

**PRIVACY NOTICE****Drafted on 15 March 2024**

1. Controller	<p><b>Natural Resources Institute Finland</b></p> <p>Postal address: Natural Resources Institute Finland (Luke) P.O. Box 2, 00791 Helsinki, Finland Tel. +358 29 532 6000 (switchboard)</p>
2. Controller's responsible person	<p>Finance and facilities (TATO) Vice President, Finance Jutta Petäjä</p>
3. Contact person in the matter and contact details of the data protection officer	<p>Contact person: Team Manager Sarita Knuutila kirjaamo@luke.fi</p> <p>Data protection officer: tietosuoja@luke.fi</p>
4. Name of register	<p>Procurement procedures</p>
5. Purposes and the legal grounds for processing	<p>The data register is used in connection with implementing National Resources Institute Finland's procurement procedures and tender procedures in accordance with public procurement legislation (especially the Act on Public Procurement and Concession Contracts (2016/1397)) as well as concluding procurement agreements.</p> <p>Personal data is required for the evaluation of tenders or requests to participate, i.a. in relation to contact persons of tenderers or candidates participating in procurement procedures and criminal record extracts of the management of the selected tenderer. National Resources Institute Finland is required to process also other personal data included in the tenders, such as information on the reference delivery contact persons and the professional qualifications and expertise of key experts named in the tender. National Resources Institute Finland is required to process the personal data of contact persons of tenderer to communicate with tenderers in relation to the procurement procedure, e.g. when notifying the tenderers of the award decision. The selected tender and its appendices is attached to the procurement agreement, due to which National Resources Institute Finland is required to process the personal data included in the tender for the duration of the procurement agreement in relation to its implementation.</p> <p>In case a party to a procurement procedure appeals or seeks rectification to a procurement decision, National Resources Institute Finland is required to process personal data included in the relevant procurement documents in connection with and for the duration of the appeal or rectification process, and as mandated by the consequent court order or other decision, e.g. by</p>

	<p>carrying out a renewed tender comparison based on a decision of the Market Court.</p> <p>The right to process personal data is based on compliance with a legal obligation to which the controller is subject and performance of a task carried out in the public interest as defined in article 6 sections 1(c) and 1(e) of the GDPR (2016/679).</p>
6. Type of personal data in the register	<p>Information related to contact persons of tenderers:</p> <ul style="list-style-type: none"> <li>- name</li> <li>- represented organisation and position in the organisation</li> <li>- contact details</li> </ul> <p>Information on members of a tenderer(s) administration or management, or a person exercising representative, managerial or regulatory authority therein:</p> <ul style="list-style-type: none"> <li>- name</li> <li>- represented organisation and position in the organisation</li> <li>- possible information included on an extract from the criminal register</li> </ul> <p>Information in experts named on a tender or participating in tender evaluation and possible personnel assessments:</p> <ul style="list-style-type: none"> <li>- name</li> <li>- represented organisation and position in the organisation</li> <li>- Information on education, professional qualifications and expertise and other qualities relevant to the object of the procurement</li> </ul> <p>Information on reference delivery contact persons listed on a tender:</p> <ul style="list-style-type: none"> <li>- name</li> <li>- represented organisation and position in the organisation</li> <li>- contact details</li> <li>- details of the reference delivery</li> </ul> <p>Other information included in tenders or requests to participate or collected during the procurement procedure, such as information contained in project, research or implementation plans on the tenderers personnel, information contained in trade register extracts or documentation obtained from other sources on the owners and beneficiaries, auditors, authorised signatories, and other personnel of the tender organisation or its subcontractors, especially:</p> <ul style="list-style-type: none"> <li>- name</li> <li>- represented organisation and position in the organisation</li> <li>- date of birth</li> <li>- Information on education, professional qualifications and expertise and other qualities relevant to the object of the procurement.</li> </ul>

