

**PRIVACY POLICY OF THE
PORTUGUESE COMPETITION
AUTHORITY**

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I. **General considerations**

The Portuguese Competition Authority (hereafter "**AdC**"), with registered office at Avenida de Berna, 19, 1050-037 Lisbon, Portugal, legal person under public law no. 506557057, of institutional nature, endowed with its own assets and administrative and financial autonomy, is the entity responsible for the collection and processing of personal data for the purposes indicated in this Privacy Policy (hereinafter "**Policy**").

In the course of its activity, the AdC processes personal data of various data subjects, notably employees, Service Providers, Citizens and other third parties with whom it engages, as well as any natural person that submits their data.

This Policy describes the guidelines and principles adopted by the AdC to ensure the protection of data subjects' personal data, establishing guidelines concerning the rights of data subjects and the processing and free movement of personal data.

The AdC commits to process personal data with respect for the best practices in the field of security and personal Data Protection, valuing the relationship with all its employees and service providers in all the activities it carries out.

In this context, the AdC has approved this Policy with the goal of providing in a clear, simple and transparent manner all information regarding the collection and processing of personal data under its responsibility in compliance with Regulation (EU) 679/2016 of the European Parliament and of the Council of 27 April 2016 (hereinafter "**GDPR**" or "**Regulation**") on the protection of natural persons with regard to the processing of data and on the free movement of such data within the EU, with Law 58/2019 of 8 August and other applicable European and national legislation.

II. **Introduction**

i. **Objective and scope**

This Policy provides guidelines for acting with integrity and in compliance with the requirements set out in the GDPR with regard to the protection of personal data.

The application of the provisions of this Policy is comprehensive to any and all processing of personal data by the AdC.

AdC employees must respect the information set out in the Policy.

In order to guarantee the correct application of the Policy and the diffusion of its provisions, the AdC is concerned with providing its employees with training in the area of Data Protection appropriate to their respective functions. This fact does not take away the responsibility that all employees are aware of this Policy and understand it.

Requests for clarification on the Policy or any concerns should be referred to the AdC Privacy Officers, using the channels defined for this purpose, which are presented in section XVI Contacts of this Policy.

ii. Legal Framework

The AdC Policy is governed by the Data Protection principles set out in the GDPR with regard to the protection of natural persons in the context of processing personal data and their free movement, with implementation in the national legal order by Law No. 58/2019, of 8 August 2019.

The GDPR's main objective is to ensure respect for the fundamental right that each person has to decide on the use of their personal data. The GDPR covers all companies operating in the European Union (EU), with the national law of each country taking precedence in the event of conflict, or in situations where the requirements defined in the law are stricter.

The Regulation can be consulted through the following link: <http://eur-lex.europa.eu/legal-content/PT/TXT/?uri=OJ%3AL%3A2016%3A119%3ATOC>.

iii. Processor

Within the scope of its activities in its different areas of activity, the AdC is the entity responsible for the processing of personal data, and may be contacted through the following e-mail address: privacidade@concorrencia.pt.

iv. Data Protection Officer

Given the legal obligation resulting from Article 37(1)(a) of the GDPR, the AdC, as a legal person under public law, with the nature of an independent administrative entity, has appointed a Data Protection Officer (“**DPO**”), responsible for ensuring, among other things, the compliance of the personal data processing and protection activities under its control, in accordance with the applicable law and this Policy.

Among other duties, it is the DPO responsibility:

- To monitor compliance of data processing with applicable standards;
- To serve as a contact point for clarification of questions regarding data processing;
- To cooperate with CNPD, as the supervisory authority;
- To provide information and advice to the AdC, or the processors, on their obligations in the field of privacy and data protection.

Thus, the data subjects, if so wish, may address a communication to the Data Protection Officer, regarding matters related to the processing of personal data, using, for this purpose, the following e-mail: privacidade@concorrenca.pt.

v. Review and update

The AdC reserves the right to modify, substitute and/or revoke, in whole or in part, this Policy when the need to do so arises.

This Policy is subject to annual review to ensure alignment with applicable laws, regulations and good business practices.

