Der Bayerische Landesbeauftragte
für den Datenschutz

Privacy in Bavaria

News for the Bavarian public sector
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The Bavarian Data Protection Commissioner, File storage as a source of data breaches
Information note 65.
https://www.datenschutz-bayern.de/infothek/aki65.pdf

EDPB & EDPS, Joint opinion 2/2026 on the Proposal for a Regulation as regards the simplification of the digital legislative framework (Digital Omnibus)
https://www.edpb.europa.eu/our-work-tools/our-documents/edpbedps-joint-opinion/edpb-edps-joint-opinion-22026-proposal_en

Higher Administrative Court of Baden-Wuerttemberg, judgement of 22 December 2025, 2 S 112/25
Establishment of an obligation under Art. 6 (1) (1) (c) GDPR by statute (in this case: municipal visitor tax statute); requirements under EU law for such a statute.
https://www.landesrecht-bw.de/bsbw/document/NJRE001631364

Higher Administrative Court of Rhineland-Palatinate, judgement of 28 November 2025, 10 A 11059/23.OVG
The right to lodge a complaint under Art. 77 (1) GDPR is strictly personal and therefore cannot devolve to an heir under section 1922 Civil Code [Bürgerliches Gesetzbuch].
https://www.landesrecht.rlp.de/bsrp/document/NJRE001628501

Osnabrück Administrative Court, judgement of 13 January 2026, 7 A 6/24
Start of the period pursuant to Art. 12 (3) GDPR; requests for access under Art. 15 (1) GDPR do not need to specify a 'reference date'.
https://voris.wolterskluwer-online.de/browse/document/cbc9e80e-da1a-4df7-b6fa-5efc902bc680

Regensburg Administrative Court, order of 24 October 2025, RO 5 S 25.2406
Requirements for contraindication certificates (measles vaccination).
https://www.gesetze-bayern.de/Content/Document/Y-300-Z-BECKRS-B-2025-N-28987

Düsseldorf Administrative Court, court order of 24 October 2025, 29 K 7560/20
On the right to erasure of personal data contained in files held by public prosecutors or criminal courts.
https://nrwe.justiz.nrw.de/ovgs/vg_duesseldorf/j2025/29_K_7560_20_Gerichtsbescheid_20251024.html

Berlin Administrative Court, judgement of 9 October 2025, VG 1 K 463/22
Finding of a violation of data protection law and warning issued by the data protection authority are possible even where the controller is not at fault.
https://gesetze.berlin.de/bsbe/document/NJRE001626768

Federal Court of Justice, judgement of 10 December 2025, II ZR 132/24
Union law concept of a contract under Art. 6 (1) (1) (b) GDPR; application of the provision to legal relationships that are – according to national understanding – similar to contracts.
https://www.bundesgerichtshof.de/SharedDocs/Entscheidungen/DE/Zivilsenate/II_ZS/2024/II_ZR_132-24.pdf

Munich Higher Regional Court, judgement of 20 January 2026, 18 U 2360/25 Pre e
On the liability and obligations of platform providers in case of fake profiles.
https://www.gesetze-bayern.de/Content/Document/Y-300-Z-GRURRS-B-2026-N-241

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