

1 Scope

These Terms of Service govern the use of the platform for the registration of interested users and the methods of evaluation and development of suppliers of the ÖBB Group (subsequently referred to as „the platform“).

2 Data Controller

ÖBB-Holding AG, Am Hauptbahnhof 2, 1100 Vienna, FN 247642f (HG Wien) acts as Data Controller in the sense of data protection law concerning data storage on the platform.

The Data Protection Officer of ÖBB Holding AG can be contacted via datenschutz.holding@oebb.at.

3 Registration

3.1 Process

Regardless of existing contractual relationships with affiliates of the ÖBB Group, companies and their services can be registered on a platform hosted by Synertrade SES AG, Bunzlauer Str. 7, D - 80992 Munich on behalf of ÖBB-Holding AG, Am Hauptbahnhof 2, A- 1100 Vienna.

The following information is gathered in the first registration process:

Name and company name, name and professional role of the point of contact, address, contact details (e-mail address, telephone number).

3.2 Purpose

The purpose of the registration is to enable any registered company to provide general information regarding its services and to present itself and its service portfolio apart from specific procurement procedures.

Any corporation and any individual operating a business may register. Registration is not possible for individuals and entities (including individual entrepreneurs, partnerships and legal entities) not operating a business.

Registration is NOT obligatory and, in particular, not a precondition for the existence or the initiation of a contractual relationship with an affiliate of the ÖBB Group.

3.3 Legal basis for the processing of data regarding the registration process

The legal basis for the processing of data is the consent of the registered company towards ÖBB-Holding AG.

By referring to an individual as point of contact the registered company confirms that there is a data protection law-based legal basis in the sense of Art 6 GDPR to name this individual as point of contact with regard to his/her professional responsibilities towards ÖBB Holding AG and that said individual has been informed about the disclosure of data and his/her rights as Data Subject according to data protection law.

3.4 Subject of the registration

There is no entitlement to registration. ÖBB-Holding AG reserves its right to erase registrations without stating reasons wholly or partially and, in particular, erase data concerning individuals acting as point of contact in case the individual denies to have given his/her consent.

4 Use of the platform for other purposes

4.1 Processing of data concerning existing suppliers

In addition to the registration process mentioned above, the platform is also used to store data concerning current suppliers of affiliates of the ÖBB Group that can be reviewed and edited by the respective supplier at any time.

Data concerning current suppliers are, besides the abovementioned purposes, used to provide feedback to the respective supplier concerning

the quality of the rendered services („evaluation“) and to take quality assurance and quality improvement measures in accordance with the supplier („development“).

Data concerning the supplier for „evaluation“ and „development“ is only used on a voluntary basis with the suppliers consent. The supplier may withdraw its consent at any time. The consent is entirely voluntary and does not constitute a precondition in order to enter into a supply or service relationship with an affiliate of the ÖBB Group.

4.2 Effect of the withdrawal of consent

In this regard it is made clear that the withdrawal of consent causes the erasure of data comprised by the withdrawal from the platform, but not the whole or partial erasure of data used by ÖBB Group for current and past business relationships in other systems, particularly used for business relationship administration, bookkeeping and accounting.

4.3 Disclosure of data to other operators

For the purpose of „evaluation“ and „development“ data concerning a supplier may, with the supplier's separate consent, be transferred to other operators. In this case, the respective operators and their occupation are disclosed to the supplier in the course of the expression of consent.

4.4 Data Processor

Synertrade SES AG, Bunzlauer Str. 7, D-80992 Munich, operates the platform as Data Processor for ÖBB Holding AG.

5 Rights of the Data Subject

In general, data stored on the platform concerns companies that are not operated by individuals, but usually partnerships of any kind. „Data Subject“ in the sense of data protection law only refers to companies operated by individuals, knowing that the stored data only concerns the business activity but not the private life of the respective individual.

Besides, personal data regarding individuals acting as point of contact is stored, yet only in the form of name, professional role, responsibilities and business contact details.

As far as stored data relates to individuals, these individuals are entitled to the following rights concerning related data:

- Right to access to personal data
- Right to rectification
- Right to erasure
- Right to restriction of processing
- Right to data portability
- Right to object

The abovementioned rights of the Data Subject must be exercised towards the Data Controller, ÖBB- Holding AG, Am Hauptbahnhof 2, 1100 Vienna. The Data Protection Officer of ÖBB Holding AG can be contacted via datenschutz.holding@oebb.at.

Further, it is possible to lodge a complaint with the Austrian Data Protection Authority (DSB), Wickenburggasse 8-10, 1080 Vienna; e-mail: dsb@dsb.gv.at.

6 Validity of the Terms of Service

The English version of these Terms of Service is for information purposes only. The German version is binding and shall prevail in any case of deviation or dispute.