



## Privacy in Bavaria

News for the Bavarian public sector

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**Court of Justice of the European Union, judgement of 8 December 2022, C-460/20** • Questions referred in connection with a claim for de-referencing against a search engine operator; interpretation of Article 17 (3) (a) GDPR, requirements for proving the inaccuracy of a search result; case grouping; handling of preview images. | <https://curia.europa.eu>

**Court of Justice of the European Union, judgement of 27 October 2022, C-129/21** • Data processing by the provider of a phone directory; consent as a legal basis; consequences of a withdrawal; distinction of the right to erasure and the right to rectification; information in case the data records concerned have been disclosed to other providers; corresponding obligation to implement technical and organisational measures. | <https://curia.europa.eu>

**Court of Justice of the European Union, judgement of 20 October 2022, C-77/21** • On the principles of purpose and storage limitation regarding a database created for test purposes and debugging, in particular on the limits of the intended purpose. | <https://curia.europa.eu>

**Bremen Administrative Court, judgement of 28 November 2022, 4 K 503/21** • Right of access to social data; restriction according to section 83 (1) No. 1 Social Code Vol. X [Zehntes Buch Sozialgesetzbuch] in conjunction with section 82a (1) No. 2 Social Code Vol. X; secrecy under section 65 (1) Social Code Vol. VIII [Achstes Buch Sozialgesetzbuch]; requirements of a discretionary decision pursuant to section 83 (2) 3 Social Code Vol. X. | <https://openjur.de>

**Neustadt a. d. Weinstraße Administrative Court, order of 27 October 2022, 3 L 763/22** • The fact that the public area of the Census 2022-homepage is hosted by a third-country enterprise does not cause illegality of the census; significance of the assurance of the hosting provider. <https://www.landesrecht.rlp.de>

**Federal Court of Justice, order of 10 November 2022, 1 ZR 186/17** • Referral to the Court of Justice of the European Union on the right of action of consumer protection associations for the objective legal enforcement of data protection law (following Court of Justice of the European Union, judgement of 28 April 2022, C-319/20). | <https://juris.bundesgerichtshof.de>

**Data protection authority (Austria), notice of 7 September 2022, 2022-0.560.569** • The person lodging a complaint under Article 77 (1) GDPR has to be affected itself; this legal remedy may not be used by a controller to assess the legality of its data processing. | <https://www.ris.bka.gv.at>

**Hornung, Artificial Intelligence for the evaluation of social media bulk data [Künstliche Intelligenz zur Auswertung von Social Media Massendaten]** • General contribution on the current factual and legal context and on regulatory needs, in particular regarding safety authorities. | Archiv des öffentlichen Rechts 147 (2022), S. 1 ff.

**Datenschutz und Datensicherheit, issue 9/2022, focus topic "Shaping digitalisation"** • Articles inter alia on international data transfer (p. 545 ff.), on the more effective use of research data (p. 555 ff.) and on AI-regulation in a multilevel system (p. 561 ff.).