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> The current state of the legislation (28.06.2021). THE symbols indicate past and future changes in paragraphs.

## 1995. CXIX. law

on the management of name and address data for the purpose of research and direct business acquisition

The Parliament shall enact the following law on the management of name and address data for the purpose of research:

## General provisions

The scope of this Act extends to natural and legal persons as well as those without legal personality

organizations that require name and address data for scientific research, public opinion research, market research, or are treated.

(2) The scope of this Act does not extend to Act LXVI of 1995 on Public Documents, Public Archives and the Protection of Private Archival Material. law § 2. (1) In the application of this Act:

1. Scientific research: the activity aimed at gaining knowledge about the world, its meanings, the connections between phenomena knowledge and in which to explore the objective connections between the studied social, economic and natural phenomena

name and address information or direct contact with persons is required.

2. Public opinion research: research of the opinions of individuals and their groups (hereinafter: concerned) and the components of their decision-making. 3. Market research: examination of the consumer habits of the person concerned.

4-6.

7. Scientific researcher: a natural person who has a scientific degree or title and is in that discipline or carries out scientific activity in the field of science in which he has demonstrated his competence; in addition, who has a research task as well

carry out scientific research according to a certificate received from a supplying body or a foundation sponsor. 8. Public opinion researcher, market researcher: a natural and legal person or an organization without legal personality, which

is entitled to carry out the activity under point. 9.

10. Anonymisation: a technical procedure that ensures that the possibility of re-establishing the connection between the data subject and the data is definitive exclusion.

General rules for receiving name and address data

§ 3. (1) The scientific researcher, the public opinion researcher and the market researcher for the purpose of making contact and keeping in touch, or the the body entrusted with the management and receipt of the data may collect or use name and address data from the following sources:

(b) in a file, directory of names and addresses lawfully compiled and made public for the purpose of disclosure; and publication, in particular a telephone directory, a directory, a statistical directory, provided that at the time of data collection or

(a) the identity of the data subject with whom the data controller has previously been in contact (customer, sponsor);

when reconciling the data, the data subject was informed about the possibility of using the data for a purpose other than the original, or about the right to block;

(c) by receiving data from another person or body carrying out the same activity, where the data subject has has not objected or prohibited after prior notification;

d) by requesting data pursuant to Act LXVI of 1992 on the Registration of Personal Data and Addresses of Citizens. Act (hereinafter: Nytv.) under the conditions set out in Nytv., provided that the citizen has not meg [Nytv. Section 2 (1)].

(2) When selecting the sample required for the commencement of scientific research, public opinion research or market research, it shall not be possible to: selection criterion is a criterion from which clearly specific data can be inferred. § 4. (1) Name and address data may be requested from the register of personal data and address of citizens as follows:

(a) for the purpose of scientific research, the Nytv. § 11 of (1) a) to e), g)-h) as defined in point any aspect as well as any aspect of marital status as defined, in addition

(b) in order to select the sample required for the commencement of public opinion and market research, Nytv. Section 11 (1) (c) -d), h)

and any aspect of marital status as defined in point c)

distribution.

(2)

2. In the case of a request for data pursuant to paragraph 1, the applicant's right to perform the activity specified therein must also be duly substantiated.

(3) The data controller subject to the scope of this Act shall ensure the accuracy and timeliness of the name and address data with the data subject. should be ensured through contact or regular reconciliation of personal data and address records. The

during the reconciliation, the personal data and address register bodies must also inform the data subject if the data subject

in the meantime, the transfer of your data to Nytv. Pursuant to Section 2 (1). If the data controller uses the data for data reconciliation previously transferred to another body, it must also notify that body of the fact of the blocking.

(4) The data requested from the personal data and address register pursuant to paragraph 1 shall be provided only from the request or the most recent may be used or transmitted within six months of the consultation.

Data protection and data security

§ 5. (1) In the course of data processing for the purposes of scientific research, public opinion research and market research - personal data

the data subject's right to the protection of his or her personal data must be guaranteed. In particular: (a) at the same time as the contact, the data subject shall be informed in writing of the source of the data;

obtained; the purpose, method, duration of the use of the data, the use of the data (contributor) during the data processing and the any intention to transfer data at a later date; the name and address of the body or person authorized to process the data and that it the provision of data is voluntary and you have the right to terminate the processing of your data for the specified purpose or a part thereof

to ask; (b) have the right to refuse further cooperation at any time without giving reasons and to do so in writing; be informed;

the data subject so requests or does not consent to the processing of his or her data; d) the name and address data transmitted to a third party or an organization - the provisions of § 3 (1) c) in accordance with point

data transmission, data processing on the basis of an order, and data reconciliation specified in this Act [4. § (3)]

(c) the processing of your name and address data for the purposes of the activities specified in this Act shall be terminated if

with the written consent of the data subject. (2) In the case of a data transfer, both the data subject and the data subject shall be informed of the data concerned and of the data subject. In order to ensure the controllability of the data traffic, a register must be kept. The records of the data transfer or data transfer

until the end of the fifth year following the year of In the case of data processing on the basis of an order, the principal shall be deemed liable to the data controller. The processing of personal data for that purpose shall cease if:

(a) the purpose for which the data were requested has been fulfilled, unless the data subject indicates the new purpose for further processing of the data; agreed in writing; (b) he or she declares that he or she does not wish to cooperate with the applicant organization.

(4) Termination of data processing shall mean destruction or anonymisation. 5. If the processing is to be terminated at any stage at the request of the data subject, the data subject shall not be held liable. burdens.

