

## GDPR – CJEU CASE LAW

## Table of Contents

<b>DATA CONTROLLER</b> .....	1
<b>CONSENT</b> .....	2
<b>DATA TRANSFER (US-CANADA)</b> .....	3
<b>WEBSITE, INTERNET</b> .....	5
<b>CONCEPT OF PERSONAL DATA</b> .....	7
<b>TAX, LAWFULNESS</b> .....	8
<b>WORKING TIME, EMPLOYMENT</b> .....	9
<b>RIGHT OF ACCESS</b> .....	10
<b>REFUSAL OF ACCESS</b> .....	11
<b>PRIVACY AND ELECTRONIC COMMUNICATIONS</b> .....	12
<b>LOCATION AND PROXIMITY DATA</b> .....	17
<b>BIOMETRIC DATA</b> .....	18
<b>OTHER DATA PROTECTION CASE LAW</b> .....	19

## DATA CONTROLLER

- [C-272/19](#) - Land Hessen  
Judgment of the Court (Third Chamber) of 9 July 2020  
*VQ v Land Hessen*

Request for a preliminary ruling from the Verwaltungsgericht Wiesbaden  
Reference for a preliminary ruling — Article 267 TFEU — Concept of ‘court or tribunal’  
— Protection of natural persons with regard to the processing of personal data —  
Regulation (EU) 2016/679 — Scope — Article 2(2)(a) — **Meaning of ‘activity which  
falls outside the scope of Union law’** — Article 4(7) — **Concept of ‘controller’** —  
Petitions Committee of the parliament of a Federated State of a Member State — Article  
15 — Right of access by the data subject

- [C-25/17](#) - Jehovan todistajat  
Judgment of the Court (Grand Chamber) of 10 July 2018  
*Proceedings brought by Tietosuojavaltuutettu*

Request for a preliminary ruling from the Korkein hallinto-oikeus  
Reference for a preliminary ruling — Protection of individuals with regard to the  
processing of personal data — Directive 95/46/EC — Scope of the directive — Article  
3 — **Data collected and processed by the members of a religious community** in the

course of their **door-to-door preaching** — Article 2(c) — Definition of a ‘personal data filing system’ — Article 2(d) — **Definition of a ‘controller’** of the processing of personal data — Article 10(1) of the Charter of Fundamental Rights of the European Union

- [C-13/16](#) - Rīgas satiksme  
Judgment of the Court (Second Chamber) of 4 May 2017  
*Valsts policijas Rīgas reģiona pārvaldes Kārtības policijas pārvalde v Rīgas pašvaldības SIA "Rīgas satiksme"*

Request for a preliminary ruling from the Augstākās tiesas Administratīvo lietu departaments

Reference for a preliminary ruling — Directive 95/46/EC — Article 7(f) — Personal data — Conditions for the lawful processing of personal data — **Concept of ‘necessity for the realisation of the legitimate interests of a third party’** — Request for disclosure of personal data of a person responsible for a road accident in order to exercise a legal claim — **Obligation on the controller to grant such a request** — No such obligation

- [C-230/14](#) – Weltimmo  
Judgment of the Court (Third Chamber) of 1 October 2015  
*Weltimmo s.r.o. v Nemzeti Adatvédelmi és Információszabadság Hatóság*

Request for a preliminary ruling from the Kúria

Reference for a preliminary ruling — Protection of individuals with regard to the processing of personal data — Directive 95/46/EC — Articles 4(1) and 28(1), (3) and (6) — **Controller** who is formally established in a Member State — **Impairment of the right** to the protection of personal data concerning natural persons in another Member State — Determination of the applicable law and the competent supervisory authority — Exercise of the powers of the supervisory authority — **Power to impose penalties**

## CASE LAW - CJEU

### CONSENT

- [C-61/19](#) - Orange Romania  
Judgment of the Court (Second Chamber) of 11 November 2020  
*Orange Romania SA v Autoritatea Națională de Supraveghere a Prelucrării Datelor cu Caracter Personal (ANSPDCP)*

Request for a preliminary ruling from the Tribunalul București

Reference for a preliminary ruling – Directive 95/46/EC – Article 2(h) and Article 7(a) – Regulation (EU) 2016/679 – Article 4(11) and Article 6(1)(a) – Processing of personal data and protection of private life - Collection and storage of the copies of identity documents by a provider of mobile telecommunications services - **Concept of the data subject’s ‘consent’** – Freely given, specific and informed indication of wishes – Declaration of consent by means of a tick box - Signing of the contract by the data subject – Burden of proof

- [C-708/18](#) - Asociația de Proprietari bloc M5A-ScaraA  
Judgment of the Court (Third Chamber) of 11 December 2019  
*TK v Asociația de Proprietari bloc M5A-ScaraA*

