

Terms of reference (ToR) for the procurement of services below the EU threshold

CONFIDENTIAL

Engagement of a Technical Consulting Firm for Providing Technical Advisory and Review Support for the Implementation of the CCTS.	Project number/ cost centre:
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Tender number

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0. List of abbreviations

AG	Commissioning party
AN	Contractor
AVB	General Terms and Conditions of Contract for supplying services and work
FK	Expert
FKT	Expert days
KZFK	Short-term expert
ToRs	Terms of reference

1. Context

Brief information on the project

GIZ is an international cooperation enterprise for sustainable development which operates worldwide, on a public benefit basis. GIZ is fully owned by the German Federal Government, GIZ implement development programs in partner country on behalf of the German Government in achieving its development policy objectives.

Energy efficiency the energy efficiency project of GIZ has been working with BEE in the implementation of energy conservation act. The project has supported BEE in many initiatives for large industries and MSMEs. Despite these achievements, substantial untapped potential remains, requiring an expanded policy and adequate instrument mix.

To address this, the Bureau of Energy Efficiency (BEE), under the Ministry of Power, Government of India collaborates with GIZ India on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ) through the project “Energy Efficiency in India” which adopts a comprehensive approach to industrial decarbonisation by strengthening institutional and individual capacities of relevant stakeholders. Its interventions focus on:

- a. Developing strategies for industrial decarbonisation, including integration within the Indian Carbon Market.
- b. Supporting the design and implementation of incentive schemes.
- c. Promoting industrial energy efficiency measures through demonstration projects and awareness campaigns.
- d. Advancing gender equality and social inclusion in the industrial transition.

Background

The Government of India has committed to achieving Net Zero greenhouse gas emissions by 2070 and reducing the emissions intensity of its economy in line with its Nationally Determined Contributions (NDCs) under the Paris Agreement. To support these commitments, the Government notified the Carbon Credit Trading Scheme (CCTS), 2023 under the provisions of the Energy Conservation Act, 2001, as amended. The CCTS establishes the foundation for India's compliance-based carbon market by setting Greenhouse Gas (GHG) emission intensity targets for obligated entities and providing a framework for the issuance and trading of Carbon Credit Certificates based on verified emission performance. The Bureau of Energy Efficiency (BEE), under the Ministry of Power, has been designated as the implementing agency responsible for operationalizing the scheme in coordination with relevant stakeholders.

The successful implementation of the Carbon Credit Trading Scheme requires obligated entities to comply with sector-specific methodologies and monitoring requirements by preparing and submitting various technical documents, including Monitoring Plans, Baseline Reports, Monitoring, Reporting and Verification (MRV) Reports, greenhouse gas emission calculations, activity data, and other supporting technical documentation. These submissions form the basis for assessing compliance with notified emission intensity targets and determining the eligibility for issuance of Carbon Credit Certificates.

Given the technical complexity and anticipated volume of submissions from obligated entities across multiple industrial sectors, each report requires detailed technical scrutiny to ensure consistency with approved methodologies, accuracy of greenhouse gas emission calculations,

completeness of supporting evidence, and compliance with the provisions of the Carbon Credit Trading Scheme. Accordingly, there is a need to strengthen the technical capacity of BEE through specialized technical support to facilitate timely, transparent, and technically robust review of reports and other submissions under the CCTS.

CCTS is being implemented across multiple energy-intensive industrial sectors, covering a large number of obligated entities. As the Scheme Administrator, the BEE is expected to receive a significant number of technical submissions, including Monitoring Plans, Baseline Reports, Monitoring, Reporting and Verification (MRV) Reports, greenhouse gas (GHG) emission calculations, activity data, emission factor calculations, and other supporting technical documents, for review within prescribed timelines.

The technical evaluation of these submissions requires expertise in greenhouse gas accounting, sector-specific CCTS methodologies, emission intensity calculations, industrial processes, monitoring and verification principles, and data quality assurance to ensure compliance with the notified methodologies and regulatory requirements. Timely and technically robust review of these reports is essential for maintaining the transparency, consistency, and integrity of the Carbon Credit Trading Scheme.

Considering the anticipated volume and technical complexity of the submissions, there is a need to strengthen the technical capacity of BEE through specialized technical support. Accordingly, GIZ intends to engage a qualified consulting firm to deploy dedicated technical experts to assist BEE in reviewing technical submissions, validating GHG emission calculations, identifying technical gaps, and providing technical recommendations for the effective implementation of the Carbon Credit Trading Scheme.

