**Consent**

**to data processing related to a thesis/portfolio for a data subject under 18 years**

in accordance with Article 12 (1) of Regulation (Eu) 2016/679 of the European Parliament and of the Council (henceforth: GDPR)

The data controller **processes personal data/personal data and special categories of personal data[[1]](#footnote-1) for the purpose of writing a** **thesis/portfolio (hereinafter referred to as thesis) on the topic …………………………….. as follows.**

**Data controller:** The student writing the thesis at Eötvös Loránd University (1053 Budapest, Egyetem tér 1-3.), (name:) …………………………………………………; e-mail: ………………………………………@student.elte.hu (hereinafter referred to as **student**). In addition, data controller is, **from the submission of the thesis onwards,** **in the academic processes is the relevant ELTE Office of Educational Affairs** (contact: <https://www.elte.hu/en/faculty-administration-offices>) and for the data processing in the repository, the **ELTE University Library and Archives** (contact: editadmin@lib.elte.hu).

Data processor[[2]](#footnote-2): Microsoft, in case of using MS Forms (online questionnaire); SDA Informatika Zrt, the operator of the University's electronic study system (NEPTUN).

There will be no automated decision making[[3]](#footnote-3) and, as it is not possible to apply for grant with a confidential thesis, transfer of personal data does not take place.

The thesis containing personal data of the minor concerned is automatically confidential. The defence of the thesis treated confidentially is **not public**. Personal data (including special categories of personal data) asked for the purpose of writing the thesis (e.g. questionnaire, audio recording) and contained in the thesis may be accessed by the staff at the Study Office of the faculty concerned, the supervisor(s)/subject methodology instructor(s), the opponents and members of the evaluation committee, a reasonable number of library administrators and the person appointed by the Dean to review the confidentiality[[4]](#footnote-4).

**The processing, including the processing of special categories of personal data, may only take place if the statutory representative of the minor data subject (e.g. parent), and the minor aged 14 or over, have given explicit consent[[5]](#footnote-5), by signing this declaration, in accordance with the provisions of the GDPR, to the processing of the following data**

A) the minor's personal data will be used exclusively for the purpose of writing the thesis. In this case, no personal data will appear in the thesis.

B) the minor's personal data will be included in the thesis, in which case the thesis will be handled as confidential.

Data subject has the right to withdraw his/her consent at any time, especially by sending an e-mail to the contact person. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

Following the submission of the thesis, data processing is necessary for **the performance of a task carried out in the public interest** pursuant to Article 6 (1) (e) of the GDPR, in accordance with the rules of Act CCIV of 2011 on National Higher Education. The data subject has the **right to object**, on grounds relating to his/her particular situation, **at any time** to processing of personal data concerning him/her. The controller shall 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 (hereinafter referred to as right to object).

The legal basis for the retention of the consent statements is Article 6 (1) (e) of the GDPR, so that the University can demonstrate the legal compliance of its public interest mission and the lawfulness of the processing as set out in Article 5 (2) of the GDPR. Data subject may exercise his/her right to object (see above).

**Personal data processed while the student is writing the thesis:**

**In the case of a minor data subject, for identification purposes,** name: ..............................................................................., address: ..........................................................................., mother's name: ............................................, place and date of birth: ..............................................................................., signature of the consent form of a minor aged 14 or over to validate the consent.

To complete and process a questionnaire/conduct a research during the preparation of the thesis: ............................................................

Special categories of personal data: ................................................................

**Name of statutory representative for identification: ............................................................;** signature to validate consent.

**Duration of the processing:** eighty years from the notification of the termination of the student relationship (see Appendix No. 3, point I/B. 3 of the Act on National Higher Education). If personal data of the minor data subject are included in the thesis, the document containing the consent will be kept confidential. In all other cases, the audio recordings, questionnaires, the consent form on which the thesis is based will be destroyed after the successful defence of the thesis or after the unsuccessful expiry of the time limit for the defence.

**My rights** (details: <https://adatvedelem.elte.hu/rightsofdatasubject>):

1. **Transparent information, communication and modalities for the exercise of the rights of the data subject** – In this privacy notice the controller provides information about the circumstances of data processing, e.g. data controller, purposes, legal basis and duration of data processing, enforceable data subject rights, complaint procedures and available legal remedies for data subjects;
2. **Right of access by the data subject** – I have the right to obtain from the controller confirmation as to whether or not personal data concerning me are being processed, the controller shall provide complete information and a copy of the personal data undergoing processing;
3. **Right to rectification** – I have the right to obtain from the controller the rectification of inaccurate personal data concerning me and I also have the right to have incomplete personal data completed;
4. **Right to erasure (‘right to be forgotten’)** – I can ask for the controller the erasure of my personal data;
5. **Right to restriction of processing** – If I ask, my personal data can’t be processed with the exception of storage;
6. **Notification obligation regarding rectification or erasure of personal data or restriction of processing** – Data controller gives me information about the recipients referred to GDPR under the conditions set out in the GDPR;
7. **Right to data portability** (if the controller processes my data on the basis of my consent/contract
and the processing is carried out by automated means) – I have the right to receive my personal data, which I have provided to a controller, in a structured, commonly used and machine-readable format and I have the right to have the personal data transmitted directly from one controller to another, where technically feasible;
8. **Right to object** – I can object, at any time to processing of my personal data if the processing is based on a legitimate interest pursued by the controller or by a third party or 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 controller;
9. **The right not to be subject to a decision based solely on automated processing, including profiling** – I can turn to the data controller, if I am concerned. This right is not relevant if this privacy notice does not contain information about automated decision-making.
10. **The right to legal remedy** – In the case of breach of my rights, I can turn to the data protection officer, to the National Authority for Data Protection and Freedom of Information or I can sue in court.

**In the case of any questions or if legal remedy is needed, I can turn to:**

**Data protection officer of the University:**

Data Protection Office

1053 Budapest, Ferenciek tere 6.

Tel.: +3614116500/2855

Email: dataprotection@elte.hu

**National Authority for Data Protection and Freedom of Information**

1363 Budapest, Pf. 9.

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

Tel.: +36-1-391-1400

**The court:**

I can sue for a claim according to my place of residence.

**I declare that I have read the above additional information and the detailed explanation of my rights** (<https://adatvedelem.elte.hu/rightsofdatasubject>) **and that I have given this consent voluntarily.**

Date …………………………………….

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signature of the statutory representative [[6]](#footnote-6) signature of the data subject between 14 and 18 years of age

1. special categories of personal data: Article 9(1) GDPR: personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation; [↑](#footnote-ref-1)
2. ‘processor’ means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller; [↑](#footnote-ref-2)
3. automated decision-making: a decision based solely on automated processing, including profiling, which produces legal effects concerning the data subject or similarly significantly affects the data subject, such as automatic refusal of an online credit application or e-recruiting practices without any human intervention; [↑](#footnote-ref-3)
4. See also Section 50(6) of Act CCIV of 2011 on National Higher Education. [↑](#footnote-ref-4)
5. the processing of personal data requires consent in accordance with Article 6(1)(a) of the GDPR and, in the case of sensitive personal data, explicit consent as well, in accordance with Article 9(2)(a) of the GDPR [↑](#footnote-ref-5)
6. Act V. of 2013 on the Civil Code 2:14. § (1) Juridical acts of a minor having no capacity to act shall be null and void; his statutory representative shall act on his behalf; 2:12 § (1) Unless otherwise provided in this Act, for juridical acts of a minor having limited capacity to act to be valid, the consent of the minor’s statutory representative shall be required. [↑](#footnote-ref-6)