Request for a preliminary ruling from the Tribunalul București

Reference for a preliminary ruling — Protection of individuals with regard to the processing of personal data — Charter of Fundamental Rights of the European Union — Articles 7 and 8 — Directive 95/46/EC — Article 6(1)(c) and Article 7(f) — Making the processing of personal data legitimate — National legislation allowing **video surveillance for the purposes of ensuring the safety and protection of individuals**, property and valuables and for the pursuit of legitimate interests, without the **data subject's consent** — Installation of a video surveillance system in the common parts of a residential building

- [C-673/17](#) - Planet49  
Judgment of the Court (Grand Chamber) of 1 October 2019  
*Bundesverband der Verbraucherzentralen und Verbraucherverbände - Verbraucherzentrale Bundesverband e.V. v Planet49 GmbH*

Request for a preliminary ruling from the Bundesgerichtshof

Reference for a preliminary ruling — Directive 95/46/EC — Directive 2002/58/EC — Regulation (EU) 2016/679 — Processing of personal data and protection of **privacy in the electronic communications sector** — **Cookies** — Concept of **consent** of the data subject — Declaration of consent by means of a pre-ticked checkbox

- [C-40/17](#) - Fashion ID  
Judgment of the Court (Second Chamber) of 29 July 2019  
*Fashion ID GmbH & Co.KG v Verbraucherzentrale NRW eV*

Request for a preliminary ruling from the Oberlandesgericht Düsseldorf

Reference for a preliminary ruling — Protection of individuals with regard to the processing of personal data — Directive 95/46/EC — Article 2(d) — **Notion of 'controller'** — Operator of a website who has embedded on that website a social plugin that allows the personal data of a visitor to that website to be transferred to the provider of that plugin — Article 7(f) — Lawfulness of data processing — Taking into account of the interest of the operator of the website or of that of the provider of the social plugin — Article 2(h) and Article 7(a) — **Consent of the data subject** — Article 10 — Informing the data subject — National legislation allowing **consumer-protection associations** to bring or defend legal proceedings

## CASE LAW - CJEU

### DATA TRANSFER (US-CANADA)

- [C-311/18](#) - Facebook Ireland and Schrems  
Judgment of the Court (Grand Chamber) of 16 July 2020  
*Data Protection Commissioner v Facebook Ireland Limited and Maximillian Schrems*

Request for a preliminary ruling from the High Court (Ireland)

Reference for a preliminary ruling — Protection of individuals with regard to the processing of personal data — Charter of Fundamental Rights of the European Union — Articles 7, 8 and 47 — Regulation (EU) 2016/679 — Article 2(2) — Scope — **Transfers of personal data to third countries for commercial purposes** — Article 45 — Commission adequacy decision — Article 46 — Transfers subject to appropriate safeguards — Article 58 — Powers of the supervisory authorities — Processing of the data transferred by the public authorities of a third country for national security purposes — Assessment of the adequacy of the level of protection in the third country — Decision 2010/87/EU — Protective standard clauses on the transfer of personal data to third countries — Suitable safeguards provided by the data controller — Validity — Implementing Decision (EU) 2016/1250 — Adequacy of the protection provided by the **EU-US Privacy Shield** — **Validity** — **Complaint** by a natural person whose data was transferred from the European Union to the United States

- [Avis 1/15](#) - Accord PNR UE-Canada  
Opinion of the Court (Grand Chamber) of 26 July 2017  
*Opinion pursuant to Article 218(11) TFEU*

Opinion pursuant to Article 218(11) TFEU — Draft agreement between Canada and the European Union — **Transfer of Passenger Name Record** data from the European Union to **Canada** — Appropriate legal bases — Article 16(2), point (d) of the second subparagraph of Article 82(1) and Article 87(2)(a) TFEU — Compatibility with Articles 7 and 8 and Article 52(1) of the Charter of Fundamental Rights of the European Union

- [C-362/14](#) – Schrems  
Judgment of the Court (Grand Chamber) of 6 October 2015  
*Maximillian Schrems v Data Protection Commissioner*  
Request for a preliminary ruling from the High Court (Ireland)

Reference for a preliminary ruling — Personal data — Protection of individuals with regard to the processing of such data — Charter of Fundamental Rights of the European Union — Articles 7, 8 and 47 — Directive 95/46/EC — Articles 25 and 28 — Transfer of personal data to third countries — Decision 2000/520/EC — **Transfer of personal data to the United States** — Inadequate level of protection — **Validity** — Complaint by an individual whose data has been transferred from the European Union to the United States — Powers of the national supervisory authorities

- [C-317/04](#) - Parliament v Council  
Judgment of the Court (Grand Chamber) of 30 May 2006.  
*European Parliament v Council of the European Union (C-317/04) and Commission of the European Communities (C-318/04).*

Protection of individuals with regard to the processing of personal data - **Air transport** - Decision 2004/496/EC - Agreement between the European Community and the United

States of America - **Passenger Name Records of air passengers** transferred to the United States Bureau of Customs and Border Protection - Directive 95/46/EC - Article 25 - Third countries - Decision 2004/535/EC - Adequate level of protection.

