

Case number: NAIH / 2020/4762/9.

Subject: Grant of the application

decision

Before the National Data Protection and Freedom of Information Authority (hereinafter referred to as the Authority) □... □

Applicant (Address: □... □; hereinafter: the Applicant)

Service Provider Ltd. (registered office: 2040 Budaörs Kikelet utca 11. Building; a

hereinafter referred to as "Requested")

the request for data protection

in an official procedure

DECISION

The Authority accepts the application in part and finds that:

I.

II.

the Applicant has not granted the Applicant the right of access, and

did not comply with the right to exercise the data subject's right to information

general data protection upon request

did not inform the Applicant within the one month deadline set by the Regulation, and

with that

has not complied with the website operated by it and the website linked to it

the European Parliament and the Council in the processing of personal data

Regulation (EU) 2016/679 of 27 April 2016 on the personal data of natural persons

protection of individuals with regard to the processing of personal data and on the free movement of such data,

and in its Regulation repealing Directive 95/46 / EC (Article

hereinafter "the General Data Protection Regulation"),

violated the Applicant's right to access and information;

and the principle of transparency.

The Authority shall reject the application in part and find that:

III.

the Applicant has not violated the Applicant's right to cancel.

I. and II. due to the violation established in point 1, the Applicant - with another data protection

in the event of a finding of an infringement, the present infringement as

will take greater account of the past - he warns.

There is no administrative remedy against this decision, but from the date of notification

within 30 days of the application to the Metropolitan Court in an administrative lawsuit

can be challenged. The application must be submitted to the Authority, electronically, which is the case

forward it to the court together with his documents. Indicate the request for a hearing in the application

must. For those who do not receive a full personal tax exemption, there is an administrative lawsuit fee

HUF 30,000, subject to the right to record material taxes. In the proceedings before the Metropolitan Court, the legal

representation is mandatory.

EXPLANATORY STATEMENT

I. Facts, antecedents

The Applicant submitted a request for a data protection authority procedure to the Authority on 16 March 2020

against the Applicant. Article 12 (3) of the General Data Protection Regulation

(obligation of the controller to provide information), Article 17 (1) (c) (a)

right of erasure) and Article 21 (1) (protest against the processing of personal data)

marked his grievance. On the one hand, the Applicant complained that the information provided to the Applicant

On the other hand, he objected to the personal data registered by the Applicant

the lack of a legal basis for the processing of your data and the fact that the website operated by the Applicant

The general data protection regulation was published in 2013

has not been updated since its entry into force.

The Applicant's obligation to prepare the Applicant's data management information as well as the personal

requested the deletion of his data.

On the basis of the information available to it, the Authority concluded that the Applicant had November 2019

By e-mail dated 18 May 2006, referring to Article 15 of the General Data Protection Regulation,

requested data management information from the Applicant. Due to non-response, dated February 18, 2020

in his return receipt for the data processing information

Article 17 (1) (c) of the General Data Protection Regulation

also requested the deletion of his personal data from the Applicant. The latter shipment to Magyar

Posta tried to deliver it twice to the addressee's registered office address,

unsuccessfully. The Applicant then turned to the Authority.

NAIH / 2020/4762/2 of 18 June 2020 in order to clarify the facts. number

order within 15 days

called the Applicant. The Applicant did not comply with the deadline for submitting data

NAIH / 2020/4762/3 of 9 July 2020

in his order he was fined HUF 100,000, ie one hundred thousand forints, and repeatedly

called for the requested information to be provided within 8 days. This deadline is also ineffective

on the basis of the data in the postal log on 14 July 2020

took over. In its application dated 31 July 2020, the Applicant requested a deadline of 15 days for reply

extension.

The Applicant issued a repeated call for rectification by the Authority on 14 September 2020

In its reply to the Authority received on 25 September 2020, the Authority informed the Authority that

that the Applicant has complied with his / her request for the deletion of his / her personal data,

thus, the personal data related to the Applicant will no longer be processed. The Applicant added

prior to the application of the Applicant's name as personal data to the higher education

assigned to the institution where he taught, handled.

II. Applicable legal provisions

Applicable in conjunction with the General Data Protection Regulation on the right to information self - determination and

CXII of 2011 on Freedom of Information. Act (hereinafter: the Information Act) § 3 point 6

public data in the public interest on the basis of which all data not falling within the definition of

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the disclosure, acquaintance or making available of which is required by law

in the public interest.