2. Tasks to be performed by the contractor

The contractor shall be responsible for providing technical support services to the BEE through the deployment of **Eleven (11) Technical Experts** for supporting the implementation of the CCTS. The contractor shall ensure that the deployed experts possess the required technical competency and work under the overall guidance of GIZ and BEE.

The contractor shall be responsible for carrying out, but not limited to, the following tasks:

2.1 Technical Review and Evaluation

The contractor shall provide technical assistance to BEE in reviewing documents submitted by obligated entities under the Carbon Credit Trading Scheme. The review shall include, but not be limited to:

- Review and technically evaluate Monitoring Plans, Baseline Reports, MRV Reports, and other submissions received from obligated entities under the CCTS compliance Mechanism.
- Support BEE in the technical review of Baseline Reports, including assessment of system boundaries, emission sources, activity data, and baseline emission intensity calculations.

- Verify GHG emission calculations, emission intensity calculations, activity and production data, fuel and electricity consumption data, and emission factors.
- Review Equivalent Major Product (EMP) calculations and other sector-specific technical parameters, wherever applicable.
- Assess compliance of submitted reports with the approved sector-specific proforma, CCTS guidelines, and regulatory requirements.

2.2 Technical Analysis and Advisory Support

- Identify and analyse technical gaps, calculation errors, data inconsistencies, methodological deviations, and non-conformities observed during the review of Monitoring Plans, Baseline Reports, MRV Reports, and other technical submissions under the CCTS.
- Prepare detailed technical observations, review comments, and evidence-based recommendations to facilitate BEE's technical assessment and decision-making on reports submitted by obligated entities.
- Provide technical advice and expert inputs during meetings, technical discussions, consultations, and presentations with BEE, obligated entities, Accredited Carbon Verification Agencies (ACVAs), and other relevant stakeholders.
- Support BEE in the interpretation and consistent application of sector-specific methodologies, technical guidelines, calculation procedures, and other provisions notified under the Carbon Credit Trading Scheme.
- Assist BEE in resolving technical issues and responding to queries arising during the review and evaluation of reports, including assessment of corrective actions and clarification of technical observations submitted by obligated entities or verification agencies.

2.3 Technical Documentation and Reporting

- Prepare comprehensive technical review reports, issue-specific technical notes, gap analysis reports, and other technical documents based on the evaluation of Monitoring Plans, Baseline Reports, MRV Reports, and related submissions under the CCTS.

- Develop standardized technical review checklists, evaluation templates, reporting formats, and guidance notes to support consistent and transparent technical assessment of reports submitted under the CCTS.
- Submit periodic progress reports to GIZ and BEE summarizing technical reviews completed, key findings, technical observations, recommendations, pending issues, and the status of actions undertaken during the reporting period.
- Maintain a systematic repository of technical reviews, comments, supporting analyses, correspondence, and actions taken to ensure proper documentation, traceability, and future reference throughout the assignment.
- Support the preparation of technical presentations, briefing notes, meeting agendas, background papers, and other knowledge products required for technical meetings, stakeholder consultations, workshops, and review committees organized by GIZ or BEE.

2.4 Other points (Quality Assurance)

- Coordinate closely with GIZ and BEE for planning, scheduling, implementation, and monitoring of all technical support activities, and ensure timely communication on progress, challenges, and key deliverables throughout the assignment.
- Establish and implement a robust internal quality assurance and quality control (QA/QC) mechanism to ensure that all technical reviews, analyses, and deliverables are accurate, consistent, technically sound, and subjected to appropriate internal review prior to submission.
- Ensure that all technical outputs and deliverables are prepared in accordance with the approved CCTS sector-specific methodologies, applicable guidelines, regulatory provisions, and timelines agreed upon with GIZ and BEE.
- Maintain strict confidentiality and security of all reports, technical documents, datasets, calculations, and other information received or generated during the assignment, and ensure that such information is not disclosed without prior written approval from GIZ and BEE.
- Ensure uninterrupted technical support throughout the contract period by deploying qualified experts, maintaining adequate backstopping arrangements, and providing suitable replacement experts with equivalent or higher qualifications, subject to the prior written approval of GIZ.
- The contractor shall not undertake or provide any consultancy, audit, verification, baseline assessment, M&V, or other services related to CCTS/PAT activities for

obligated entities during the contract period that may create an actual or potential conflict of interest with the services under this assignment.

