

Information on data transfers to “third countries”¹

The data controller informs you as data subject, that your rights under the GDPR are not ensured when personal data are transferred to a third country related to the **12th CEETC Training**.

The 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 (**GDPR**) provides:

Article 45 "1. A transfer of personal data to a third country or an international organisation may take place where the Commission has decided that the third country, a territory or one or more specified sectors within that third country, or the international organisation in question ensures an adequate level of protection. Such a transfer shall not require any specific authorisation."

Under Article 49 (1) (c) of the GDPR, *"1. In the absence of an adequacy decision pursuant to Article 45(3), or of appropriate safeguards pursuant to Article 46, including binding corporate rules, a transfer or a set of transfers of personal data to a third country or an international organisation shall take place only on one of the following conditions:*

(c) the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between the controller and another natural or legal person;"

Rights under the GDPR, which cannot be guaranteed when transferring personal data to a third country:

1. The right to transparent information - which allows you, as data subject to request information on who processes your personal data, for what purpose, on what grounds and for how long, as well as what rights you have and who to contact with your data processing questions and complaints.

This right cannot be guaranteed in case of transfer of data to a third country, ELTE cannot provide information on the exact circumstances of the processing of data in a third country.

2. The right of access to your personal data - which allows you to ask the controller whether your personal data is being processed and if you ask, the controller shall provide complete information and a copy of the personal data undergoing processing.

This right cannot be guaranteed in the case of the transfer of data to a third country.

3. Upon request, the right of rectification, erasure ('the right to be forgotten') and the right to restriction of processing - whereupon you have the right to obtain from the controller the rectification of inaccurate personal data concerning you and you also have the right to have incomplete personal data completed; you can ask for the controller the erasure of your personal data; you may also request that your personal data only be stored and not otherwise processed by the controller.

These rights cannot be guaranteed in the case of transfer of personal data to a third country.

4. Notification obligation regarding rectification or erasure of personal data or restriction of processing - The controller shall communicate any rectification or erasure of personal data or restriction of processing carried out, to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort. The controller shall inform the data subject about those recipients if the data subject requests it.

¹ third country = not EEA country. The EEA countries are countries of the European Union and also Iceland, Liechtenstein, Norway. Switzerland and the United Kingdom provide the same level of data protection as the EU.

This right cannot be guaranteed in the case of transfer of data to a third country and, where applicable, the data subject may not have any information as to whether the controller has provided such information to the recipients.

5. The right to data portability – on the basis of which you have the right to receive your personal data, which you have provided to a controller, in a structured, commonly used and machine-readable format and you have the right to transmit those data to another controller (if the controller processes your data on the basis of your consent/contract and the processing is carried out by automated means).

The data portability cannot be guaranteed in the case of data transferred to a third country.

6. The right to object – you can object, at any time to processing of your 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.

This right cannot be guaranteed in the case of transfer of data to a third country.

7. The right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you.

This right cannot be guaranteed in the case of transfer of data to a third country.

8. The right to legal remedy – In the case of breach of your rights, you can turn to the controller's data protection officer, or to the National Authority for Data Protection and Freedom of Information or you can sue in court.

This right cannot be guaranteed in the case of transfer of data to a third country (e.g. there may be no supervisory authority or data protection officer in the third country, or the data subject can go to court but processing of personal data is governed by completely different rules, etc.).