

A username and password are being requested.
The site says: "Member Site"

Username:

Password:



National Authority for Data Protection
and Freedom of Information

ICIC 2015

Vulnerable themes regarding freedom
of information requests in Hungary



20 years of data protection and freedom of information

- rule of law revolution in 1989 was to guarantee the right of everyone to exercise control over his personal data and to have access to public data
- the Hungarian regulation of informational rights
 - a single law regulates freedom of information in conjunction with the protection of personal data, and a single authority is responsible for supervising and defending these rights
- the Hungarian Freedom of Information Act – till nowadays – guarantees a quite wide transparency regarding the government, the local governments as well as public finances



Vulnerable themes of freedom of information requests

1. transparency of State and local government companies, contracts of state owned companies, they deny the request because it is business secret and the transparency of the upgrade of Hungarian nuclear power plant
2. and the requests on the lists of public servants and their salary



Ex lege secrecy

Ex lege secrecy of the all the data about the Hungarian nuclear power plant expansion

- Secrecy for 30 years
- all business or technology related, and decision-making documents a secret
- NAIH: the Paks II Act unconstitutionally restricts access to data of public interest beyond what is essential to protect national security and copyright.
- The Paks II Act in its current form only allows authorities and courts to receive information on the investment on a case-by-case basis, and the parliament's national security committee may also view the contracts although they shall not provide any details to a third party.



Lists of all public servants of a public body

‘information of public interest’:

The name of the person undertaking tasks within the scope of responsibilities and authority of the body undertaking public duties, as well as their scope of responsibilities, scope of work, executive mandate and other personal data relevant to the provision of their responsibilities to which access must be ensured by law, qualify as data of public interest.



Lists of all public servants of a public body

- ▶ The NAIH had to make the balance between the protection of the privacy of the teachers and the right to know of the public.
- ▶ The aim of the freedom of information is not that anyone could get a complete professional database, but to get informed about public affairs and public funds.



Lists of all public servants of a public body

Secrecy of the availability data of the Ministry of Foreign Affairs.

- "Secret" classification level data
- The data requested is personal data of public interest, as ministry leaders attending the mission and responsibilities of persons acting under its authority.
- Could the Ministry classify personal data of public interest if the requested list must be disseminated on its homepage? NO



Modification of the DP& FOI Act is under negotiation

Hope for the best



Thank you for your attention!

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