Any changes to this Privacy Policy will be appropriately disclosed to the Data Subjects.

The provisions of the Policy are supplemented by its own Terms of Use and Policies, which are equally binding (see further information in the following section vi. Related References, i.e., Terms and Conditions and Cookie Policies).

Regarding the rules established for the access and use of the IT platforms made available by the AdC, namely in the institutional *website* "www.concorrenca.pt" (official *website*) and any other applications (*apps*) available for use on computers, *tablets*, mobile phones or other devices, please refer to the Section "Terms & Conditions" (available [here](#)), which is an integral part of the Policy.

The current version of this Policy is available here: <https://www.concorrenca.pt/pt/politica-de-privacidade>.

vi. Related References

Throughout the Policy, other documents that guide the AdC's Privacy Governance are referenced. Consequently, and for a better understanding of the topics developed, the reading of the following information should be considered:

Document	Access link
Terms & Conditions	https://www.concorrencia.pt/pt/termos-e-condicoes
Cookies Policy	https://www.concorrencia.pt/pt/politica-de-cookies

III. Definitions of relevant concepts relating to Data Protection

For a better understanding of all the contents of this Policy, it is important to bear in mind the definition of some of the most relevant concepts regarding Data Protection:

- a. **Anonymisation:** a change applied to the registration of personal data which makes it impossible (or practically impossible) to associate the data with an individual.
- b. **Supervisory authority:** an independent public authority established by the State with responsibility for monitoring the application of legislation on the Protection of Personal Data in order to protect the fundamental rights and freedoms of natural persons with regard to processing and to facilitate the free flow of such data within the EU.
- c. **Consent:** legally valid agreement in which a person consents to the processing of their personal data for a specific purpose.
- d. **Data controller:** entity that collects and processes personal data. In the context of this policy, the situations in which the AdC is the data controller are described.
- e. **Personal data:** Any information relating to an identified or identifiable natural person, through which it is possible to determine, directly or indirectly, and in particular by reference to an identifier such as a name, an identification number, location data, electronic identifiers, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- f. **Categories of Personal Data:** Personal data may be grouped into certain categories, such as: identification, educational, financial, banking, professional, health, biometric, etc. data.

- g. **Sensitive data:** the category of sensitive data covers special category data as defined in the Regulation: racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data enabling an unambiguous identification of a person, data concerning health or data concerning sexual life or sexual orientation. There may be other data of a sensitive nature (e.g. criminal sanctions or offences).
- h. **Profiling:** any form of automated processing of personal data which consists of using such data to evaluate certain personal aspects of the user, in particular to analyse or predict aspects related to personal preferences and interests.
- i. **Incident or breach:** situation in which there is a suspicion that personal data has been illegally obtained, modified, copied, transmitted or used.
- j. **Legitimate interest:** legitimate interest occurs in situations where the data subject requires a service or action from the AdC, the performance of which strictly depends on the collection and processing of personal data (e.g. the collection of the address for the provision of a home service, or the collection of bank identification for the purpose of salary processing).
- k. **Controller:** A natural or legal person who alone or jointly with others determines the purposes and means of the processing of personal data.
- l. **Processor:** A natural or legal person processing personal data on behalf of the Controller.
- m. **Third party/third parties:** entities outside the AdC to whom the AdC transmits personal data.
- n. **Data Subject:** any natural person whose personal data are subject to processing.
- o. **Data transfer:** transfer occurs whenever personal data in the possession of the AdC is transmitted to or shared with third parties.
- p. **Cross-border transfer:** data transfer is considered cross-border when the recipient is outside the area where the GDPR applies (outside the EU).

- q. **Processing means** an operation or set of operations which is performed upon personal data or sets of personal data, by automated or non-automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure, transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

IV. **Rights of Data Subjects**

The AdC, in compliance with regulatory requirements, ensures that data subjects enjoy a number of rights regarding the way their data is collected, processed and protected.

In order to exercise their rights, the data subject must send a written request to the e-mail address defined for this purpose, available in section XVI Contacts of this Policy.