- [T-670/16](#) - Digital Rights Ireland v Commission  
Order of the General Court (Second Chamber) of 22 November 2017  
*Digital Rights Ireland Ltd v European Commission*

Action for annulment — Area of freedom, justice and security — Protection of natural persons with regard to the processing of personal data — **Transfer of personal data to the United States** — **Not-for-profit company** incorporated under Irish law — No protection of personal data for legal persons — **Controller** — Action in the name of members and supporters — Action in the public interest — Inadmissible.

## CASE LAW - CJEU

### WEBSITE, INTERNET

- [C-507/17](#) - Google (Territorial scope of de-referencing)  
Judgment of the Court (Grand Chamber) of 24 September 2019  
*Google LLC, successor in law to Google Inc. v Commission nationale de l'informatique et des libertés (CNIL)*

Request for a preliminary ruling from the Conseil d'État  
Reference for a preliminary ruling — Personal data — Protection of individuals with regard to the processing of such data — Directive 95/46/EC — Regulation (EU) 2016/679 — **Internet search engines** — **Processing of data on web pages** — Territorial scope of the right to de-referencing

- [C-345/17](#) – Buivids  
Judgment of the Court (Second Chamber) of 14 February 2019  
*Proceedings brought by Sergejs Buivids*

Request for a preliminary ruling from the Augstākā tiesa  
Reference for a preliminary ruling — Processing of personal data — Directive 95/46/EC — Article 3 — Scope — Video recording of police officers carrying out procedural measures in a police station — **Publication on a video website** — Article 9 — Processing of personal data solely **for journalistic purposes** — Meaning — Freedom of expression — Protection of privacy

- [C-136/17](#) - GC and Others (De-referencing of sensitive data)  
Judgment of the Court (Grand Chamber) of 24 September 2019  
*GC and Others v Commission nationale de l'informatique et des libertés (CNIL)*

Request for a preliminary ruling from the Conseil d'État

Reference for a preliminary ruling — Personal data — Protection of individuals with regard to the processing of personal data contained on websites — Directive 95/46/EC — Regulation (EU) 2016/679 — **Search engines on the internet** — Processing of data appearing on websites — Special categories of data referred to in Article 8 of Directive 95/46 and Articles 9 and 10 of Regulation 2016/679 — Applicability of those articles to operators of a search engine — Extent of that operator’s obligations with respect to those articles — Publication of data on websites solely **for journalistic purposes or the purpose of artistic or literary expression** — Effect on the handling of a request for de-referencing — Articles 7, 8 and 11 of the Charter of Fundamental Rights of the European Union

- [C-210/16](#) - Wirtschaftsakademie Schleswig-Holstein  
Judgment of the Court (Grand Chamber) of 5 June 2018  
*Unabhängiges Landeszentrum für Datenschutz Schleswig-Holstein v Wirtschaftsakademie Schleswig-Holstein GmbH*

Request for a preliminary ruling from the Bundesverwaltungsgericht  
Reference for a preliminary ruling — Directive 95/46/EC — Personal data — Protection of natural persons with respect to the processing of that data — Order to **deactivate a Facebook page** (fan page) enabling the collection and processing of certain data of visitors to that page — Article 2(d) — **Controller responsible for the processing of personal data** — Article 4 — Applicable national law — Article 28 — **National supervisory authorities** — Powers of intervention of those authorities

- [C-582/14](#) – Breyer  
Judgment of the Court (Second Chamber) of 19 October 2016  
*Patrick Breyer v Bundesrepublik Deutschland*

Request for a preliminary ruling from the Bundesgerichtshof  
Reference for a preliminary ruling — Processing of personal data — Directive 95/46/EC — Article 2(a) — Article 7(f) — **Definition of ‘personal data’** — **Internet protocol addresses** — Storage of data by an online media services provider — National legislation not permitting the legitimate interest pursued by the controller to be taken into account

- [C-131/12](#) - Google Spain and Google  
Judgment of the Court (Grand Chamber), 13 May 2014  
*Google Spain SL and Google Inc. v Agencia Española de Protección de Datos (AEPD) and Mario Costeja González*

Request for a preliminary ruling from the Audiencia Nacional  
Personal data — Protection of individuals with regard to the processing of such data — Directive 95/46/EC — Articles 2, 4, 12 and 14 — Material and territorial scope — **Internet search engines** — Processing of data contained **on websites** — Searching for, indexing and storage of such data — Responsibility of the **operator of the search engine** — Establishment on the territory of a Member State — Extent of that operator’s obligations and of the data subject’s rights — Charter of Fundamental Rights of the European Union — Articles 7 and 8

- [C-101/01](#) – Lindqvist

Judgment of the Court of 6 November 2003.