Certain milestones, as laid out in the table below, are to be achieved during the contract term:

Milestones/partial works	Date/location/responsibility
Deployment of 10 Technical Experts	Within 10 days of contract award
Commencement of technical support services	Immediately after deployment
Monthly Progress Reports	By the 5th working day of the following month
Quarterly Progress Report covering activities undertaken, key achievements, technical outputs, challenges, and progress against agreed deliverables.	By the 5th working day of each Quarter
Technical review outputs and advisory support	On a continuous basis throughout the contract period
Final Assignment Completion Report	Within 15 days of completion of the assignment

Period of assignment: from **November-2026** until **July-2027 (Nine Months)**.

3. Concept

In the tender, the tenderer is required to show *how* the objectives defined in Chapter 2 (Tasks to be performed) are to be achieved, if applicable under consideration of further method-related requirements (technical-methodological concept). In addition, the tenderer must describe the project management system for service provision.

Technical-methodological concept

Strategy (1.1): The tenderer is required to consider the tasks to be performed with reference to the objectives of the services put out to tender (see Chapter 1 Context) (1.1.1). Following this, the tenderer presents and justifies the explicit strategy with which it intends to provide the services for which it is responsible (see Chapter 2 Tasks to be performed) (1.1.2).

The tenderer is required to present the actors relevant for the services for which it is responsible and describe the **cooperation (1.2)** with them.

The tenderer is required to present and explain its approach to **steering** the measures with the project partners (1.3.1) and its contribution to the **results-based monitoring system** (1.3.2).

The tenderer is required to describe the key **processes** for the services for which it is responsible and create an **operational plan** or schedule (1.4.1) that describes how the services according to Chapter 2 (Tasks to be performed by the contractor) are to be provided. In particular, the tenderer is required to describe the necessary work steps and, if applicable, take account of the milestones and **contributions** of other actors (partner contributions) in accordance with Chapter 2 (Tasks to be performed) (1.4.2).

The tenderer is required to describe its contribution to knowledge management for the partner (1.5.1) and GIZ and to promote scaling-up effects (1.5.2) under **learning and innovation**.

Project management of the contractor (1.6)

The tenderer is required to explain its approach for coordination with the GIZ project. In particular, the project management requirements specified in Chapter 2 (Tasks to be performed by the contractor) must be explained in detail.

The tenderer is required to draw up a **personnel assignment plan** with explanatory notes that lists all the experts proposed in the tender; the plan includes information on assignment dates (duration and expert days) and locations of the individual members of the team complete with the allocation of work steps as set out in the schedule.

The tenderer is required to describe its backstopping concept. The following services are part of the standard backstopping package, which (like ancillary personnel costs) must be factored into the fee schedules of the staff listed in the tender in accordance with Section 3.1 of the GIZ AVB:

- Service-delivery control
- Managing adaptations to changing conditions
- Ensuring the flow of information between the tenderer and GIZ
- Assuming personnel responsibility for the contractor's experts
- Process-oriented steering for implementation of the commission
- Securing the administrative conclusion of the project

Further requirements (1.7)

Eligibility criteria for the consulting firm

- Should be registered in India
- Average annual turnover for the last 3 financial years should be 150,000 Euros
- Number of employees (as of December last year) should be 10
- Minimum two reference project on carbon market/ emission trading schemes, and one project involving capacity development for energy efficiency (in PAT sectors). The reference projects should be of more than 20,000 Euros and in last three years.
- Around 5 years of experience in industrial energy efficiency/ decarbonization is desirable.
- Around 3 years of experience in projects related to Industrial (CCTS/ PAT) sectors.
- Minimum 3 years work experience in India
- Minimum 1 ODA financed project

4. Personnel concept

The tenderer is required to provide personnel who are suited to filling the positions described, on the basis of their CVs (see Chapter 7), the range of tasks involved and the required qualifications.

The below specified qualifications represent the requirements to reach the maximum number of points in the technical assessment.

