



## **A1 Privacy Statement Bidders**

### **What does this Privacy Statement regulate?**

For A1 Telekom Austria AG (A1), the safe and sensitive handling of data is of vital importance. You can trust us to handle your data securely - this is very important to us. We therefore comply with European and national data protection regulations, in particular the General Data Protection Regulation (GDPR) and the Data Protection Act (DSG). An essential part of this is to make our regulations regarding data protection transparent for all data subjects. We process your personal data to the extent that this is necessary for the functional provision of this website and our content, as well as for the processing of enquiries, but only to the extent that there is a corresponding permission within the meaning of Art. 6 (1) GDPR.

Responsible for data processing is Telekom Austria AG, Lassallestraße 9, 1020 Vienna. You can also contact our data protection officer at this address.

We take effective technical and organizational measures to protect your data, and our employees are also trained in the handling of personal data.

The following Privacy Statement explains which personal data we process about you, to what extent and for what purpose.

### **Which personal data is processed?**

- Business contact data (e.g. name, postal address, e-mail address, telephone number) and related information (e.g. function, department) of the bidder's employees;
- Private data (e.g. name, date of birth, postal address, e-mail address, telephone number, office bearer status, criminal data) of the managing directors/executives of the bidder;
- Documents (e.g. tender documents, offers, contracts, confidentiality agreements, bidder's self-disclosures with (any) business contact data of the bidder's employees (e.g. name, e-mail address, position).

### **For what purpose do we process the personal data?**

In the course of our business activities, we process the following personal data

- for the evaluation and selection of the bidder according to the underlying tender conditions (tender and bid collection phase, contract preparation or conclusion);
- to check compliance with the contract and possible verification measures within the framework of the A1 compliance guidelines.

In order to comply with legal and official requirements (in particular with regard to combating money laundering and/or corruption) and to protect assets as well as our employees, contractual partners and business partners, we conduct vendor integrity checks on existing and potential contractual partners before concluding contracts and at regular intervals after concluding contracts.

Such audits include persons such as directors, officers, executives, sole proprietors and beneficial owners of our existing and potential contractual partners.

The audit shall be based on publicly available or official sanctions lists and media sources.

This information may include personal data relating to suspected and actual criminal conduct, criminal records or information about criminal proceedings for criminal or unlawful conduct, but may be reviewed solely to ensure compliance with our legal and regulatory obligations and/or only to the extent permitted or required by local law.

The audit does not lead to any automated decision making with regard to existing or potential contractors.

Before establishing an initial business relationship with you, we as a company have a legitimate interest in learning more about your creditworthiness as a bidder. This is a processing in the sense of profiling, in which the surveyed credit agency provides us with an assessment of your creditworthiness (score value). If your creditworthiness is too low or if information is missing, we may refrain from concluding a contract



with you or demand additional securities. If you have any objections, simply use our contact options and state your point of view. If you do not comply with your contractual obligations, we can commission a debt collection agency. In this case you will be notified in advance so that you can comment. The credit agencies with which we currently cooperate are Lowell Inkasso Service GmbH, Regensburger Straße 3, A-4020 Linz, BISNODE Austria GmbH, Jakov-Lind Straße 4/2, 1020 Vienna, CRIF GmbH, Diefenbachgasse 35/3/8, 1150 Vienna and KSV 1870 Forderungsmanagement GmbH, Wagenseilgasse 7, A-1120 Vienna.

### **Which legal bases are relevant for the processing of personal data?**

The personal data covered by this privacy policy will be processed for the following purposes:

- to fulfil the (pre-)contractual obligations with you as the bidder;
- to comply with legal or official obligations to which we are subject;
- in the pursuit of our legitimate interests.

### **Who are the recipients of the personal data?**

We will not pass on your data to unauthorized third parties without your consent. However, we may be legally obliged to disclose your information to courts, prosecutors, police or other authorities.

