

## TU Wien Data Protection Glossary

Concept	Description	Possible use or flagging
Adequate remuneration	<i>Proposal: Any remuneration in the sense of a cost compensation that the controller may claim in case of unjustified or excessive exercise of data subject rights (especially provision of information) and for which the administrative costs for notification or communication or the conduct of the measure applied for are taken into account (art 12, par 5 GDPR).</i>	- Data subject rights
Adequacy decision	<i>Proposal: Any decision by the commission issued according to art 45 GDPR and certifying an adequate data protection level to a third country, region or one or several specific sectors in a third country.</i>	- Transfer to third countries - List of processing operations
Anonymisation	<i>Removal of personal reference of data so that attribution to the data subject is not possible with the means which, according to general assumptions, could probably be used. In case of effective anonymisation, GDPR is no longer applicable for lack of a personal reference. In that way all obligations for such data lapse under GDPR.</i>	- Scope of application of GDPR
Application	<i>Proposal: A written or verbal input containing a specific request.</i>	- Data subject rights
Retention period in years	<i>Proposal: The period of time during which the processed personal data be saved, indicated in number of years.</i>	- Erasure - List of processes
Retention obligation	<i>Proposal: A legal obligation to keep personal data emerging from law, ordinance or court decisions or decisions by administrative authorities.</i>	- Erasure - List of processes
Supervisory authority	An independent public office set up by a Member State under art 51 GDPR. The relevant national supervisory authority (in Austria: the Data Protection Authority).	- Evidence of fulfilment of GDPR (accountability)
Processor	Any natural person or legal person, authority or other office processing personal data on behalf of the controller.	
Explicit consent	<i>Proposal: The unambiguous, clear and unmistakable consent of a data subject to processing of special personal data occurring in such a way that there can be no doubts about consent. See opt-in, opt-out.</i>	- Consent - Legality of processing
Right of the data subject to information (Information request)	<i>Proposal: The right of the data subject to obtain information about the dissemination of the personal data affecting him/her and the recipients of such data for the particular purposes (art 15 GDPR). The data subjects must upon demand be provided with copies of the data disseminated.</i>	- Data subject rights
Automated natural person case decision	<i>Proposal: A decision based exclusively on automated processing is in particular present if no substantive evaluation has been made and a decision supported by it has not been made by a natural person, e.g. credit worthiness scoring.</i>	- Data subject rights - List of processing operations - Data protection assessment of impact

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	<i>If an automated natural person case decision is part of a processing operation, a data protection assessment of impact is necessary.</i>	- Profiling
Public authorities or public offices	<i>Proposal:</i> <ol style="list-style-type: none"> <li>1. The authority is a legally regulated institution for conducting certain public tasks (help.gv.at)</li> <li>2. Public office: An institution established <ul style="list-style-type: none"> <li>- for the purpose of fulfilment of non-commercial tasks lying in the public interest,</li> <li>- possesses legal personality, and</li> <li>- is largely financed by the public treasury or is subject to regulation or control by the public treasury.</li> </ul> </li> </ol>	- Data transfers - Recipients
Endurance	<i>Proposal: Designates the condition of systems if they are calculated to be able to fulfil the capabilities necessary for performance of their purpose and, despite external or internal disruptions can return again to their original condition (endurance in the sense of resilience).</i>	-Security of processing
Communication of a personal data breach to the data subject	<i>Proposal: If the data protection incident can be expected to entail great risk for the rights and freedoms of the data subjects the controller is obliged to immediately communicate a data protection breach to the data subjects. The communication must describe the data protection incident in clear and simple language and must contain the contact data of the data protection controller or a contact office for further information as well as a description of the probable results and the measures taken or proposed by the controller to remedy the data protection incident and measures to mitigate the data protection incident's potential ramifications.</i>	- Data protection incident
Observation of persons	<i>Proposal: To reconstruct actions of natural persons within the European Union. Besides systematic observation, this in particular means monitoring internet activities. This also comprises the possible subsequent techniques for processing personal data by means of which a profile of a natural person is created.</i>	- Profiling - Review of legality - Territorial scope of application - Processing operations - List of processing operations
Legitimate interests	<i>Proposal: Concrete interests of the controller or a third party in processing personal data which can be weighed against the interests, basic rights and basic freedoms of the data subject, for example combating fraud, transmittal of customer and employee data within a group of undertakings, ensuring network and information security, enforcement of legal claims, monitoring of employees for security reasons, marketing measures while maintaining a customer relationship, etc.</i>	- Legality of processing - List of processing operations
Rectification	<i>Proposal: Rectification or updating of processed personal data.</i>	- Data subject rights

