



Your rights as a data subject

Funded by the European Commission and Partner States within the Active and Assisted Living Programme





In accordance with the data protection provisions, in particular Articles 15 to 21 of the General Data Protection Regulation (GDPR), persons affected by the processing of personal data have the right at any time to

- Access to the personal data processed about them,
- rectification of inaccurate data and completion of incomplete data,
- erasure of their data (right to be forgotten),
- restriction of processing,
- to receive the data they have provided in a structured, commonly used and machine-readable format (right to data portability),
- object to the processing of personal data concerning them on grounds relating to their particular situation.

Enforcement

To assert your rights against the organisations of the project "Care about Care" as the responsible persons, you can contact them at any time by e-mail to datenschutz@careaboutcare.eu or by post to Fachhochschule Wiener Neustadt, Institut für Informatik, z.Hd. Dr. Cornelia Schneider, Johannes Gutenberg-Straße 3, 2700 Wiener Neustadt.

Please submit your request by e-mail or by post, including detailed information that ensures clear identification of your person, to the above contact details.

The rights of the data subjects in detail:

Right of access (Art 15 GDPR)

You can request information from "Care about Care" project partners as to whether personal data concerning you is being processed by them. If processing is taking place, you can request the following information from the data controllers:

- the purposes of the processing;
- the categories of personal data processed;
- the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular in the case of recipients in third countries or international organisations;
- if possible, the planned duration for which the personal data will be stored or, if this is not possible, the criteria for determining this duration;



- the existence of a right to obtain the rectification or erasure of personal data concerning you or to obtain the restriction of processing by the controller or a right to object to such processing;
- the existence of a right of appeal to a supervisory authority;
- if the personal data have not been collected from you, that is, the data subject, any available information about the origin of the data;
- the existence of automated decision-making, including profiling, pursuant to Article 22(1) and (4) of the GDPR and - at least in these cases - meaningful information about the logic involved and the scope and intended effects of such processing for the data subject..

In order to be able to process and respond to your request as quickly as possible, please tell us in which context (e.g. as a participant in which test phase, etc.) you are making your request for information and to which processed information your request for information relates.

The right to information **does not exist**

- in areas in which one of the organisations (e.g. the University of Economics and Business Administration) is active in a sovereign capacity, if the provision of this information would jeopardise the fulfilment of a legally assigned task, or
- if the provision of this information would jeopardise a business or trade secret of the project organisations or third parties.

Right of rectification (Art 16 GDPR)

You have the right to request the rectification of inaccurate personal data concerning you. It is also possible to request completion of an incomplete set of data by means of a supplementary declaration.



Right of erasure (Art 17 GDPR)

You may request the responsible project organisations to delete the personal data concerning you without delay. The responsible project organisations are obliged to delete this data immediately if one of the following reasons applies:

1. the personal data is no longer necessary for the purposes for which it was collected or otherwise processed.
2. you withdraw your consent on which the processing is based pursuant to Article 6 (1) (a) of the GDPR or Article 9 (2) (a) of the GDPR and there is no other legal basis for the processing.
3. you object to the processing pursuant to Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing, or you object to the processing for direct marketing purposes (Article 21(2) of the GDPR).
4. the personal data concerning you has been processed unlawfully.
5. the erasure of the personal data is necessary for compliance with a legal obligation under Union or Member State law to which the responsible project organisations are subject.
6. the personal data have been collected in relation to information society services offered in accordance with Art 8(1) DSGVO.

The right to erasure **does not exist** (Art17 Para3 DSGVO) insofar as the processing is necessary

- to exercise the right to freedom of expression and information;
- for compliance with a legal obligation which requires processing under Union or Member State law to which the responsible project organisations are subject, or for the performance of a task carried out in the public interest or in the exercise of official authority vested in responsible project organisations;
- for reasons of public interest in the area of public health pursuant to Art 9 (2) (h) and (i) and Art 9 (3) DSGVO;
- for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes pursuant to Art 89 (1) of the GDPR, insofar as the above-mentioned "right to be forgotten" is likely to render impossible or seriously prejudice the achievement of the purposes of such processing;
- for the assertion, exercise or defence of legal claims.



Right to restriction of processing (Art 18 GDPR)

This right serves to restrict the use of data without deleting it. Restriction of processing can be requested in parallel with the right to rectification and the right to object.

You can request the restriction of the processing of personal data concerning you under the following conditions:

- if you contest the accuracy of the personal data relating to you for a period of time that enables responsible project organisations to verify the accuracy of the personal data;
- the processing is unlawful and you object to the erasure of the personal data and request instead the restriction of the use of the personal data;
- the responsible project organisations no longer need the personal data for the purposes of the processing, but you need it for the assertion, exercise or defence of legal claims;
- if you have objected to the processing pursuant to Art 21 (1) DSGVO and it is not yet clear whether the legitimate grounds of the controller outweigh your grounds..

Right to data portability (Art 20 GDPR)

You have the right to receive the personal data concerning you in a structured, common and machine-readable format and to give this data to another controller for processing. This right only exists if the processing is based on consent pursuant to Art 6 (1) (a) or Art 9 (2) (a) DSGVO or a contract (Art 6 (1) (b) DSGVO) and the processing is carried out by means of automated procedures.

Right to object (Art 21 GDPR)

You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data concerning you which is carried out on the basis of Article 6(1)(e) (public interest or in the exercise of official authority) or (f) (safeguarding legitimate interests) of the GDPR. This also applies to profiling based on these provisions.

There is also a special right of objection to the use of data for direct marketing purposes.



Right not to be subject to an exclusively automated decision (Art 22 GDPR)

You have 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 **does not apply** if the decision

- is necessary for the conclusion or performance of a contract between you and the responsible project organisations,
- is permitted by legal provisions of the Union or the Member States to which the responsible project organisations are subject and these legal provisions contain appropriate measures to protect your rights and freedoms as well as your legitimate interests, or
- is done with your express consent.

Right to complain to the data protection authority (Art 77 GDPR)

If you believe that the processing of personal data concerning you violates data protection law, you can lodge a complaint with the Austrian Data Protection Authority. You can find more information on the website of the Austrian Data Protection Authority at www.dsb.gv.at.