

Declaration of the transfer of rights to performances and theses

The student grants Anton Bruckner Privatuniversität (ABPU) the exclusive and transferable right to record his/her performance(s) during his/her studies at the ABPU on audio and video media of any kind free of charge, and to reproduce it/them in the form of analogue and/or digital sound carriers and/or image or video sound carriers or by way of electronic data transmission in any present and future technical method or format, in any configuration and on any carrier (data carrier) to be reproduced, distributed, rented, loaned or otherwise to be used and publicly reproduced in any form.

In particular, this includes the right to present productions or parts thereof on the ABPU homepage or to make them available for download, as well as the right to use or pass on photographs taken in the course of studies or production on the homepage, in publications, etc. and for ABPU's press and public relations work.

This grant of rights extends to all performances made by the student as part of the course of study and to all copyrights, title rights, and ancillary copyrights to which the student is entitled in the works presented. The granting of rights also extends to claims for remuneration and participation as well as to all currently known and future rights and types of use.

Furthermore, the student hereby grants ABPU the unlimited, free right to archive the electronic primary and secondary editions of his/her dissertation (e.g. bachelor's, master's or doctoral thesis) in accordance with the respective technical standards and to make them available online on the Internet to an undefined group of people free of charge and for an unlimited period of time. The student is aware that minor changes in the form, scope, or presentation of the work cannot be ruled out from the outset for technical reasons in the event of data migration, and he/she has no objections to this. The student has the opportunity to submit an application for access restriction (so-called "blocking application") of his/her work for a maximum of 5 years. The work will be made available after expiry of the specified period.

Personal data will be processed during the use of the above-mentioned performances and works.

The current version of the declaration on the transfer of rights to performances and theses as well as the data protection declaration for students can be found at <https://www.bruckneruni.at/de/studium/rund-ums-studium/> or as a notice in Student Office area.

Declaration of Student Data Protection

1. general information

Dear students,

we hereby inform you about the processing of your personal data and the data protection claims and rights to which you are entitled.

The Basic Data Protection Regulation (DSGVO) has been effective since 25 May 2018. This provides for extended information obligations. Therefore, we inform you – in compliance with the new legal regulations – about the data processing carried out by ABPU. We would like to point out that these are data processing operations which we have already carried out in the past and that there will therefore be no changes in the educational relationship.

Within the scope of your educational relationship, the data provided by you will be processed, as well as data arising from your studies (examinations, leave of absence, payments, etc.).

Contact persons

Responsible persons:

Anton Bruckner Private University (ABPU)
Hagenstraße 57
A-4040 Linz
T +43 732 701000
E datenschutz@bruckneruni.at

Data protection officer:

Dr. Thomas Schweiger, LL.M. (Duke), CIPP/E
SMP Schweiger Mohr & Partner Attorneys at Law OG, FN 37294w
Huemerstraße 1 / Kaplanhofstraße 2
A-4020 Linz
T +43 732 796900 – 0
E office@dataprotect.at

As a public body, the ABPU is obliged to appoint a data protection officer (Art. 37 para. 1 lit. a DSGVO in conjunction with § 2 of the Research Organization Act).

Data protection coordinator:

Univ.Dir. Mag. Brigitte Mössenböck
E datenschutz@bruckneruni.at

2. data processing (data categories, purpose, legal basis)

The Anton Bruckner Private University (ABPU), Hagenstraße 57, 4040 Linz, processes the following categories of data automatically within the scope of its education and for the purpose of fulfilling the education contract and based on legal obligations:

Student master data 1 (personal identification, gender, name, title, date of birth, course of study and organizational form, status), student master data 2 (place of birth, citizenship, ABPU e-mail address, student picture), social security number/replacement number, address data, contact data, additional information (professional activity, additional certificates, remarks), work experience, study data, repeater/interrupter/exemption data, enrolment data, access requirements bachelor/preliminary studies, access requirements master studies, further education, education contract, study documents, final and other work, final examination, final documents, other documents.

