**PRIVACY STATEMENT**

Pursuant to Article 12(1) of Regulation (EU) 2016/679 of the European Parliament and of the Council (hereinafter **GDPR**), Eötvös Loránd University informs the data subject about the processing of data in the context of ... research[[1]](#footnote-1).

**Who will be authorised to process/handle your data?**

**Data Controller:** *(Please provide name, address, and preferably e-mail address and telephone number of the data controller. If the data are only processed within ELTE’s Faculty of Humanities, it is sufficient to indicate the name and contact details of the contact person. Below, at the data processor field you only need to indicate which software or platform is used to collect/store the data and if the data are processed by an external processor, independent of the organisation, who processes the personal data solely on behalf of the data controller.)*

**Eötvös Loránd University**

1053 Budapest, Egyetem tér 1–3.

Department responsible: Bölcsészettudományi Kar (Faculty of Humanities)

Address: 1088 Budapest Múzeum krt. 4-6.

Name and contact details (telephone, e-mail):

**Data Processor[[2]](#footnote-2):**

*Please indicate here the software or platform used to collect and/or store personal data.*

*If you are (also) using Qualtrics for your research, please provide us with the following information:*

Qualtrics: in the context of the registration/research

address: Qualtrics LLC

 333 W. River Park Drive

 Provo

 Utah

 84604

 United States of America

*If you (also) use the Office product family for your research (Microsoft Teams, Forms, etc.):*

Microsoft: in the context of the registration/research

 Microsoft EU Data Protection Officer

 One Microsoft Place

 South County Business Park

 Leopardstown

 Dublin 18

 D18 P521

 Republic of Ireland

*If the research may be carried out by staff of other external institutions or organisations (e.g. they also collect and analyse non-anonymised data), please indicate here.*

*If you do not use external software or partners for data collection:*

No data processor will be used.

**What do we use your data for?**

The purpose of the processing is your participation in the ... research carried out by the Data Controller, including the transmission of the data after anonymisation, statistical analysis, publication and dissemination of the results.

**Which data will be processed? (***Please list the data! Only data that are strictly necessary and relevant for the purposes for which they are processed, and which are suitable and relevant for the purposes for which they are processed, are processed, examples are given below:)*

1. full name
2. willingness to participate in the study
3. address
4. an identifier of your choice (e.g. date of birth, mother's name, social security number, etc.)
5. voice recording
6. Neptun code
7. a statement that you are not being treated for a neurological or psychiatric condition and have not previously received such treatment
8. *Please list any other relevant information! audio recording, video recording, etc.*

**On what basis do we process your data?**

The basis for your data procession is that you have given your consent in accordance with Articles 6(1)(a) and 9(2)(a) of the GDPR. You can withdraw your consent at any time. Withdrawal of consent does not affect the lawfulness of the processing carried out on the basis of the consent prior to its withdrawal. You may withdraw your consent by sending an e-mail to ....

**In the event of a transfer, the recipients of the data[[3]](#footnote-3) or categories of recipients:** No transfer will take place.

**Transfers to third country[[4]](#footnote-4) / international organisations:** No transfer will take place.

**For how long do we process your data?** *(We may process personal data until the purpose of the processing is achieved.) For example, 1 year after the end of the data collection period, 5 years, etc.*

**Your rights (explained in detail in the annex to this Statement):**

1. **The right to transparent information** – by means of this Statement, the Data Controller provides information on the circumstances of the processing, i.e., inter alia, who processes your personal data, for what purposes, on what basis and for how long, as well as your rights in relation to the processing and to whom you can address any questions or complaints regarding the processing.
2. **The right of access to your personal data** – you may at any time ask the Data Controller whether your personal data are being processed, request full information about the processing and request a copy of your personal data.
3. **The right to rectification of your personal data** – you may request the controller to correct inaccurate personal data or, if incomplete, to complete it.
4. **The right to erasure of your personal data** – you may request that the controller erases your personal data.
5. **The right to restriction of processing** – you may request the controller to only store your personal data (e.g. to establish, exercise or defend legal claims) and not process them otherwise.
6. **Information about the identity of the recipients who have been informed of the rectification, erasure or restriction of processing** – we will inform you of the recipients to whom we have referred the data on request.
7. **The right to data portability –** you may request that the personal data you have provided to the Data Controller be provided to you in a structured, commonly used, machine-readable format by the Data Controller or, where technically feasible, transferred by the controller to another controller. You have this right only in relation to data processed based on consent or contract, provided that the processing is carried out by automated means.
8. **The right to object –** you may object at any time to the processing of your personal data, provided that the processing is based on legitimate interest or is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Data Controller.
9. **The right to object to automated decision-making –** you can ask not to be covered by the decision. Please let us know if you notice this type of activity. If this Statement does not contain information on automated decision-making, the right to object to it is irrelevant.
10. **The right to legal remedy** **–** in the event of a breach of your rights, you may refer the matter to the Data Protection Officer of ELTE or the National Authority for Data Protection and Freedom of Information (Nemzeti Adatvédelmi és Információszabadság Hatóság) or to a court.