Before replying to requests, the AdC is concerned with ensuring data security, requesting the authentication of the data subject. In this sense, whenever necessary, a proof of identification of the data subject may be requested. Should it be impossible to identify the data subject, the AdC reserves the right not to respond to requests to invoke these rights, communicating this situation to the data subject.

When the data subject is a minor, their rights may be invoked by the holders of parental responsibilities of the minor, subject to exceptions contemplated in regulatory requirements.

Data Subjects are guaranteed:

- i. **Right of access**

This means that the Data Subject has the right to obtain confirmation from the AdC that personal data concerning him or her are or are not being processed, the right to access them, to keep them up to date, to obtain a copy of them and to obtain the following information about the processing of his or her data:

- a. Purposes of data processing;
- b. Categories of personal data;
- c. Recipients or categories of recipients of the data;
- d. The transfer of data to a third country (outside the European Union);

e. If possible, the envisaged period for which the personal data will be kept;

ii. Right of rectification

The AdC shall ensure the existence of means allowing the data subject to rectify his personal data if they are incorrect/inaccurate or to complete them if they are incomplete.

iii. Right to erasure

The data subject shall have the right to obtain the erasure of his or her data where one of the following grounds applies:

- a. When they are no longer necessary for the purpose for which they were collected or processed;
- b. Where the data subject withdraws the consent on which the data processing is based and there is no other legal ground for such processing;
- c. where the data subject exercises his or her right to object to processing and there are no other legitimate interests for processing such data;
- d. When they are treated unlawfully;
- e. When the data must be deleted for compliance with a legal obligation applicable to the AdC as controller.

Such right shall not apply, however, where processing is necessary for compliance with a legal obligation to which the AdC is subject (e.g. for the purposes of complying with legal obligations to preserve arising from applicable law), for the establishment, exercise or defence of legal claims, or for archiving purposes in the public interest.

The requests received are analysed and, if deemed valid in light of the regulatory requirements, the AdC undertakes to take the necessary steps to respond to the exercise of this right within a maximum period of one month. If the requests made are not considered valid, the AdC will not process them and will communicate to the data subject the reasons associated with this decision.

iv. Right to restriction of processing

The AdC shall ensure the existence of means allowing the data subject to request the limitation of the processing of your personal data.

The data subject may request the limitation of the processing of their data indefinitely, when they wish to suspend the processing but keep their data. This situation may arise when:

- a. The data subject contests the accuracy of the data, with the processing being limited for a period of time that allows the AdC to verify the accuracy of the data;
- b. if the processing is unlawful and the data subject opposes their erasure and instead requests the restriction of their use;
- c. the AdC, as controller, no longer needs the data for the purpose of processing, but the data subject requests the retention of the data for other purposes, in particular for the establishment, exercise or defence of legal claims; or
- d. if the data subject has opposed the processing, until it is established that the legitimate grounds of the controller prevail those of the data subject.

Where the processing is restricted, personal data shall only be further processed if the data subject consents, except for specific treatments contemplated by law. The AdC guarantees that the data subject who has requested the limitation of his data is informed before the limitation is lifted to said treatment.

The AdC reserves the right to limit the processing of data subjects when it does not need it and undertakes to keep the data for the pre-established retention period. The AdC guarantees that the data subject who has requested the limitation of his or her data is informed before the cancellation.

v. Right to object to processing of personal data

The AdC ensures the existence of means allowing the data subject to object to certain processing of personal data for certain purposes listed below, without prejudice to directives or laws in force:

- a. Performing duties in the public interest, in pursuit of a legitimate interest of the said officer or of a third party;

- b. Ensuring that the purpose of the processing is compatible with the purpose for which the data was initially collected, including *profiling*. The data subject has the right not to be profiled for the purpose of taking individual decisions based on automated processing of data and designed to evaluate, analyse or predict the following personal aspects: a person's performance at work, economic situation, health, personal preferences or interests, behaviour, location or movement, except where there is explicit consent, a contract or legal basis (Article 22 of the GDPR);
- c. Sending marketing communications or for processing carried out for targeted advertising, based on the legitimate interests of the AdC.