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Description of data processing purpose	<i>Proposal: The precise, clear and simple description of the purposes for which personal data are processed.</i>	<ul style="list-style-type: none"> <li>- Principles of data processing</li> <li>- List of processing operations</li> </ul>
Right of appeal	<i>Proposal: The right of the data subject to lodge appeal to the supervisory authority for the (alleged) breach of his/her rights under GDPR or for inadmissible interference with the right to data protection or other basic rights or freedoms.</i>	<ul style="list-style-type: none"> <li>- Data subject rights</li> </ul>
Appeal process	<i>Process: An administrative law procedure that the supervisory authority conducts on the basis of appeal by an affected data subject.</i>	<ul style="list-style-type: none"> <li>- Data subject rights</li> </ul>
Special categories of personal data	These are personal data from which racial and ethnic origin, political views, religious or philosophical convictions or membership in a trades union emerge, as well as the processing of genetic data, biometric data for unambiguous identification of a natural person, health data or data on sexual behaviour or sexual orientation of a natural person emerge.	<ul style="list-style-type: none"> <li>- Principles of processing</li> <li>- Legality of processing</li> <li>- List of processing operations</li> </ul>
Supervisory authority concerned	A supervisory authority concerned over the processing of personal data because a) the controller or the processor is settled on the territory of the Member State of said supervisory authority. b) such processing has or can have significant ramifications on persons concerned domiciled in the Member State of that supervisory authority, or c) an appeal was lodged with said supervisory authority.	<ul style="list-style-type: none"> <li>- Evidence of fulfilment of GDPR (accountability)</li> </ul>
Data subject	Any natural person who is identified or identifiable and to whom the (processed information) relates.	<ul style="list-style-type: none"> <li>- Scope of application of GDPR</li> <li>- Data subject rights</li> <li>- List of processing operations</li> </ul>
Biometric data	Personal data obtained by special technical processes on the physical, physiological or behavioural characteristics of a natural person which allow for or confirm unambiguous identification of that natural person, such as face images or dactyloscopic data.	<ul style="list-style-type: none"> <li>- Legality of processing</li> <li>-List of processing operations</li> </ul>
Types of data	<i>Proposal: Means data by their contents, such as first name, last name, social security number, etc.</i>	
Data category	<i>Proposal: The division of personal data into context-specific groups, such as identity data (first and last name, academic titles, data of birth, marital status, gender), contact data (address, telephone number, email address), financial data (bank account, credit card number, creditworthiness), lifestyle habits (social contacts, consumption, holidays), etc.</i>	<ul style="list-style-type: none"> <li>- Data subject rights</li> <li>- List of processing operations</li> </ul>
Classes of data	<i>Proposal: Means the grouping of data according to their claim to protection, e.g. internal data, external data, confidential data, secret data, public data, encrypted data.</i>	<ul style="list-style-type: none"> <li>- Data protection assessment of impact</li> <li>- Security of processing</li> <li>- List of processing operations</li> </ul>

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File system	Any structured collection of personal data accessible according to certain criteria, regardless of whether that collection is centralised, decentralised or kept sorted by functional or geographical criteria. This can also mean hardcopy archive systems.	<ul style="list-style-type: none"> <li>- Scope of applicability of GDPR</li> <li>- List of processing operations</li> </ul>
Data minimisation	<i>Proposal: A principle of GDPR according to which personal data must be restricted to the extent necessary for the purpose of the processing and appropriate to the purpose of processing.</i>	<ul style="list-style-type: none"> <li>- Data collection</li> <li>- Storage</li> <li>- Admissibility of processing</li> </ul>
Data source	Proposal: Data source described the origin of personal data. It means with which medium or via which natural person or legal person did the data come into the undertaking.	
Data space	<i>Proposal: Any physical or virtual protected space used to provide (a collection of) data.</i>	<ul style="list-style-type: none"> <li>- Data transfer</li> <li>- List of processing operations</li> </ul>
Data protection enquiries (advice)	<i>Proposal: Contact made by data subjects, employees, processors and other stakeholders in regard to data protection law issues. Data protection enquiries are taken care of by the data protection controller or the data protection organisation.</i>	<ul style="list-style-type: none"> <li>- Data subject rights</li> <li>- Data protection strategy</li> </ul>
Data protection interlocutor	<i>Proposal: Any person occupied in the organisation who in his/her role implements measures from data protection management. The employee supports the data protection controller throughout the undertaking or in a specific department. He/she must not be made known to the supervisory authority. To be distinguished from this is the responsibility of all employees to work in conformity with data protection in the course of performing business processed.</i>	<ul style="list-style-type: none"> <li>- Data subject rights</li> <li>- Data protection assessment of impact</li> <li>-List of processing operations</li> </ul>
Data protection audit	<i>Proposal: Reviews, checks or supervision with a focus on compliance with external data protection law provisions and internal guidelines, in the context of which in particular the functionality and effectiveness of data protection processes are checked. The results of a data protection audit serve to improve data protection measures on an ongoing basis.</i>	<ul style="list-style-type: none"> <li>- Evidence of fulfilment of GDPR (accountability)</li> </ul>
Data protection controller	<i>Proposal: A natural person, officially appointed as a data protection controller in the terms of GDPR and made known to the supervisory authority. He/she supports and advises the undertaking in matters of data protection and is the central contact office for data protection enquiries on the part of employees, data subjects and the supervisory authority.</i>	<ul style="list-style-type: none"> <li>- Data subject rights</li> <li>- Data protection assessment of impact</li> <li>- List of processing operations</li> </ul>
Data protection assessment of impact	<i>Proposal: The evaluation of risks and their possible impact for the personal rights and freedoms of data subjects which must be carried out under art 25 GDPR if risk analysis shows that a form of processing is most likely linked to a high risk for the data subject in question.</i>	<ul style="list-style-type: none"> <li>- Data protection incident</li> <li>- Data protection assessment of impact</li> <li>- List of processing operations</li> </ul>
Data protection coordinator	See "Data protection interlocutor."	<ul style="list-style-type: none"> <li>- Data subject rights</li> <li>- Security of processing</li> </ul>

