

## Information on the protection of personal data

in accordance with Articles 13 or 14 General Data Protection Regulation (GDPR)

### 1. General information on data processing operation

<b>Name of data processing operation:</b>	<b>Procurement and sales management including intra-group invoicing</b>
<b>Controller:</b> (Article 4 (7) GDPR)	Oesterreichische Nationalbank (OeNB) Otto-Wagner-Platz 3, 1090 Vienna +43-(1) 40420 datenschutz@oenb.at
<b>Contact details:</b>	www.oenb.at/datenschutz.html E-mail: datenschutz@oenb.at
<b>Purpose(s) of the processing operation:</b>	Controlled workflow for the procurement of operating equipment or services, organization, execution and documentation of tenders under the Federal Procurement Act, contract management and documentation as well as invoicing within the OeNB group, including the computer-assisted preparation and archiving of tenders, written orders, contracts and other text documents (e.g. correspondence)
<b>Legal basis:</b>	Processing is necessary for the fulfillment of a contract (conclusion and implementation of procurement contracts) to which you are party or for taking measures, at your request, prior to entering into such contract (Article 6 para 1 lit b GDPR). Processing is necessary for compliance with a legal obligation to which the OeNB is subject (Article 6 para 1 lit c GDPR): Workflow data regarding orders: Article 6 para 1 lit f GDPR in conjunction with Article 20 Limited Liability Company Act (GmbHG) or Article 82 Stock Corporation Act (AktG) (operation of an effective internal control system, fraud prevention) Suitability requirements and proof of suitability in tenders: Article 69 et seq. Federal Procurement Act Certificates of criminal records in tenders: Article 10 GDPR in conjunction with Article 72 Federal Procurement Act Processing is necessary for the purposes of the legitimate interests pursued by the OeNB or by a third party (Article 6 para 1 lit f GDPR).
<b>Information on the OeNB's legitimate interests:</b>	Storage of contact information required to communicate with the contact persons specified by contracting parties
<b>Information on why the provision of personal data is required:</b>	You cannot conclude procurement contracts with the OeNB without disclosing your personal data.

### 2. Content of the data processing operation

Here you will find information on the nature of the personal data the OeNB processes with regard to different groups of data subjects. For each data category, information is provided on the data source, on any other purposes for which the OeNB may process these data, on whether the data will be transferred to recipients outside the OeNB, and on how long the OeNB will, as a rule, store the data. The subsequent tables provide details on data sources, other purposes of processing, data recipients, etc.

Groups of data subjects	Data category	Data source(s)	Other purposes of processing	Data recipient(s)	Duration of data storage
Potential or existing contractual parties, if these are sole traders or one-person companies	Identification number	---	---	A01	<p>Tender documents: 7 years from end of year in which the tender ended</p> <p>General contracts: 30 years from end of year in which the contract ended</p> <p>Contracts about objects of art: unlimited, as proof of ownership</p>
	Name	H01	---	E01, A01	
	Courtesy title, title	H01	---	A01	
	Address	H01	---	A01	
	Telephone and fax numbers and other contact information required when using modern communication technologies	H01	---	A01	
	VAT identification number	H01	---	A01	
	Object of delivery or service including remuneration and payment details	H01	---	A01	
	Contact person in charge of the delivery or performance of services	H01	---	A01	
	Conditions of delivery and service (including information on place of delivery or service, packaging, etc.)	---	---	A01	
	Data on tax liability and tax calculation	---	---	A01	
	Bank account details	H01	---	A01	
	Data on orders	H01	---	A01	
	Data on incoming invoices	H01	Z01	A01	
	Data on outgoing invoices and on intra-group invoicing of services	---	Z01	A01	
	Information on bank guarantees	H01	Z01	A01	
	<u>For tenders:</u> Information on suitability requirements and proof of suitability according to Article 69 et seq. Federal Procurement Act	H01	---	A01	
	<u>For tenders:</u> Information on reasons for the exclusion of tenderers according to Article 68 Federal Procurement Act	H01	---	A01	
<u>For tenders:</u> Information from queries regarding the Wage and Social Dumping Control Act according to Article 68 Federal Procurement Act	H04	---	A01		
Data on reminders and legal actions (this includes all data categories mentioned above for the purpose of prosecution or legal defense)	---	---	E01, E02		
Contact persons employed by contractual parties	Name, title	H01	---	A01	
	Business address	H01	---	A01	
	Telephone and fax numbers and other contact information required when using modern communication technologies	H01	---	A01	
	Department/division/unit or function	H01	---	A01	
	Extracts from the company register (scope of power of representation)	H01	---	A01	
	Business cases processed by data subjects	H01	---	A01	
<u>Order request:</u> Employees, quasi-subordinate employees, leased employees, free agents, apprentices, interns and trainees (as well as former	Name	H02	---	---	
	Title and courtesy title	H02	---	---	
	Department/division/unit within organization	H02	---	---	
	Telephone number	H02	---	---	
	Room number	H02	---	---	
	Cost center and other data on the invoicing of orders	H02	---	---	

