Appendix 8: Information clause

INFORMATION OBLIGATION REGARDING THE PROCESSING OF PERSONAL DATA

In order to comply with the obligation imposed by Articles 13 and 14 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 (the "GDPR"), in conjunction with Article 88 of the Act on the Principles for the Implementation of Tasks Financed from European Funds in the 2021–2027 Financial Perspective, we hereby inform you about the principles governing the processing of personal data under the PFR CVC Programme.

I. Data Controllers

The Independent Controllers of data processed under the PFR CVC programme are as follows:

1) Minister of Development Funds and Regional Policy, with the registered office at ul. Wspólna 2/4, 00-926 Warsaw,

2) Bank Gospodarstwa Krajowego with its registered office in Warsaw, Al. Jerozolimskie 7, 00-955 Warsaw,

3) PFR Ventures spółka z ograniczoną odpowiedzialnością CVC 2.0 Alternatywna Spółka Inwestycyjna spółka komandytowo-akcyjna („ASI"),

PFR Ventures spółka z ograniczoną odpowiedzialnością, as the manager of the ASI ("PFR"), with its registered office at ul. Krucza 50, 00-025 Warsaw.

II. Purpose of data processing

Personal data will be processed in connection with the implementation of the PFR CVC programme, i.e. the CVC 2.0 financial instrument "Investments in innovative enterprises with the participation of corporate investors' capital – CVC 2.0", which is part of the FENG Programme financed from the European Regional Development Fund.

Providing data is voluntary, but necessary to achieve the above-mentioned purpose. Refusal to provide them is tantamount to the inability to take appropriate action.

III. Basis for processing

Personal data will be processed by the Controllers:

1. On the basis of explicit consent (Article 6(1)(a) of the GDPR)

If you have given consent for the processing of personal data for specific purposes (e.g. for the purpose of evaluating an application submitted in the recruitment process under the PFR CVC Programme), the Controller is authorised to process such data based on that consent. Consent may be withdrawn at any time. The withdrawal of consent does not affect the lawfulness of processing carried out prior to its withdrawal,

2. Because the Controllers are required to do so by law (Article 6(1)(c) of the GDPR) or they perform tasks carried out in the public interest or exercise official authority vested in them (Article 6(1)(e) of the GDPR), and all such obligations arise under the following legal acts:

   - Act of 27 August 2009 on public finance,
   - Act of 30 April 2004 on proceedings in matters concerning State aid,
   - Regulation of the Council of Ministers of 29 March 2010 on the scope of information submitted by an entity applying for aid other than de minimis aid or de minimis aid in agriculture or fisheries,
   - Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund, as well as financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy,
   - Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty,
   - Regulation (EU) 2021/1058 of the European Parliament and of the Council of 24 June 2021 on the European Regional Development Fund and the Cohesion Fund,
   - Act of 28 April 2022 on the principles and implementation of tasks financed from European funds in the 2021-2027 Financial Perspective,
   - Regulation of the Minister of Development Funds and Regional Policy of 15 November 2022 on granting state aid and de minimis aid with the participation of Bank Gospodarstwa Krajowego under the "European Funds for Modern Economy 2021-2027" programme (the "FENG Regulation"),

- Act of 14 June 1960 – Code of Administrative Procedure.

3. For purposes resulting from the legitimate interests pursued by the Controllers or by a third party (Article 6(1)(f) of the GDPR), which the Controllers consider in particular to include: information and promotion activities under the PFR Open Innovations Programme, assessment of applications submitted under the Programme, implementation of the Programme, assertion or defence of legal claims, fraud prevention, data sharing within a group of undertakings, statistical and analytical activities, ensuring the security of IT systems, and internal control mechanisms.

IV. Types of data processed

Controllers may process the following types of data:

1. identification and contact data, including in particular: name and surname, gender, age, education, place of residence/address, email address, phone number, PESEL, NIP, REGON, identity card number and series, job title, and role in the organisation,
2. data relating to the participation of natural persons in the project (e.g. as an investor), including in particular: information on previous professional experience or business activity, place of work, working time, job title, citizenship, labour market status, form and scope of involvement in the project, criminal record, bank accounts, professional experience, education, financial situation,
3. data of natural persons appearing on documents confirming the eligibility of expenditures under the PFR CVC Programme, including in particular: amount of remuneration, bank account number,
4. data relating to the image and voice of persons participating in the implementation of the PFR CVC Programme or taking part in related events.

