



Surname, First Name(s)

Obligation of Confidentiality and Fulfilment of Legal Data Protection Requirements in Accordance with the General Data Protection Regulation (GDPR)

I have been informed about the following legal data protection requirements:

I am not allowed to handle personal data without authorisation or for any other reason other than fulfilling my respective lawful function, i.e. it is forbidden to collect, use or process data without authorisation or for any other reason, in particular it is forbidden to pass on this information to third parties or to give them access to the data.

This obligation continues after termination of my tasks or the end of my employment relationship or duties.

I have taken note of the attached information sheet. I have received one copy of the obligation.

Greifswald, on the _____

Signature

Attachment Information Sheet

Information Sheet for the Declaration of Obligation

What do the EU's General Data Protection Regulation (GDPR) and the Landesdatenschutzgesetz (State Data Protection Act - DSG M-V) regulate?

The GDPR extensively regulates the collection, use and processing of personal data, regardless whether they have been saved in record or file format or whether it is done by an automated or non-automated process. The DSG M-V regulates the required supplementary details for implementing the GDPR and specifies the requirements for the processing of personal data. Any use of personal data that exceeds the cases regulated in the specialised area-specific legal regulations or the GDPR is illicit, unless it has been agreed to by the data subject.

Who checks the compliance with the law?

Each public authority must appoint a Data Protection Officer. S/he advises in all matters related to data protection and makes sure that the GDPR and other data protection regulations are being kept to. Irrespective of this, the State Data Protection Officer controls all public authorities and private enterprises in the state of Mecklenburg-Vorpommern as to whether the data protection regulations are being upheld.

Which obligations apply to the authority?

Every authority is responsible for complying with the principles relating to the processing of personal data in accordance with Art. 5(1) of the GDPR and must be able to prove that they are keeping to these principles. The processing of personal data is to be limited to the amount required for use. False and illicitly collected or saved data, as well as data which is no longer needed must be corrected officially. Furthermore, the authorities who handle the data are obliged to inform each other mutually about the inaccuracy or the illicit use of personal data. The public authority is obliged to take suitable technical and organisational measures to guarantee appropriate safeguarding of personal data. It keeps records of all processing activities in accordance with Art. 30 GDPR.

Which rights does the data subject have?

Every person has a right to information about his/her data, as well as the origin, recipient, purpose and duration of its processing. If legal data protection regulations have been breached, s/he is entitled to claim damages and can turn to the State Data Protection Officer at any time. In certain circumstances and on request, s/he can demand the correction, limited processing (e.g. blocking), deletion and data portability of his/her data. Furthermore, data subjects have the right to submit a complaint to the responsible supervising authority for data protection if they think that the processing of their personal data has not occurred in a lawful manner.

What happens if the rules are abused?

Breaches of data protection regulations can be punished with fines and, in severe cases, a prison sentence of up to two years. If the data subject is faced with material or non-material damages due to the illicit processing of his/her personal data, s/he might be able to claim for damages. Irrespective of this, a breach of the violations can also have legal consequences in terms of employment law.