



Privacy in Bavaria

News for the Bavarian public sector

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The Bavarian Data Protection Commissioner, Data breach notifications under Art. 33 General Data Protection Regulation in case of cyber attacks

Information note 58.

<https://www.datenschutz-bayern.de/datenschutzreform2018/aki58.pdf>

The Bavarian Data Protection Commissioner, Report of offence as a technical and organisational measure following a cyber attack?

Information note 57.

<https://www.datenschutz-bayern.de/datenschutzreform2018/aki57.pdf>

EDPB, Statement 1/2025 on Age Assurance

Providing guidance for the processing of personal data when determining the age or age range of an individual.

https://www.edpb.europa.eu/our-work-tools/our-documents/other-guidance/statement-12025-age-assurance_en

EDPB, AI: Complex Algorithms and effective Data Protection Supervision

Project as part of the Support Pool of Experts programme; evaluation of bias in AI and effective implementation of data subjects' rights.

https://www.edpb.europa.eu/our-work-tools/our-documents/support-pool-experts-projects/ai-complex-algorithms-and-effective-data_en

European Court of Justice, judgement of 27 February 2025, C-203/22

Access to "meaningful information about the logic involved" under Art. 15 (1) (h) GDPR in cases concerning automated decision-making, including profiling, in the sense of Art. 22 (1) GDPR; consideration of trade secrets.

<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:62022CJ0203>

European Court of Justice, judgement of 27 February 2025, C-638/23

On the significance of national law in the designation of an entity as "controller"; Union law requirements in respect of such national legislation.

<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:62023CJ0638>

European Court of Justice, judgement of 13 February 2025, C-383/23

Interpretation of the term "undertaking" in Art. 83 GDPR in relation to Art. 101 and 102 TFEU.

<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:62023CJ0383>

Higher Administrative Court of Bavaria, order of 21 February 2025, 7 ZB 24.651

Art. 15 GDPR generally does not grant a right of access to a data processing contract under Art. 28 GDPR; role allocation between data subjects and supervisory authorities.

<https://www.gesetze-bayern.de/Content/Document/Y-300-Z-BECKRS-B-2025-N-2857>

Munich Administrative Court, judgement of 13 January 2025, M 26a K 24.4703

The obligation to present a vaccination certificate under section 20 (12) 1 Protection Against Infection Act [Infektionsschutzgesetz] entails the obligation to hand over the certificate for a short time and to tolerate the production of a copy thereof.

<https://www.gesetze-bayern.de/Content/Document/Y-300-Z-BECKRS-B-2025-N-1893>

The Bavarian Data Protection Commissioner

80538 München | Waggmüllerstraße 18 | Phone: +49 89 21 26 72-0

poststelle@datenschutz-bayern.de | <https://www.datenschutz-bayern.de>