Pursuant to Article 2 (1) of the General Data Protection Regulation, the General Data Protection Regulation

shall apply to the processing of personal data in a partially or fully automated manner,

and the non - automated processing of personal data which:

are part of a registration system or are part of a registration system

they want to do.

According to Article 4 (1) of the General Data Protection Regulation, "personal data" means identified or

any information relating to an identifiable natural person ("data subject");

a natural person who, directly or indirectly, in particular by an identifier, e.g.

name, number, location data, online identifier or physical, physiological,

genetic, intellectual, economic, cultural or social identity

identifiable by a factor.

According to Article 4 (2) of the General Data Protection Regulation, "data processing" means the processing of personal data

or any operation on automated or non - automated data files, or

a set of operations such as collecting, recording, organizing, segmenting, storing, or transforming

change, query, view, use, transmit, distribute or otherwise

harmonization or interconnection, restriction, deletion,

or destruction.

According to Article 4 (7) of the General Data Protection Regulation: "controller" means the natural or legal person

person, public authority, agency or any other body that provides personal data

determine the purposes and means of its management, alone or in association with others; if the data management

purposes and means are determined by Union or Member State law, the controller or the controller

EU or Member State law may also lay down specific criteria for the designation of Personal data only under Article 5 (1) (b) of the General Data Protection Regulation may be collected for, and not combined with, specific, clear and legitimate purposes cannot be handled in a compatible way ('purpose-based').

Pursuant to Article 6 (1) of the General Data Protection Regulation, personal data may only be used if and can be lawfully managed if at least one of the following is met:

the data subject has consented to the processing of his or her personal data for one or more specific purposes treatment;

the processing is necessary for the performance of a contract to which one of the parties is a party, or to take steps at the request of the data subject before concluding the contract required;

the processing is necessary to fulfill a legal obligation to the controller;

data processing is the protection of the vital interests of the data subject or of another natural person necessary;

the exercise of public authority or the exercise of public authority over the data controller necessary for the performance of its task;

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the processing is necessary to protect the legitimate interests of the controller or of a third party, unless those interests take precedence over the interests or essential interests of the data subject rights and freedoms which require the protection of personal data, in particular where affected child.

Pursuant to Article 15 (1) of the General Data Protection Regulation, the data subject is entitled to:

receive feedback from the data controller regarding the processing of your personal data is in progress and if such data processing is in progress, you are entitled to personal access to data and the following information:

(a) the purposes of the processing;

(b) the categories of personal data concerned;

(c) the recipients or categories of recipients with whom the personal data are held

have been or will be communicated, including in particular to third country consignees, and international organizations;

(d) where applicable, the intended period for which the personal data will be stored or, if that is not possible, criteria for determining this period;

(e) the data subject's right to request personal data concerning him or her from the controller rectification, erasure or restriction on the processing of such personal data against its treatment;

(f) the right to lodge a complaint with a supervisory authority;

(g) if the data were not collected from the data subject, all available information on their source;

(h) the fact of automated decision-making referred to in Article 22 (1) and (4), including:

profiling and, at least in these cases, the logic used

understandable information about the significance of such data processing and what it is for the data subject with expected consequences.

Pursuant to Article 17 (1) of the General Data Protection Regulation, the data subject is entitled to:

at the request of the controller, delete the personal data concerning him without undue delay,

and the data controller is obliged to make the personal data concerning the data subject unjustified delete without delay if one of the following reasons exists:

personal data are no longer required for the purpose for which they were collected or otherwise treated;

the person concerned shall withdraw Article 6 (1) (a) or Article 9 (2)

consent to the processing, and there is no other consent to the processing

legal basis;

the data subject objects to the processing of his or her data pursuant to Article 21 (1) and there is no priority

lawful reason for the processing or the data subject objects in accordance with Article 21 (2)

against data management;

personal data have been processed unlawfully;

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personal data are required by the law of the Union or Member State applicable to the controller

must be deleted in order to fulfill an obligation;

the collection of personal data by the information society referred to in Article 8 (1)

in connection with the provision of related services.

Pursuant to Article 17 (2) of the General Data Protection Regulation, if the controller

has disclosed personal data and is required to delete them pursuant to paragraph 1,

taking into account the technology available and the cost of implementation

expected steps, including technical measures, to inform

data controllers that the data subject has requested them to provide the personal data in question

deleting links or copies or duplicates of such personal data.