(Team Lead/ Lead Expert):

Tasks of the team leader

- Lead and supervise the overall implementation of the assignment and ensure timely delivery of all contractual deliverables.
- Provide technical leadership and guidance to the expert team for the review of Monitoring Plans, Baseline Reports, MRV Reports, and other CCTS submissions.
- Ensure the technical quality, consistency, and accuracy of all review reports, technical observations, and recommendations before submission to GIZ and BEE.
- Coordinate with GIZ, BEE, Accredited Carbon Verification Agencies (ACVAs), obligated entities, and other stakeholders for effective implementation of the assignment.
- Review and validate baseline emission intensity calculations, GHG emission calculations, sector-specific methodologies, and other technical assessments.
- Lead technical meetings, stakeholder consultations, presentations, and review discussions, and provide expert advice on CCTS implementation.
- Supervise and monitor the performance of the deployed Technical Experts, including task allocation, technical guidance, and quality review of outputs.
- Overall coordination and management of the assignment.

Qualifications of the team leader

- Qualification: Be an engineering graduate from the Indian university system (2.1.1)
- Language: Be proficient in Hindi and English (2.1.2)
- General professional experience: 15 years of work experience in the field of energy efficiency (2.1.3)
- Specific professional experience: Minimum 7 years of experience in developing policies, reporting formats/proformas (PAT/CCTS), with strong understanding of the Indian Carbon Market (ICM), Energy Conservation (Amendment) Act, and related energy-efficiency mechanisms. (2.1.4)
- Leadership experience: 10 years of experience at leadership positions (2.1.5)
- Regional experience: 5 years of working in the India (2.1.6)
- Development cooperation experience: 3 years of working with development corporation (2.1.7)
- Other: Certified energy auditor/manager and ISO14064 certification (2.1.8)

Expert 1: (team member 1):

Task of expert 1:

- Review Monitoring Plans, Baseline Reports, MRV Reports, and other technical submissions under the Carbon Credit Trading Scheme (CCTS).
- Verify GHG emission calculations, emission intensity calculations, activity data, energy data, and supporting technical documents in accordance with approved methodologies.
- Identify technical gaps, calculation errors, data inconsistencies, and prepare technical observations and recommendations for BEE.
- Prepare technical review reports, technical notes, gap analysis reports, review checklists, and other technical documents as required.
- Participate in technical meetings, stakeholder consultations, and provide technical inputs for the implementation of the CCTS.
- Support the Team Leader in delivering technical assignments in compliance with approved CCTS methodologies, quality standards, and confidentiality requirements.
- Any other work required to complete the work defined in the ToR.

Qualifications of expert 1

- Qualification: Be an engineering graduate from the Indian university system (2.2.1)
- Language: Be proficient in Hindi and English (2.2.2)
- General professional experience: 10 years of work experience in the field of energy efficiency (2.2.3)
- Specific professional experience: Minimum 5 years of experience in developing policies, with strong understanding of the PAT/CCTS sectors, Energy Conservation (Amendment) Act, and related energy-efficiency mechanisms. (2.2.4)
- Leadership experience: Not required (2.2.5)
- Regional experience: 5 years of working in the India (2.2.6)
- Development cooperation experience: Not required (2.2.7)
- Other: Certified energy auditor/manager or ISO14064 certification (2.2.8)

Expert Pool 1 Technical experts (6 Nos.) with PAT/CCTS sectoral Experience (section 2.3 of the assessment grid)

The Pool of Experts shall comprise specialists with demonstrated CCTS-related experience across energy-intensive sectors such as Iron & Steel (2 Numbers), Cement (2 Numbers), Textile (2 Numbers) combining practical plant-level industrial experience with expertise in auditing, GHG accounting, MRV, and emission intensity assessment. The experts will support BEE in the technical review of Monitoring Plans, Baseline Reports, MRV Reports, GHG emission calculations, sector-specific methodologies, and supporting technical documentation, including assessment of activity data, fuel and electricity consumption, emission factors, process emissions, production data, and normalization parameters, wherever applicable. Their combined industrial and auditing experience will enable them to identify technical gaps, inconsistencies, and non-conformities, provide sector-specific technical recommendations, and support BEE in strengthening the technical robustness, consistency, and effective implementation of the CCTS.

