

Additional information 1

Subject: Additional information No. 1 to Tender documentation - Tender "Gas supply and withdrawal 2020"

The Contracting entity NET4GAS, s.r.o, with its registered office at Na Hřebenech II 1718/8, Prague 4, Nusle, Post Code 140 21, Czech Republic, ID: 272 60 364, hereby provides to the Tender "Gas supply and withdrawal 2020", which was published on 3 June 2019 in the Public Procurement Bulletin under the order number Z2019-018160, the following additional information:

- 1) In the text of the Tender documentation, Annex No. 1, the Binding draft of the Contract, a new schedule No. 3 shall be inserted as follows:

Schedule No. 3 - Requirements with respect to the Personal Data Processing:

I.

Definitions

"personal data", "personal data breach", "data protection impact assessment", "data protection officer", "controller", "data subject", "processor" and "process" / "processed" / "processing" have the meaning defined in Regulation (EU) 2016/679 (the "GDPR"), as amended or updated.

"Personal Data Protection Laws" mean the GDPR, EU Directives 2002/58/EC and 2009/136/EC (as transposed in and adapted to the domestic legislation of the EU Member States) or any other similar laws or regulations applicable to the Trader or N4G in any part of the world, always as amended and effective.

"Relevant Personal Data" mean any personal data processed by N4G or Trader on the basis of or in connection with this Contract.

"Office for Personal Data Protection", "OPDP" means supervisory authority, as defined in the GDPR.

"Other Processor" means any person authorized by Trader to process the Relevant Personal Data.

II.

Requirements with respect to the Personal Data Processing

1. To the extent N4G manually or electronically processes any Relevant Personal Data (i.e. especially, without limitation, name and surname of any natural persons, their address, e-mail address, telephone and fax number), N4G undertakes to:
 - a) Make sure that the processing complies with valid Personal Data Protection Laws;
 - b) Implement relevant technical or organizational measures to protect the Relevant Personal Data from unauthorized or unlawful processing; and
 - c) Make sure that the Relevant Personal Data are only disclosed to N4G staff who have a legitimate reason to process the Relevant Personal Data within the framework of N4G business activities.
2. Trader confirms for and on behalf of itself and any natural persons whose personal data are disclosed by the Trader to N4G, that the Trader is aware of the fact that N4G processes the Relevant Personal Data for the following purposes:

- a) To perform this Contract;
 - b) For accounting and administrative purposes;
 - c) In order to secure compliance with any applicable laws and regulations; and
 - d) To increase and enhance the quality of the Traders N4G database.
3. N4G is entitled to outsource the processing of the Relevant Personal Data to processors. For more information regarding the methods of personal data processing employed by N4G and regarding any processors authorized by the N4G to process personal data, please refer to the website [https:// www.net4gas.cz/en/company/data-protection/](https://www.net4gas.cz/en/company/data-protection/).
4. N4G shall process any Relevant Personal Data only if it is necessary to accomplish the above-mentioned purposes. The Trader provides the Relevant Personal Data voluntarily. The Trader hereby understands and agrees that if the Trader provides any personal data to N4G in connection with the performance of this Contract, and if the personal data concern other natural persons (e.g. the Trader's employees and/or other staff or sub-contractors) and the processing of such personal data by N4G is necessary to perform this Contract and fulfil the commitments arising from any generally binding laws and regulations, N4G shall process such personal data to the extent defined and in the manner described in the preceding paragraphs. The Trader undertakes to inform such individuals of the processing of their personal data by N4G before the personal data are provided to N4G.
5. The data subjects have the right to access their personal data processed by N4G. They may also have the right to request N4G to correct, update or delete any such personal data and, subject to certain conditions, they may also have the right to request a restriction of or object to any specific processing, or the right to request a transfer of the personal data to another controller. The data subjects may contact N4G by e-mail at osobni.udaje@net4gas.cz should they have any questions, comments or submissions concerning the processing of their personal data. For more information regarding the method of processing personal data by N4G and the rights of data subjects, please refer to the website [https:// www.net4gas.cz/en/company/data-protection/](https://www.net4gas.cz/en/company/data-protection/).
6. To the extent the Trader manually or electronically processes any Relevant Personal Data under this Contract, the Trader undertakes to:
 - a) Make sure that the processing is performed in compliance with valid Personal Data Protection Laws;
 - b) Implement relevant technical or organizational measures to protect the Relevant Personal Data from unauthorized or unlawful processing;
 - c) Make sure that the Relevant Personal Data are only disclosed to the Trader's staff who have a legitimate reason to process the Relevant Personal Data within the framework of the Trader's business activities; and
 - d) Make sure that any third parties (including processors) to whom the Trader allows access to the Relevant Personal Data respect and maintain the confidential nature and security of personal data.
7. If N4G or the Trader discover that the security of the Relevant Personal Data was breached, they shall inform the other contracting party immediately and, in any case, within 24 hours after the breach was first discovered. The Trader undertakes to provide N4G with any and all reasonable assistance in the handling of any requests of the data subjects who exercise their

rights under the GDPR, and with any investigation of N4G conducted by the Office for Personal Data Protection, providing they have any connection to the processing of the Relevant Personal Data.

8. The above-mentioned clauses apply to the part of this Contract during the performance of which the Trader and N4G both act as controllers who make independent decisions regarding the purpose and the method of personal data processing.

2) The Contracting entity also publishes the Tender documentation including annexes in the English language on the Contracting entity's profile. In the event of a conflict between the czech and english versions of the Tender documentation, the czech version shall prevail. In this context, in accordance with Section 99 (2) of Act No. 134/2016 Coll. on Public Procurement as amended, the Contracting entity prolongs the deadline for submission of the Tender offers by **4th of July, 2019.**