

# **INTEREST BALANCING TEST REGARDING MAKING PHOTOGRAPHS IN AN EVENT**

## **1. The legal basis of interest balancing and the interest balancing test**

Pursuant to the paragraph (1) of the article 6 of the GDPR, data processing shall be lawful, if *“processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data”*.

In case of the application of this legal basis, the consent of the data subject is not necessary for data processing, however, it requires the **University of Debrecen Faculty of Music** – as the data controller of the 44th Brass and Percussion Meeting and Competition – to prove for the data subjects that

- it has a real and actually legitimate interest in data processing,
- what rights of the data subject are affected by data processing and what expectations the data subject may have regarding data processing,
- it provided safeguards to ensure that the data processing made on the basis of its legitimate interest proportionally limits the rights and the privacy of the data subjects.

This suitability is summarised by the **University of Debrecen Faculty of Music** in an interest balancing tests, where it shows

- its legitimate interests in the documentation of the 44th Brass and Percussion Meeting and Competition – as events related to the operation of the University of Debrecen and the university life –, in the precise and authentic publication thereof together with the written press publications on the websites [www.unideb.hu](http://www.unideb.hu) and [www.music.unideb.hu](http://www.music.unideb.hu), the official social networking sites of the University of Debrecen Faculty of Music (Facebook, Instagram) and in the use thereof to make PR materials regarding data processing (by making and using mass records) and what safeguards it provided to protect your rights.

## **2. Legitimate interest**

The University of Debrecen has the following legitimate interests regarding data processing:

- The University of Debrecen is an institution performing public function with a history of over a century and is one of the largest and most popular higher education institutions of Hungary. It has a value creation and value transmission role. The documentation of its daily life, activity and the related events is a collective interest even from historical aspect.
- The University of Debrecen is a known and renowned institution not only in Hungary, but internationally as well and the appearance in its issues and videos means a prestige for the data subject as well.

## **3. Expectations of the data subject and safeguards**

According to our analysis, our data processing affects your right to the protection of personal data.

Additionally, we came to the conclusion during our analysis that during data processing, it shall be ensured that

- data processing shall cover only the processing of the strictly necessary data,
- only the people have access to the personal data, for whom it is strictly necessary to perform their tasks or job,
- the data subject gets appropriate notification of data processing,
- in case of the object of the data subject, the data processing is terminated (it may occur only few types of data processing, such as data processing for marketing purposes).

To let data processing limit the rights of the data subjects only in the necessary extent, the following safeguards are provided:

- Data processing is performed from the appearance in the event until the limitation of the publications. This is justified, as the publications and the records are the part of the documentation of the history of the university.
- On the basis of the authorisation system, only the employees in council administrator - expert position have access to the personal data. Personal data are not disclosed to any third party.

This interest balancing test serves also the purpose, among others, to provide you with suitable information about data processing.

Your rights and possibilities of legal remedy can be found in the Privacy policy at: [https://music.unideb.hu/sites/default/files/upload\\_documents/privacy\\_policy\\_brass\\_2023.pdf](https://music.unideb.hu/sites/default/files/upload_documents/privacy_policy_brass_2023.pdf)

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