

INFORMATION CLAUSE FOR AGREEMENTS WITH CONTRACTORS AND SUBCONTRACTORS

1. In accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 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 2016.119.1; hereinafter “GDPR”), the controller of personal data is TM TECHNOLOGIE Sp. z o.o., with its registered office in Morawica (32-084), Morawica 355 (hereinafter “Controller”). The Controller can be contacted at the following address: rodo@tmtechnologie.pl
2. The personal data of Contractors/Subcontractors is processed for the following purposes:
 - 1) to enter into and perform this agreement,
 - 2) to maintain the Controller’s accounting records,
 - 3) to carry out activities aimed at streamlining and coordinating the Controller’s work, including the recording of correspondence,
 - 4) asserting or defending the Controller’s claims,
 - 5) purposes related to video surveillance, i.e., to protect against the potential consequences of legal violations and to identify the perpetrators of such violations, in particular to ensure the safety of contractors/subcontractors, protect property, and monitor production and keep confidential information whose disclosure could expose the Controller to harm. The Administrator shall clearly mark, on a case-by-case basis, the premises where video surveillance is in use. Surveillance is not used in inappropriate locations, such as break rooms, restrooms, changing rooms, cafeterias, and smoking areas.
3. The legal basis for the processing of personal data of Contractors/Subcontractors is:
 - 1) the necessity of such processing for the conclusion and performance of this agreement (Article 6(1) (b) of the GDPR),
 - 2) compliance with a legal obligation to which the Controller is subject (Article 6(1)(c) of the GDPR), consisting in the Controller’s accounting obligations, arising in particular from the Act of August 29, 1997, on the Tax Code, the Act of September 29, 1994, on Accounting, and the Act of March 11, 2004, on the Tax on Goods and Services,
 - 3) pursuit of the Controller’s legitimate interest (Article 6(1)(f) of the GDPR) consisting in coordinating and streamlining work organization through the operation of the Controller’s office, as well as with regard to video surveillance—Article 222 § 1 of the Labor Code.
4. Access to personal data of Contractors/Subcontractors will be granted to the Controller’s employees, subcontractors, and entities providing services to the Controller (i.e., IT and technical support services, accounting services, external auditors, and entities providing specialized services, such as legal advice), who must have access to the data in order to perform their duties. Authorized government agencies will also have access to your data, in particular tax authorities.
5. The personal data of Contractors/Subcontractors will be retained until the expiration of the periods specified by applicable law, i.e., until the expiration of the statute of limitations for tax obligations related to accounting records, which may, where applicable, be extended by the statute of limitations for civil claims. To the extent that the personal data of Contractors/Subcontractors is processed for the purpose of operating the Controller’s office, it will be retained for a period of five years.

As part of the video surveillance program, the personal data of Contractors/Subcontractors will be retained for up to 90 days, except in the event of an

incident—in which case, recordings that may serve as evidence will be retained until the conclusion of the proceedings in that matter.

6. Contractors/Subcontractors have the right to:
 - request access to their personal data, to have it corrected, deleted, or its processing restricted, as well as the right to data portability and to object to the processing,
 - if the basis for the processing of personal data is the Controller's legitimate interest—to object at any time to the processing of personal data for reasons related to the Contractor's/Service Provider's specific situation,
 - to lodge a complaint with the supervisory authority, i.e., the President of the Personal Data Protection Office
7. Providing the required information is a condition for entering into the contract; failure to provide it will make it impossible to enter into and perform the contract.
8. The personal data of **Contractors/Subcontractors** will not be used for automated decision-making, including profiling.