Pursuant to Article 17 (3) of the General Data Protection Regulation, paragraphs 1 and 2 do not

applicable if data processing is required:

for the purpose of exercising the right to freedom of expression and information;

in accordance with the applicable Union or Member State law governing the processing of personal data

fulfillment of an obligation or a public authority conferred on the controller in the public interest or

to carry out a task in the exercise of its

in accordance with Article 9 (2) (h) and (i) and Article 9 (3) a

on grounds of public interest in the field of public health;

for scientific and historical purposes in accordance with Article 89 (1) for archiving in the public interest

for research or statistical purposes, in so far as the right referred to in paragraph 1 is concerned

would be likely to make such processing impossible or seriously jeopardize; obsession

to file, enforce or defend legal claims.

The data controller's obligations related to the deletion of personal data are subject to general data protection

Article 12 of that Regulation.

Pursuant to Article 12 (3) of the General Data Protection Regulation, the controller is unjustified

without delay, but in any case within one month of receipt of the request

inform the data subject in accordance with Articles 15 to 22. on the action taken in response to a request under Article. Need

In view of the complexity of the application and the number of applications, this time limit shall be extended by two additional periods

may be extended by one month. The extension of the deadline by the data controller shall be the reasons for the delay within one month of receipt of the request. If

the person has submitted the application electronically, the information shall be made possible, if possible, electronically unless otherwise requested by the data subject.

Pursuant to Article 12 (4) of the General Data Protection Regulation, if the controller does not do so measures at the request of the data subject without delay, but at the latest at the time of the request within one month of receipt of the measure

and that the person concerned may lodge a complaint with a supervisory authority and may reside with the right to judicial redress.

According to Article 12 (5) of the General Data Protection Regulation, it concerns the rights of data subjects requests, including the action taken on the request for cancellation and information on it should be provided essentially free of charge. If the data subject's request is clearly unfounded

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- due in particular to its repetitive nature - excessive, the data controller, depending on the information requested or the administrative costs of providing the information or taking the action requested, may charge a reasonable fee or refuse to act on the request. The application the burden of proving that it is manifestly unfounded or excessive is on the controller.

Pursuant to Article 58 (2) (b) of the General Data Protection Regulation, the supervisory authority (b) reprimands the controller or the processor if breached the provisions of this Regulation.

The Infotv. Section 2 (2)

according to the general data protection regulation in the provisions indicated therein

shall apply mutatis mutandis.

Infotv. Pursuant to Section 60 (1), the enforcement of the right to the protection of personal data

the Authority shall, at the request of the data subject, initiate a data protection authority procedure, or

may initiate ex officio data protection proceedings.

Unless otherwise provided in the General Data Protection Regulation, data protection was initiated upon request

Act CL of the General Administrative Procedure of 2016 (a

hereinafter: Ákr.) shall apply with the exceptions specified in the Information Act.

The Ákr. Pursuant to Section 103 (1), the Ákr. Initiated ex officio proceedings upon request

provisions of the Act on It shall apply with the exceptions set out in Sections 103 and 104.

Infotv. Pursuant to Section 61 (1) (a), it was taken in a data protection official proceeding

In its decision, the Authority With the data management operations specified in Section 2 (2)

in accordance with Article 58 (2) of the General Data Protection Regulation

may apply legal consequences.

Pursuant to Article 58 (2) (b), (c) and (d) of the General Data Protection Regulation

the data controller or the processor, acting in accordance with the corrective powers of the competent authority, if

its data processing activities have infringed the provisions of this Regulation; instructs the data controller or the

to exercise the data subject's rights under this Regulation

application; instructs the controller or processor to perform its data processing operations

bring this Regulation into line with the provisions of this Regulation

provisions.

Infotv. 75 / A. §, the Authority shall comply with Article 83 (2) to (6) of the General Data Protection Regulation

shall exercise its powers in accordance with the principle of proportionality, in particular by:

legislation on the processing of personal data or binding European Union law

for the first time in the event of a breach of the rules laid down in

in accordance with Article 58 of the General Data Protection Regulation, in particular

by alerting the controller or processor.

III. Decision of the Authority

In relation to the Applicant's right to information, the Authority states that "(...) the

in the age of the information society, in particular, there is a danger that some public and market

actors using modern infocommunication technologies in large quantities

collect, store and process information without the knowledge and consent of those concerned.

This type of dominance entails an increased risk of abuse, violation of the rights and interests of individuals.