Tasks of Expert Pool 1

- Review Monitoring Plans, Baseline Reports, MRV Reports, and other technical submissions under the Carbon Credit Trading Scheme (CCTS).
- Verify GHG emission calculations, emission intensity calculations, activity data, energy data, and supporting technical documents in accordance with approved methodologies.
- Identify technical gaps, calculation errors, data inconsistencies, and prepare technical observations and recommendations for BEE.
- Prepare technical review reports, technical notes, gap analysis reports, review checklists, and other technical documents as required.
- Participate in technical meetings, stakeholder consultations, and provide technical inputs for the implementation of the CCTS.
- Support the Team Leader in delivering technical assignments in compliance with approved CCTS methodologies, quality standards, and confidentiality requirements.
- Any other work required to complete the work defined in the ToR

Qualifications of expert pool1

- Qualification: Be an engineering graduate from the Indian university system (2.3.1)
- Language: Be proficient in Hindi and English (2.3.2)
- General professional experience: 5 years of work experience in the field of energy efficiency (2.3.3)
- Specific professional experience: Minimum 4 years of experience in developing policies, reporting formats/proformas, and work experience in PAT /CCTS sectors. (2.3.4)
- Leadership experience: Not required (2.3.5)
- Regional experience: 3 years of working in the India (2.3.6)
- Development cooperation experience: Not required (2.3.7)
- Other: Certified energy auditor/manager or ISO14064 certification (2.3.8)

Expert Pool 2 Technical experts (3 Nos.) with PAT/CCTS sectoral Experience (section 2.3 of the assessment grid)

The Pool of Experts shall comprise specialists with demonstrated CCTS-related experience across energy-intensive sectors such as Refinery (1 Number), Aluminium (1 Number) and Petrochemical (1 Number), combining practical plant-level industrial experience with expertise in auditing, GHG accounting, MRV, and emission intensity assessment. The experts will support BEE in the technical review of Monitoring Plans, Baseline Reports, MRV Reports, GHG emission calculations, sector-specific methodologies, and supporting technical documentation, including assessment of activity data, fuel and electricity consumption, emission factors, process emissions, production data, and normalization parameters, wherever applicable. Their combined industrial and auditing experience will enable them to identify technical gaps, inconsistencies, and non-conformities, provide sector-specific technical recommendations, and support BEE in strengthening the technical robustness, consistency, and effective implementation of the CCTS.

Tasks of Expert Pool 2

- Review Monitoring Plans, Baseline Reports, MRV Reports, and other technical submissions under the Carbon Credit Trading Scheme (CCTS).

- Verify GHG emission calculations, emission intensity calculations, activity data, energy data, and supporting technical documents in accordance with approved methodologies.
- Identify technical gaps, calculation errors, data inconsistencies, and prepare technical observations and recommendations for BEE.
- Prepare technical review reports, technical notes, gap analysis reports, review checklists, and other technical documents as required.
- Participate in technical meetings, stakeholder consultations, and provide technical inputs for the implementation of the CCTS.
- Support the Team Leader in delivering technical assignments in compliance with approved CCTS methodologies, quality standards, and confidentiality requirements.
- Any other work required to complete the work defined in the ToR

Qualifications of expert pool 2

- Qualification: Be an engineering graduate from the Indian university system (2.3.1)
- Language: Be proficient in Hindi and English (2.3.2)
- General professional experience: 5 years of work experience in the field of energy efficiency (2.3.3)
- Specific professional experience: Minimum 4 years of experience in developing policies, reporting formats/proformas, and work experience in PAT /CCTS sectors. (2.3.4)
- Leadership experience: Not required (2.3.5)
- Regional experience: 3 years of working in the India (2.3.6)
- Development cooperation experience: Not required (2.3.7)
- Other: Certified energy auditor/manager or ISO14064 certification (2.3.8)

5. Costing requirements

Assignment of personnel and travel expenses

Per diem allowances are reimbursed as a lump sum up to the maximum amounts permissible under tax law for each country as set out in the country table in the circular from the German Federal Ministry of Finance on travel expense remuneration (downloadable from the [German Federal Ministry of Finance – tax treatment of travel expenses and allowances for international business travel as of 1 January 2026 \(GERMAN ONLY\)](#)).

Accommodation allowances are reimbursed as detailed in the specification of inputs below.

With special justification, additional Accommodation costs up to a reasonable amount can be reimbursed against evidence.

