



Privacy in Bavaria

News for the Bavarian public sector

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The Bavarian Data Protection Commissioner, Data protection when sending letters and parcels
Information note 61.

<https://www.datenschutz-bayern.de/infothek/aki61.pdf>

The Bavarian Data Protection Commissioner, AI without borders? Use of third-country products in the Bavarian public administration • Information note 60.

<https://www.datenschutz-bayern.de/infothek/aki60.pdf>

The Bavarian Data Protection Commissioner, Invitations to mammography screenings – in compliance with data protection law? • Information note 59.

<https://www.datenschutz-bayern.de/infothek/aki59.pdf>

Higher Administrative Court of North Rhine-Westphalia, order of 20 February 2025, 16 B 288/23

Right to end-to-end encryption in electronic communication with public authorities (denied in individual case).

https://nrwe.justiz.nrw.de/ovgs/ovg_nrw/j2025/16_B_288_23_Beschluss_20250220.html

Munich Administrative Court, judgement of 12 February 2025, M 7 K 22.4558

Competence of the Bavarian data protection authority for the public sector; municipal transport company (subway) in a group of companies as a public body.

<https://www.gesetze-bayern.de/Content/Document/Y-300-Z-BECKRS-B-2025-N-4045>

Bayreuth Administrative Court, order of 13 January 2025, B 8 E 24.1176

Right of access to files under procedural law and right to obtain a copy under Art. 15 (3) GDPR with regard to files of a youth welfare office; requirements for the fulfilment of the right to obtain a copy; assertion of rights in interim legal protection.

<https://www.gesetze-bayern.de/Content/Document/Y-300-Z-BECKRS-B-2025-N-3600>

Bayreuth Administrative Court, order of 13 January 2025, B 8 E 25.30

Legal recourse for asserting the right to obtain a copy (Art. 15 (3) GDPR) in relation to a supplementary curatorship file of a youth welfare office; referral to the family court.

<https://www.gesetze-bayern.de/Content/Document/Y-300-Z-BECKRS-B-2025-N-3601>

Federal Fiscal Court, judgement of 14 January 2025, IX R 25/22

Right of access under Art. 15 GDPR: (no) exclusion in case of “disproportionate effort”; interpretation of section 32c (1) No. 3 Fiscal Code [Abgabenordnung].

<https://www.bundesfinanzhof.de/de/entscheidung/entscheidungen-online/detail/STRE202510038>

Munich Higher Regional Court, order of 13 February 2025, 24 U 3020/24 e

Right to compensation under Art. 82 GDPR: proof of loss of control in case of scraping.

<https://www.gesetze-bayern.de/Content/Document/Y-300-Z-GRURRS-B-2025-N-3209>

Dresden Higher Regional Court, judgement of 4 February 2025, 4 U 1627/22

Right of access under Art. 15 GDPR does not expire at least as long as the data is stored by the controller.

<https://www.justiz.sachsen.de/esamosplus/pages/index.aspx>

The Bavarian Data Protection Commissioner

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

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