

Research guide on data management

On data management of personal data within the frame of research services of the **Budapest City Archives** (hereinafter "Archives")

The Archives as controller of personal data (hereinafter "controller") hereby informs those concerned on the general practice of data management in the course of research service activities, all the measures taken in favour of protection of the personal data and the parties concerned shall be informed of their right of appeal.

This data management declaration is based on Article 20(2) of Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information (hereinafter "Privacy Act"), according to which it is necessary for all those concerned to be provided with clear and comprehensive information prior to the data management, especially its purpose, legal basis and duration, the name of the data controller and the data processor, whether the respective personal data is being processed under the Article 6(5) of the Privacy Act, or who may have access to the data. The information shall include the rights and legal remedies of those concerned.

Under Article 4(1) of the Privacy Act personal data may only be managed for specific purposes, exclusively for the performance of specific obligations and the exercise of specific rights. The purpose of data management must be complied with in all stages of data management; recording and management of personal data shall be done under the principle of lawfulness and fairness. Under 4(2) of the Privacy Act the personal data processed must be essential for the purpose for which they were recorded, and it must be suitable to achieve that purpose. Personal data may only be processed to the extent and for the duration necessary to achieve its purpose.

1. Data of the controller

Budapest City Archives

(abbreviated name: BCA, seat: H-1139 Budapest, Teve utca 3-5., represented by Dr István Kenyeres, Director General)

Contact information:

Phone: +36 1 298 7500

E-mail: kutato@bparchiv.hu

Website: www.bparchiv.hu

2. Purpose of data processing

Purpose of present data management is to identify the persons requesting individual data from the Archives in the course of client services pursuant to Act LXVI of 1995 on Public Records, Public Archives, and the Protection of Private Archives.

3. Legal basis of data processing

Article 22(3) of Act LXVI of 1995,

"On the issue of the visiting card the public archives shall keep a record of the researcher's identification data and address."

Article 24(4) Act LXVI of 1995,

"The researcher shall sign a written declaration ... indicating the place of data handling".

Data set imposed by 27/2015 (V. 27.) Regulation of Ministry of Human Capacities (on professional qualifications relating to activities of public and private archives):

"46(1) *To review and control the practice of the research service the public archives shall register*

a) the visiting cards issued by it, their registration numbers and keep all the data as provided for in Act LXVI of 1995,

b) research entries and their dates,

c) identification numbers of the archive request forms,

d) identification numbers of request forms and of electronic memory space as defined in Section 41(3) and the process of ordering.

(2) Recording kept under Section (1) shall be closed at the end of each year and the number of the researchers, research entries, and the request forms are to be recorded as a total."

Upon issuing the visiting card or registering online on www.eleveltar.hu the person concerned agrees with the management of his or her personal data. Data required by Act LXVI of 1995 fall within the scope of compulsory data management, personal data requested beyond that serve the purpose of an easy contact with the researcher. Providing those data is based on consent and is optional.¹

4. Scope of data collected by the controller

Researcher's name *

Researcher's birth name*

Mother's birth name*

Place of birth of the researcher*

Date of birth of the researcher (year, month, day)*

Permanent address*

If the research is performed under Article 24 of Act LXVI of 1995, place of data handling*

Mailing address (if different from the above)

¹ Under Article 4 of Act XX of 1996 (Identification methods to replace the identify mark and use of identification codes) "(4) Identification data of a natural person a) family and first name, family and first at birth, b) place of birth, c) date of birth and d) mother's maiden name (family and first name)."

Phone
E-mail
Research topic
Supporting institution
Data of the request form
(* = data fall within the compulsory data management)

5. Duration of the data management

Duration of the data management is linked to the purposes of data management, under the current Record Management Regulation and Record Office Schedule of the BCA, undestroyable data (records), records of lasting value, after the retention period as indicated in records schedule shall be transferred in the archives.

6. Information on engaging another processor

Controller does not engage another processor.

7. Persons entitled to apprise data

Data provided by the concerned persons can be accessed solely by authorized staff members within the same controller.

8. Information on data security measures

Controller is municipal budgetary entity, the functioning of which is regulated, internal rules apply for filing documents and the operations of the IT systems.

Controller ensures the protection of the received personal data and takes technical and organisational measures and lays down the rules of procedures to comply with Privacy Act and GDPR², as well as other regulations on data protection and rules on confidentiality.

Controller implements suitable protection measures on both server and application level to ensure its IT system and network safety against cyber fraud, espionage, sabotage, vandalism, fire, flood, as well as against computer viruses, hacker attacks, attacks that lead to service outages.

9. Information on data management based on Article 6(5) of the Privacy Act

Under Article 6(5) where personal data is recorded under the concerned person's consent, the controller shall – unless otherwise provided for by law – be able to process the data recorded where this is necessary for compliance with a legal obligation pertaining to the controller, or for the purposes of legitimate interests pursued by the controller or by a third party, if enforcing these interests is considered proportionate to the limitation of the right for the protection of personal data, without the data subject's further consent, or after the data subject having withdrawn his consent.

Controller shall inform the concerned person that it applies the above-mentioned provision in line with the applicable rules on data management of the GDPR, where this is necessary for

² REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)

compliance with a legal obligation pertaining to the controller, or for the purposes of legitimate interests pursued by the controller or by a third party.

10. Data subject rights and legal remedies

We kindly ask those concerned that if they feel that controller has violated the right to the protection of personal data, please feel free to contact us so we could rectify any infringement. Hereby we inform those concerned that they can bring an action to assert their rights before a civil court or they can ask for the help of the Hungarian National Authority for Data Protection and Freedom of Information. Legal remedies and the controller's responsibilities are described by the Privacy Act (Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information) in detail.

In the event of any infringement of his rights, the person concerned may turn to court against the controller. The court shall hear such cases in priority proceedings. If so requested by the person concerned, the action may be brought before the tribunal in whose jurisdiction the data subject's home address or temporary residence is located.

Request for legal remedies and complaints can be filed with the Hungarian National Authority for Data Protection and Freedom of Information.

Name: **Hungarian National Authority for Data Protection and Freedom of Information**

Seat: H-1125 Budapest, Szilágyi Erzsébet fasor 22/C.

Website: <http://www.naih.hu>

Phone: +36 (1) 391 1400

Telefax: +36 (1) 391 1410

E-mail: ugyfelszolgalat@naih.hu

Controller reserves the right to make changes in the present information on data management. Changes in data management may not result in management of personal data for different purposes. Related information will be published on the website and in the research room of the controller.