If the requests made are not considered valid, the AdC will not process them and will communicate to the data subject the reasons associated with this decision.

vi. Complaint

You are also guaranteed the right to complain to the controller and to the supervisory authority if you disagree with the way your data has been processed.

vii. Information

The controller (AdC) is obliged to take appropriate measures, namely through the creation of an Information Policy, to provide the data subject, in a concise, transparent, intelligible and easily accessible way, with communication about the details of the processing and the exercise of rights over their data (Articles 12, 13 and 14 of the GDPR).

The Data Subject also has the right to information about the origin of the data if the data is not collected from the Data Subject.

viii. Right to Data Portability

The data subject is also guaranteed the right to portability when the data has been processed by automated means. The data subject must receive the data in a structured, commonly used and automatically readable format or may request the transmission of such data to another controller.

The AdC reserves the right to refuse portability requests where this prejudice the rights and freedoms of third parties, or conflict with regulatory requirements.

ix. Consent and Withdrawal of Consent

The right to withdraw consent when the processing was based on the data subject's consent is guaranteed, provided that this does not compromise the lawfulness of the processing carried out until that date, on the basis of the consent previously given.

The AdC collects the consent of the data subjects to collect and process their personal data for the purposes identified, except in situations where the processing is within the scope of the provision of a service or performance of a contract, or other situation where there are legitimate legal requirements under Article 6 of the GDPR, *i.e.* when there is a legitimate interest of the AdC or when such processing is necessary for the AdC to carry out its activity and the processing does not adversely affect the interests of data subjects or their rights and freedoms (e.g. the collection and processing of the tax identification number for issuing an invoice).

The AdC guarantees the data subjects the right to withdraw consent at any time, without compromising the lawfulness of the processing carried out on the basis of the previously given consent. Before collecting the consent, the AdC shall inform the data subject of this fact. There may be situations in which the AdC keeps the personal data, even if the consent is invoked by the data subjects, provided there is a legal obligation to do so. In such a situation, the AdC will inform the data subjects of the respective grounds for keeping the data.

x. Complaint

The data subject may complain directly to the National Control Authority in the field of Data Protection, the National Commission for Data Protection (“**CNPD**”), using the contacts provided by this entity for this purpose (at www.cnpd.pt).

The entity responsible for dealing with requests for exercising the rights of data subjects is the Competition Authority, whose contact details are given below:

E-mail: privacidade@concorrenca.pt

Address: Avenida de Berna, 19, 1050-037 Lisbon

xi. Exercise of rights by the data subject

The exercise of the rights by the data subject may be carried out by contacting the AdC, which will respond in writing (including by electronic means) to the data subject's request within a maximum period of one month from receiving of the request, except in cases of particular complexity and large number of requests, where this period may be extended to two months.

E-mail: privacidade@concorrencia.pt

Address: Avenida de Berna, 19, 1050-037 Lisbon

xii. Considerations for unfounded or excessive requests

In general terms, any information provided by the AdC, as well as any communication it sends or action it takes, in response to a request to exercise the Rights of the data subjects or to revoke consent, will be carried out free of charge.

Notwithstanding the above, whenever requests are unfounded or unreasonable, for example because more than one request is made by the same data subject within a period of 6 months, AdC may:

- a. require the payment of a fee equivalent to the administrative costs incurred in providing the information or carrying out the communication or action requested.
- b. Refuse to act on the request and shall inform the data subject within one month of receiving the request, as described in Chapter V xi. *Time limits for deciding on requests.*

xiii. Minimum request content

Requests received on Data Subject Rights and Revocation of Data Subject Consent shall contain the following information:

- a. the name and surname of the data subject and a photocopy of the identification document and, where applicable, of the person representing it, or equivalent electronic instruments, as well as the document or electronic instrument attesting to such representation. The use of an electronic signature identifying the data subject will exempt the presentation of a copy of the identification document;
- b. Application in which the request is made;
- c. Address for notifications, date and signature of the applicant;
- d. Documents to support the application, if applicable.