7. Regular sources of data	<p>National Resources Institute Finland obtains personal data from the tenders or requests to participate submitted by the tender or candidate is the data subject itself, the employer of the data subject or an entity that has obtained the data subject's permission to use the data subject's information, e.g. as a reference delivery contact person.</p> <p>Information on criminal register extracts are received from the selected tenderer(s).</p> <p>National Resources Institute Finland obtains personal data also from public sources, including the trade register maintained by the Finnish Patent and Registration Office, the Reliable Partner service maintained by Vastuu Group as well as company credit rating registers maintained by Suomen Asiakastieto Oy:n and Bisnode Finland Oy.</p>
8. Regular disclosure of data	<p>Personal data is not regularly disclosed to third parties. Information may be disclosed to entities requesting documents based on applicable legislation such as the Act on the Openness of Government Activities (621/1999). Documents of public authorities are open to the public unless otherwise decreed in applicable legislation.</p> <p>The National Audit Office of Finland may process personal data included in procurement documents as a part of an inspection in accordance with Act 423/1988 and other decrees based on it. The European Anti-Fraud Office (OLAF) may process personal data included in procurement documents as a part of an investigation in accordance with Regulation (EU, Euratom) No 883/2013. The European Public Prosecutor's Office (EPPO) may process personal data included in procurement documents as a part of an investigation in accordance with Regulation (EU) 2017/1939. Third-party financiers (e.g. the European commission and other EU organisations, the Research Council of Finland, Business Finland Oy, Centres for Economic Development, Transport and the Environment) may process personal data included in procurement documents in relation to projects receiving third party financing as a part of supervision of the use of the financing or state aid based on the Act on Discretionary Government Grants (688/2001) or the financing agreement between National Resources Institute Finland and the financier.</p> <p>National Resources Institute Finland discloses personal data to its service providers acting as data processors. Personal data is processed in data systems of National Resources Institute Finland or its service providers, the suppliers of which may also act as data processors or subprocessors. In relation to procurement procedures, personal data is processed in i.a. e-tendering service provided by Cloudia Oy and National Resources Institute Finland's separate case management system.</p>

	<p>National Resources Institute Finland does not disclose personal data to third parties for purposes related to direct marketing or public opinion or market surveys, unless otherwise mandated by applicable legislation or governmental decrees.</p>
9. Transfer of data outside the EU/EEA	<p>No personal data is transferred outside the EU or EEA.</p> <p>The Microsoft M365 services utilised by National Resources Institute Finland are primarily carried out within the EU, although information may be processed outside the EU in exceptional circumstances, e.g. in order to provide support services. Transfer of personal data for this purpose is based on decision of the European commission on 10 July 2023 on the adequate level of data protection in the United States and the standard contractual clauses (SCCs) adopted by the Commission.</p>
10. Storage period	<p>Tenders, requests to participate and other procurement documents are stored in National Resources Institute Finland's case management system.</p> <p>Personal data in the register is stored in accordance with the National Resources Institute Finland's Records management plan (TOS). Storage period is determined based on accounting, archiving and other special legislation (including Section 170 of the Act on Public Procurement and Concession Contracts (2016/1397)) as well as operative requirements to document and ensure legal protection of public or private individuals and organisations.</p> <p>Procurement documents (including tender documents) are always stored for a period of six years from the end of the fiscal year, as required by the government procurement manual. In some cases information or documents are stored for a longer period:</p> <ul style="list-style-type: none"> <li>- The selected tender and its appendices is always stored for at least the duration of the procurement agreement and any obligations derived from it.</li> <li>- Procurement documents related to appeal processes (including tender documents) are always stored for at least the duration of the legal proceedings and as required by measures based on the consequent decision or order.</li> </ul> <p>Extracts from the criminal register are not saved or stored, but they are returned or destroyed immediately after inspection as required by applicable legislation.</p>
11. Protection principles of register	<p>Manual material is stored in protected and monitored facilities. Servers and active devices are located in protected and monitored facilities. Data is processed in systems with some devices located in Luke's facilities and some in service providers' facilities.</p>

	<p>Registered data is protected against unauthorised viewing, modifying and erasing. Protection is based on access control, personal user IDs and restricted access rights. Rights to view and modify data have been restricted in accordance with the tasks of each employee. Information about any changes can be seen in the revision history. The correctness of data is verified by means of mechanical and manual controls at different stages of data processing. Backup copies and physical security measures are used to ensure that no data is lost.</p>
12. The data subject's rights	<p>Data subjects have rights towards their personal data that are based on the legitimate grounds of data processing. More information about the rights of data subjects and their fulfilment is available <a href="#">here</a>.</p> <p>The rights of data subjects are based on articles 15 to 22 of the EU GDPR (2016/679).</p>
13. Using data for automated decision-making, including profiling (articles 13.2(f) and 14.2(g) of the GDPR)	<p>No personal data is used for automated decision-making, including profiling.</p>
14. Changes to this privacy notice	<p>We may change this privacy policy, for example, if there are changes in our operating methods or systems or in general data protection recommendations. We may also need to make changes as a result of legal amendments. Any changes enter into force after we have published our revised privacy policy.</p>