***Criminal proceedings against Bodil Lindqvist.***

Reference for a preliminary ruling: Göta hovrätt - Sweden.

Directive 95/46/EC - Scope - Publication of personal **data on the internet** - Place of publication - Definition of **transfer of personal data to third countries** - Freedom of expression - Compatibility with Directive 95/46 of greater protection for personal data under the national legislation of a Member State.

- [T-343/13](#) - CN v Parliament  
Judgment of the General Court (Sixth Chamber) of 3 December 2015  
***CN v European Parliament***

Non-contractual liability — Petition addressed to the Parliament — Dissemination of **certain personal data on the Parliament’s website** — Absence of a sufficiently serious **breach of a rule of law** conferring rights on individuals

## CASE LAW - CJEU

### CONCEPT OF PERSONAL DATA

- [C-434/16](#) – Nowak  
Judgment of the Court (Second Chamber) of 20 December 2017  
***Peter Nowak v Data Protection Commissioner***

Request for a preliminary ruling from the Supreme Court

Reference for a preliminary ruling — Protection of individuals with regard to the processing of personal data — Directive 95/46/EC — Article 2(a) — **Concept of ‘personal data’** — Written answers submitted by a **candidate in a professional examination** — Examiner’s comments with respect to those answers — Article 12(a) and (b) — Extent of the data subject’s rights to access and rectification

- [C-683/13](#) - Pharmacontinente - Saúde e Higiene and Others  
Order of the Court (Eighth Chamber) of 19 June 2014  
***Pharmacontinente - Saúde e Higiene SA and Others v Autoridade Para As Condições do Trabalho (ACT)***

Request for a preliminary ruling from the Tribunal do Trabalho de Covilhã

Reference for a preliminary ruling — Article 99 of the Rules of Procedure of the Court of Justice — Processing of personal data — Directive 95/46/EC — Article 2 — **Concept of ‘personal data’** — Articles 6 and 7 — Principles relating to data quality and criteria for making data processing legitimate — Article 17 — Security of processing — Working time — **Record of working time** — Access by the national authority responsible for monitoring working conditions — Employer’s obligation to make available the record of working time so as to allow its immediate consultation

- [C-615/13 P](#) - ClientEarth and PAN Europe v EFSA

Judgment of the Court (Second Chamber) of 16 July 2015  
*ClientEarth and Pesticide Action Network Europe (PAN Europe) v European Food Safety Authority*

Appeal — Access to documents of the institutions of the European Union — Regulation (EC) No 1049/2001 — Article 4(1)(b) — Regulation (EC) No 45/2001 — Article 8 — Exception to right of access — Protection of personal data — **Concept of ‘Personal data’** — Conditions for transfer of personal data — Names of authors of each comment on European Food Safety Authority (EFSA) **draft guidance relating to scientific documents** to be included in applications for authorisation to place **plant protection products on the market** — Refusal of Access

## CASE LAW - CJEU

## TAX, LAWFULNESS

- [C-73/16](#) – Puškár  
 Judgment of the Court (Second Chamber) of 27 September 2017  
*Peter Puškár v Finančné riaditeľstvo Slovenskej republiky and Kriminálny úrad finančnej správy*

Request for a preliminary ruling from the Najvyšší súd Slovenskej republiky  
 Reference for a preliminary ruling — Charter of Fundamental Rights of the European Union — Articles 7, 8 and 47 — Directive 95/46/EC — Articles 1, 7 and 13 — Processing of personal data — Article 4(3) TEU — Drawing up of a list of personal data — Subject matter — **Tax collection — Fight against tax fraud** — Judicial review — Protection of fundamental rights and freedoms — Legal action dependent on a requirement of a prior administrative complaint — Whether that list is permissible as evidence — Rules on the **lawfulness of the processing of personal data** — Performance of a task carried out in the public interest by the controller

- [C-235/14](#) - Safe Interenvios  
 Judgment of the Court (Fifth Chamber) of 10 March 2016  
*Safe Interenvios, SA v Liberbank, SA and Others*

Request for a preliminary ruling from the Audiencia Provincial de Barcelona  
 Reference for a preliminary ruling — Prevention of the use of the financial system for the purpose of **money laundering and terrorist financing** — Directive 2005/60/EC — Customer due **diligence measures** — Directive 2007/64/EC — **Payment services in the internal market**

- [C-201/14](#) - Bara and Others  
 Judgment of the Court (Third Chamber) of 1 October 2015  
*Smaranda Bara and Others v Casa Națională de Asigurări de Sănătate and Others*

Request for a preliminary ruling from the Curtea de Apel Cluj

Reference for a preliminary ruling — Directive 95/46/EC — Processing of personal data — Articles 10 and 11 — Data subjects' information — Article 13 — Exceptions and limitations — **Transfer by a public administrative body** of a Member State of **personal tax data** for processing by another public administrative body