Groups of data subjects	Data category	Data source(s)	Other purposes of processing	Data recipient(s)	Duration of data storage
employees) who request orders	Order request (including order number, date of order, information on specified goods/services ordered, information on the persons processing the order)	H03	---	---	
<u>Order request:</u> Person approving order requests	Name	H02	---	---	
	Title and courtesy title	H02	---	---	
	Department/division/unit within organization via cost center	H02	---	---	
	Approval/rejection of order request plus reason(s)	H03	---	---	
<u>Tenders:</u> Employees of companies participating in OeNB tenders	Name	H01	---	E01, E02	
	Title and courtesy title	H01	---	E01, E02	
	Function and department/division/unit within organization	H01	---	E01, E02	
	Telephone and fax numbers and other contact information required when using modern communication technologies	H01	---	E01, E02	
	Proof of qualification	H01	---	E01, E02	
	CVs	H01	---	E01, E02	
	Certificates of criminal records (at present only for managing directors)	H01	---	E01, E02	
	Information on reference orders	H01	---	E01, E02	
<u>Tenders:</u> OeNB staff	Name, title	H02	---	E01, E02, E03, A01	
	Business address	H02	---	E01, E02, E03, A01	
	Telephone and fax numbers and other contact information required when using modern communication technologies	H02	---	E01, E02, E03, A01	
	Protocol data on access to tender documents according to Article 120 item 3 Federal Procurement Act	---	---	E01, E02, E03, A01	

### 3. Date source(s)

H + serial no.	Data source(s)	Public source (yes/no)
H01	(Potential) suppliers and their contact persons or public sources (e.g. Internet, yellow pages, Herold electronic telephone directory)	Partly (some information is available on the Internet)
H02	Personnel administration	No
H03	Data subject (purchaser)	No
H04	Competence center for wage and social dumping control (Wiener Gebietskrankenkasse)	No

#### 4. Reuse of personal data for other OeNB processing operations (purposes)

If personal data are reused for other OeNB processing operations (purposes), this does not necessarily mean that all datasets will be reused in each individual case. Only those data will be reused that are necessary to fulfill the purpose of the other processing operation(s) at hand.

Z + serial no.	Name of data processing operation:	Compatibility (description of legitimate interests if applicable)
Z01	Accounting and controlling	Further processing is obligatory to fulfill accounting, conduct and retention requirements

#### 5. Intended transfers to third parties of personal data processed in this processing operation

If personal data are transferred to third parties for processing, this does not necessarily mean that all datasets will be transferred in each individual case. Only those data will be transferred that are necessary to fulfill the purpose of the third-party processing at hand.