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danger. The information is primarily intended to prevent the data controller from being on the side

"Information monopoly". Under the right to prior information, the

data controllers are obliged to provide adequate information to data subjects about their personal data

the route and circumstances of its treatment. On the one hand, that right is intended to ensure that

data subjects that the controller intends to process personal data relating to them.

On the other hand, the information allows data subjects to judge what the intended data processing will be

they may have an impact on their privacy and other risks and dangers.

Finally, individuals become able to practice through the information they receive

their right to information self-determination. "1

It should also be emphasized that the information provided is timely and tailored to the request

transparency of the operation of the data controller, the data processing regime and the fair procedure

is also crucial for the enforcement of its requirement. The above principles

pursuant to Article 12 (3) of the General Data Protection Regulation

without undue delay, but in any case from the receipt of the request

inform the data subject within 15-22 months. following an application under Article

measures. If necessary, taking into account the complexity of the application and the number of applications,

this period may be extended by a further two months.

Pursuant to Article 12 (4) of the General Data Protection Regulation, if the controller does not do so measures at the request of the data subject without delay, but at the latest at the time of the request within one month of receipt of the measure

and that the person concerned may lodge a complaint with a supervisory authority and may reside with the right to judicial redress.

The right of access of data subjects is a constitutive element of the right to self-determination of information, and, as such, is a key aspect of the fundamental right to the protection of personal data. E

the essence of the right is that the data subject may receive information in connection with the processing. THE and the information received enables the data subject to process the data in progress

exercise its rights or seek redress

you can take.

The Authority finds that the Applicant fails to do so at the request of the Applicant

given a substantive response within the time limit, violated the Applicant's access, and thus close rights in this context.

The Data Protection Commissioner dated 22 September 2011 as the legal basis for the data processing of the Applicant ABI-1234-2 / 2011 / P, according to which university and college students have the right to

is free to respect human dignity, even on a community side

give an opinion on the work of the lecturers, on the operation of the higher education institution, and evaluate the teaching work and the Infotv. He referred to Section 26 (2).

According to this provision, public data in the public interest is the task of the body performing the public task

the name, duties, duties, managerial assignment, public task of the person acting within its competence

other personal data relating to the provision of personal data and personal data which

knowledge is required by law. In the public interest, public personal data is purposeful

may be disseminated in accordance with the principle of data management. In the public interest, the public is personal

publication on a website of the status of Annex 1 and of the person performing the public task

the provisions of a separate law shall apply.

The Authority, with the legal basis of the data processing objected to by the Applicant and the right to delete

maintains the conclusions of its previous studies

also stated in its report² that: '(...) the operation of the higher education system

from the state, and consequently from the maintainers of all state - recognized higher education institutions

independently - an institution performing a public task, teachers and teachers of tasks related to education

and those employed as teachers are a kind of academic

are considered to be public figures. Given that it is available on the website

The purpose of the database is to provide students with information on the education provided by a particular instructor

and the current requirements for teaching

In this context, an instructor may be appointed in accordance with the original purpose,

if he is a teacher. (The operator of the website is obliged to delete those

the form of the trainers who apply for cancellation after the termination of the teaching relationship

contact the controller.) "

Public officials (as well as public actors) need to be more tolerant of

negative value judgments and criticisms of their professional activities

however, this should not, of course, lead to a violation of human dignity.

Therefore, the website operator is also responsible.

Infotv. Section 26 (2) also names certain public data in the public interest. Such data a

the name, duties and responsibilities of the person acting within the scope of duties and competencies of the body performing

the public task,

managerial assignments, other personal data related to the performance of public duties, and a

personal data the disclosure of which is required by law. In the public interest, the public is personal

data may be disseminated in accordance with the principle of purposeful data management.

The principle of purposeful data processing is enshrined in Article 5 (1) (b) of the General Data Protection Regulation Define. According to this, the collection of personal data is only specific, clear and lawful they may not be treated in a way incompatible with the original purpose.

Given that the database available on the website operated by the Applicant is intended to: students should be able to find out about the quality of the education provided by the particular instructor as well as what is being done current requirements in the opinion of the Authority in relation to teaching activities the name of the instructor may be made public in accordance with the purpose originally stated.

The Authority § 17, its powers at all stages of the proceedings investigates. Infotv. According to Section 38 (2), the task of the Authority is to protect personal data, and the right of access to data in the public interest and in the public interest Article 57 (1) of the Regulation.

