



## REPORTING REQUIREMENT TO PROVIDE INFORMATION WHEN PERSONAL INFORMATION IS COLLECTED – BASIC REGULATIONS

### As part of the MOREclassic Program

The Johannes Kepler University Linz (hereinafter referred to as "JKU") would like to provide you with information about automatically processing your personal information (more precisely: personal information relating to you) in accordance with Art. 4, para. 1 of the General Data Protection Regulations (hereinafter referred to as "GDPR") in which protection is governed by valid data protection<sup>1</sup>. Under Art. 4 para. 2 of the GDPR, automated processing means collecting, recording and retaining personal information with or without automated means.

#### I. Contact Information:

The Johannes Kepler University Linz (JKU), Altenberger Straße 69, 4040 Linz, [datenschutz@jku.at](mailto:datenschutz@jku.at), is responsible for processing the information described below under Art. 4 para. 7 of the GDPR.

As stated in Art 37 of the GDPR, the designated Data Protection Officer can be reached at Johannes Kepler University Linz (JKU), Office of Data Protection, Altenberger Straße 69, A-4040 Linz, Austria, [datenschutz@jku.at](mailto:datenschutz@jku.at).

#### II. Background for Processing / Indicating the Purpose for Collecting Personal Information / Legal Basis for Processing / Recipient for the Personal Information:

##### 1. Background and Purpose for Processing

**1.1.** As part of the *MOREclassic program*, the JKU processes personal data submitted by applying students (applicants) as listed in the application/application form for the purpose of proper (lawful) management of internal JKU program-related processes, in particular admission, support services, academic advising, assisting the applicant(s), granting additional services, as well as asserting, exercising or defending any legal claims.

**1.2.** In addition, the JKU may process visual and audio material (photos, videos) of program participants in unaltered or edited form, as part of interviews/surveys as well as other events associated with the *MOREclassic program*, including information voluntarily provided by them therein, such as academic title, first and last name, opinions, ideas, convictions, motives and

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<sup>1</sup> Regulation (EU) 2016/679 by the European Parliament and of the Council on April 27, 2016 to protect individuals with regard to processing personal data, the free movement of this kind of data and repealing Directive 95/46/EC (GDPR); Federal Act to protect individuals with regard to processing Personal Data (DSG), BGBl. I No. 165/1999, as last amended by BGBl. I No. 14/2019; Directive (EU) 2016/680 by the European Parliament and the Council on June 27, 2016 to protect individuals with regard to processing personal data and the free movement of this kind of data (Directive). Directive (EU) 2016/680 by the European Parliament and the Council on April 27, 2016 to protect individuals with regard to processing personal data by the responsible authorities for the purposes of preventing, conveying, detecting or prosecution of criminal offences or enforcing sentences, on the free movement of this kind of data and repealing Council Framework Decision 2008/977/JHA (Directive on data protection in the field of justice and domestic affairs), implemented in Articles 36-61 DSG.



empirical values in order to document and inform the public about the fulfilling tasks allocated to the JKU, as well as, in general, to report and/or attain a certain advertising effect by publication on the JKU's publicly accessible website and social media channels (YouTube, Facebook, LinkedIn and Instagram) and, if applicable, also in the press, journals and magazines (print media as well as online publications via the Internet).

## 2. Legal Basis

**2.1** The legal basis to process personal data in accordance with **Pt. II.1.1** is to prepare and conclude a contract at the applicant's request, or to establish, fulfill and process a contractual relationship between the applicant and the JKU in accordance to **Art. 6 para. 1 lit. b GDPR** as well as the JKU's legitimate interest in accordance with **Art. 6 para. 1 lit. f GDPR** to properly (lawfully) manage, administer, organize and process the JKU's internal, program-related processes and the contractual relationship with the applicant.

There is no obligation to provide the requested personal data, however, failure to provide the information results in being unable to successfully review the application for the *MOREclassic program* and the application cannot be further considered.

If the application or enclosed documents contain any sensitive information to be processed, the legal basis to process this personal data is based on express consent in accordance with **Art 9 (2) lit. a GDPR**. In accordance to Art. 7 (3) GDPR, the applicant has the right to exercise his/her right to revoke consent without stating reasons and/or amend the declaration of consent given (to effect in the future) or, revoke it entirely by using the contact information provided under Pt. I above, or by sending an e-mail to: [datenschutz@jku.at](mailto:datenschutz@jku.at). Revoking consent does not affect the lawfulness of processing your personal data, which was conducted on the basis of consent up until consent was revoked. As stated expressly in the application form, disclosing sensitive data is **not required** for admission to the *MOREclassic program*; this kind of information plays no role in assessing admission to the *MOREclassic program*.

**2.2.** The legal basis to process personal data in accordance with **Pt. II.1.1** is voluntary consent in accordance with **Art 6 para. 1 lit. a and Art 9 para. 2 lit. a GDPR**. We expressly point out that not providing consent **will not impact** the program-related processes; consent to the aforementioned data processing procedure **is not a prerequisite** take part in the *MOREclassic program* and receiving benefits thereunder. Under study law, **refusing consent does not result in negative consequences**.

In accordance with Art. 7 (3) of GDPR, you can exercise your right to revoke without stating any reasons and/or amend the declaration of consent given (to take effect in the future), or revoke it entirely by using the contact information provided under Pt. I above, or by sending an e-mail to: [datenschutz@jku.at](mailto:datenschutz@jku.at). Revoking your consent does **not** affect the lawfulness of processing your personal data, which was conducted on the basis of consent up until consent was revoked.