The following additional categories of data are also processed:

- in the context of your application: application data, application documents, results of theoretical and practical entrance examination, data for statistical analysis;
- in the context of course organization and student evaluation: course data, assessment data, time recording data, enrolment data, learning products (e.g. photo protocols, video analyses, ...), meta data for evaluation (e.g. evaluation time);
- in the context of the ÖH election and administration of the ÖH representatives: Voters' register for the ÖH election, ÖH representation (representative of the direction of study/university);
- for the accounting of tuition fees, ÖH contributions and library fees: tuition fee prescription, payment and reminder data for tuition fees (possibly also invoice data and repayment data), application for tuition fee waiver, loan data, payment and reminder data for library use;
- in the context of the use of various IT services: User master data, printer data (e.g. print credit), log files.

In the interest of the ABPU in the design and further development of modern interactive teaching and learning scenarios, as well as for the documentation and publication of examination concerts and other events in the context of teaching, recordings can also be made in image, sound and/or video. These are used and made available for pure documentation purposes or to fulfil the obligation to publish (§ 3 para. 8 PUG). Usage for marketing purposes is based on the declaration of transfer of rights to performances and theses.

In principle, the data categories listed above are collected directly from you - however, they can be supplemented by system-generated data, study data necessary for processing, and performance evaluation data. If you do not have an Austrian social security number and have not yet received a replacement, we will request this from Statistik Austria for you.

The processing of this data is based on the fulfilment of a contractual legal relationship in accordance with Art. 6 Para. 1 No. b DSGVO or on the basis of legal obligations in accordance with Art. 6 Para. 1 No. c DSGVO and is carried out for the purpose of fulfilling the education contract and for handling the study program. The disclosure and processing of the above-mentioned personal data is not permitted.

Data is provided voluntarily and serves the purpose of fulfilling the contract. Without the disclosure and processing of your data, the conclusion and fulfilment of an education contract is not possible.

3. Recipients of the transmission

All data categories are processed internally by ABPU employees.

Personal data of study applicants will not be transmitted to third parties.

Personal data of students will be transferred to third parties in the following cases in accordance with the principle of data minimization (Art. 5 DSGVO).

- ABPU address book: When a place is awarded to you, your name data as well as your e-mail address provided by the ABPU and, if specified, your telephone number will be published in the ABPU address book at bonline.bruckeruni.at (student person search) to facilitate internal communication.
- Contract processors: Contract processors employed by us may process data on our behalf in order to fulfil the purposes described above if they offer sufficient guarantees for the security of the data. The above-mentioned data categories are viewed and processed by external IT service providers, e.g. in case of support.
- AQ Austria: Based on § 6 para. 2 PUG, personal data is transferred to the Agency for Quality Assurance and Accreditation Austria, Renngasse 5, 1010 Vienna, in the course of the annual report of the ABPU. This mainly concerns information on the following points according to § 5 para. 2 no. 1 Private Universities Annual Report Ordinance (resolved in the 14th meeting of the Board of AQ Austria on June 14, 2013):
 - o Results of the observation of graduates' careers
 - o Participation in student mobility programs
 - o scholarships have been awarded or arranged by the private university
- ÖH or Hochschul*innenschaft at the ABPU: The Austrian National Union of Students receives personal data of students according to the provisions of § 6 of the Austrian Student Union Act (Hochschülerinnen- und Hochschülerschaftsgesetz, HSG). For the proper conduct of the elections to the Austrian National Union of Students (ÖH), this data is also transmitted to the Electoral Commission of the Austrian National Union of Students in accordance with § 42, paragraph 6 HSG as a basis for the compilation of the voters' register. The provisional voters' register is available for inspection by all ordinary members of the Austrian Students' Union during the period according to § 19 Abs. 1 HSWO (§ 19 Abs. 3 HSWO). The members of the election commission of the students' union at the ABPU have access to the final voters' register.
- Data network of the universities and colleges: A joint data network of universities and colleges has been established for the area of universities, the University of Krems, the Universities of Teacher Education, the University of Applied Sciences, the Universities of Applied Sciences and the private universities in order to implement regulations concerning higher education law, study law, study promotion law and the law governing the education of students (§ 7a para. 1 Education Documentation Act). At present, this serves primarily for the regular allocation, administration and blocking of matriculation numbers (§ 7a Paragraph 3 of the Education Documentation Act). The personal data to be transferred by the ABPU to the data network are set out in § 7a (4) in conjunction with Annex 4 Z 2 and 3 of the Education Documentation Act.

