



APPENDIX F

Notification of processing of personal data

Contract on subsidy for carbon capture, transport and Storage



1. INFORMATION TO THE TENDERER

As part of this procurement, the Danish Energy Agency ("the DEA") might receive personal data from the tenderers.

The purpose of this document is to ensure that persons who are the subject of the DEA's processing of data are notified of the processing of their data. Such obligation to notify follows from the provisions of the General Data Protection Regulation ("GDPR")¹. In order to ensure that this obligation is complied with, the tenderer is asked to do the following:

- Provide all persons whose personal data² are included in the documents of the offer with the information stated in paragraph 2 ("Notification of processing of personal data").
- Fill in all fields below marked in yellow.
- Sign the declaration in paragraph 3 (entitled "Declaration on notification of processing of personal data").
- Enclose the duly filled in and signed document with the documents of the offer.

2. NOTIFICATION OF PROCESSING OF PERSONAL DATA IN CONNECTION WITH A TENDER PROCEDURE

In connection with [indsæt navn på tilbudsgiver]'s (the "Tenderer") submission of offer for Contract on subsidy for carbon capture, transport and storage, the DEA has collected certain data about you. The data are names, occupation, job titles and/or contact information.

The DEA is, pursuant to the GDPR, data controller in connection with our processing of your data.

The purpose of the processing of data about you is to conduct a tender procedure with the purpose of awarding a Contract on subsidy for carbon capture, transport and storage 2024.

The DEA only processes data about you that the Tenderer has submitted in connection with the submission of offer.

¹ Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing and free movement of personal data and repealing Directive 95/46/EC (general data protection regulation).

² See Article 4(1) of the General Data Protection Regulation



Your data are processed under the authority of the Danish Public Procurement Act (udbudsloven³) and Article 6(1) paras (c) and (e) of the GDPR regarding processing that is necessary for compliance with a legal obligation to which the controller is subject and processing that is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

The DEA may entrust your data with the DEA's consultants, e.g. in connection with legal assistance and/or assistance with the evaluation of offers, or with data processors, and the DEA may furthermore disclose your data to appeals authorities.

The DEA will process your data until the data are filed or discarded pursuant to the rules of the Danish Archives Act (arkivloven)⁴, however at least for as long as they are necessary for the procurement process, including until the process is completed and the deadline for lodging complaints with the appeals authorities has expired, and are necessary in order to fulfill the contract (with regard to the successful tenderer).

Your rights

Pursuant to Article 15 of the GDPR you are in principle entitled to access the processing of your data. This means that you may request that we provide you with information on our processing of your data.

Pursuant to Article 16 of the GDPR, you are entitled to rectification of any data that turn out to be inaccurate, misleading or, in a similar manner, incomplete. In addition, you are in certain circumstances entitled to erasure or restriction of processing of data, including if the data turn out to be inaccurate or, in a similar manner, processed in breach of the law. This is stipulated in Articles 17 and 18 of the GDPR.

Furthermore, you are under Article 21 of the General Data Protection Regulation entitled to object to our processing of your data. If so, the DEA will decide whether your objection is justified. If this is the case, the DEA will no longer be entitled to process the data in question.

If you wish to exercise your rights under the GDPR, please contact the Danish Energy Agency, Carsten Niebuhrs Gade 43, DK-1577 Copenhagen V, Denmark.

Public authorities are required under the GDPR to have a data protection officer to whom you may also direct your inquiries if you have any questions to our processing of your personal data. The data protection officer of the DEA is:

³ Act. No 1564 of 15 December 2015 as amended.

⁴ Consolidated Act no. 1201 of 28 September 2016 (the Archives Act) as amended by Act no. 503 of 23 May 2018.



DPO@kefm.dk

Tel. +45 72 54 57 41

Complaints

Any complaints regarding our processing of your data may be lodged with the Danish Data Protection Agency (*Datatilsynet*). You can contact the Danish Data Protection Agency from your digital mailbox at www.borger.dk, by ordinary e-mail to dt@datatilsynet.dk or by ordinary post to the Danish Data Protection Agency, Carl Jacobsens Vej 35, 2500 Valby. In this connection, the Danish Data Protection Agency recommends that you use their complaint form (<https://www.datatilsynet.dk/media/7766/klage-til-datatilsynet.pdf>).

Laws and regulations

The rules on processing of personal data of Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing and free movement of personal data and repealing Directive 95/46/EC (general data protection regulation) are available at www.eur-lex.europa.eu. The Danish provisions supplementing the General Data Protection Regulation are set out in Act no. 502 of 23 May 2018 on supplementary provisions on the regulation on the protection of individuals with regard to the processing of personal data and on the free movement of such data (the Danish Data Protection Act) at www.retsinformation.dk.

3. DECLARATION CONCERNING NOTIFICATION OF PROCESSING OF PERSONAL DATA IN CONNECTION WITH A TENDER PROCEDURE

Name of tenderer: [insert name of tenderer]

By my signature I declare that I have notified all persons whose personal data⁵ are included in the documents of the offer with the information stated in clause 2 ("Notification of the processing of personal data in connection with a tender procedure").

Date

Country and town

Signature

Name of signer (block letters)

⁵ See Article 4(1) of the General Data Protection Regulation