## 3. Recipients

**3.1.** Those receiving the personal data are organizational departments at the JKU that require the information for corresponding processing procedures.



**3.2.** As part of the technical support, hosting, maintenance, administration, and artistic/graphical design, any commissioned processors may also be involved. The data recipient may be a third-party providing access to personal data cannot be prevented on account of technical and organizational measures.

**3.3.** Should information be published - as described in **Pt. II.1.2** - in any press reports, journals or magazines, your data may also be forwarded to press and media representatives.

**3.4.** Banking institutions, payment service providers, and external consultants (such as tax advisors, tax auditors).

**3.5.** To assert claims, personal data may also be forwarded to courts, government agencies and legal representatives.

**3.6.** By publishing image and sound material (as described under **Pt. II.1.2**) on the JKU's publicly accessible website and the social media channels (YouTube, Facebook, LinkedIn and Instagram) and, if applicable, in other online publications via the Internet, the data subject's information is, in principle, made available to anyone. Worldwide accessibility to this personal data means that this information can be found via search engines, linked to other information, and also copied and further processed for other purposes not covered by this data privacy policy. Against this backdrop, said personal data may be found elsewhere on the original website or social media channels even after it has been deleted. In this regard, the JKU has no control or influence and can therefore assume no liability.

### **III. Information Regarding the Retention Period:**

Personal data will be retained as long as required by law. In addition, the retention period will be determined in accordance with criteria including timeliness and relevance with regard to the stated purpose, as well as any proof required to correctly implement the legal relationship in association with any disagreements or disputes, namely up to three years after proof is available.

Retaining or processing personal data is conducted in accordance with **Pt. II.1.2.** in accordance with criteria specified to retain the information, such as having to inform the public about fulfilling the university's duties and responsibilities, timeliness and relevance with regard to the purpose stated under **Pt. II.1.2.**, with regard to intended advertising or the JKU's documentation and communication style, or until consent is revoked.

### **IV. Data Subject Rights in accordance with Art 15 - 21 GDPR:**

- Right to access information
- Right to rectification
- Right to erasure
- Right to restrict processing
- Right to data portability
- Right to object



V. **Information about the Data Protection Authority and the Data Subject's Right to Appeal:**

In addition, the data subject may lodge a complaint to the Austrian Data Protection Authority, Barichgasse 40-42, 1030 Vienna, Ph.: + 43 1 52 152-0, e-mail address: dsb@dsb.gv.at, if the data subject believes the procedure to process personal information relating to him or her infringes the regulations.

Last update: December 2022



## **CONSENT TO DATA PROCESSING**

**In accordance with Art 6 Abs. 1 lit. a, Art 9 Abs. 2 lit. a GDPR and §24, §78 of the Act on Copyright and Related Rights**

1. I, \_\_\_\_\_ [*first name and last name*], expressly consent, voluntarily and in an informed manner, that the JKU, as part of interviews/surveys about the "*MOREclassic program*", may create/produce/process image and sound material (photos, videos) of me in an unaltered form, or in a form edited to respect my personal rights and - including the information voluntarily provided by me in this context, such as, in particular, academic title, first name and last name, opinions, ideas, convictions, motives and empirical values - free of charge and without additional permission, **in order to** document and inform the public about the fulfilling tasks allocated to the JKU as well as, in general, to report and/or attain a certain advertising effect by publication on the JKU's publicly accessible website and social media channels (YouTube, Facebook, LinkedIn and Instagram) and, if applicable, also in the press, journals and magazines (print media as well as online publications via the Internet).

I understand I have the right to revoke my consent at any time by postal mail to the Johannes Kepler University Linz, Altenberger Straße 69, 4040 Linz, or by sending an e-mail: [datenschutz@jku.at](mailto:datenschutz@jku.at). Revoking my consent does **not** affect the legality of processing conducted on the basis of consent until the revocation. However, the purpose as stated above cannot be attained by revoking consent.

I understand that publishing visual and audio material (videos) and other personal information voluntarily provided by me during the course of the event on the publicly accessible website and social media channels (Facebook and Instagram) means this personal information will, in principle, be made available to anyone. Worldwide accessibility to this personal data means that this information can be found via search engines, linked to other information, and also copied and further processed for other purposes not covered by this data privacy policy. Against this backdrop, said personal data may be found elsewhere on the original website or social media channels even after it has been deleted. In this regard, the JKU has no control or influence and can therefore assume no liability.

2. Retaining and/or processing my personal data is conducted in accordance with the criteria specified to retain the information, such as having to inform the public about fulfilling the university's duties and responsibilities, timeliness and relevance with regard to the purpose stated under Pt. 1, with regard to intended advertising or the JKU's documentation and communication style, or until my consent is revoked.

3. I herewith agree to transfer the exclusive, transferable and unrestricted right of use and utilization of my interviews to the JKU. I confirm herewith that I understand I will not be remunerated in any way for transferring rights.

4. Furthermore, I herewith confirm that I have received and I understand the supplementary sheet "**Reporting Requirement to Provide information when Personal Information is Collected in accordance with General Data Protection Regulations**".



<hr/> <p>Location, Date</p>	<hr/> <p>Participant's Signature</p>
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