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		- List of processing operations
Data disclosure	<i>Proposal: The overarching concept for all actions, through which the controller makes personal data accessible to recipients, so that the latter may obtain knowledge of the information content of the relevant data. Whether the recipients are third parties or not as well as what technical means are deployed is unimportant. The concept comprises both "data transfer (external)" as well as "data transfer (internal)".</i>	- Data transfers - List of processing operations
Data protection management	<i>Proposal: Refers to the entirety of all structured measures to implement specifications by external and internal data protection regulations and to improve them on an ongoing basis.</i>	
Data protection processes	<i>Proposal: These are in-house processes serving to ensure compliance with GDPR. By way of example, processes to treat data subject rights, to report data protection incidents or for ongoing updating of the list of processing operations, etc. In that way, it may also refer to processes for ongoing organisation of data protection measures such as data protection audits.</i>	- Evidence of compliance with GDPR (accountability)
Data protection incident	See "Breaches of protection of personal data"	- Data protection incident
Data security	<i>Proposal: Refers to the protection condition of systems in regard to ensuring the confidentiality, integrity and availability of data as well as their endurance (resilience).</i>	- Security of processing
Data security measures	<i>Proposal: Measures that ensure data security. This includes, as an example, pseudonymisation, encryption, access authorisation strategies, securing of networks, etc.</i>	- Data protection assessment of impact - Security of processing - List of processing operations
Data transfer (external)	<i>Proposal: Any forwarding of personal data to <b>recipients</b> (external ones, thus persons who are not integrated into the controller's organisation), regardless of the technical means and regardless whether the forwarding is active or passive. The concept of data transfer also covers the dissemination as well as any other form of providing or disclosing the data, such as by way of virtual data space, file sharing as well as remote access by processors in connection with remote servicing.</i>	- Processors - Data transfer - Security of processing - List of processing operations
Data transfer (internal)	<i>Proposal: The transfer of personal data inside the controller's or the processor's organisation for various processing purposes (different processing operations). The (internal) recipients of internal data transfers must be identified in the list of processing operations.</i>	- Data transfers - List of processing operations
Data processing	See "Processing"	
Data processing in the context of employment	<i>Proposal: The processing of personal data in connection with initiation or ending of employment as well as in connection with existing employment.</i>	- Legality of processing - List of processing operations
Service of the information company	Any service within the meaning of article 1, numeral 2, letter b of Directive 2015/1535/EU of the European Parliament and the Council, that is, any service	- Consent

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	performed, generally for a fee, electronically by remote and by individual retrieval by the recipient.	
Direct advertising	<i>Proposal: Individual and generally written (as well as electronic) form of advertising communication between suppliers and (potential) customers. Direct advertising may constitute a legitimate interest of the controller and thus a justification ground for processing, in particular where there is a functioning customer relationship.</i>	<ul style="list-style-type: none"> <li>- Data subject rights</li> <li>- Legality of processing</li> <li>- List of processing operations</li> </ul>
Documentation obligation	<i>Proposal: The obligation to document all data protection measures and processes, planned for compliance with GDPR and implemented, in such a way that compliance with GDPR can at any time be demonstrated to the supervisory authority.</i>	<ul style="list-style-type: none"> <li>- Evidence of fulfilment of GDPR (accountability)</li> </ul>
Third party	Any natural person or legal person, public authority, institution or other body besides the party in question, the controller, the processor and the parties who are authorised, under the immediate supervision of the controller, to process personal data.	<ul style="list-style-type: none"> <li>- Data transfers</li> <li>- List of processing operations</li> </ul>
Third country	<i>Proposal: A country that is not a Member State of the European Union.</i>	<ul style="list-style-type: none"> <li>- Data transfers</li> </ul>
Data protection strategy	<i>Proposal: Any documented description of the measures taken by a controller to comply with the requirements of GDPR or other data protection regulations, in particular by means of data security and data protection measures.</i>	<ul style="list-style-type: none"> <li>- Evidence of fulfilment of GDPR (accountability)</li> </ul>
Unambiguous identification	<i>Proposal: The identification of a specific person by his/her individual features (e.g. facial recognition, fingerprints, personal features specific to a certain sphere, etc.) which exclude confusion with other data subjects. See "Identification."</i>	<ul style="list-style-type: none"> <li>- Data subject rights</li> </ul>
Restriction of processing	The marking of stored personal data for the purpose of restricting its future processing.	<ul style="list-style-type: none"> <li>- Data subject rights</li> </ul>
Consent	A manifestation of intention given in an informed manner by the data subject, voluntarily, for the specific instance, in the form of a declaration or other unambiguous confirming action with which the data subject makes it understood that he/she is in agreement with the processing of personal data relating to him/her.	<ul style="list-style-type: none"> <li>- Legality of processing</li> <li>- List of processing operations</li> </ul>
Declaration of consent	<i>Proposal: A written or electronic documented declaration with which a data subject declares consent to processing of personal data for a specific purpose or for several specific purposes.</i>	<ul style="list-style-type: none"> <li>- Evidence of compliance with GDPR (accountability)</li> <li>- Legality of processing</li> </ul>
Electronic information exchange	<i>Proposal: The exchange of information by way of electronic communication that is completely or partially automated and occurs in structured file formats (e.g. databases, data space, email, etc.).</i>	<ul style="list-style-type: none"> <li>- Data transfers</li> </ul>
Recipient	<p>Any natural person or legal person, public authority, institution or other body to which personal data is disclosed, regardless of whether or not it is a third party.</p> <p>Public authorities potentially receiving personal data in connection with a specific examination task under European Union law or the law of the Member States who, however, do not qualify as recipients; the processing of such data by the authorities in</p>	<ul style="list-style-type: none"> <li>- Data transfers</li> </ul>