**Where to seek legal remedy or answer to your questions:**

The University’s Data Protection Officer

Office of Data Protection and Strategic Administration

1053 Budapest, Ferenciek tere 6. floor 3.

Tel.: +36-1-411-6500 / 2855

Email: adatvedelem@rk.elte.hu

For further legal remedies please contact:

National Authority for Data Protection and Freedom of Information (NAIH)

1363 Budapest, Pf. 9.

Website: [www.naih.hu](http://www.naih.hu)

Tel.: +36-1-391-1400

Court of justice

In Hungary, you can choose to bring the case before the court of the place where you live or stay.

**ANNEX**

**Details of Data Subjects’ rights and remedies regarding data processing**

**Knowledge of the Data Subject’s (hereinafter referred to as the Data Subject)** rights and remedies in relation to processing is important because the controller processes personal data. **Personal data is** any information that allows the data subject to be identified. Thus, personal data is not only the name or identification mark of the data subject, but also knowledge of his or her physical, mental, etc. identity.[[5]](#footnote-5)

The data subject may exercise his or her rights in relation to the processing by contacting the controller, who shall inform the data subject of the action taken on the request without undue delay and **at the latest within one month of receipt of the request**. If necessary, considering the complexity of the request and the number of requests, this time limit may be extended by a further two months. The controller shall inform the data subject of the extension, stating the reasons for the delay, within one month of receipt of the request. Where the data subject has made the request by electronic means, the information shall, where possible, be provided by electronic means, unless the data subject requests otherwise.

**Below is an explanation of the rights of the Data Subject.**

1. The right to transparent information (Art. 12-14 GDPR)

The Data Controller fulfils its obligations to provide information about the Data Controller, the Data Protection Officer, the purposes and legal basis of the processing, the duration of the processing, the Data Subject’s rights and remedies and, where the data do not originate from the Data Subject, the source of the data, by means of this document.

Oral information may be provided at the request of the data subject, provided that he or she proves his or her identity.

1. The right of access of the Data Subject (Art. 15 GDPR)

The Data Subject may request the Data Controller to provide access to personal data concerning him or her, including a copy of the personal data which are the subject of the processing. The Data Subject shall have the right to obtain from the Data Controller feedback as to whether or not his or her personal data are being processed and, if such processing is taking place, the right to access the personal data and the following information:

|  |  |
| --- | --- |
| a) | the purposes of the data processing |
| b) | the categories of personal data concerned |
| c) | the recipients or categories of recipients to whom or which the personal data have been or will be disclosed, including recipients in third countries or international organisations |
| d) | where applicable, the envisaged duration of the storage of the personal data or, where this is not possible, the criteria for determining that duration |
| e) | the right of the Data Subject to obtain from the Data Controller the rectification, erasure or restriction of the processing of personal data relating to him or her and to object to the processing of such personal data |
| f) | the right to lodge a complaint with a supervisory authority |
| g) | where the data have not been collected from the data subject, any available information concerning their source |
| h) | the fact of automated decision-making, including profiling, and, at least in those cases, the logic used, and clear information on the significance of such processing and its likely consequences for the data subject. |

1. The right to rectification (Art. 16 GDPR)

The data subject shall have the right to obtain, at his or her request and without undue delay, the rectification of inaccurate personal data relating to him or her. Having regard to the purposes of the processing, the data subject shall have the right to obtain the rectification of incomplete personal data, including by means of a supplementary declaration.

1. The right to erasure – “right to be forgotten” (Art. 17 GDPR)

Personal data must be erased if

* + - 1. the purpose of the processing has ceased
			2. the Data Subject has withdrawn his or her consent and there is no other legal basis for the processing
			3. the processing is based on a legitimate interest or is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, and the Data Subject objects to the processing
			4. the processing is unlawful
			5. the personal data must be erased in order to comply with a legal obligation under Union or Member State law to which the Data Controller is subject
			6. the data were collected in relation to information society services offered directly to children.
1. The right to restriction of processing (Art. 18 GDPR)

The controller shall restrict processing at the request of the data subject where

* + - 1. the Data Subject contests the accuracy of the personal data
			2. the processing is unlawful, and the Data Subject opposes the erasure of the data
			3. the Data Controller no longer needs the personal data, but the Data Subject requests them for the establishment, exercise or defence of legal claims
			4. the processing is based on a legitimate interest or is necessary for the performance of a task carried out in the public interest/ in the exercise of official authority vested in the Data Controller and the Data Subject objects to the processing.
1. The obligation to notify on rectification or erasure of personal data or restriction of processing (Art. 19 GDPR)

The Data Controller shall inform any recipient to whom or with whom the personal data have been disclosed of the rectification, erasure or restriction of processing, unless this proves impossible or involves a disproportionate effort. The data subject shall, upon request, be informed by the controller of these recipients.

1. The right to data portability (Art. 20 GDPR)

The Data Subject shall have the right to obtain the personal data relating to him or her which he or she has provided to a Data Controller in a structured, commonly used, machine-readable format and the right to transmit those data to another Controller without hindrance from the Data Controller to which he or she has provided the personal data, where the processing is based on consent or a contract and the processing is carried out by automated means.

