łukasiewicz Research Network institute, as a state legal entity operating on the basis of the Act of 21 February 2019. *on the Łukasiewicz Research Network*, as well as as an important entity in the "Scientific Research" sector, referred to in Annex 2 to the regulations implementing the NIS2 Directive, belonging to the higher education and science system, indicated in Article 7(1)(6b) of the Act of 20 July 2018. *Law on Higher Education and Science*, including in particular scientific, research, development, implementation, educational activities and cooperation with the socio-economic environment;
- 4) in order to pursue the legitimate interests of the Administrator, pursuant to Article 6(1)(f) of the GDPR, including in particular: conducting ongoing communication and correspondence; maintaining and developing relations with contractors, business partners, scientific units and other cooperating entities; ensuring the correct identification of persons representing entities cooperating with the Administrator and persons acting on their behalf; ensuring the security of persons, property, infrastructure, ICT systems and information held by the Administrator; protection of trade secrets, know-how and other intellectual property rights; organization of scientific and training events, conferences, seminars and activities promoting the Administrator's activities; archiving documentation and ensuring accountability of the processes carried out and the performance of legal obligations; conducting direct marketing of the Controller's own services, projects, research and development undertakings and statutory activities; recovering receivables and managing legal and operational risk; verifying compliance with the security rules, information protection and procedures applicable to the Controller and establishing, pursuing or defending against claims;
- 5) for the purpose indicated in the consent you have given, pursuant to Article 6(1)(a) of the GDPR, when the processing is based on your voluntary consent; you may withdraw your consent at any time, whereby the withdrawal of consent does not affect the lawfulness of the processing carried out before its withdrawal;
- 6) in order to perform the obligations and exercise of specific rights of the Controller or the data subject in the field of labour law, social security and social protection, for the purpose of health prevention, occupational medicine, assessment of the employee's ability to perform work, management of health care systems and services or on the basis of the explicit consent of the data subject, the Controller may process special categories of personal data, including data concerning health and disability, on the basis of Article 9(2)(a), (b) and (h) of the GDPR;
- 7) in order to fulfil the obligations arising from the provisions of law concerning security, protection of persons and property, access to classified information, performance of regulated activities or requiring compliance with certain security requirements, the Administrator may process personal data concerning convictions, violations of the law or related security measures, in accordance with Article 10 of the GDPR, in particular in connection with the application of the provisions of the Act on Conducting Business Activity in the Field of Production and Trade in Explosives, Weapons, Ammunition and Products and Technology for Military or Police Purposes, the Act on Counteracting the Threat of Sexual Crime and the Protection of Minors and other legal provisions imposing on the Administrator the obligation to verify the absence of a criminal record or to meet certain security requirements.

5. Categories of persons whose personal data are processed:

Depending on the circumstances, purpose and legal basis of processing, the Administrator may process personal data of the following categories of persons: employees, former employees and persons cooperating with the Administrator on the basis of civil law contracts; job candidates, interns, apprentices; members of the Administrator's bodies and persons performing functions or tasks for the Administrator; contractors, contractors, suppliers and service providers; persons representing contractors, contractors, suppliers and other entities cooperating with the Administrator and persons indicated by these entities to contact or perform contracts; participants in procurement procedures, competitions, projects, research programs, research and development and implementation works; authors, co-authors, creators, inventors and other

persons participating in the creation and commercialization of the results of scientific, research and development activities; participants of conferences, seminars, trainings, workshops, fairs and other events organized or co-organized by the Administrator; persons conducting correspondence, submitting applications, inquiries, complaints, reports or submitting other matters to the Administrator; persons using websites, ICT systems and services provided by the Administrator; whistleblowers, persons assisting in making a report, persons associated with whistleblowers and persons to whom the report relates; persons applying for access to facilities, infrastructure, information or materials subject to special security requirements; persons entitled to use social benefits, members of their families and other persons whose data are processed in connection with social activities carried out by the Administrator; other persons whose data is processed by the Administrator in connection with the performance of legal obligations, the performance of statutory tasks or their activities.

