



*Education, research, healthcare:
in the service of health for 250 years.*

SEMMELWEIS UNIVERSITY

Seq. No.: 11/2021.

PRIVACY NOTICE

on data processing by all organisational units of Semmelweis University regarding holders of Covid-19 immunity cards, individuals' vaccination and/or their having contracted, and recovered from, the Covid-19 infection not more than three months ago

Pursuant to Sections 16 and 17 of Act CXII of 2011 on Informational Self-Determination and the Freedom of Information as well as Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (hereinafter: **GDPR**) Semmelweis University hereby notifies data subjects about data processing **by all organisational units of Semmelweis University regarding holders of Covid-19 immunity cards, individuals' vaccination and/or their having contracted, and recovered from, the Covid-19 infection not more than three months ago.**

1 The name and contact data of the data controller: Semmelweis University, Registered office: 1085 Budapest, Üllői út 26. Mailing address: 1428 Budapest, Pf.: 2. Telephone number: 06-1-459-1500 Web: <http://semmelweis.hu>

2 The name and contact data of the representative of the data controller: Prof. Dr. Béla Merkely, Rector, registered office: Semmelweis Egyetem 1085 Budapest, Üllői út 26. Mailing address: 1428 Budapest, Pf.: 2. Telephone number: 06-1-459-1500 Web: <http://semmelweis.hu/>

3 Name and contact data of the data protection officer: dr. Sára Trócsányi, 1125 Budapest, Kútvölgyi út 6., telephone: +36 1 459-1500/62547, e-mail: adatvedelem@semmelweis-univ.hu

4 The purpose of data processing: (1) It is of utmost importance for University citizens that education, research, patient care and the tasks relating to these are organised in such a way that will protect the health of those participating in their performance as employees or students and help prevent the spreading of the epidemic by any means whatsoever. Students' declarations are managed by course coordinators of the dean's offices, the employees' declarations are managed by the person exercising the rights of the employer (to the extent necessary for achieving the objective of data processing, data contained in such employee documents may only be seen and processed exclusively for the safe organisation of examinations and the

performance of tasks in combating the epidemic and for the organisation of the conditions and requisites for safe work without risks to health, exclusively by the President of the Clinical Centre and the Rector, while data in other employee documents are data contained in other employee documents may only be seen and processed exclusively for the performance of tasks in combating the epidemic and for the organisation of the conditions and requisites for safe work without risks to health, exclusively by the person exercising the rights of the employer and the Rector.

5 Legal basis of data processing: Section 6 (1) c) of the GDPR: processing is necessary for compliance with a legal obligation to which the controller is subject; and Section 9 (2) h) of the GDPR: processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee.

In addition to the statutory authorisation for the performance of the legal obligation the relevant specific legal obligations are prescribed in Section 9 (2), Section 10 (1) and the first sentence of Section 51 (4) of the Labour Code, as well as Section 54 (7) b) and h) and Section 60 (3) of Act XCIII of 1993 on Occupational Safety (Occupational Safety Act). The detailed rules are set forth in Section 11/A of Directive E/21/2020. (XI.26.) of the Rector and the Chancellor of Semmelweis University on the plan of actions in response to the pandemic.

6 The personal data and sensitive personal data (if any) being processed:

personal identification data: natural personal identification data (name:, mother's name, date of birth, address of residence), Neptun or SAP identifier

sensitive personal (health) data: whether the individual has been vaccinated against the Covid-19, whether the individual contracted, and recovered from, Covid-19 infection, during the last 3 months, or proof of being free of the infection as evidenced by negative antigen test result produced not more than 1 day ago.

7 The data subjects: Students and employees of Semmelweis University.

8 The duration of data processing, in general: during the term of the student or employment relationship but not beyond the end of the emergency situation.

9 The period during which the personal data are retained: as long as the emergency situation announced in Section 1 of Government Decree 27/2021. (I. 29.) on the announcement of the emergency and the entry into force of emergency measures is not lifted.

10 Name and address of the processor: none

11 The legal grounds of data transfer if any, the fact of data transfer to third countries or international organisations: No data shall be transferred to third parties or international organisations.

INFORMATION OF DATA SUBJECTS ABOUT THEIR FUNDAMENTAL RIGHTS

1. Information

Data subjects have a right to be provided with information in a concise, transparent, understandable and easily accessible form. The Controller shall fulfil such requests of data subjects in writing or in some other suitable way, after personal identity verification, without any undue delay, but by all means within 1 month of receipt of the request. Such data provision shall be effected by the Controller free of charge, except for requests found to be without reasonable grounds, excessive requests and frequently repeated requests.

2. The data subject's right to access

A data subject is entitled to be provided with access to his or her personal data and the following details: A duplicate copy of the for containing his or her personal data (additional copies shall be available for a fee).

3. Right to rectification

A data subject has the right to have his or her incorrect personal data rectified or supplemented without undue delay.

4. Right to erasure (right to be forgotten)

The Controller shall, at the data subject's request, erase the personal data relating to the data subject without undue delay, in any of the following cases:

- the purpose no longer exists or has become meaningless, the data are no longer required
- the data subject withdraws his or her consent, eliminating thereby the legal basis of processing
- the data subject objects to data processing
- unlawful data processing
- to fulfil some statutory obligation.

In the context of the data subject's right to be forgotten the Controller must erase the disclosed personal data – in view of the costs of the available technology and execution – and take reasonable steps to inform other controllers of the need to erase the relevant links, copies and second copies.

An exception to the data subject's rights specified in sections 3 and 4 are cases in which data processing is necessary. Data processing is necessary if it is indispensable for any of the following cases:

- the freedom of expression
- the performance of legal obligations or exercising some official authority
- in public interest in the area of public health
- archiving in public interest for scientific or historical research
- enforcing legal claims.

5. **Right to restriction of processing**

The Controller shall restrict processing at the data subject's request, if

- the data subject disputes the accuracy of the personal data
- the processing is unlawful and the data subject opposes the erasure of the personal data
- the Controller no longer needs the personal data but they are required by the data subject for the establishment, exercise or defence of legal claims
- the data subject has objected to processing and investigation is still under way at the Controller.

POSSIBLE LEGAL REMEDIES

1. **Data protection officer**

2. **Right to lodge a complaint with a supervisory authority**

Supervisory authority: Nemzeti Adatvédelmi és Információszabadság Hatóság (Hungarian National Authority for Data Protection and Freedom of Information), 1055 Budapest, Falk Miksa utca 9-11., web: www.naih.hu

3. **Right to an effective judicial remedy against the Controller/Processor**

Regardless of official procedures of authorities or other procedures the data subject seek remedy against the controller or processor at the court having jurisdiction over the area in which the controller/processor is carrying out its activities. Such legal action may also be instituted at a court of the member state in which the data subject has his or her place of stay. The ordinary court of competent jurisdiction over the Controller: Fővárosi Közigazgatási és Munkaügyi Bíróság, Fővárosi Törvényszék (Budapest Administrative and Labour Court, Budapest Metropolitan Court of Justice) (1055 Budapest Markó u. 27.)

DISCLOSURE AND REGISTRATION CLAUSE

I have made the necessary arrangements for the disclosure of the above privacy notice on the organisational unit's website. It is accessible for all without limitation at: <https://semmelweis.hu/aok/a-karrol/dokumentumtar/>

I have entered the above privacy notice in the organisational unit's privacy notices under No. 11/2021.

Budapest, 14 May 2021.

Dr. Miklós Kellermayer

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