- [C-73/07](#) - Satakunnan Markkinapörssi and Satamedia  
Judgment of the Court (Grand Chamber) of 16 December 2008.  
*Tietosuojavaltuutettu v Satakunnan Markkinapörssi Oy and Satamedia Oy.*

Reference for a preliminary ruling: Korkein hallinto-oikeus - Finland.  
Directive 95/46/EC - Scope - **Processing and flow of tax data** of a personal nature - Protection of natural persons - **Freedom of expression.**

## CASE LAW - CJEU

### WORKING TIME, EMPLOYMENT

- [C-212/13](#) – Ryněš  
Judgment of the Court (Fourth Chamber), 11 December 2014  
*František Ryněš v Úřad pro ochranu osobních údajů*

Request for a preliminary ruling from the Nejvyšší správní soud  
Reference for a preliminary ruling — Directive 95/46/EC — Protection of individuals — Processing of personal data — Concept of ‘**in the course of a purely personal or household activity**’

- [C-342/12](#) – Worten  
Judgment of the Court (Third Chamber), 30 May 2013  
*Worten — Equipamentos para o Lar SA v Autoridade para as Condições de Trabalho (ACT)*

Request for a preliminary ruling from the Tribunal do Trabalho de Viseu  
Processing of personal data — Directive 95/46/EC — Article 2 — **Concept of ‘personal data’** — Articles 6 and 7 — Principles relating to data quality and criteria for making data processing legitimate — Article 17 — Security of processing — **Working time** — Record of working time — Access by the national authority responsible for **monitoring working conditions** — Employer’s obligation to make available the record of working time so as to allow its immediate consultation

- [C-465/00](#) - Österreichischer Rundfunk and Others  
Judgment of the Court of 20 May 2003.  
*Rechnungshof (C-465/00) v Österreichischer Rundfunk and Others and Christa Neukomm (C-138/01) and Joseph Lauer mann (C-139/01) v Österreichischer Rundfunk.*

References for a preliminary ruling: Verfassungsgerichtshof (C-465/00) and Oberster Gerichtshof (C-138/01 and C-139/01) - Austria.

Protection of individuals with regard to the **processing of personal data** - Directive 95/46/EC - Protection of private life - Disclosure of data on **the income of employees** of bodies subject to control by the Rechnungshof.

## CASE LAW - CJEU

### RIGHT OF ACCESS

- [C-486/12](#) – X  
Judgment of the Court (Eighth Chamber), 12 December 2013  
*X*

Request for a preliminary ruling from the Gerechtshof te 's-Hertogenbosch  
Protection of individuals with regard to the processing of personal data — Directive 95/46/EC — Conditions for exercising a **right of access** — Levying of **excessive fees**

- [C-141/12](#) - YS and Others  
Judgment of the Court (Third Chamber), 17 July 2014  
*YS v Minister voor Immigratie, Integratie en Asiel and Minister voor Immigratie, Integratie en Asiel v M and S*

Requests for a preliminary ruling from the Rechtbank Middelburget and from the Raad van State

Reference for a preliminary ruling — Protection of individuals with regard to the processing of personal data — Directive 95/46/EC — Articles 2, 12 and 13 — Concept of ‘personal data’ — Scope of the **right of access of a data subject** — Data relating to the applicant for a **residence permit** and legal analysis contained in an **administrative document** preparatory to the decision — Charter of Fundamental Rights of the European Union — Articles 8 and 41

- [C-553/07](#) – Rijkeboer  
Judgment of the Court (Third Chamber) of 7 May 2009.  
*College van burgemeester en wethouders van Rotterdam v M. E. E. Rijkeboer.*

Reference for a preliminary ruling: Raad van State - Netherlands.

Protection of individuals with regard to the processing of personal data - Directive 95/46/EC - **Respect for private life** - **Erasure of data** - **Right of access** to data and to information on the recipients of data - Time-limit on the exercise of the right to access.

## CASE LAW - CJEU

## REFUSAL OF ACCESS

- [T-115/13](#) - Dennekamp v Parliament  
Judgment of the General Court (Fifth Chamber) of 15 July 2015  
*Gert-Jan Dennekamp v European Parliament*

Access to documents — Regulation (EC) No 1049/2001 — Documents relating to the affiliation of certain Members of the European Parliament to the **additional pension scheme** — **Refusal to grant access** — Exception relating to the protection of privacy and the integrity of the individual — Article 8(b) of Regulation (EC) No 45/2001 — **Transfer of personal data** — Conditions concerning the necessity of having the data transferred and the risk that the data subject's legitimate interests might be prejudiced

- [T-214/11](#) - ClientEarth and PAN Europe v EFSA  
Judgment of the General Court (Sixth Chamber) of 13 September 2013  
*ClientEarth and Pesticide Action Network Europe (PAN Europe) v European Food Safety Authority*