Article 58 (1) to (3) and Infotv. Section 38 (2) - (4).

Consequently, the Authority is concerned with the exercise of the rights of the individual and their possible limitations has no jurisdiction, it can only decide on the deletion of personal data.

Report of the National Authority for Data Protection and Freedom of Information on its activities in 2018 - Budapest, 2019 B / 4542 126.

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The right of cancellation enshrined in Article 17 of the Regulation ('the right to be forgotten') - other rights - not absolute, so in the case of adequate guarantees, there may be restrictions to subject. However, the Regulation also provides for certain cases of cancellation obligation does not apply: further processing is considered lawful if others necessary for the exercise of its fundamental rights and freedoms (...). One of them is the freedom of expression and the right to information.

IX of the Basic Law of Hungary. Everyone has the right to be heard

freedom, the exercise of which must not, however, be directed at the human dignity of others

violation.³ However, deciding whether to have a user placed on the website

where applicable, the submission is untrue or damages the honor and reputation of the court

belongs to.

The right to freedom of expression is one of the fundamental values of a democratic state governed by the rule of law,

both the Charter of Fundamental Rights of the European Union and the European Union

The Treaty on the Functioning of the European Union recognizes this. This right guarantees that the individual's thoughts and

opinions

freely articulate and explain, thus contributing to different views and ideas freely

to flow. Freedom of expression includes the right to information,

that is, the freedom to receive and impart information. It is based on the individual

is generally entitled to obtain any data within the framework of modern technology,

and transmitted or made public. This right thus includes, inter alia, the Internet

freedom of the press, freedom of the press and information of public and public interest

the right to know and disseminate information, ie freedom of information.

The unlimited possibility of deleting the information on which those rights and freedoms are based

would obviously empty, violate these rights. The right to forget, and

between freedom of expression and the exercise of the right to information

a balance must be struck. Ensuring this is primarily a matter for national authorities and courts

is due.⁴

The Constitutional Court has already stated in several decisions that in practice⁵ a

freedom of expression is a highly protected constitutional value. The Democrat

it is a fundamental requirement in the rule of law that all citizens of society be free

to express his thoughts, to become free to form a public opinion. Social and political,

that is, without the freedom and diversity of public debate, there is no free public opinion

and there is no democratic rule of law {7/2014. (III. 7.) AB, Justification [39]}. The

The Constitutional Court has already emphasized in its early practice that free expression of opinion a
a key guarantee for the establishment and maintenance of a democratic public opinion, which is also a
an indispensable source of a society based on pluralism. It is a historical experience that

“Whenever the freedom of expression was restricted, the

social justice, human creativity, diminished human potential

the possibility of unfolding. The detrimental consequences are not only for the individual but also for

society has also manifested itself in the development of mankind

led to a dead end. Free expression of ideas, views, no matter how unpopular or special

free expression of the existence of a society capable of development and of a truly alive life

basic condition”[30/1992. (V. 26.) AB, ABH 1992, 167, 170–171].

Basic Law IX. Article 1 (1) and (4).

Explanation of the GDPR 186-187. page - Wolters Kluwer Hungary (Budapest 2008)

5 Decision 3145/2018 (V.7.) AB of the Constitutional Court

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According to the consistent practice of the Constitutional Court, freedom of expression is twofold

has a certificate {7/2014. (III. 7.) AB decision, Justification [23]}. Freedom of expression

their constitutional limits must therefore be defined as those of the person expressing the opinion

the interests of the formation and free formation of public opinion

take {3001/2018. (I. 10.) AB decision, Justification [20]}

According to the interpretation of the Constitutional Court that has been consistently followed for more than two decades, a

freedom of expression demands priority protection “when public affairs and

persons exercising public power, performing public duties or taking part in public life

affects its activities. [...] Indispensable to the existence and development of a democratic society

element [is] the debate over public affairs, which presupposes different political views and opinions

criticism of the functioning of public power”[36/1994. (VI. 24.) AB, ABH 1994,

219, 228; see also 57/2001. (XII. 5.) AB decision, ABH 2001, 484, 494.]

In view of this, in the practice of the Constitutional Court, public statements of a political nature are typically

considers freedom of expression to be the innermost protection of freedom of expression {e.g.

5/2015. (II. 25.) AB, Reason [28]}. In these cases, the expression of opinion

The constitutional standard of freedom must be enforced with special rigor, ie

such speeches enjoy stronger protection and are restricted only to the strictest extent

can get a certificate {7/2014. (III. 7.) AB, Reason [45]}.