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	question occurs in accord with applicable data protection regulations in accordance with the purposes of processing.	
Collection of personal data	<i>Proposal: The acquisition of personal data, either directly from the data subject himself/herself or from third party sources (e.g. public registers, social media, etc.), regardless of the technical means and the type of acquisition.</i>	- List of processing operations
Request for consent	<i>Proposal: The demonstrable request by which the controller advises the data subject about the purposes and circumstances of processing and requests the granting of consent to processing of his/her personal data for one or more purposes. In particular, the data subject must be advised what data will be processed and for what purpose and to whom it will be transmitted as well as that the consent declaration may be withdrawn at any time.</i>	- Evidence of compliance with GDPR (accountability) - Legality of processing
Recital	<i>Proposal: Considerations of the Legislator contained in the preamble of EU legal instruments serving to interpret the legal instrument.</i>	- Interpretation and understanding of GDPR
Professional data owner	<i>Proposal: Any party who is responsible for a specific corporate process and in the framework of which personal data is processed, and who makes or prepares decisions in regard to specifications. He, she or it specifies to the technical data owner how the data are to be processed in technical respects. For instance, the HR manager (professional data owner) defines retention periods for job applicant data which are implemented by the IT department (technical data owner) and carried out, for instance, automatically at the end of the period.</i>	- Data subject rights - List of processing operations
Fair and transparent processing	<i>Proposal: The processing of personal data for such purposes which the data subject can reasonably expect due to the information given and which is preceded by comprehensive clear and intelligible information given to the data subject about the circumstances and purposes of the processing.</i>	- Data subject rights - Information obligations - Admissibility of processing
Guarantees and exceptions in regard to processing for archiving purposes, scientific or historical purposes in the public interest and for statistical purposes	<i>Proposal: In the law of the Member States, guarantees should be given ensuring protection of the rights and freedoms of the data subjects in processing for the purpose of archiving purposes in the public interest, or for scientific or historical research purposes or for statistical purposes. This may refer to pseudonymisation, data minimising, or the need-to-know principle. In addition, the Member States may provide for exceptions to or restrictions on the rights of data subjects for such purposes.</i>  <i>In Austria, this provision was enacted in § 7 of the 2018 Data Protection Act (DSG).</i>	- Data subject rights - Legality of processing
Appropriate guarantees	<i>Proposal: They must be there for the admissibility of data transfers to third countries or international organisations if there is no relevant adequacy decision available. Appropriate guarantees may, for instance, be standard data protection clauses or binding mandatory internal data protection regulations.</i>	- Data transfers

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Appropriate measures	<i>Proposal: Measures appropriate to impart to the data subject all information required by GDPR about processing and all notifications relating to data subject rights, in precise, transparent, intelligible and easily accessible form in clear and simple language. This may for instance include easily surveyed design of web sites and forms and the testing of information by employees not involved in the production of the texts.</i>	- Evidence of fulfilment of GDPR (accountability) - Legality of processing
Interests of confidentiality	<i>Proposal: The interests of a data subject in the confidentiality and thus the non-disclosure and non-processing of his/her personal data.</i>	- Legality of processing
Controllers jointly responsible for processing	<i>Proposal: Two or more controllers who jointly determine the purposes and means of processing. Where this is the case, the provisions under article 26 GDPR must be taken into account.</i>	- Data subject rights - List of processing operations
Genetic data	Personal data on inherited or acquired genetic properties of a natural person which supply unambiguous information about the physiology or the health of said natural person and in particular which can be gained from an analysis of a biological sample of said natural person.	- Legality of processing - List of processing operations
Commercial secrets	<i>Proposal: Information about which an undertaking has a particular interest in keeping it secret, such as business records, sales statistics, calculations, contracts, bids, etc.</i>  <i>The fulfilment of a data subject's right to information should not entail business secrets having to be disclosed, however not just any kind of information may be refused on grounds of business secrets.</i>	- Data subject rights
Statutory obligation	<i>Proposal: An obligation based on a national law, national ordinance or an EU regulation.</i>	- Legality of processing
Secured data	<i>Proposal: Personal data which must be secured in a backup system to ensure their availability.</i>	- Security of processing
Health data	Personal data relating to the physical or mental health of a natural person, including the provision of health services and from which information about his/her health condition emerges.	- Legality of processing - List of processing operations
Union membership	<i>Proposal: Membership in a trades union or organisation with a mission to represent or protect the rights of employees.</i>	- Legality of processing - List of processing operations
Cross-border processing	Either: a) Any processing of personal data, occurring in connection with operations of establishments of a controller or a processor in more than one Member State of the European Union, if the controller or the processor is domiciled in more than one Member State, and b) Any processing of personal data, occurring in connection with operations of a single establishment of the controller or processor in the European Union, that has or may have significant ramifications for data subjects in more than one Member State.	- Data transfer

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Basis of the retention obligation	<i>Proposal: The legal basis (law, ordinance) obliging the controller to store personal data.</i>	<ul style="list-style-type: none"> <li>- Legality of processing</li> <li>- List of processing operations</li> </ul>
Main establishment	<p>a) In the case of a <b>controller</b> with establishments in more than one Member State, the site of his/her/its main administrative establishment in the European Union, unless the decisions in regard to purposes and means of processing personal data are made in another establishment in the European Union and that establishment is authorised to have such decisions implemented; in that case, the establishment that makes such decisions is deemed to be the main establishment.</p> <p>b) In the case of a <b>processor</b> with establishments in more than one Member State the site of his/her/its main administrative establishment in the European Union or, if the processor has no main establishment in the European Union, the establishment in which the management operations are mainly carried out in connection with operations of an establishment of the processor, provided the processor is subject to specific obligations under this Regulation.</p>	<ul style="list-style-type: none"> <li>- Scope of application of GDPR</li> </ul>
Auxiliary table	<i>Proposal: A table serving to de-pseudonymise pseudonymised data.</i>	<ul style="list-style-type: none"> <li>- Security of processing</li> </ul>
Hosting data application (internal or external)	<i>Proposal: Hosting data applications may relate, for instance, to email or cloud services provided in-house within the undertaking or externally. In the case of external hosting, the service provider functions as processor, so that a processing agreement (data processing agreement) becomes necessary.</i>	<ul style="list-style-type: none"> <li>- Processor</li> <li>- List of processing operations</li> </ul>
Identification feature	<i>Proposal: Any information or any item of data from which a natural person can be identified or is identifiable.</i>	<ul style="list-style-type: none"> <li>- Scope of application of GDPR</li> <li>- Data subject rights</li> <li>- Security of processing</li> </ul>
Identification	<i>Proposal: Establishing the identity of a data subject.</i>	<ul style="list-style-type: none"> <li>- Data subject rights</li> </ul>
Impact assessment	<i>Proposal: Any simple risk assessment for the rights and freedoms of data subjects resulting from any processing of personal data. The result indicates the necessity of a data protection impact assessment (in case of greater risk).</i>	<ul style="list-style-type: none"> <li>- Data protection impact assessment</li> <li>- Security of processing</li> </ul>
Information and pointers	See "Information obligation."	
Information obligation	<i>Proposal: The obligation of the controller, derived from the transparency principle, of advising the data subject comprehensively prior to beginning to process their personal data about the circumstances of processing. In this context, information must be provided in clear and simple language about the purposes and legal basis of processing, the justified interests, the recipients or categories of recipients, the intention of transfer to third countries and the existence or non-existence of an adequacy decision or of appropriate guarantees.</i>	<ul style="list-style-type: none"> <li>- Evidence of fulfilment of GDPR (accountability)</li> <li>- Admissibility of processing</li> </ul>

