



Privacy in Bavaria

News for the Bavarian public sector

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The Bavarian Data Protection Commissioner, Data protection concepts for digitization projects [Datenschutzkonzepte für Digitalisierungsvorhaben] | Information note 64.

<https://www.datenschutz-bayern.de/infothek/aki64.pdf>

Düsseldorf Administrative Court, order of 10 September 2025, 29 K 6427/25

Düsseldorf Administrative Court, order of 5 September 2025, 29 K 6375/25

Shortening of the three months period under section 75 sentence 2 Code of Administrative Court Procedure [Verwaltungsgerichtsordnung] by virtue of Art. 12 (3) 1 GDPR.

https://nrwe.justiz.nrw.de/ovgs/vg_duesseldorf/j2025/29_K_6427_25_Beschluss_20250910.html

https://nrwe.justiz.nrw.de/ovgs/vg_duesseldorf/j2025/29_K_6375_25_Beschluss_20250905.html

Federal Court of Justice, judgement of 29 July 2025, VI ZR 426/24

A claim under Art. 82 (1) GDPR resulting from a breach of EU data protection law does not preclude claims for damages based on breaches of national law, for example for violations of the general right of personality under section 823 (1) Civil Code [Bürgerliches Gesetzbuch] in conjunction with Art. 1 (1) and Art. 2 (1) Basic Law [Grundgesetz].

<https://juris.bundesgerichtshof.de/cgi-bin/rechtsprechung/document.py?Gericht=bgh&Art=en&nr=142816>

Munich Higher Regional Court, advisory order of 21 July 2025, 14 U 1531/25 e

Requirements for classifying the creation of a credit score as an “automated individual decision-making” within the meaning of Art. 22 (1) GDPR.

<https://www.gesetze-bayern.de/Content/Document/Y-300-Z-GRURRS-B-2025-N-23217>

Supreme Administrative Court (Austria), order of 29 July 2025, Ro 2022/04/0017

Requirements for considering an employee as a controller in the sense of Art. 4 no. 7 GDPR, in particular where employees use data to which they have access solely for professional purposes for private purposes.

https://www.ris.bka.gv.at/Dokumente/Vwgh/JWT_2022040017_20250729J00/JWT_2022040017_20250729J00.pdf

Federal Administrative Court (Austria), judgement of 1 September 2025, W256 2235360-1

Art. 22 (1) GDPR: Relationship to Art. 6 (1) GDPR and application to a mathematical model for calculating labour market opportunities.

https://www.ris.bka.gv.at/Dokumente/Bwvg/BWVGW_20250901_W256_2235360_1_00/BWVGW_20250901_W256_2235360_1_00.pdf

Data Protection Tribunal of the German Conference of Bishops (Roman Catholic Church), order of 19 May 2025, DSG-DBK 02/2024

On the question of disclosing personal data of church members for the purpose of door-to-door advertising by a legally independent church newspaper.

https://www.dbk.de/fileadmin/redaktion/diverse_downloads/weitere_einrichtungen/Datenschutzgericht/DSG_DBK_02_2024_Beschluss_vom_19.5.2025_anonymisierte_Fassung.pdf

Interdiocesan Data Protection Tribunal (Roman Catholic Church), order of 15 June 2025, IDSG 19/2023 | On violations of data protection rights when accessing an employee account.

https://www.dbk.de/fileadmin/redaktion/diverse_downloads/weitere_einrichtungen/Datenschutzgericht/IDSG-Beschluss-19-2023_vom_15.06.2025_anonymisierter_Beschluss.pdf

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