Access to documents — Regulation (EC) No 1049/2001 — **Names of experts who submitted comments on a guidance document relating to the scientific documents** to be included in applications for authorisation to place plant protection products and the active substances contained in those products on the market — **Refusal of access** — Exception concerning protection of privacy and the integrity of the individual — Protection of personal data — Regulation (EC) No 45/2001 — Obligation to state reasons

- [T-300/10](#) - Internationaler Hilfsfonds v Commission  
Judgment of the General Court (Fourth Chamber), 22 May 2012  
*Internationaler Hilfsfonds eV v European Commission*

Access to documents — Regulation (EC) No 1049/2001 — Documents relating to contract LIEN 97-2011 — **Partial refusal of access** — Determination of the **subject-matter of the initial application** — Exception relating to the protection of privacy and the integrity of the individual — Exception relating to **protection of the decision-making process** — Principle of **sound administration** — Concrete and individual examination — Duty to state reasons

- [T-190/10](#) - Egan and Hackett v Parliament  
Judgment of the General Court (Fifth Chamber) of 28 March 2012  
*Kathleen Egan and Margaret Hackett v European Parliament*

Access to documents — Regulation (EC) No 1049/2001 — **Registers of assistants to former members of the European Parliament** — **Refusal of access** — Exception relating to the protection of privacy and the integrity of the individual — Protection of individuals with regard to the processing of personal data — Regulation (EC) No 45/2001

- [T-82/09](#) - Dennekamp v Parliament  
Judgment of the General Court (Second Chamber) of 23 November 2011.  
*Gert-Jan Dennekamp v European Parliament*

Access to documents - Regulation (EC) No 1049/2001 - Documents relating to the **affiliation** of certain Members of the European Parliament to the **additional pension scheme - Refusal to grant access** - Exception relating to the protection of privacy and the integrity of the individual - Article 8(b) of Regulation (EC) No 45/2001 - **Transfer of personal data.**

- [T-194/04](#) - Bavarian Lager v Commission  
Judgment of the Court of First Instance (Third Chamber) of 8 November 2007.  
*The Bavarian Lager Co. Ltd v Commission of the European Communities*

**Access to documents** - Regulation (EC) No 1049/2001 - Documents relating to proceedings for failure to fulfil obligations - **Decision refusing access** - Protection of physical persons in relation to processing of personal data - Regulation (EC) No 45/2001 - **Concept of private life.**

- [T-161/04](#) - Valero Jordana v Commission  
Judgment of the General Court (Eighth Chamber) of 7 July 2011.  
*Gregorio Valero Jordana v European Commission*

**Access to documents** - Regulation(EC) No 1049/2001- **Reserve list** for an open competition and individual decisions concerning the appointment of **officials - Refusal of access** - Exception concerning privacy and the integrity of the individual - Protection of personal data - Regulation (EC) No 45/2001.

## CASE LAW - CJEU

### PRIVACY AND ELECTRONIC COMMUNICATIONS

- [C-673/17](#) - Planet49  
Judgment of the Court (Grand Chamber) of 1 October 2019  
*Bundesverband der Verbraucherzentralen und Verbraucherverbände - Verbraucherzentrale Bundesverband e.V. v Planet49 GmbH*

Request for a preliminary ruling from the Bundesgerichtshof  
Reference for a preliminary ruling — Directive 95/46/EC — Directive 2002/58/EC — Regulation (EU) 2016/679 — Processing of personal data and protection of **privacy in the electronic communications sector** — **Cookies** — Concept of consent of the data subject — Declaration of consent by means of a pre-ticked checkbox

- [C-623/17](#) - Privacy International  
Judgment of the Court (Grand Chamber) of 6 October 2020

*Privacy International v Secretary of State for Foreign and Commonwealth Affairs and Others*

Request for a preliminary ruling from the Investigatory Powers Tribunal - London  
 Reference for a preliminary ruling – **Processing of personal data in the electronic communications sector** – Providers of electronic communications services – **General and indiscriminate transmission of traffic data and location data** – Safeguarding of national security – Directive 2002/58/EC – Scope – Article 1(3) and Article 3 – **Confidentiality of electronic communications** – Protection – Article 5 and Article 15(1) – Charter of Fundamental Rights of the European Union – Articles 7, 8 and 11 and Article 52(1) – Article 4(2) TEU

- [C-207/16](#) - Ministerio Fiscal  
 Judgment of the Court (Grand Chamber) of 2 October 2018  
*Proceedings brought by Ministerio Fiscal*

Request for a preliminary ruling from the Audiencia Provincial de Tarragona  
 Reference for a preliminary ruling — Electronic communications — Processing of personal data — Directive 2002/58/EC — Articles 1 and 3 — Scope — Confidentiality of electronic communications — Protection — Article 5 and Article 15(1) — Charter of Fundamental Rights of the European Union — Articles 7 and 8 — Data processed in connection with the provision of **electronic communications services** — **Access of national authorities to the data for the purposes of an investigation** — Threshold of **seriousness of an offence capable** of justifying access to the data