If the application does not meet the specified requirements, the data subject must be asked to correct the data, always within one month of receiving the request, under the terms described in

Chapter V xi. *Deadlines for deciding on applications*. Furthermore, if the AdC, as the controller, does not hold the data subject's data, it must notify him/her of that fact within the aforementioned time limit and under the terms indicated in point xi.

xiv. Automatic decision making

Currently, the AdC does not have automatic decision-making processes.

V. Principles of processing personal data

The processing of personal data in the AdC is governed by the following principles:

- a. Lawful, fair and transparent - personal data is processed lawfully and transparently, informing the data subject of the data collected, the purposes for which the data is processed, the recipients to whom the data will be disclosed and how long the data will be kept.
- b. Specified, explicit and legitimate purposes - personal data is processed for specified, explicit and legitimate purposes and may not be further processed in a way incompatible with those purposes.
- c. Data integrity and confidentiality - the security of personal data is guaranteed through the adoption of measures that enable protection against unauthorised or unlawful processing of the data, as well as against their accidental loss, destruction or damage.
- d. Accuracy and updating of data - accuracy and updating of data is guaranteed through the provision of specific channels allowing the data subject to report any updates, as well as data quality review and analysis measures, ensuring that inaccurate data are deleted or rectified immediately.
- e. Data minimisation - data collection operations are subject to prior analysis, ensuring that only the relevant and strictly necessary personal data are collected, taking into account the purpose of the respective processing. In this sense, many of the operations of personal data collection are based on forms with limited fields ensuring that the data subject does not communicate more personal data than is appropriate to the situation in question.

- f. Limitation of storage - personal data is stored for a predefined period of time, called the retention period. This is defined taking into consideration the period necessary for the purpose for which they are processed. After the retention period, personal data is deleted or anonymised and it is no longer possible to relate the data to the data subject.
- g. Responsibility for the data - the AdC takes responsibility for the processing of personal data of the data subjects, even if the processing is carried out by processors.

As the controller, the AdC undertakes to ensure that the processing of data subjects' data is carried out in strict compliance with the aforementioned principles, and that it is in a position to prove compliance with them.

VI. Categories of Personal Data and Categories of Data Subjects

In the course of its activity, AdC collects and processes personal data relating to the following categories:

- a. General Data: personal data that does not correspond to special categories of data nor to criminal convictions or offences, such as name, address, e-mail, telephone, age, gender, signature, image, assets, bank details, location data, physical, genetic, physiological, psychic, economic, social, cultural identity, academic information or other elements proper to your identity (Article 4(1) of the GDPR);
- b. Special Data: data relating to ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership, genetic or biometric data enabling the unambiguous identification of a person, data relating to health or life and sexual orientation. The processing of these data is prohibited by the GDPR except where the data subject has given explicit consent for specific purposes; where it is necessary to protect the vital interests of the data subject and he or she is incapable of giving consent; where the data subject has made his or her data public (Article 10 of the GDPR).

The data collected and processed relates to the personal data of employees, service providers, members of corporate bodies and other citizens related to the AdC's activity.

VII. **Collection and Processing of Personal Data**

Personal data is collected directly from the data subjects, through personal contact or in writing (by e-mail, post, completion of online forms, among others), for the purposes determined, explicit and legitimate, and may not be further processed in a manner incompatible with those purposes. In case personal data are collected from third parties, the data subject shall be informed of the collection and of his rights as a Data Subject.

The AdC ensures that access to personal data collected is limited to what is strictly necessary for the purposes defined.

The data collected by the AdC may also be shared, provided that consent is given or there are legal grounds for doing so under Article 6 of the GDPR, namely with:

- a. Recipient entities and/or third parties.
- b. Entities providing services to the AdC as processors.
- c. Entities belonging to the AdC network, within the scope of their activities, in countries outside the European Union, for which the adequate level of protection is ensured.
- d. Competent authorities to which the AdC is legally obliged to disclose information in the course of judicial or administrative proceedings or to detect technical and/or security problems.
- e. Entities indicated by the Data Subject, at his or her request.

