



Privacy in Bavaria

News for the Bavarian public sector

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The Bavarian Data Protection Commissioner, Erasure or archiving? [Löschung oder Archivierung?] • New working paper on archival storage rules and data protection erasure rules in the Bavarian public sector, jointly with the Directorate-General of the State Records Offices in Bavaria.
https://datenschutz-bayern.de/datenschutzreform2018/AP_Loeschung_Archivierung.pdf

Court of Justice of the European Union, judgement of 12 January 2023, C-154/21 • According to Article 15 (1) (c) GDPR the identity of the data recipients must be provided, unless it is impossible to identify those recipients. | <https://curia.europa.eu>

Ansbach Administrative Court, judgement of 2 November 2022, AN 14 K 22.00468 • Claim of an individual against a reprimand by the competent data protection supervisory authority for taking pictures of incorrectly parked vehicles and transmitting these pictures to the police reporting the offence; justification under Article 6 (1) 1 (f) GDPR. | <https://openjur.de>

Bayreuth Administrative Court, order of 10 November 2022, B 9 S 22.955 • The duty of disclosure on buildings and housing in connection with the Census 2022 does not violate the GDPR.
<https://www.gesetze-bayern.de>

Federal Administrative Court (Austria), decision of 15 December 2022, W287 2242132-1 • The right to data portability is application-bound and does not relate to physical documents.
<https://www.ris.bka.gv.at>

Federal Administrative Court (Austria), decision of 20 December 2022, W137 2257571-1 • On the scope of Article 55 (3) GDPR concerning judicial self government. | <https://www.ris.bka.gv.at>

Federal Administrative Court (Austria), decision of 13 December 2022, W252 2259204-1 • Manifestly unfounded request of rectification for a minor, if the father who is not authorized to represent takes action instead of the mother who has sole charge. | <https://www.ris.bka.gv.at>

Martini/Haußecker/Wagner, The Data Use Act as digital political framework for the monetisation of municipal data [Das Datennutzungsgesetz als digitalpolitischer Ordnungsrahmen für die Monetarisierung kommunaler Daten] • Neue Zeitschrift für Verwaltungsrecht – Extra 11/2022.
<https://rws.beck.de/cms/?toc=NVwZ.2022> (free access)

In cooperation with the Bavarian Data Protection Commissioner the Bavarian School of Administration [Bayerische Verwaltungsschule] offers the certificate course **"Data Protection Officers for Public Authorities"** [„Behördliche Datenschutzbeauftragte“] for the first time. The training creates professional prerequisites to effectively exercising this role (only in German language). Further information under: <https://www.bvs.de/fortbildung/weiterbildung/datenschutzbeauftragte/index.html>.