- [C-536/15](#) - Tele2 (Netherlands) and Others  
 Judgment of the Court (Second Chamber) of 15 March 2017  
*Tele2 (Netherlands) BV and Others v Autoriteit Consument en Markt (ACM)*

Request for a preliminary ruling from the College van Beroep voor het Bedrijfsleven  
 Reference for a preliminary ruling — Electronic communications networks and services — Directive 2002/22/EC — Article 25(2) — Directory enquiry services and directories — Directive 2002/58/EC — Article 12 — Directories of subscribers — Making available personal data concerning **subscribers for the purposes of the provision of publicly available directory enquiry services and directories** — **Subscriber’s consent** — Distinction on the basis of the Member State in which publicly available directory enquiry services and directories are provided — **Principle of non-discrimination**

- [C-424/15](#) - Ormaetxea Garai and Lorenzo Almendros  
 Judgment of the Court (Second Chamber) of 19 October 2016  
*Xabier Ormaetxea Garai and Bernardo Lorenzo Almendros v Administración del Estado*

Request for a preliminary ruling from the Tribunal Supremo  
 Reference for a preliminary ruling — Electronic communications networks and services — Directive 2002/21/EC — Article 3 — Impartiality and independence of national regulatory authorities — Institutional reform — **Merger of national regulatory authority with other regulatory authorities** — Dismissal of the President and a board

member of the merged national regulatory authority before the expiry of their terms of office — Ground for dismissal not provided for under national law

- [C-203/15](#) - Tele2 Sverige  
Judgment of the Court (Grand Chamber) of 21 December 2016  
*Tele2 Sverige AB v Post- och telestyrelsen and Secretary of State for the Home Department v Tom Watson and Others*

Requests for a preliminary ruling from the Kammarrätten i Stockholm and the Court of Appeal (England & Wales) (Civil Division)

Reference for a preliminary ruling — Electronic communications — Processing of personal data — **Confidentiality of electronic communications** — Protection — Directive 2002/58/EC — Articles 5, 6 and 9 and Article 15(1) — Charter of Fundamental Rights of the European Union — Articles 7, 8 and 11 and Article 52(1) — National legislation — **Providers of electronic communications services** — Obligation relating to the general and **indiscriminate retention of traffic and location data** — National authorities — Access to data — No prior review by a court or independent administrative authority — Compatibility with EU law

- [C-473/12](#) – IPI  
Judgment of the Court (Third Chamber), 7 November 2013  
*Institut professionnel des agents immobiliers (IPI) v Geoffrey Englebert and Others*

Request for a preliminary ruling from the Cour constitutionnelle (Belgium)

Processing of personal data — Directive 95/46/EC — Articles 10 and 11 — **Obligation to inform** — Article 13(1)(d) and (g) — Exceptions — Scope of exceptions — **Private detectives acting** for the supervisory body of a regulated profession — Directive 2002/58/EC — Article 15(1)

- [C-293/12](#) - Digital Rights Ireland and Seitlinger and Others  
Judgment of the Court (Grand Chamber), 8 April 2014  
*Digital Rights Ireland Ltd v Minister for Communications, Marine and Natural Resources and Others and Kärntner Landesregierung and Others*

Requests for a preliminary ruling from the High Court (Ireland) and the Verfassungsgerichtshof

Electronic communications — Directive 2006/24/EC — **Publicly available electronic communications services or public communications networks services** — Retention of data generated or processed in connection with the provision of such services — **Validity** — Articles 7, 8 and 11 of the Charter of Fundamental Rights of the European Union

- [C-119/12](#) – Probst  
Judgment of the Court (Third Chamber), 22 November 2012  
*Josef Probst v Mr. Nexnet GmbH*

Reference for a preliminary ruling from the Bundesgerichtshof

Electronic communications — Directive 2002/58/EC — Article 6(2) and (5) — Processing of personal data — **Traffic data necessary for billing and debt collection** — Debt collection by a third company — Persons acting under the authority of the providers of public communications networks and electronic communications services

- [C-360/10](#) – SABAM  
Judgment of the Court (Third Chamber), 16 February 2012  
*Belgische Vereniging van Auteurs, Componisten en Uitgevers CVBA (SABAM) v Netlog NV*

Reference for a preliminary ruling from the rechtbank van eerste aanleg te Brussel  
Information society — Copyright — Internet — Hosting service provider — Processing of information stored on an **online social networking platform** — Introducing a system for filtering that information in order to prevent files being made available which **infringe copyright** — No general obligation to monitor stored information

- [C-70/10](#) - Scarlet Extended  
Judgment of the Court (Third Chamber) of 24 November 2011.  
*Scarlet Extended SA v Société belge des auteurs, compositeurs et éditeurs SCRL (SABAM)*.