Accordingly, the ECtHR also emphasizes the practice of expressing opinions

freedom primarily protects opinions related to public affairs. With this

In this context, the long-standing practice of the court that the state (public authority)

political expressions are particularly protected because it is a

freedom is one of the cornerstones of a democratic society. The ECtHR added that it is

such expression of opinion is essential to both social progress and the development of the individual

requirement. [Handyside v. The United Kingdom (5493/72), 7 December 1976, § 49.] To this

restrictive aspects of political expression must be interpreted restrictively

[Dichand and Others v. Austria (29271/95), 26 February 2002, pp. 37-38. paragraph; Cholakov v

Bulgaria (20147/06), 1 October 2013, paragraph 29].

Aspects appearing in the cited decisions of the Constitutional Court also in the practice of the ECtHR

prevail. The ECtHR has pointed out in several judgments that it is protected by Article 10 of the ECHR

Freedom of expression applies not only to debates of a political nature but also to

legal protection also extends to the freedom to discuss all other issues affecting society

[Thorgeirson v. Iceland (13778/88), 25 June 1992, § 61]. Political freedom of expression

its special protection should therefore apply in all cases where the opinion in question is disputed

on an issue affecting a social or local community in the discussion of public affairs

sounds. [e.g. *Bladet Tromsø v Norway* [GC] (21980/93), 20 May 1999, pp. 58-60. paragraph, Paragraph 73; *Klein v. Slovakia* (72208/01), 31 October 2006, pp. 47-48. paragraph; *Cihan Öztürk v. Turkey* (17095/03), 9 June 2009, pp. 27-28. paragraph; *Karsai v. Hungary* (5380/07), 1 December 2009, paragraphs 35] Persons involved in these matters they become public actors because of the controversy of public affairs.

[35] The Constitutional Court therefore, in line with the case law of the ECtHR, acknowledged in practice that “all public dialogue can have a need for public debate and protection of fundamental rights in public disputes ”{14/2017. (VI. 30.) AB decision, Rationale [27]}.

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(...) based on the case law of the Constitutional Court and the ECtHR, therefore freedom of expression it does not depend on the status of the person concerned, ie it does not in itself decide what is applicable selection of a standard of constitutionality. In fact, in some cases, personal quality is of decisive importance. The Constitutional Court therefore emphasizes in some of its decisions [e.g. 1/2015 (I. 6.) AB decision] that in the case of those exercising public power and politicians in public office based on their status, it can be stated that their activities and personalities have been criticized belong to the dispute over public affairs. However, even for these individuals, it cannot be ignored in addition to examining whether the specific criticism is indeed in public affairs or in the public interest whether there is a need for an investigation and, if whether public disclosure violates human dignity.

The courts seised must therefore first examine whether the person involved in the proceedings is whether the communication is in any way related to a public dispute (see Explanatory Memorandum, paragraph 39 et seq.).

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and in the event that it can be established that the communication under investigation is a public matter or other public life and stakeholders in this public debate

(Recital [44 et seq.]), regardless of whether they are involved

a person exercising public power or a person of another status, in accordance with Article IX of the Basic Law. Article 1 (1)

on the basis of which he has an increased obligation to tolerate criticism and criticism of him against. This tolerance obligation is partly in line with the content of the communication (statement of facts, value judgment) (Justification [Paragraph 52 et seq.])

In relation to the comments on the trainers, the Authority notes that the affects the right to freedom of expression, which is a fundamental constitutional right, they display on the website operated by the Applicant, the Regulation certifies to the Applicant

Based on Article 17 (3) (a). Website operator only

it is obliged to delete the data sheet of the instructors who have terminated the teaching relationship they then request the deletion from the controller.

In the Authority's view, the inclusion of the data on the website is only until then is able to serve the originally defined purpose of data management as long as the data are accurate, i as long as the teacher indicated on the website teaches at the institution indicated on the website, since in this in this case, the information written about the instructor may be relevant to the students of that institution.

The Authority shall address the issues related to the Applicant's request to enforce the right of cancellation a due to the failure to deliver the application by post, it was not examined or evaluated.

The Applicant also objected to the fact that the data protection information was published on the Applicant's website has not been updated since the entry into force of the General Data Protection Regulation (25 May 2018), a Applicant did not update.