V. Source of data

The recipients of personal data may in particular include:

1. entities entrusted with tasks related to the implementation of the PFR Open Innovations Programme,

2. the Audit Authority referred to in Article 71 of Regulation 2021/1060 of 24 June 2021,

3. European Union (EU) institutions or entities entrusted by the EU with the implementation of the FENG Programme, including the Ministry of Development Funds and Regional Policy and Bank Gospodarstwa Krajowego with its registered office in Warsaw,

4. entities providing services to the Controllers related to the maintenance and development of IT systems and telecommunications, such as IT solution providers and telecommunications operators, as well as advisory, audit, accounting, and marketing service providers, and statutory auditors in connection with the audit.

VI. Recipients of personal data

Personal data processed under the Programme may be entrusted or made available to:

1. entities to which tasks have been assigned under the Programme,
2. Audit Authority referred to in Article 71 of Regulation 2021/1060 of 24 June 2021,
3. European Union (EU) institutions or entities entrusted by the EU with the implementation of the FENG;
4. entities that provide services to the Controllers related to the operation and development of ICT systems, as well as providing connectivity, e.g. IT solution providers and telecommunications operators, accounting services, etc.

VII. Data storage period

Personal data will be processed for the period necessary to achieve the purposes of the processing, i.e.: (1) for the duration of the implementation of the PFR Open Innovations Programme, or (2) for a period of at least 5 years from 31 December of the year in which the implementation of the PFR CVC Programme was completed or the final payment to the beneficiary of the PFR CVC Programme was made, subject to provisions which may provide for a longer period for the defence against potential claims arising from the performance of the contract or a longer period for audits, as well as provisions on State aid and de minimis aid, and provisions on value-added tax.

VIII. Rights of data subjects

Data subjects have the following rights:

1. the right to access their data (Article 15 of the GDPR), with the reservation that the Controllers are entitled to refuse access to the extent necessary for the proper performance of tasks related to counteracting money laundering and terrorist financing and crime prevention, in accordance with Article 13b of the Implementation Act,
2. the right to rectify their data (Article 16 of the GDPR),
3. the right to erase their data (Article 17 of the GDPR), if no other purpose of processing is being pursued,
4. the right to request the restriction of processing (Article 18 of the GDPR),
5. the right to object to the processing of their data (Article 21 of the GDPR) – if the processing is carried out for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controllers (i.e. the purpose referred to in Article 6(1)(e) of the GDPR),
6. the right to lodge a complaint (Article 77 of the GDPR) with the supervisory authority, i.e. the President of the Personal Data Protection Office (ul. Stawki 2, 00-193 Warsaw), if it is considered that the processing of personal data infringes the GDPR or other applicable data protection laws.

IX. Automated decision-making

Personal data will not be subject to automated decision-making, including profiling.

X. Transfer of data outside the EEA

Personal data will not be transferred to recipients located in countries outside the European Economic Area.

XI. Contact details

To obtain information regarding the processing of personal data by the Controllers, please contact the Controllers directly at the addresses indicated below or the appointed Data Protection Officers (DPOs), as follows:

1) Minister of Development Funds and Regional Policy, with the registered office at ul. Wspólna 2/4, 00-926 Warsaw

   - by regular post to the following address: ul. Wspólna 2/4, 00-926 Warsaw,
   - via electronic mail, at the following e-mail address: *IOD@mfipr.gov.pl*,

2) Bank Gospodarstwa Krajowego with its registered office in Warsaw, Al. Jerozolimskie 7, 00-955 Warsaw

- by regular post, addressing correspondence to the temporary registered office: Bank Gospodarstwa Krajowego, Data Protection Officer, Bud. VARSO 2, ul. Chmielna 73, 00-801 Warsaw,
- by electronic mail, at the e-mail address: iod@bgk.pl,

3) PFR Ventures spółka z ograniczoną odpowiedzialnością

- by regular post to the following address: ul. Krucza 50, 00-025 Warsaw,
- by electronic mail, at the e-mail address: iodo@pfrventures.pl.