



Privacy in Bavaria

News for the Bavarian public sector

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EDPB & EDPS, Joint opinion 1/2026 on the Proposal for a Regulation as regards the simplification of the implementation of harmonised rules on artificial intelligence (Digital Omnibus on AI)

https://www.edpb.europa.eu/our-work-tools/our-documents/edpb-edps-joint-opinion/edpb-edps-joint-opinion-12026-proposal_en

CJEU, judgement of 18 December 2025, C-422/24

On the applicability of Art. 13 GDPR when collecting personal data using body cameras (ticket inspectors in public transport).

<https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX:62024CJ0422>

CJEU, judgement of 2 December 2025, C-492/23

Data protection responsibilities of online marketplace operators and resulting obligations.

<https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX:62023CJ0492>

CJEU, judgement of 20 November 2025, C-57/23

On the lawfulness of the national regulation of collection, storage and deletion of biometric and genetic data of persons accused or suspected of an intentional criminal offence and its interpretation by national courts (Directive [EU] 2016/680).

<https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX%3A62023CJ0057&qid=1765348021616>

High Administrative Court of Bavaria, order of 12 September 2025, 5 ZB 23.1778

Scope of judicial review of a decision by the data protection supervisory authority to reject a complaint.

<https://www.gesetze-bayern.de/Content/Document/Y-300-Z-BECKRS-B-2025-N-25660>

Federal Court of Justice, judgement of 11 November 2025, IV ZR 396/24

Art. 82 (1) GDPR: Obligations of the controller upon termination of a processing relationship; possible liability for damages on the part of the controller if the processor retains personal data and then becomes the victim of a cyber attack.

https://www.bundesgerichtshof.de/SharedDocs/Entscheidungen/DE/Zivilsenate/VI_ZS/2024/VI_ZR_396-24.pdf

Munich Higher Regional Court, judgement of 18 December 2025, 14 U 2300/25 e

Data protection assessment of the processing of personal data of users of a social network through activity tracking on third-party websites and third-party apps.

<https://www.gesetze-bayern.de/Content/Document/Y-300-Z-GRURRS-B-2025-N-36459>

Munich Higher Regional Court, judgement of 26 September 2025, 36 U 1368/24 e

Art. 82 (1) GDPR: Violation of Art. 5 (1) (b) and (c) and Art. 25 (2) sentence 1, 3 GDPR by setting the searchability for telephone numbers on a social network to 'Everyone' by default.

<https://www.gesetze-bayern.de/Content/Document/Y-300-Z-GRURRS-B-2025-N-32464>

Federal Administrative Court (Austria), judgement of 4 September 2025, W252 2301118-1

If no actual processing of personal data takes place, there is no „legitimacy to lodge a complaint“ within the meaning of Art. 77, Recital 141 GDPR.

https://www.ris.bka.gv.at/Dokumente/Bwvg/BWVGW_20250904_W252_2301118_1_00/BWVGW_20250904_W252_2301118_1_00.pdf

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