All business travel must be agreed in advance by the officer responsible for the project. Travel under this assignment is expected to these states: (Punjab Maharashtra, Jharkhand, Tamil Nadu, Kerala, Gujrat, Karnataka and Haryana etc.), travel to any other location would be taken with prior approval from GIZ

Sustainability aspects for travel

GIZ has undertaken an obligation to reduce greenhouse gas emissions (CO₂ emissions) caused by travel. When preparing your tender, please incorporate options for reducing

emissions, such as selecting the lowest-emission booking class (economy) and using means of transport, airlines and flight routes with a higher CO₂ efficiency. For short distances, travel by train (second class) or e-mobility should be the preferred option.

CO₂ emissions caused by air travel must be offset. GIZ specifies a budget for this, through which the carbon offsets can be settled against evidence.

There are many different providers in the market for emissions certificates, and they have different climate impact ambitions. The [Development and Climate Alliance \(German only\)](#) has published a [list of standards \(German only\)](#). GIZ recommends using the standards specified there.

Specification of inputs

Fee days	Number of experts	Number of days per expert	Total	Comments
Team Lead/ Lead Expert	1	9	9	
Expert 1	1	18	18	
Expert Pool 1	6	90	540	
Expert Pool 2	3	90	270	
Travel expenses	Quantity	Number per expert	Total	Comments
Per-diem allowance in country of assignment	10	2	20	For One night stay per diem applicable 5 round trip x 02 experts x 2 days
Overnight allowance in country of assignment	5	2	10	Two experts for 1 nights for 5 Visits.
Transport	Quantity	Number per expert	Total	Comments
Domestic flights	5	2	10	(02 experts x 5 round trip) Flights within the country of assignment during service delivery.
CO ₂ compensation for air travel <i>Link to working aid and table for determining the budget and Guidance for GIZ service</i>	5	2	10	(02 experts x 5 round trip). CO2 compensation for air travel round trip is consider as 25EUR for 10 trips i.e. EUR 228.

<u>providers on avoiding, reducing and offsetting GHG emissions on setting the budget.</u>				
Travel expenses (train, car) Local travel	5	2	10	Travel within the country of assignment (India), transfer to/from airport etc. Each local travel is inclusive of airport and venue transfers.
Other costs	Number	Price	Total	Comments
Flexible remuneration item				The fixed, unalterable budget is earmarked in the price schedule for flexible remuneration. Flexible remuneration is intended to facilitate the flexible management of the contract by the commission manager at GIZ. (Euro 5000)

6. Requirements on the format of the tender

The structure of the tender must correspond to the structure of the ToR. In particular, the detailed structure of the concept (Chapter 3) should be organised in accordance with the positively weighted criteria in the assessment grid (not with zero). The tender must be legible (font size 11 or larger) and clearly formulated. It must be drawn up in English (language).

The complete tender must not exceed 20 pages (excluding CVs). If one of the maximum page lengths is exceeded, the content appearing after the cut-off point will not be included in the assessment. External content (e.g. links to websites) will also not be considered.

The CVs of the personnel proposed in accordance with Chapter 4 of the ToRs must be submitted using the format specified in the terms and conditions for application. The CVs shall not exceed 4 pages each. They must clearly show the position and job the proposed person held in the reference project and for how long. The CVs can also be submitted in English (language).

Please calculate your financial tender based exactly on the parameters specified in Chapter 5 Quantitative requirements. The contractor is not contractually entitled to use up the days, trips, workshops or budgets in full. The number of days, trips and workshops and the budgets will be contractually agreed as maximum limits.

7. Outsourced processing of personal data

The performance of the contract may be associated with the processing of personal data by the contractor, such as (but not limited to) names and contact information. In such cases, the contractor shall act as an independent DATA CONTROLLER and must alone comply with ALL applicable data protection obligations, including those stemming from regional and local laws. The contractor shall process personal data only when a given goal cannot be reasonably attained without such data. The data protection principles such as lawfulness, data minimization, accuracy, purpose limitation, storage limitation, transparency, integrity and

confidentiality, and accountability, as well as the numerous rights of the data subject must be paid due attention. The GIZ is NOT in any way responsible for such processing.

Whenever the contractor executes the instructions of a partner to the GIZ with regard to such processing, the partner shall be the data controller, and the data processing shall be carried out in accordance with the partner's instructions as well as laws and standards to which it is subject.

If the contractor is not subject to the GDPR and the applicable laws do not contain any explanation on the data protection principles and rights mentioned here, the definitions and meanings provided by the GDPR (Regulation (EU) 2016/679) should be considered."