6. Type of personal data processed

Depending on the circumstances, purpose and legal basis for processing, the Administrator may process the following categories of personal data of the persons indicated above: identification data (including name, surname, date of birth, PESEL number, identity document number and other data identifying the person); contact data (including correspondence address, e-mail address, telephone number); data concerning education, professional qualifications, professional experience and course of employment; data concerning the position held, function, place of employment and the entity represented; financial, settlement and tax data; data related to the implementation of contracts, projects, research, development, implementation works and other undertakings carried out by the Administrator; data contained in correspondence and documents addressed to or prepared by the Administrator; data concerning the use of ICT systems, websites and infrastructure of the Administrator; image recorded by the video surveillance system or during events organized by the Administrator; data concerning intellectual property, authorship of works, inventions, results of research and development works; data concerning family, life and material situation, processed in connection with the granting of social benefits; special categories of personal data, including data concerning health, if their processing is necessary for the performance of obligations arising from the provisions of law, in particular labour law, social security, social activities or occupational medicine; data concerning convictions, violations of the law or related security measures, if the obligation to process them results from the provisions of law; other personal data provided to the Administrator or obtained in accordance with the applicable provisions of law.

7. Data recipients or categories of data recipients

The recipients of your personal data may be entities providing us with services necessary to achieve the purposes of processing (e.g. IT/ICT service providers, postal/courier companies, law firms, security agencies, auditors, advisors, and health and safety and fire protection specialists). We entrust or share this data only on the basis of appropriate data processing agreements or in compliance with relevant legal requirements. We make sure that the cooperating entities guarantee the highest security standards and protect your privacy. Our authorized employees also have access to the data – only to the extent necessary to perform their daily duties. In addition, we may make your personal data available to external entities, including the media and authorized state authorities (e.g. courts, police, prosecutor's office, NIK, ZUS, ABW, CBA, KAS), only if it results directly from generally applicable law.

8. Data retention period

Your personal data will be stored for the period necessary to achieve the purpose for which they were collected, and then for the period required by law, in particular the regulations on archiving, registry and record-keeping, in accordance with the Uniform Material List of Files (JRWA) in force at the Administrator, prepared on the basis of the provisions of the Act of 14 July 1983. *on National Archival Resources and Archives*. The data may also be stored for the period necessary to establish, pursue or defend claims, until the expiry of their limitation periods.

In the case of personal data processed on the basis of consent, the data will be stored until the consent is withdrawn or the purpose for which the consent was granted ceases to exist, unless further processing is permissible under the provisions of law.

9. Rights of data subjects

In connection with the processing of your personal data, you have the right to:

- access to the content of your personal data and obtain a copy thereof (Article 15 of the GDPR);
- rectify (correct) your personal data if it is incorrect or incomplete (Article 16 of the GDPR);
- request the deletion of personal data in cases provided for by law (Article 17 of the GDPR);
- request restriction of processing of personal data (Article 18 of the GDPR);
- data portability, where the processing is based on consent or a contract and by automated means (Article 20 GDPR);
- object to the processing of personal data carried out on the basis of Article 6(1)(e) or (f) of the GDPR, for reasons related to your particular situation on the terms set out in Article 21(1) of the GDPR;
- withdraw consent at any time if the processing is carried out on the basis of Article 6(1)(a) or Article 9(2)(a) of the GDPR, whereby the withdrawal of consent does not affect the lawfulness of the processing carried out before its withdrawal;
- lodge a complaint with the President of the Office for Personal Data Protection, in accordance with Article 77 of the GDPR – if you believe that we process data unlawfully. A complaint to the President of the Office for Personal Data Protection – should be submitted to the address: 00-193 Warsaw, 2 Stawki Street, tel. 22 531 03 00, e-mail: <https://uodo.gov.pl/pl/p/kontakt>.

At the same time, we would like to inform you that the exercise of certain rights may be subject to restrictions resulting from the provisions of law, in particular in the case of data processing necessary to fulfil a legal obligation incumbent on the Administrator, to perform a task carried out in the public interest, as well as to establish, pursue or defend against claims.

10. Profiling and automated decision-making

We do not use automated decision-making in individual cases with regard to your personal data, including profiling in accordance with Articles 20 and 22 of the GDPR.

11. Information on voluntariness or obligation to provide data

Providing personal data may be a statutory or contractual requirement or a condition for concluding a contract, depending on the purpose for which the data is processed.