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	<p><i>In addition to that, to ensure fair and transparent processing, inter alia, information on the retention period, the data subject rights, the right to appeal and the right to withdraw consent at any time must also be provided.</i></p> <p><i>If the data are or were not collected directly from the data subject, there must also be information about the origin of the data.</i></p>	
Integrity	<p><i>Proposal: The consistency, soundness and accuracy of stored data. The intention in this case is to prevent unauthorised parties from modifying or damaging data as well as the possibility of being able to recognise and trace damage or unauthorised modification of data.</i></p>	- Security of processing
International organisation	<p>Any international law organisation and its subsidiary agencies or any other institution created by a convention signed between two or more countries or on the basis of such a convention, such as the UN, OECD, IAEO, UNIDO, etc.</p>	- Data transfers
Categories of data subjects	<p><i>Proposal: The classification of data subjects, depending on their role and relationship to the controller, such as customers, suppliers, employees, external consultants, etc.</i></p>	- List of processing operations
Categories of personal data	<p>See "Categories of data."</p>	- Data subject rights - List of processing operations
Children	<p><i>Proposal: A child in the meaning of GDPR is an underage person. Children may under § 4, par 4 DSG declare with legal effect their consent in connection with services of the information company if they have completed the 14th year of life.</i></p>	- Consent - Legality of processing
Classified data	<p>See "Classes of data."</p>	- Data protection assessment of impact - Security of processing - List of processing operations
Control assessment	<p><i>Proposal: An assessment in which GDPR specific controls, selected in advance by risk related criteria, are tested for the degree of their implementation or fulfilment of the objective and prioritised by any eventual adaptation or implementation needs according to the individual situation of the controller or the processor.</i></p>	- Evidence of fulfilment of GDPR (accountability) - Legality of processing - Security of processing - List of processing operations
Vital interests	<p><i>Proposal: A possible legal basis (permission criterion) for processing of personal data. For instance, vital interests: forwarding of data of an unconscious accident victim, forwarding of treatment-related health data of a child whose parents are absent, refusal of consent for an accident victim in a state of shock, etc.</i></p>	- Legality of processing
Erasure	<p><i>Proposal: Permanent and irreversible removal of electronically stored data and destruction of data documented in hardcopy.</i></p>	- Data subject rights - Admissibility of processing

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	<i>For erasures, backup systems must also be taken into account, where, however, on the basis of § 4, par 2 DSG 2018, erasure need not occur immediately but only at a later point in time if immediate erasure is not possible for commercial or technical reasons. In such a case, however, processing must be restricted until actual erasure.</i>	
Reporting of personal data protection breaches	<i>Proposal: The report to be made to the supervisory authority in case of a breach of protection of personal data (data protection incident), which must occur within at most 72 hours of learning about the data protection incident.</i>  <i>The report must contain a description of the type of data protection incident as well as, if possible, the categories and the approximate number of data records affected, the contact data of the data protection officer or a contact office for further information as well as a description of the probable consequences and the measures to remedy the data protection incident taken or proposed by the controller.</i>	- Data protection incident
Notification obligation	<i>Proposal: The (basic) obligation of the controller to inform all recipients, to whom personal data were disclosed, of any rectification or erasure of the personal data or any restriction on processing.</i>	- Data subject rights
Cooperation obligation	<i>Proposal: The obligation of the data subject, in connection with the exercise of data subject rights, to cooperate in establishing his/her identity and where required to give supplemental information on applications with which data subject rights are asserted.</i>	- Data subject rights
Proof of provision	<i>Proposal: Written or electronic documentation demonstrating fulfilment of the information obligation. See "Information obligation."</i>	- Evidence of fulfilment of GDPR (accountability) - Legality of processing
On the evidence of	<i>Proposal: In written form (electronic form suffices) if the information is set to writing and can be documented.</i>	- Evidence of fulfilment of GDPR (accountability)
Public interest	<i>Proposal: A vague legal term putting concerns of the community above individual interests. For instance, the carrying out of social science or medical studies can lie in the public interest.</i>	- Data transfer - Making addresses available for notification and polling of data subjects as an address publisher
Opt-in	<i>Proposal: The rule according to which the data subject may grant his/her consent to processing by means of an active step. For instance, by checking in a little box on a website. The opposite (not allowed) is an opt-out.</i>	- Consent - Legality of processing
Opt-out	<i>Proposal: Opt-out refers to the necessity of an active step by the data subject that he/she rejects processing or where an active step is required in order to prohibit the processing of personal data from the very beginning. This may, for instance, be the case if on a website a little box with which consent is declared is checked in in advance and</i>	- Consent - Legality of processing