E + serial no.	Recipient(s) and groups of recipients	Adequacy decision by the European Commission (Article 45 GDPR)	Purpose and legal basis (and restrictions, if any)
E01	Legal representative in the business case	Usually not required	Advice, representation, conducting official proceedings (Article 6 para 1 lit f GDPR) – enforcement, exercise or defense of legal claims
E02	Courts (in case a tender is challenged)	Usually not required	Enforcement, exercise or defense of legal claims (Article 6 para 1 lit e GDPR)
E03	eTendering platform of the Official Gazette (Amtsblatt zur Wiener Zeitung) (publication of tender) For Europe-wide tenders: Official Journal of the European Union TED (Tenders Electronic Daily): Online version of the Supplement to the Official Journal of the European Union” for European public procurement	Usually not required	Article 6 para 1 lit c GDPR in conjunction with Article 52 Federal Procurement Act in conjunction with 2006 publication medium regulation

#### 6. Transfer of personal data to processor(s)

A + serial no.	Name, address and country of residence of processor(s) and place(s) of processing	Adequacy decision by the European Commission (Article 45 GDPR)	Service and legal basis
A01	Austrian Register of Tenderers (Central Register of Associations no.: 217122495), Anschützgasse 1, 1150 Vienna	Not required	Collection of tender documents (uploaded by tenderers) Article 57 Federal Procurement Act

## **7. Information on your rights as a data subject**

You have the right to obtain confirmation as to whether or not your personal data, and which of your personal data, are being processed by the OeNB (Article 15 GDPR). You have the right to obtain the rectification of inaccurate personal data or to have incomplete personal data completed (Article 16 GDPR) as long as the rectification and/or completion of the data are necessary for the purpose of the processing operation. You have the right to obtain the erasure of your personal data if the OeNB has processed them unlawfully (Article 17 GDPR). Under certain conditions, you have the right to obtain restriction of the processing of your personal data (Article 18 GDPR). You have the right to object to the processing of your personal data on grounds relating to your particular situation or where personal data are processed for direct marketing purposes (Article 21 GDPR).

## **8. Modalities for exercising your rights as a data subject**

To assert your rights as a data subject, send a letter to “Oesterreichische Nationalbank, Abteilung ITS/Datenschutz, Otto-Wagner-Platz 3, 1090 Vienna, AUSTRIA” or an e-mail to [datenschutz@oenb.at](mailto:datenschutz@oenb.at). In it, state in what way your personal data are subject to data processing by the OeNB, stating the name of the data processing operation as provided on top of this form and clearly specifying the details of your request. Moreover, please provide proof of your identity by enclosing a black-and-white copy of an official photo identification (e.g. your passport, driver’s license, identity card) or using a qualified electronic signature within the meaning of Article 3 (12) eIDAS Regulation to prevent improper requests by unauthorized third parties that might endanger the protection of your personal data. For the reasons outlined above, such requests must be made in writing. Should you consider your right to data protection infringed by any processing of your personal data by the OeNB, you may lodge a complaint with the Austrian Data Protection Authority (DSB) or bring an action before the competent civil court.

## **9. Information on your right to lodge a complaint with a supervisory authority and your right to an effective judicial remedy**

Should you consider your rights as a data subject infringed, you have the right to lodge a complaint with the Austrian Data Protection Authority (DSB) (Article 77 GDPR in conjunction with Article 24 Data Protection Act):

Austrian Data Protection Authority (DSB)  
 Wickenburggasse 8-10  
 1080 Vienna, Austria  
 Web: [www.dsb.gv.at](http://www.dsb.gv.at)  
 E-mail: [dsb@dsb.gv.at](mailto:dsb@dsb.gv.at)

Should the OeNB have processed your personal data in noncompliance with the applicable provisions on data protection and should such processing have caused you material or nonmaterial damage, you have the right under the general provisions of civil law (Article 1295 et seq. Austrian General Civil Code) to claim damages before the competent civil court (Article 79 GDPR in conjunction with Article 29 Data Protection Act).