In particular, providing data may be necessary to:

- performance of obligations arising from the provisions of law;
- performance of tasks performed by the Administrator in the public interest;
- conclusion and performance of the contract;
- participation in recruitment processes;
- use of social benefits;
- participation in projects, research, development and implementation undertakings;
- to consider a request, request or correspondence;
- to enable access to the Administrator's facilities, systems or resources.

Failure to provide personal data may result in the inability to achieve a specific purpose of processing, in particular to consider a case, conclude or perform a contract, participate in recruitment, grant a benefit, fulfil a legal obligation or allow participation in certain activities or undertakings carried out by the Administrator.

In the case of data processed on the basis of consent, providing them is voluntary, however, failure to provide such data or failure to give consent may prevent the achievement of the purpose for which consent is required.

12. Source of data origin

Your personal data may have been obtained:

- directly from you;
- from your employer, principal, entity you represent, or other entity cooperating with the Administrator;
- from entities forming the Network, to the extent necessary to perform statutory tasks and purposes resulting from concluded agreements on joint processing of personal data;
- from entities financing, co-financing, supervising or co-implementing projects, research, development and implementation undertakings;
- from public administration bodies, courts, law enforcement agencies and other entities authorized to transfer data on the basis of legal provisions;
- publicly available registers, records and lists, in particular registers of entrepreneurs, public registers and databases kept on the basis of the provisions of law;

- from publicly available sources of information, in particular from websites, publications, information materials and professional information services, if such data have been made public in accordance with the law;
- from persons making reports, submitting applications, inquiries, complaints, notifications or conducting correspondence with the Administrator;
- from other natural persons or entities who have provided data to the Administrator in connection with the performance of contracts, the performance of legal obligations, research, scientific, development, implementation, educational or organizational activities.

Depending on the purpose of processing, the Controller may obtain, in particular, identification and contact data, data concerning employment, functions, professional qualifications, authorizations, represented entity and other data necessary to achieve the purposes of processing.

13. Information about the intention to transfer personal data to a recipient in a third country or an international organisation and about the determination or absence of an adequate level of protection by the European Commission or in the case of a transfer referred to in Article 46, Article 47 or Article 49(1), second subparagraph, GDPR.

We do not currently transfer or plan to transfer personal data to third countries (outside the EEA) or international organizations. Exceptions are the use of Microsoft 365 and Active Directory software, which involves storing data in the cloud within the Microsoft 365 tenant structure and may result in data being transferred outside the EEA. However, Microsoft guarantees the highest standards of security and privacy protection, as confirmed by independent audits and ISO/IEC 27001 and ISO 27018 certifications, guaranteeing compliance with international standards and assurance that your data in the cloud and within the tenant will not be used for marketing purposes.

The following documents govern Microsoft's data processing and data protection policy:

- "Microsoft Privacy Statement" – available at the link: <https://www.microsoft.com/pl-pl/privacy/privacystatement> and;
- "Microsoft Services Agreement" - link: <https://www.microsoft.com/pl-pl/servicesagreement>

EXPLANATIONS

WE WOULD LIKE TO INFORM YOU THAT THE ABBREVIATIONS USED IN THIS INFORMATION CLAUSE MEAN:

'personal data/data' means information relating to 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 a natural person;

"processing" means an operation or set of operations performed on personal data or sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or modification, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

"controller" means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union law or by the law of a Member State, Union law or the law of a Member State may also designate a controller or specify specific criteria for its appointment;

"processor" - means a natural or legal person, public authority, body or other entity that processes personal data on behalf of the controller;

"data recipient" – means a natural or legal person, public authority, entity or other entity to whom personal data is disclosed, whether or not a third party; public authorities that may

receive personal data in the context of a specific procedure in accordance with generally applicable law, but are not considered recipients – the processing of such data by these public authorities must comply with the data protection laws applicable in accordance with the purposes of the processing; whereby the phrase "third party" means a natural or legal person, public authority, body or entity other than the data subject, controller, processor or persons who, under the authority of the controller or processor, may process personal data.

"consent of the data subject" - means a voluntary, specific, informed and unambiguous expression of will by which the data subject, in the form of a statement or a clear affirmative action, consents to the processing of personal data concerning him/her.

In the case of information society services offered directly to a child, it is lawful to process the personal data of a child who is over 16 years of age. If a child is under 16 years of age, such processing is lawful only in cases where consent has been given or approved by the person exercising parental authority or custody of the child and only to the extent of the consent given.