In exercising the right to data portability, the data subject shall have the right to request, where technically feasible, the direct transfer of personal data between controllers.

The exercise of this right shall be without prejudice to the right to be forgotten.

1. The right to object (Art. 21 GDPR)

The Data Subject has the right to object at any time, on grounds relating to his or her particular situation, to the processing of his or her personal data on grounds of legitimate interest or if the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Data Controller, including profiling[[6]](#footnote-6) based on those legal grounds. In such a case, the controller may no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

1. Data Subject’s right in case of automated decision-making (Art. 22 GDPR)

The Data Subject has the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.

This provision shall not apply in the following cases:

|  |  |
| --- | --- |
| a) | if the decision-making is necessary for the conclusion or performance of a contract between the Data Subject and the Data Controller |
| b) | it is permitted by European Union or Member State law applicable to the Data Controller which also lays down appropriate measures to protect the rights and freedoms and legitimate interests of the Data Subject |
| c) | based on the explicit consent of the Data Subject. |

The Data Controller shall ensure that the Data Subject has at least the right to obtain human intervention by the Controller, to express his or her views and to object to the decision.

1. Access to legal remedies – alternatives available

10.1. Data Protection Officer (Art. GDPR 38-39)

Data Subjects may contact the Data Protection Officer in all matters relating to the processing of their personal data and the exercise of their rights under the GDPR (Art. 38(4) GDPR).

If the Data Controller fails to act on a request from the Data Subject, the Controller shall inform the Data Subject without delay and at the latest within one month of receipt of the request of the reasons for the failure to act and of the right to lodge a complaint with a supervisory authority and to seek judicial remedy (Article 12(4) GDPR).

10.2. Procedures that can be initiated at the National Authority for Data Protection and Freedom of Information (Articles 57-58, 77 GDPR, Infotv. [[7]](#footnote-7) Article 51/A (1), Articles 52-54, 55 (1)-(2), 56-58, 60-61)

**Anyone (i.e. not only the Data Aubject)** **may lodge a complaint** with the National Authority for Data Protection and Freedom of Information (hereinafter “Authority”), to initiate an investigation on the grounds that a violation of rights has occurred or is imminent regarding the processing of personal data.

It is important that the notification is not anonymous, otherwise the Authority *may reject* the notification without any substantive investigation. Further grounds for refusal are set out in the Data Protection Act (Infotv.) Article 53.

The Authority’s investigation is **free of charge** and the costs of the investigation are advanced and borne by the Authority. Detailed rules on the conduct of the procedure are laid down in the Data Protection Act (Infotv.) Sections 54, 55(1) to (2), 56 to 58.

In order to enforce the right to the protection of personal data, the Authority shall, at the request of the Data Subject, initiate a data protection authority procedure pursuant to Articles 60-61 of the Data Protection Act (Infotv.).

10.3. Enforcement before the courts (Article 79 GDPR, Article 23 Data Protection Act (Infotv.))

The Data Subject may take the Data Controller to court in case of a breach of his or her rights, as all Data Subjects have an effective judicial remedy if they believe that their rights under the GDPR have been infringed as a result of the processing of their personal data in a way that does not comply with the GDPR (see above).

A lawsuit must be filed against the Data Controller or processor before the courts of the Member State where the Controller or processor is established. Such proceedings may also be brought before the courts of the Member State in which the Data Subject has his or her habitual residence, unless the controller or processor is a public authority of a Member State acting in its exercise of official authority.

In Hungary, a lawsuit may also be filed, at the option of the Data Subject, before the courts at the place where he or she resides or is domiciled.

Within the legal action, the Data Subject may claim compensation/damages from the Data Controller:

* if the Data Controller causes damage to another person by unlawful processing of the Data Subject’s data or by breaching the requirements of data security, the controller must compensate the damage
* if the controller has infringed the Data Subject’s right to privacy by unlawfully processing his or her data or by breaching data security requirements (e.g. by disclosing or communicating personal data to an unauthorised person), the Data Subject may claim damages from the controller.
1. SECTIONS IN GREY ARE FILLED IN BY THE DATA CONTROLLER. [↑](#footnote-ref-1)
2. [↑](#footnote-ref-2)
3. Recipient: a natural or legal person, public authority, agency or any other body to whom or with which personal data are disclosed. Public authorities that may have access to personal data in the context of an individual investigation in accordance with Union or Member State law are not considered recipients. [↑](#footnote-ref-3)
4. A third country is any state that is not an EEA state. The list of EEA States can be found here: <http://konzuliszolgalat.kormany.hu/egt-tagallamok> [↑](#footnote-ref-4)
5. **personal data**: Article 4(1) GDPR: any information relating to an identified or identifiable natural person (“Data Subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. [↑](#footnote-ref-5)
6. GDPR Article 4 “**Profiling**”: any form of automated processing of personal data whereby personal data are used to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict characteristics associated with that person’s performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements. [↑](#footnote-ref-6)
7. Data Protection Act (Infotv.): Act CXII of 2011 (of Hungary) on the Right of Informational Self-Determination and on Freedom of Information. [↑](#footnote-ref-7)