

Data Privacy Information pursuant to Article 13 and Article 14 General Data Protection Regulation

In the following, the Federal Ministry for Climate Action, Environment, Energy, Mobility, Innovation and Technology (BMK) provides information about how we use images and audio recordings (collectively referred to as “recordings” in the following) and information about them produced by employees of the BMK or by third parties on behalf of the BMK. This information also applies in cases in which the BMK has been invited to report on an event and is not responsible for the organisation of the event but collects the data for its own interests.

I Controller

The controller responsible for the use and distribution of the recordings is:

Federal Ministry for Climate Action, Environment, Energy,
Mobility, Innovation and Technology (BMK)
Radetzkystraße 2, 1030 Vienna, Austria
+43 (0) 800 21 53 59
datenschutz@bmk.gv.at
bmk.gv.at/privacy

II General Information about Data Processing

The BMK uses and processes photos, videos, and audio recordings (collectively referred to as “recordings” in the following) that are produced by employees or third parties acting on its behalf for the purposes of print and visual reporting. In this context, it is possible for recordings to be made of people who are present, including the collection of information about the date, location, and purpose as well as the name of the event.

1 Legal Basis

The recordings are made on the basis of the legitimate interest pursuant to Article 6 (1) lit f GDPR, provided that the processing is not already justified by a different provision of the GDPR. The controller has a legitimate interest in the collection and distribution of the recordings produced as well as the processing of the name, purpose, location, and date of the event based on the fact that the BMK should be able to take targeted measures in connection with topics that are of public interest and generally related to all tasks assigned to the BMK under the Ministerial Law (Bundesministerienengesetz) as well as for the promotion of related initiatives in order to achieve a greater impact and raise public awareness.

If you do not consent to the recording of your likeness, you can express your objection to the person producing the recordings or another BMK employee present at the location or another person acting on behalf of the BMK. We will only

process other personal data (e.g. your name) with your express consent (Article 6 [1] lit a GDPR).

If a targeted recording is made of a person during a specific action or activity that is intended to be used for press relations or promotional purposes, the BMK arranges for the rights to these recordings to be assigned to it, and the processing is thus based on Article 6 (1) lit b GDPR (necessary for the performance of a contract).

2 Purpose of the Production and Distribution of Recordings

The purpose of the processing – particularly the collection, storage, and transmission – of these data is to produce print and visual reporting in a journalistic and editorial context about and in connection with the activities of the BMK as well as the promotion of the activities and services of the BMK within its purview. The data are published in various media in analogue and digital form for these purposes. In particular, recordings are reproduced and published for these purposes in informational brochures, daily newspapers, activity reports, and other print media as well as online on the BMK’s websites or via social media.

3 Duration of Storage

The BMK uses the recordings and other data for as long as no objections to the processing are raised. Among other things, this serves as evidence of the copyright and for the defence of legal claims.

4 Recipients of the Recordings

In cases in which the BMK utilises third parties for the recordings that have concrete orders and may only process the recordings in accordance with instructions, a processor agreement is concluded with these third parties in each case pursuant to Article 28 GDPR.

The BMK also works with marketing service providers for the production of press releases who may also be given access to your personal data in accordance with the instructions and orders of the BMK.

Your data are provided to the media proprietors for the publication of the print and visual reports containing your data.

If the data are published on the BMK's social media profile pages, it is possible that the websites of these online services are operated by companies that are domiciled in a third country, which can lead to a risk that such countries do not have an adequate level of data protection commensurate to European data protection standards and that no specific guarantees have been provided to compensate for the deficits. This also applies for data transmitted to the United States unless the company has voluntarily committed to the EU-US Data Privacy Framework (DPF) (adequacy decision of the Commission in accordance with Art. 45 of the GDPR). You can view certified companies at the following website: Participant Search (dataprivacyframework.gov).

III Data Subject Rights

Persons affected by the recordings have the following rights:

1 Right of Access

You have the right to obtain information about all personal data concerning you, including additional information such as the purposes of the processing and recipients, the criteria used to determine the storage period, the existence of your right to erasure and rectification, restriction, and objection, the existence of the right to lodge a complaint, information about the source of the data, and information about automated decision-making including the logic involved.

2 Right to Rectification

You can demand the rectification or completion of inaccurate or incomplete data.

3 Right to Restriction of Processing

You have the right to request that the processing of your data be restricted in certain cases. A restriction means that your data will continue to be stored but that we will not perform any other processing steps involving your data.

4 Right to Data Portability

You also have the right to receive your data in a structured, commonly used, and machine-readable format. Upon request, your data will also be transmitted directly to other controllers where technically feasible.

5 Right to Erasure

You have the right to the erasure of data under certain circumstances, for example, if they are not processed in accordance with the data protection requirements.

6 Right to Object

You have the right to object to the collection and use of the images, videos, and personal data at any time on grounds relating to your particular situation. In this case, we will refrain from processing your personal data unless we can demonstrate compelling legitimate interests for the processing that override your interests or the processing serves the purpose of asserting, exercising, or defending legal claims.

IV Supervisory Authority

Regardless of the possibility to lodge a complaint with the provincial court pursuant to § 29 (2) Austrian Data Protection Act (Datenschutzgesetz) and any other legal remedies, you have the right to lodge a complaint with the competent national supervisory authority if you suspect that personal data is being unlawfully processed. In Austria, the competent authority is the Austrian Data Protection Authority, Vienna.