[HU] Annual Report of the Parliamentary Commissioner for Data Protection and Freedom of Information

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On 15 September 1998 the Hungarian parliament accepted with 34 abstentions the annual reports submitted by Hungary's Parliamentary Commissioners.

On 30 June 1995 the Hungarian parliament elected three commissioners by more than two thirdsmajority: the Parliamentary Commissioner for Human Rights, the Parliamentary Commissioner for Data Protection and Freedom of Information and the Parliamentary Commissioner for Ethnic Minorities.

According to article 27 of Act LIX of 1993 on the Parliamentary Commissioners, each year all Parliamentary Commissioners have to submit a report to parliament on their previous year's activities. The report of Hungary's Data Protection and Freedom of Information Ombudsman, Dr. Laszlo Majtenyi is 451 pages long. The report contains a wide range of information including basic notions of data protection and freedom of information, legislative opinions, recommendations and statistics related to the Ombudsman's activities. In the second chapter of the book on Hungarian Data Protection Law and the World, there is a section devoted to the privileges of the press. Under this heading Dr. Majtenyi observes that according to http://services.obs.coe.int/en/index.htm Hungarian law the press enjoys the same data handling status as the rest of the public. There is only one rule in the Act LXIII of 1992 on the Protection of Personal Data and the Publicity of Data of Public Interest (Act) which could be interpreted as being the privilege of the press, and thus be also invoked to foster the rights of the press. According to article 30 of the Act the data handling which contains such data of companies and organs coming under the scope of the Press Act which exclusively serve their own information activities do not have to be reported to the data protection register." However, the Hungarian ombudsman noted that the enforcement of the rights of freedom of information and freedom of the press cannot be prevented in the name of data protection.. This could not happen particularly because the guarantees of these two rights have been enacted into one piece of legislation that, for example in the case of public authorities, limits data protection rights.

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