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	<i>the data subject has to remove the check in order not to grant consent. An opt-out solution is not deemed to be consent in the terms of GDPR.</i>	
Paper filing system	See "File system."	
Personal data	All information relating to an identified or identifiable natural person (hereinafter: "data subject"); a natural person is considered identifiable who directly or indirectly and in particular by means of attribution to a trait, such as a name, an identity number, to site data, to an online address or to one or more special features that are physical, physiological, genetic, psychological, commercial, cultural or social identity of that natural person, can be identified.	<ul style="list-style-type: none"> <li>- Application of GDPR</li> <li>- Data subject rights</li> <li>- List of processing operations</li> </ul>
Physical hosting sites	<i>Proposal: The geographical sites on which the physical technical installations (servers) are located with which personal data are processed, in particular stored.</i>	<ul style="list-style-type: none"> <li>- Processor</li> <li>- Data transfers</li> </ul>
Profiling	Any type of automated processing of personal data consisting of such personal data being used to evaluate certain personal aspects relating to a natural person, particularly to analyse or predict aspects relating to work performance, financial condition, health, personal preferences, interests, reliability, behaviour, place of residence or change thereof of such natural persons.  See "Automated single case decision."	<ul style="list-style-type: none"> <li>- Data subjects</li> <li>- List of processing operations</li> <li>- Data protection assessment of impact</li> <li>- Automated single case decision</li> </ul>
Protocols	<i>Proposal: Any file or hardcopy document that records events in chronological order and, in doing so, also records what triggered the event. Protocols or logfiles may be relevant in the context of data protection, especially in connection with access authorisations and actual accesses.</i>	<ul style="list-style-type: none"> <li>- Evidence of fulfilment of GDPR (accountability)</li> </ul>
Audit logging	<i>Proposal: The procedure or process with which a protocol log is created</i>	<ul style="list-style-type: none"> <li>- Evidence of fulfilment of GDPR (accountability)</li> </ul>
Process presentation	<i>Proposal: The graphic presentation of processes, in particular data protection processes.</i>	<ul style="list-style-type: none"> <li>- Evidence of fulfilment of GDPR (accountability)</li> </ul>
Pseudonymisation	The processing of personal data in such a way that the personal data can no longer be attributed to a specific natural person without incorporating additional information, if such information is stored separately and is subject to technical and organisational measures that guarantee that the personal data is not attributed to an identified or identifiable natural person.	<ul style="list-style-type: none"> <li>- Security of data processing</li> </ul>
Source system	<i>Proposal: Any system from which data may be drawn for processing (e.g. a central database) and transferred to a target system.</i>	<ul style="list-style-type: none"> <li>- Data transfer</li> </ul>
Accountability	<i>Proposal: The obligation of the controller to be able, at any time, to demonstrate compliance with the requirements of GDPR to the supervisory authority.</i>	<ul style="list-style-type: none"> <li>- Evidence of fulfilment of GDPR (accountability)</li> </ul>

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Right to rectification	<i>Proposal: The right of the data subject to request from the controller the rectification of incorrect data or incomplete data relating to him/her.</i>	- Data subject rights
Right to data portability	<i>Proposal: The right of the data subject to request from the controller that the latter transfer the personal data, provided to the controller by himself/herself, in a structured, machine readable and conventional format to himself/herself or to another controller.</i>	- Data subject rights
Right to restriction of processing	<i>Proposal: The right of the data subject to request restriction of processing his/her personal data so that such data may only be stored but not processed elsewhere.</i>	- Data subject rights
Right to erasure ("right to be forgotten")	<i>Proposal: The right of the data subject to request from the controller erasure of the personal data relating to him/her. This also includes the right to demand from the controller to be informed about the recipients of such personal data.</i>	- Data subject rights
Rights of the (affected) data subject	<i>Proposal: The rights of the data subject as standardised in GDPR. They are the right to information, the right to rectification, the right to erasure ("right to be forgotten"), the right to restriction, the right to data portability or the right to object.</i>	- Data subject rights
Legal obligation	<i>Proposal: Any obligation imposed on the controller by European Union law or the law of a Member State and making the processing of personal data required (cf. art 6, par 1, letter c GDPR).</i>	- Legality of processing - List of processing operations
Legality	<i>Proposal: Legality refers to the condition of a processing operation in which one of the legal bases provided for by GDPR is fulfilled. That may, for instance, be the consent of the data subject (opt-in), contract fulfilment, statutory obligation, legitimate interest, etc.</i>	- Legality of processing - List of processing operations
Legal basis for processing of special categories of personal data	<i>Proposal: For legal processing of special categories of personal data, GDPR provides for special permission criteria. This includes, among other things, the explicit consent of the data subject, the fulfilment of rights and obligations under employment and social law, legal enforcement or defence, vital interests of the data subject or any other natural person as well as health prevention, industrial medicine and care and treatment in the health or social field.</i>	- Legality of processing - List of processing operations
Legal basis of data processing	<i>Proposal: Legal bases of data processing are the permission criteria set forth in GDPR. The most important of them are the consent of the data subject that processing is required for fulfilment of a contract signed with the data subject, fulfilment of statutory obligations and (overwhelming) legitimate interests. For special categories of personal data and criminal law data, there are separate permission criteria.</i>	- Legality of processing - List of processing operations
Sustainable on appeal	<i>Proposal: Able to withstand subsequent review (in particular, in regard to intelligibility).</i>	- Evidence of fulfilment of GDPR (accountability)
Accuracy	<i>Proposal: A principle of GDPR according to which processed personal data must be substantively accurate and, if required, be brought up-to-date.</i>	- Data subject rights - Admissibility of processing