We do not do everything alone. We therefore commission contract processors who carry out certain tasks for us, e.g. for IT and cloud services as well as tools for administration, etc., to do so. Even if we commission such a processor, we remain responsible for the protection of your data. For this reason, we naturally also contractually oblige third-party companies to keep your data confidential and to comply with data protection regulations.

We may disclose personal information to affiliated companies for the purposes set out above.

### **Is personal data transferred to a third country?**

We only use processors outside the European Union if a European Commission adequacy decision has been made for the third country in question or if we have agreed appropriate guarantees or binding internal data protection regulations with the processor.

### **How long is the personal data stored?**

We delete the personal data in principle after termination of the contractual relationship. A longer storage period exists if this data is still needed to fulfill legal obligations, such as under the Federal Tax Code (§ 207f BAO) or the Austrian Corporate Code (§ 212 UGB). For reasons of proper bookkeeping and pending audits by the tax authorities, your master data will generally be stored for 7 years (from the end of the contract) (§ 207f BAO), unless longer storage is necessary due to ongoing procedures. Books and records as well as the documents belonging to the books and records are also kept for as long as they are relevant for pending proceedings. Of course, access to the aforementioned data is restricted so that they can only be accessed by those employees who carry out processing for the aforementioned purposes.

There is a possibility that the data may be anonymized instead of deleted. In this case, all personal references will be irretrievably removed, thus eliminating the data protection obligations to delete.

### **Which rights may I exercise with regard to the processing of personal data?**

**Right of Access:** You can ask us to confirm whether and to what extent we process your personal data. Simply use our contact options on our websites. Please be aware that we cannot reveal any details about our business and trade secrets within the scope of our duty to provide information. In order to protect your data it is necessary for us to carry out an identity check.

- If it would impair the rights and freedoms of third parties, we do not provide names, but only categories of data recipients.
- IBAN, credit card numbers or similar payment-related information are only be disclosed in abbreviated form. This serves the protection of your payment data.

**Right to Rectification:** If we process your personal data that is incomplete or incorrect, you may request that we correct or complete it at any time.

**Right to Erasure:** You can request us to delete your personal data if we process it unlawfully or if the processing disproportionately interferes with your legitimate protection interests. Please note that there



may be reasons that prevent an immediate deletion, e.g. in the case of legally regulated storage obligations.

**Right to Restriction of Processing:** You can ask us to restrict the processing of your data if

- you dispute the accuracy of the data for a period of time that allows us to verify the accuracy of the data,
- the processing of the data is unlawful, but you refuse to delete it and instead demand a restriction on the use of the data,
- we no longer need the data for the intended purpose, but you still need this data to assert or defend legal claims, or
- you have objected to the processing of the data.

**Right to Data Portability:** You may request that we make available to you the data you have entrusted to us for storage in a structured, common and machine-readable format, provided that

- we process this data on the basis of your given and withdrawable consent or for the fulfilment of a contract between us, and
- such processing is carried out using automated procedures.

**Right to Object:** If we process your data for the performance of tasks in the public interest, for the exercise of official authority or if we refer to the necessity of safeguarding our legitimate interest during processing, you may object to this data processing if there is a predominant interest in protecting your data. You can object to the sending of an offer or advertisement at any time without giving reasons.

**Right to Appeal:** If you are of the opinion that we violate Austrian or European data protection law when processing your data, please contact us in order to clarify any questions you may have. Of course, you also have the right to complain to the Austrian Data Protection Authority ([www.dsb.gv.at](http://www.dsb.gv.at)) as well as to a supervisory authority within the EU.

**Assertion of Rights:**

If you wish to assert any of the aforementioned rights against us, simply use the contact options mentioned on the respective trademark website.

**Confirmation of Identity:**

In case of doubt, we may request additional information to confirm your identity, e.g. a legible copy of a valid photo ID with signature. This is to protect your rights and privacy.

**Excessive Claiming of Rights:**

Should you exercise any of the above rights manifestly unfounded or particularly frequently, we may charge a reasonable processing fee or refuse to handle your request.