§ 6. (1) The scientific researcher, as well as the public opinion researcher and the market research body shall have appropriate technical information on data security. and organizational measures should be provided. In doing so - with the exception of the scientific researcher - internal data protection and data security regulations shall be prepared for the development of which the professional representation of the organizations performing the activities covered by this Act shall be established

organizations provide assistance through self-regulatory activities. 2. The controllers and the parties involved in the processing of data shall be informed of the measures provided for in paragraph 1 and of their mandatory compliance. the receiving persons (employee, agent) must be informed.

II.

Data management for scientific research purposes

the plan should be modified if the purpose of the data management changes during the research process. The research data management plan should include: a) research eligibility, b) the purpose of the research,

§ 7. (1) A scientific researcher shall prepare a research data management plan before commencing research falling within the scope of this Act. THE

d) the data management process, (e) guarantees that the data subject 's rights are enforceable in practice; and

c) the scope of personal data to be processed and their source,

(3)

(f) technical and organizational measures to ensure data protection. (2) The research data management plan shall be designed to ensure the legality of the data processing and the possibility of control. it must be kept until the data is no longer processed.

(3) In the case of institutional scientific research, the rights and obligations of the scientific researcher shall belong to the body performing the research activity. or charged.

Data reception and data transmission § 8. (1) The name and address data received for the purpose of scientific research pursuant to § 3 for the purpose of obtaining new information

# the consent of the deceased's heir is required if the data subject

he died within the previous thirty years. If the identity of the heir cannot be established or the acquisition of his consent is disproportionate the consent of the deceased may also be given by the relative of the deceased. (2) The data necessary for contacting a person involved in scientific research may be taken on the basis of Section 3 (1).

After contact, the name and address of the data subject may only be used for continuous contact with him and upon completion of the research, data processing should be discontinued. § 9. (1) If the fulfillment of the information obligation specified in § 5 (1) would endanger the realization of the research goal,

then, once the data collection has been completed, the data subject must be fully informed of the use and rights of his or her data.

2. If the processing of his or her name and address data at the time of the information provided pursuant to paragraph 1 or at a later stage of the research shall be destroyed at its request and the person concerned shall be informed thereof in writing. 3. The obligation to provide information under paragraph 1 or to obtain consent may be waived only if the

the purpose of the research is related to social, public health, public education, vocational training or environmental interests, and obtaining information or consent would be disproportionately time-consuming, costly and labor-intensive due to the large number of stakeholders. THE the data requester is responsible for the lawfulness of the failure to obtain information or consent.

who also exercises the rights of declaration of the data subject. § 11 Foreign scientific researcher, if he / she wishes to carry out data processing falling within the scope of this Act, or if the domestic scientific researcher researcher carries out his / her activity on the basis of a foreign assignment, he / she is obliged to inform the data subject in writing about this fact. Abroad only anonymised data may be transferred unless the data subject has given his or her written consent to the transfer of his or her data.

§ 10 In the case of a person without legal capacity or with limited legal capacity, the information shall be provided to the legal representative,

III.

§ 12. (1) Prior to the commencement of public opinion research or market research (hereinafter together: public opinion research), the public opinion monitoring the data management process of a research or market research body (hereinafter together: public opinion research body)

### in order to do so, it must prepare a research data management plan, which must contain the information specified in Section 7 (1). (2) In order to start a public opinion poll, name and address data may only be taken from the source specified in Section 3 (1). § 13. (1) The public opinion research body shall obtain the name and address data obtained or available on the basis of § 12 at the contact point.

Data management for public opinion and market research purposes

may be used for other purposes only with the written consent of the data subject. 2. If a contact is established between the opinion polling authority and the data subject, the name and address

address data should be separated from other poll data, stored separately and ensure that the person involved in the poll should not be identifiable. Name and address information for re-contact only may be used if the data subject consents in writing to continued contact or re-contact. The name concerned

and other personal data and information provided by him may only be processed jointly or stored with the express and express written consent of the data subject.

3. A technical method shall be developed for the processing of name and address data stored separately pursuant to paragraph 2 which: makes it impossible to link the respondents 'answers with their name and address information. 4. The processing of name and address data pursuant to paragraph 2 shall be processed without delay at the request of the data subject, failing which the

simultaneously with the termination of the public opinion research activity or at the end of the continuous contact - Section 5 (4) shall be terminated in accordance with § 14. (1) At all stages of the processing of the answers given during the public opinion poll, the interviewed person shall be provided with

complete anonymity and the voluntary nature of the opinion. (2) The conclusion drawn as a result of the opinion poll shall not contain data suitable for the identification of the data subject. (3) In the course of a public opinion poll, no measure or decision may be taken on the basis of the personal data or opinion of the data subject.

to draw or draw a conclusion which concerns or affects him personally. § 15 The public opinion polling body on the personal rights of data subjects, the protection of personal data and data protection requirements

shall duly educate the persons acting on his behalf of the legal consequences of the breach. For the protection of personal data the polling body is responsible. § 16. (1) A foreign public opinion polling body or person if he or she wishes to carry out data processing falling within the scope of this Act, or if the

a domestic polling authority or person carries out activities on the basis of a foreign assignment, the inform in writing. Only processed information from which the person concerned cannot be inferred may be transmitted abroad, unless the data subject has consented in writing to the transfer of his or her data.

(2) ARC.

**17-21.** § V.

§ 23. (1) This Act enters into force on the 15th day after its promulgation.

Transitional and final provisions

(2)

Company history F.A.Q

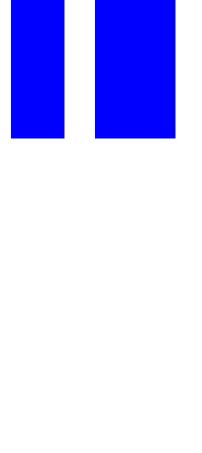
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