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Storage limit	<i>Proposal: A principle of GDPR according to which personal data must be stored in a form making identification of the data subject possible only for as long as required for the purposes for which they are processed.</i>	<ul style="list-style-type: none"> <li>- Legality of processing</li> <li>- List of processing operations</li> </ul>
Standard data protection clauses	<i>Proposal: Standard data protection clauses are contract models issued by the European Commission or adopted by a supervisory authority and approved by the European Commission. They may be used as appropriate guarantees for data transfers to third countries.</i>	<ul style="list-style-type: none"> <li>- Data transfers</li> </ul>
Statistics	<i>Proposal: Statistics relates to models to obtain, describe and analyse data where the analysis serves the compact presentation of the data obtained, the confirmation or rejection of a hypothesis or the derivation of predictions of future events. With processing for statistical purposes art 89 GDPR must be complied with.</i>	<ul style="list-style-type: none"> <li>- List of processing operations</li> <li>- Admissibility of processing</li> </ul>
Criminal convictions and crimes (criminal law related data)	<i>Proposal: Data on judicial or regulatory punishable actions or omissions, in particular including data on suspicion of commission of criminal acts as well as criminal law convictions or preventive measures.</i>	<ul style="list-style-type: none"> <li>- Legality of processing</li> <li>- List of processing operations</li> </ul>
Activity as a processor	<i>Proposal: The processing of personal data carried out by a processor on the basis of a processing agreement (data processing agreement) or on the instructions of the controller.</i>	<ul style="list-style-type: none"> <li>- Processor</li> <li>- List of processing operations</li> </ul>
Technical and organisational measures	<i>Proposal: Technical and organisational measures implemented by the controller or the processor to ensure data security, in particular confidentiality, integrity, availability and capacity of the systems and to protect data subject rights as well as the principles of privacy by design and privacy by default. This in particular includes pseudonymisation, encryption and need-to-know-based access authorisations.</i>	<ul style="list-style-type: none"> <li>- Data protection assessment of impact</li> <li>- Privacy by default</li> <li>- Privacy by design</li> <li>- Security of processing</li> </ul>
Technical data owner	<i>Proposal: That party that manages and services the data processing system as well as having changes carried out on the instructions of the professional data owner.</i>	<ul style="list-style-type: none"> <li>- Data subject rights</li> <li>- List of processing operations</li> </ul>
Transparent processing	<i>Proposal: The processing of personal data corresponding to the principle of transparency. See "Transparency" and "Information obligation."</i>	<ul style="list-style-type: none"> <li>- Information obligations</li> <li>- Admissibility of processing</li> </ul>
Transparency	<i>Proposal: A principle of GDPR according to which the processing of personal data for the data subject must be intelligible. According to that, the data subject must, prior to commencement of processing, be comprehensively advised of the purpose and extent of the processing of his/her personal data as well as of the risks associated with processing and his/her rights. The advice must be precise, easily accessible and intelligible as well as worded in clear and simple language. See also "Information obligation."</i>	<ul style="list-style-type: none"> <li>- Information obligations</li> <li>- Admissibility of processing</li> </ul>
Trigger for data erasure	<i>Proposal: Means the event triggering data erasure. This may for instance be withdrawal of consent, the achievement of the purpose of processing, the lapsing of a statutory obligation, the end of a retention period or even the justified erasure request of a data subject.</i>	<ul style="list-style-type: none"> <li>- Data subject rights</li> <li>- Data protection processes</li> <li>- Withdrawal of consent</li> <li>- Admissibility of processing</li> </ul>

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Illegal	<i>Proposal: The processing of personal data is illegal if no permission criterion is met for processing for the particular purpose. See also "Legal basis of data processing"</i>	- Legality of processing - List of processing operations
Enterprise	Any natural person or legal person exercising a commercial activity, regardless of its legal form, including partnerships or associations which regularly engage in a commercial activity.	- Evidence of fulfilment of GDPR (accountability) - List of processing operations
Undertaking for which data are contract processed	<i>Proposal: Enterprises for which a processor processes data on the basis of a processing agreement (data processing agreement).</i>	- Processor - List of processing operations
Group of undertakings	A group consisting of a dominant undertaking and the undertakings dependent upon it.	- Data protection officer
Controller	The natural or legal person, authority, institution or other body deciding by itself or jointly with others on the purposes and means of processing of personal data.	- Evidence of fulfilment of GDPR (accountability) - List of processing operations
Processing	Any procedure carried out with or without the aid of automated processes or any such series of procedures in connection with personal data, such as collecting, recording, organising, sorting, storing, adapting or modifying, selecting, retrieving, using, disclosing by transfer, dissemination or any other form of provision, matching or linking, restricting, erasing or destroying.	- Scope of application of GDPR
Processing of special categories of personal data	<i>Proposal: The processing of personal data which (also) includes special categories of personal data such as health data.</i>	- Legality of processing - List of processing operations
Processing of data by using new technologies	<i>Proposal: The processing of personal data with innovative usage or application of new technological or organisational solutions. Here the "novelty" of the technology such as cloud services, bring-your-own-device programmes, internet of things, combination of fingerprint and facial recognition for the purpose of improved access control, etc. is less the focus than the duration of use of such technologies in the undertaking.</i>	- Data protection assessment of impact - Security of processing
Processing of national identification numbers	<i>Proposal: The processing of national identification numbers which constitutes an identity data item. This is, for instance, the French national identity number (NIR) or the "E-ID" planned in Austria in connection with the E-Government Act.</i>	- List of processing operations
Processing in good faith	<i>Proposal: Processing only for purposes which the data subject can reasonably expect on the basis of the information being given.</i>	- Information obligations - Admissibility of processing
Processing operation	<i>Proposal: The sum of the processing acts logically linked in their sequence, arranged to achieve a substantively intended event (for one purpose), and occurring in their entirety or partially without support from automated processes.</i>	- List of processing operations
Processing purposes	<i>Proposal: The purposes for which any processing of personal data is done. See "Purpose."</i>	- List of processing operations - Admissibility of processing
Linked data applications (additional applications, archive systems, interfaces)	<i>Proposal: Systems and applications linked with each other and between which data are transferred (on-way) or which mutually exchange data.</i>	- Security of processing - List of processing operations
Agreement	<i>Proposal: A civil law agreement signed between at least two parties.</i>	- Processor