The AdC assumes itself as the entity responsible for processing the personal data collected through the user's activity on the Platforms or through personal, face-to-face, telephone, e-mail or postal contact with that entity. The identification of each person responsible for processing is made available to you at the time of personal data collection.

VIII. **Legal Grounds for Data Processing**

The lawfulness of the data processing carried out by the AdC results, as a rule, from the exercise of functions of public interest or public authority vested in it by law.

The AdC only processes personal data of data subjects in accordance with the respective legal grounds. The most common situations for processing personal data are the following:

- a. Existence of a legitimate interest of AdC in the fulfilment and development of the contractual or pre-contractual relationship;
- b. Compliance with the obligations laid down in the applicable legislation;
- c. The explicit consent of the data subject, if given, for the purpose expressly communicated to him/her.

The AdC, within the scope of its activity, processes data for the following purposes:

- carrying out the tasks entrusted to it as an independent authority and for the fulfilment of legal obligations;
- analysis of user complaints and responses;
- requests for information;
- response to public consultation procedures;
- analysis and follow-up of applications in the context of recruitment processes;
- register of recipients of correspondence and other contacts.

IX. Data Retention

All Personal Data shall be kept by the AdC for as long as the existing relations with the respective data subjects remain in effect, or for the legal term of conservation or for the purpose for which they were collected, in order to allow the identification of the data subjects until such time as these relations or obligations have been definitively terminated. The data collected shall be destroyed when it no longer serves the purposes for which it was collected, without prejudice to the existence of other grounds that justify keeping the data.

The personal data collected shall be kept in a form which allows the identification of the data subjects for only as long as is strictly necessary for the pursuit of the purposes underlying its processing.

If there are legal obligations to which the AdC is bound and which require the data to be kept for a longer period of time, the AdC will safeguard the respective data.

X. Personal Data Processing Guarantees

The processing of personal data in the AdC is carried out in a transparent manner and in strict respect for the protection of privacy, as well as the fundamental rights, freedoms and guarantees of the data subjects:

- a. the purposes of the processing for which the personal data are intended;
- b. what are the legal grounds for processing (legitimate interests of the AdC, legal or contractual obligation) in the absence of explicit consent by the data subject, as well as the possible consequences of not providing such data;
- c. the categories of recipients of the personal data, where applicable;
- d. whether personal data are transmitted to a third country or to an international organisation;
- e. the period for which the personal data will be stored, or, if that is not possible, the criteria used to determine that period;
- f. the existence of automated decision-making, when applicable;
- g. your rights as a data subject, which includes the right to lodge a complaint with a supervisory authority;
- h. the contact details of the AdC and the contact details of the Data Protection Officer.

If the data are not collected from the data subject, and the data subject has not been informed about the collection, the AdC ensures measures that allow, within a maximum period of one month after obtaining the personal data, to communicate to the data subject the points set out above, complemented with the following information:

- a. the origin of the personal data;
- b. the category of data that has been collected.

The AdC undertakes to notify the data subject whenever it intends to use their data for purposes other than those previously communicated.

XI. **Communication of Data to other Entities (Recipients, Third Parties and Processors)**

The AdC, within the scope of its activity, makes use of other entities for the provision of certain services, namely service providers in certain moments of the recruitment process or assistance in the organisation of events.

These entities assume the quality of recipients, third parties or processors. When this happens, the AdC takes the appropriate measures to ensure that the entities that have access to the data offer the highest security guarantees. the highest security guarantees, which, in the case of processors, is duly enshrined and provided for contractually.

Relations with processors will be formalised contractually and respect all the requirements of the applicable legislation.

xv. Processors

The AdC uses processors for the provision of services which may involve the processing of personal data. The AdC remains responsible for the data processing, even when the processing is carried out by processors.

In this transmission of personal data, the AdC ensures compliance with applicable regulatory requirements and, where necessary, requests the explicit consent of the data subject.

In the process of acquisition of these services, the AdC checks whether the entity that intends to contract has an adequate level of data protection.

