The Technical University of Munich ("**TUM**") hereby informs the (potential) contractor ("Contractor") and Contractor's employees and persons employed to perform obligations on behalf of Contractor on the processing of personal data by TUM in connection with the invitation to tender, the award and the performance of the contract ("**Contract**"). Where Contractor, Contractor's employees or persons employed to perform obligations on behalf of Contractor are natural persons whose data are processed under the Contract, they are considered data subjects ("Data Subjects") within the meaning of this data protection notice.

Who is the controller and who is the data protection officer?

The controller within the meaning of the General Data Protection Regulation ("**GDPR**") and any other EU data protection regulations is TUM, Arcisstraße 21, 80333 Munich, Germany.

Should you have any questions, suggestions, or complaints regarding data protection, please do not hesitate to contact our data protection officer, Dr. Fabian Franzen, Boltzmannstr. 3, 85748 Garching, Tel.: +49 (0)89 289-17052, Fax: +49 (0)89 289-18557; email: beauftragter@datenschutz.tum.de.

Which data do we process?

TUM processes personal data provided to TUM in connection with the invitation to tender and the performance of the contract by Contractor, Contractor's employees or persons employed to perform obligations on behalf of Contractor, including

- Contractor's company, first name, and last name;
- Contractor's business address;
- full name of Contractor's contact person (i.e., the Data Subject);
- Data Subject's position in Contractor's company;
- contact details of Data Subject.

For which purposes do we process personal data and on what legal basis?

We collect and process data of Contractor's Data Subjects in connection with each invitation to tender. We receive this data from Contractor for the purpose of determining the most economical tender for the contract to be awarded. In connection with the invitation to tender, we process the Data Subjects' data in accordance with Art. 6(1) b), c), e) of the GDPR and Art. 4 of the Bavarian data protection act ("**BayDSG"**). Collecting data from Data Subjects serves the purpose of initiating contracts. At the same time, we collect and process the data in the interest of the public. TUM is a corporation under public law and, at the same time, a state institution of higher education (state institution). Thus, data processing is part of performing a task for the benefit and interest of the public. To enable TUM to perform its tasks as a state university, TUM requires the procurement of the contractual subject matter.

Once a contract has been entered into, data processing essentially serves to perform the contract. The primary legal basis for processing is Art. 6(1) b) of the GDPR. Data may also be processed where Data Subjects have given their consent to the processing of their data to TUM in accordance with Art. 6(1) Sentence 1 a) of the GDPR. The declaration of consent may be revoked for future processing operations at any time. Lawful processing in case of statutory retention periods is based on Art. 6(1) Sentence 1 c) of the GDPR. Where processing of personal data is necessary to protect the vital interests of Data Subjects or other natural persons, processing is governed by Art. 6(1) Sentence1 d) of the GDPR. For reasons set out above, Art. 6(1) Sentence 1 e) of the GDPR in conjunction with Art. 4 of the Bavarian data protection act ("**BayDSG"**) is the legal basis for processing.

What rights do Data Subjects have?

Where personal data are processed in the public interest based on Art. 6(1) e) of the GDPR Data Subjects have the right to object to the processing on grounds relating to their particular situation in accordance with Art. 21 of the GDPR.

In addition, Data Subjects have the following rights where TUM processes their personal data:

- request information on the processing of data stored by us (cf. Art. 15 of the GDPR in conjunction with the restrictions set out in Art. 10 of the Bavarian data protection act (BayDSG);
- request rectification of incorrect data (cf. Art. 16 of the GDPR);
- request erasure of data under certain circumstances (cf. Art. 17 of the GDPR);
- request restriction of data processing (cf. Art. 18 of the GDPR);
- request information (cf. Art. 19 of the GDPR);
- right to data portability (cf. Art. 20 of the GDPR);
- right to withdraw their consent to data processing (cf. Art. 7 of the GDPR);
- right to lodge a complaint with a supervisory authority (cf. Art. 77 of the GDPR).

To whom do we disclose data of Data Subjects?

Within TUM, only those individuals and entities receive data of Data Subjects that require such data to perform our contractual and statutory duties. As a rule, we will only transfer personal data to service providers, business partners, and other third parties in compliance with applicable data protection regulations. We may disclose data to third parties where required by law or legal proceedings.

When do we delete data of Data Subjects?

We delete data that is no longer necessary in relation to the purposes for which it was collected provided no statutory retention periods apply.

Will your data be transferred to third countries?

Data will only be transferred to service providers outside the European Economic Area where the Commission has confirmed that the third country ensures an adequate level of protection or other data protection safeguards are in place (e.g., SCC, EU Standard Contractual Clauses). In exceptional cases, data may be transferred to third countries without an adequacy decision if the requirements of Art. 49 of the GDPR apply.