

Ordinance to combat the corona pandemic and mandatory contact data processing

10/21/2020

privacy

press release

corona

With the amended version of the Ordinance to Combat the Corona Pandemic of May 15, 2020 (VO-CP), the state government created a state law regulation for the first time effective May 18, 2020 for the mandatory collection and storage of data from guests, customers or visitors . This regulation was last amended by the new version of the VO-CP of October 16, 2020 (Official Gazette 2020, 1008 ff). In accordance with § 3 VO-CP, the surname, first name, place of residence and accessibility in the form of a telephone number or e-mail address for each representative of the households present, as well as their arrival time, and to store them for a period of one month. From a data protection point of view, the processing of customer contact data associated with this regulation is legitimized in accordance with Article 6 Paragraph 1 Letter c in conjunction with Paragraphs 2 and 3 GDPR due to this legally standardized obligation. The form in which this obligation to process data is implemented is ultimately up to the respective person responsible. With regard to the purpose of the processing obligation to enable the health authorities to trace chains of infection, the contact data collected and stored are in the event that the responsible health authority requests them , to transmit. The request from the health department itself must be documented. The data should only be made available via a secure transmission method (by post, fax or email with end-to-end encryption). If the contact data collected in this way has to be stored for one month, care must be taken to ensure that the stored data is destroyed or deleted in a timely manner; For example, by shredding paper lists and entry forms or by deleting them in the case of digital storage. Improper further processing of contact data, such as use or disclosure for advertising purposes, is absolutely inadmissible. The affected customers are to be informed of the purpose and structure of the data processing by means of information within the meaning of Art. 13 GDPR (see sample).

return

Associated files

Sample registration form

Registration form for operators of restaurants, cinemas, theatres, operas, concert halls, indoor playgrounds, hotels,

accommodation facilities and campsites as well as organizers of church services, competitions, etc.

65KB

Sample Art. 13 GDPR

Template for data protection information according to Articles 13 and 14 data protection

Basic Regulation (DSGVO) in the context of customer data collection by u.a.

Gastronomy operators based on the Saarland regulation

Combating the Corona Pandemic

231KB