In the contracts concluded, it is defined that the processors may only carry out the processing requested by the AdC and requirements are imposed to ensure the correct processing of these data, in accordance with the principles set out in section VI. *Principles applicable to data processing*, as well as the existence of mechanisms necessary for the execution of the rights set out in section V. *Rights of the Data Subject*.

XII. **Cross-border Data Transfer**

The AdC may transmit personal data for reasons of public interest, pursuant to the provisions of Article 49 /1, paragraph d), and paragraph 4 of the GDPR and Article 22 of Law No. 58/2019, of 8 August.

The AdC undertakes to ensure the security and integrity of the data in the cross-border transfer (outside the European Union) and to inform the data subject of this transfer whenever it occurs, strictly complying with the applicable legal provisions, notably as regards the determination of the suitability of the destination country(ies) with regard to the Protection of Personal Data and the requirements applicable to such transfers, including, where applicable, the conclusion of the appropriate contractual instruments that guarantee and respect the legal requirements in force.

XIII. Technical and Organisational Safety Measures adopted by the AdC

The AdC has defined and implemented a set of appropriate and necessary technical and organisational measures, to ensure and check that all processing of personal data carried out is in compliance with the Personal Data Protection legislation. The measures adopted allow to guarantee the confidentiality and integrity of the data and to prevent the destruction, loss, accidental or unlawful alterations or even the unauthorised disclosure and/or access of the data.

The AdC implements a set of procedural and technological measures aimed at ensuring the security of the processing of personal data if it is carried out by the AdC or by companies contracted by it.

In terms of data retention, security procedures and controls have been defined, both at physical and digital level, to ensure data integrity and access control, and that only authorised users have access to the data

The AdC guarantees the security of personal data, including protection against illegitimate access, appropriation, unauthorised tampering and/or disclosure, improper deletion and dissemination of malicious software (computer viruses), the AdC adopting appropriate technical and organisational measures for that purpose.

As regards Privacy and Personal Data Protection, the AdC's obligations towards the user, as the data subject, are obligations of means (and not of result), for which reason, when accessing the Platforms and the Contents, the user recognises and accepts, likewise, to run the risks inherent to such activity in the digital and electronic environment, notably, the illegitimate access, appropriation, unauthorised tampering and/or disclosure, undue deletion and dissemination of malicious software (computer viruses).

The user also recognises and accepts that the AdC, its directors, officers and employees may not be held responsible for unlawful acts carried out by third parties, including other users, notably those referred to in the previous paragraph, even in cases where such acts cause damage, whether financial or moral.

Any communication or message sent by the user by e-mail, transmission of files and archives, inclusion of data or any other form of unsolicited communication, and provided that it does not contain instructions to the contrary, shall be considered non-confidential and free of any restrictions on use.

XIV. Privacy incidents

In the event of a personal data breach, and insofar as such breach is likely to result in a high risk to the rights and freedoms of the data subject, the Controller shall notify CNPD of such breach, and shall communicate the breach to the data subject not later than 72 hours after becoming aware of it.

Any violation of personal data, the processing of which is the responsibility of the AdC, may be reported through the following means: e-mail to privacidade@concorrencia.pt.

XV. Risk Management and Privacy Impact Assessment

The AdC conducts a Privacy Impact Assessment of intended processing operations where the processing in question is considered to present a high risk to the rights and freedoms of data subjects. Where there is a set of processing operations presenting similar high risks, these may be analysed in a single assessment.

XVI. Contacts for the purpose of this Policy

In order to exercise the above-mentioned rights, in particular the rights of access, rectification and erasure and the rights of limitation and opposition to processing, the data subjects should address their communications by post to AdC - Autoridade da Concorrência, Avenida de Berna, 19, 1050-037 Lisbon, Portugal or via the e-mail address: privacidade@concorrencia.pt.

XVII. Other Information

Any additional information regarding the Protection of Personal Data can be obtained from CNPD - Rua de São Bento n.º 148-3º 1200- 821 Lisboa - Tel: + 351 213928400 - Fax: +351 213976832 - e-mail: geral@cnpd.pt.

Lisbon, 7 December 2022