The preamble to the General Data Protection Regulation (39) states that personal data must be lawful and fair. For natural persons

it must be transparent how their personal data concerning them are collected and used, whether they are viewed or otherwise treated, and

the extent to which personal data is or will be processed. The principle of transparency requires information or communication related to the processing of personal data

be easily accessible and comprehensible and in clear and simple language

formulated. This principle applies in particular to the identity of the data controller concerned and the

the purpose of the data processing and further information to that effect that ensure the fair and transparent processing of the personal data of the data subject

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to inform those concerned that they have the right to receive confirmation and information about them processed data. The natural person is concerned with the processing of personal data information on risks, rules, guarantees and rights and how exercise its rights in relation to data processing. The specific purposes of personal data processing above all, explicitly stated and legitimate, and already personal they must be specified at the time of data collection. Personal data a they must be suitable and relevant for the purpose for which they are processed and the scope of the data for that purpose should be limited to the minimum necessary. To do this, you need to ensure in particular that you are personal data storage should be limited to the shortest possible period of time. Personal information is just that may be handled if the purpose of the processing is not reasonably possible by other means to reach. To ensure that personal information is stored for the required period of time limited, the controller shall set time limits for erasure or periodic review. THE all reasonable steps must be taken to correct or delete inaccurate personal information to do. Personal data must be handled in a way that ensures its proper level security and confidentiality, inter alia, in order to prevent unauthorized access to personal data and the means used to process personal data access or unauthorized use.

The purpose of the data protection notice is therefore to provide the data controller with the data processing he or she carries out

in accordance with the expectations of the information self-determination rights enshrined in the General Data Protection Decree and the Infotv enforcement options.

The Authority notes that the Applicant fulfills this obligation under the General Data Protection Regulation

after the entry into force of this Regulation, but after the Authority has taken action

amended its data management information on the website operated by it in 2020.

also published on 1 September.

On the basis of the above, the Authority has decided in accordance with the provisions of the operative part, however, the general one

having regard to Article 83 of the Data Protection Regulation, in particular that a

The Authority has previously requested more data processing in the framework of investigation procedures

examined in several cases, in which cases no violation was found and previously the Applicant

fully complied with its obligation to cooperate, but not in the present case

considers it justified.

By alerting the Applicant, the Authority aims to raise the data protection awareness of the Applicant

strengthen it, make its data management activities more thoughtful, by

treat those concerned as genuinely entitled, ensuring their rights and personal data

information and other conditions necessary to exercise control over the

In this regard, the Authority also took into account that, although not previously opposed to the Applicant

found an infringement relating to the processing of personal data, but in part of its proceedings

has already convicted the Applicant of the violations found in this decision and procedural

he also fined him.

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ARC. Other issues

The powers of the Authority shall be exercised in accordance with Infotv. Section 38 (2) and (2a) defines its jurisdiction as a whole

country.

The Ákr. Pursuant to § 112 and § 116 (1) and § 114 (1)

there is an administrative remedy against him.

The rules of the administrative lawsuit are set out in Act I of 2017 on the Rules of Administrative Procedure (a hereinafter: Kp.). A Kp. Pursuant to Section 12 (1) by decision of the Authority

The administrative lawsuit against the court falls within the jurisdiction of the court Section 13 (3) a)

Pursuant to sub-paragraph aa) of the Act, the Metropolitan Court has exclusive jurisdiction. Section 27 (1)

(b), legal representation shall be required in legal proceedings before the General Court. A Kp. Section 39 (6)

the submission of the application for the entry into force of the administrative act

has no suspensive effect.

A Kp. Section 29 (1) and with this regard Pp. Applicable in accordance with § 604, electronic

CCXXII of 2015 on the general rules of public administration and trust services. Act (a

hereinafter: the e-administration Act), the client's legal representative pursuant to Section 9 (1) (b)

obliged to communicate electronically.

The place and time of the submission of the application is Section 39 (1). The trial

Information on the possibility of requesting the maintenance of the It is based on § 77 (1) - (2). THE

the amount of the fee for an administrative lawsuit in accordance with Act XCIII of 1990 on Fees. Act (hereinafter:

Itv.) 45 / A. § (1). From the advance payment of the fee, the Itv. Section 59 (1)

and Section 62 (1) (h) shall release the party initiating the proceedings.

Budapest, October 8, 2020 "8"

Dr. Attila Péterfalvi

President

c. professor

sk.

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