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		- Joint processing
Procedure for data erasure	<i>Proposal: A set procedure (process) for safe erasure of personal data which meets the requirements of GDPR.</i>	- Data subject rights - Security of processing
Code of conduct	<i>Proposal: Code of conduct meant to provide support, in particular to small and medium-sized enterprises, in properly applying GDPR, meant to be elaborated specifically for each sector and which must be approved by the supervisory authority.</i>	- Data transfers - Security of processing
Proportionality	<i>Proposal: The right to data protection is a basic right, so that when processing personal data, interference with a basic right always occurs. This is why the principle of proportionality comes to be applied, according to which the interference with this basic right for processing personal data must always be undertaken for a legitimate purpose and must be appropriately restricted or kept to a minimum to only achieve its intended purpose.</i>	- List of processing operations - Admissibility of processing
<b>Breach of protection of personal data (data protection incident)</b>	<b>Any breach of security resulting in destruction, loss, modification or to unauthorised disclosure or unauthorised access to personal data.</b>	- Data protection incident - Security of processing - List of processing operations
Contract fulfilment	<i>Proposal: Performance of a contractually owed service in the agreed manner, in the agreed quality, at the agreed time and place.</i>	- Legality of processing - List of processing operations
Confidentiality	<i>Proposal: A principle of GDPR according to which processing of personal data must occur in such a way that it is protected against unauthorised and illegal processing. Here ensuring that unauthorised parties do not have access to data and cannot use either the data or the equipment with which the data are processed.</i>	- Security of processing
Representative	Any natural or legal person established in the European Union who were appointed in writing by the controller or the processor (without being established in the EU) under article 27 and who represents the controller or the processor in regard to their particular obligations incumbent upon them under this Regulation.	- General obligations of GDPR
List of processing operations (LPO)	<i>Proposal: The list to be kept by controllers and processors under art 30 GDPR in which all processing operations are documented.</i>	- List of processing operations
Four-eyes principle	<i>Proposal: Principle according to which important decisions should or may not be made by a single person or critical operations not be carried out by a single person.</i>	- Security of processing
Incident	See “Breaches of protection of personal data (data protection incident)”	- Data protection incident - Security of processing - List of processing operations
Philosophical convictions	<i>Proposal: The global view of the world and the position of the individual in it. Data on philosophical convictions fall under a special category of personal data.</i>	- Legality of processing
Revocation of consent	<i>Proposal: A manifestation of intention from which it unambiguously emerges that the data subject wishes to withdraw his/her consent to processing of his/her personal data.</i>	- Consent - Legality of processing

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Declaration of revocation	<i>Proposal: The written or electronically communicated withdrawal of consent.</i>	<ul style="list-style-type: none"> <li>- Consent</li> <li>- Legality of processing</li> </ul>
Right to object	<i>Proposal: The right of the data subject to object at any time to any processing of his/her personal data on the legal basis of legitimate interests or public interests or the exercise of public sovereignty for reasons stemming from his/her special situation. For instance, if the controller publishes address data of the data subject on its website and if processing is based on the legal grounds of justified interests, then a data subject pursued by a stalker could raise an objection.</i>	<ul style="list-style-type: none"> <li>- Data subject rights</li> <li>- Legality of processing</li> </ul>
Certification bodies	<i>Proposal: Any body or organisation accredited to issue or to renew certifications which demonstrate that GDPR is complied with by controllers and processors in processing procedures (art 42 GDPR).</i>	<ul style="list-style-type: none"> <li>- Data transfers</li> <li>- Security of processing</li> <li>- Evidence of fulfilment of GDPR (accountability)</li> </ul>
Certification procedures	<i>Proposal: A procedure, in connection with which a certification is issued, demonstrating that a controller or processor in a third country offers adequate guarantees for an appropriate level of data protection (art 42 GDPR).</i>	<ul style="list-style-type: none"> <li>- Data transfers</li> <li>- Security of processing</li> <li>- Evidence of fulfilment of GDPR (accountability)</li> </ul>
Purpose	<i>Proposal: Any specific result or target to be set prior to commencement of processing which the controller wants or is pursuing with the processing of personal data.</i>	<ul style="list-style-type: none"> <li>- List of processing operations</li> <li>- Admissibility of processing</li> </ul>
Earmarking	<i>Proposal: A principle of GDPR according to which personal data may only be collected for established, unambiguous and legitimate purposes and may not be processed further in any way incompatible with those purposes.</i>	<ul style="list-style-type: none"> <li>- List of processing operations</li> <li>- Admissibility of processing</li> </ul>
Doubts about the identity of a natural person	<i>Proposal: Doubts that the identity of a data subject has been demonstrated, in particular if the data subject cannot be unambiguously identified.</i>	<ul style="list-style-type: none"> <li>- Data subject rights</li> </ul>