



National Authority for Data Protection and Freedom of Information

Case number: NAIH-3529-2/2012/V.

Publicity of jubilee rewards of civil and public servants

A notary from a Budapest district had lodged a petition to the National Authority for Data Protection and Freedom of Information (hereinafter referred to as NAIH) requesting the NAIH to issue an official statement on whether the jubilee rewards paid to the employees by the municipality including the nomination of the rewarding board shall be regarded as data public on grounds of public interest.

In his opinion the NAIH called up the relevant regulations of the Privacy Act and outlined the clear definition regarding the data public on grounds of public interest. In this respect the NAIH gave the following following opinion.

Pursuant to the regulations of the Privacy Act as well as the Act on Public Service the **civil servants** are undertaking public duties, and as such, their personal data in conjunction with their public duties and authority of the body (name, function, his/her scope of responsibility, monthly allowance) in question shall be regarded as data public on grounds of public interest. These rules also apply in connection with employees (e.g. administrators) and advisors of the municipality and notaries as well. The Privacy Act also states that other personal data (including jubilee rewards, severance pay and its legal title) of the civil or public servants which is relevant to the provision of their responsibilities shall be disclosed.

As far as **public servants** are concerned the above rules apply, too since they are also performing public duties within the scope of responsibilities of the organization and therefore their their personal data in conjunction with their public duties also qualify as data public on grounds of public interest.

To sum up the above, in favour of the transparency of functioning of local governments the data public on grounds of public interest – the data on jubilee rewards of civil and public servants – shall be disclosed properly. In this respect, however, I would like to call your attention to the fact that the above data – in spite of their being public on grounds of public interest – remain special personal data and, as such, the principle of purpose limitation shall be secured.

B u d a p e s t, 14th of March 2012.

President