

press releases

Press Release – Photographs taken at school reception events

Press

e-mail

On the occasion of the entry into force of the General Data Protection Regulation and the legal situation that has arisen, my office has received a wide range of inquiries about the admissibility of taking school photos in the past few weeks.

Due to a frequently heard misjudgment, I feel compelled to make a clarification: Photographs of students are suitable for representing personal data within the meaning of the General Data Protection Regulation. However, the area of application of the General Data Protection Regulation is not opened up in the frequent case that natural persons, mostly relatives of the students, take photographs solely for personal or family purposes. The processing of personal data in the exercise of exclusively personal or family activities is not covered by the regulation as a process according to Art. 2 Paragraph 2c) General Data Protection Regulation.

The scope of the General Data Protection Regulation, on the other hand, is opened up if the school itself or commercial photographers (on the basis of consent) create and use images of the students. In these cases, those responsible must also regularly comply with the information obligations under the General Data Protection Regulation towards the students concerned or the persons with custody.

The federal provisions of the Art Copyright Act continue to apply unchanged to the permissibility of the distribution and publication of personal images.

Andrew Schurig

For questions: Andreas Schneider, Spokesman for the Saxon Data Protection Officer, This email address is being protected from spambots. To display JavaScript must be turned on!

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