

To the European Data Protection Board

19.10.2020

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*Comment on the **Guidelines 07/2020 on the concepts of controller and processor in the GDPR**
("Guidelines")*

"University students' personal data processing"

The Guidelines leave open the question as to who is the controller for the processing of personal data by students as part of their thesis or other projects.

Would it be

- a) the university,
- b) the student, or
- c) the university and the student jointly?

At present, it seems that the universities in the European Union interpret the stipulation "determines the purposes and means of the processing of personal data" in cases of theses differently, depending on the university in question, so that all of the options (a-c) above are being used. Even though the procedure of thesis and the roles and tasks of the student and the university would basically be the same, the controller for the processing of personal data may be defined differently.

This should not be the case and accordingly, I request the European Data Protection Board to give guidance on the above presented dilemma.

Respectfully,

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