



Der Bayerische Landesbeauftragte  
für den Datenschutz

## Privacy in Bavaria

News for the Bavarian public sector

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**The Bavarian Data Protection Commissioner, Insured persons' rights to object in connection with the electronic patient file [Widerspruchsrechte der Versicherten bei der elektronischen Patientenakte]** • Information note 56. | <https://www.datenschutz-bayern.de>

**EDPB, Guidelines 1/2025** on Pseudonymisation, public consultation | **Guidelines 2/2024** on Article 48 GDPR, public consultation | **Opinion 28/2024** on certain data protection aspects related to the processing of personal data in the context of AI models | **Position paper** on Interplay between data protection and competition law | **Report** on the first review of the European Commission Implementing Decision on the adequate protection of personal data under the EU-US Data Privacy Framework. | <https://www.edpb.europa.eu>

**European Court of Justice, judgement of 9 January 2025, C-394/23** • Collection of the gender identity for the performance of a contract of transportation (communication in relation to a ticket) not covered by Art. 6 (1) (1) (b) GDPR; narrow requirements for Art. 6 (1) (1) (f) GDPR. | <https://curia.europa.eu>

**European Court of Justice, judgement of 28 November 2024, C-169/23** • On the application of Art. 14 (5) (c) GDPR to personal data generated by the controller itself (affirmed). | <https://curia.europa.eu>

**European Court of Justice, judgement of 4 October 2024, C-200/23** • Commercial register: Role under data protection law of the body responsible for keeping the commercial register; handwritten signature of a natural person as personal data; claim for compensation for non-material damage pursuant to Art. 82 (1) GDPR due to temporary loss of control. | <https://curia.europa.eu>

**General Court, judgement of 8 January 2025, T-354/22** • Claim for damages: Differentiation between third country transfer and risk of access from a third country; causality giving rise to liability if the data subject contributes to the cause (case in connection with Regulation 2018/1725). | <https://curia.europa.eu>

**Federal Administrative Court, order of 21 November 2024, 6 B 8.24** • On the scope of the authority to transfer data between the youth welfare office and the foreigners' authority pursuant to section 71 (2) (1) No. 1 Social Code Book X [Zehntes Buch Sozialgesetzbuch]. | <https://www.bverwg.de>

**Higher Administrative Court of Bavaria, order of 7 January 2025, 5 C 24.1831** • Art. 16 GDPR: Scope of the right to rectification in relation to youth welfare office files. | <https://www.gesetze-bayern.de>

**Higher Administrative Court of Bavaria, order of 15 November 2024, 23 CE 24.1363** • Injunctive relief under public law: Organisational precautions of a public authority can prevent the attribution of an "outflow of information" (no data protection case). | <https://www.gesetze-bayern.de>

The Bavarian Data Protection Commissioner

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