- Scholarship office: According to § 3 Abs. 1 in connection with § 40 Abs. 7 Studienförderungsgesetz (StudFG), the data of the applying students necessary for the verification of eligibility requirements must be sent to the scholarship office via automated data transfer upon request.
- Turnitin: The ABPU will send bachelor, master and doctoral theses submitted by students to the company Turnitin, 2101 Webster St., Suite 1800, Oakland, California 94612 for the purpose of conducting a digital plagiarism check. Processing is in the public interest (Art. 6 Par. 1 lit e DSGVO). Turnitin has certified its compliance with the EU-US Privacy Shield Framework (www.privacyshield.gov) and assures that all student work and all related personal data is encrypted and securely stored (https://guides.turnitin.com/Privacy_and_Security/DE). See also the Adequacy decision of the Commission pursuant to Art. 45 DSGVO: Commission Decision (EU) 2016/1250 of 12 July 2016 on the Adequacy of the Protection afforded by the EU-US Data Protection Shield, https://eur-lex.europa.eu/legalcontent/DE/TXT/?%20ri=uriserv%3AOJ.L_.2016.207.01.0001.01.DEU
- University Library, Library Network and Austrian National Library: The theses to be written during the course of study will be made available to the public as publications in printed form in the University Library of the ABPU and electronically in the library catalogue or institutional repository (§ 3 Abs. 8 PUG). In addition, dissertations that have been positively evaluated are to be published by handing them over to the Austrian National Library (§ 3 Abs. 8 PUG).

Beyond this, the ABPU does not provide any further information to third parties. In this regard, we refer to direct contact with the students.

4. storage duration

Depending on whether personal data of applicants or students with a education contract are processed, the data are processed and stored for different periods of time:

a) Applicants

Personal data of applicants who do not receive an education contract will be deleted two years after completion of the admission procedure. The storage period is extended in all cases by any longer period of time in which the ABPU is a party to legal or official proceedings in which the ABPU is a party and these data are the subject of the proceedings.

b) Students

Your personal data will be deleted after the end of the education contract in accordance with the applicable legal obligations to retain data. The above-mentioned data categories, which are processed automatically for the purpose of fulfilling the education contract and based on legal obligations, will be stored for 80 years, calculated from the end of the academic year in which the education contract ends, as proof of completion of studies in accordance with § 3 Paragraph 11 PUG. The social security number or the substitute license plate is deleted in accordance with § 8 Para. 5 of the Education Documentation Act after two years, calculated from the end of the academic year in which the education contract ends.

The data obtained in the course of the elections to the Austrian National Union of Students (ÖH-Wahl) will be deleted in accordance with § 61, paragraph 2 of the Austrian Election Regulations for

Students*innenschafts-Wahlordnung (HSWO) after two years, calculated from the last day of the election.

The storage period shall be extended in all cases by any longer period of time in which the ABPU is a party to legal or official proceedings in which the ABPU is a party and these data are the subject of the proceedings.

Scientific and artistic theses are made permanently available to the public due to the obligation to publish. The author(s) may exclude the use of the work for a maximum of five years after delivery (§ 3 para. 8 PUG).

5. rights of the data subjects

The data subject (i.e. the natural person whose personal data are processed) has various - very comprehensive - rights vis-à-vis the person responsible (i.e. the organization, i.e. in this specific case Anton Bruckner Private University). These rights serve the transparency of the processing of personal data. The data subject should be able to obtain information and should also know by whom, how, in what way, and why the data is being processed.

The data subjects have the following rights vis-à-vis the data controller:

- Right to transparent information
- Right to information
- Right of rectification
- Right to deletion
- Right to limit processing
- Right to object to the processing (only in case of legitimate interest)
- Right to data transferability (only in case of contractual relationship or consent)
- If the processing is based on consent, the data subject has the right to revoke the consent at any time (marketing for own purposes); the revocation does not affect the lawfulness of the processing carried out on the basis of the consent until the revocation.
- Right of appeal to the supervisory authority.

The data subjects may exercise all their rights by sending an email to datenschutz@bruckneruni.at or by any other means. The data subjects must identify themselves and contribute to the identification in order to ensure that when replying to the exercise of the respective right, the data subject is actually addressed.



Data protection declaration and declaration of transfer rights to performances and theses for students

I have read and taken note of the privacy policy and the declaration of the transfer of rights to performances and final papers

Name	
Registration Number	
Date	
Signature	