Reference for a preliminary ruling: Cour d'appel de Bruxelles - Belgium.  
Information society - **Copyright - Internet** - 'Peer-to-peer' software - Internet service providers - Installation of a system for filtering electronic communications in order to prevent file sharing which **infringes copyright** - No general obligation to monitor information transmitted.

- [C-543/09](#) - Deutsche Telekom  
Judgment of the Court (Third Chamber) of 5 May 2011.  
*Deutsche Telekom AG v Bundesrepublik Deutschland*.

Reference for a preliminary ruling: Bundesverwaltungsgericht - Germany.  
Electronic communications - Directive 2002/22/EC - Article 25(2) - Directive 2002/58/EC - Article 12 - Provision of **directory enquiry services and directories** - Obligation placed on an undertaking assigning **telephone numbers** to pass to other undertakings data in its possession relating to the **subscribers of third-party undertakings**.

- [C-202/09](#) - Commission v Ireland  
Judgment of the Court (Eighth Chamber) of 26 November 2009.  
*Commission of the European Communities v Ireland*.

Failure of a Member State to fulfil obligations - Directive 2006/24/EC - Electronic communications - **Respect for private life** - Retention of data generated or processed in connection with the provision of electronic communications services - **Failure to transpose** within the prescribed period.

- [C-557/07](#) - LSG-Gesellschaft zur Wahrnehmung von Leistungsschutzrechten  
Order of the Court (Eighth Chamber) of 19 February 2009.

***LSG-Gesellschaft zur Wahrnehmung von Leistungsschutzrechten GmbH v Tele2 Telecommunication GmbH.***

Reference for a preliminary ruling: Oberster Gerichtshof - Austria.

Article 104(3) of the Rules of Procedure - Information society - Copyright and related right - Retention and disclosure of **certain traffic data** - **Protecting the confidentiality** of electronic communication - 'Intermediaries' within the meaning of Article 8(3) of Directive 2001/29/EC.

- [C-301/06](#) - Ireland v Parliament and Council  
Judgment of the Court (Grand Chamber) of 10 February 2009.  
***Ireland v European Parliament and Council of the European Union.***

Action for annulment - Directive 2006/24/EC - **Retention of data** generated or processed in connection with the provision of **electronic communications services** - Choice of legal basis.

- [C-275/06](#) – Promusicae  
Judgment of the Court (Grand Chamber) of 29 January 2008.  
***Productores de Música de España (Promusicae) v Telefónica de España SAU.***

Reference for a preliminary ruling: Juzgado de lo Mercantil nº 5 de Madrid - Spain.

Information society - Obligations of providers of services - **Retention and disclosure of certain traffic data** - Obligation of disclosure - **Limits** - Protection of the **confidentiality of electronic communications** - Compatibility with the protection of **copyright** and related rights - Right to effective protection of intellectual property.

- [C-475/04](#) - Commission v Greece  
Judgment of the Court (Sixth Chamber) of 1er juin 2006.  
***Commission of the European Communities v Hellenic Republic.***

Failure of a Member State to fulfil obligations - Directive 2002/58/EC - Electronic communications - Processing of personal data - **Protection of privacy** - Protection of natural persons - **Failure to transpose within the prescribed period.**

- [C-350/02](#) - Commission v Netherlands  
Judgment of the Court (First Chamber) of 24 June 2004.  
***Commission of the European Communities v Kingdom of the Netherlands.***

Failure of a Member State to fulfil its obligations - **Processing of personal data** and the protection of privacy in the electronic communications sector - Articles 6 and 9 of Directive 97/66/EC - **Requirement for specific statement of grounds of complaint** in the reasoned opinion.

- [C-211/02](#) - Commission v Luxembourg  
Judgment of the Court (Fourth Chamber) of 6 March 2003.  
***Commission of the European Communities v Grand Duchy of Luxembourg.***

**Failure by a Member State to fulfil obligations** - Failure to transpose Directive 97/66/EC within the **prescribed periods.**

- [C-151/00](#) - Commission v France  
Judgment of the Court (Fourth Chamber) of 18 January 2001.  
*Commission of the European Communities v French Republic.*

Failure by a Member State to fulfil its obligations - Directive 97/66/EC - Processing of personal data and **protection of privacy in the telecommunications sector** - Non-transposition

- [T-321/02](#) - Vannieuwenhuyze-Morin v Parliament and Council  
Order of the Court of First Instance (Fourth Chamber) of 6 May 2003.  
*Paul Vannieuwenhuyze-Morin v Council of the European Union and European Parliament*

Action for annulment - Directive 2002/58/CE - **Inadmissibility.**

## CASE LAW - CJEU

### LOCATION AND PROXIMITY DATA

- [C-623/17](#) - Privacy International  
Judgment of the Court (Grand Chamber) of 6 October 2020  
*Privacy International v Secretary of State for Foreign and Commonwealth Affairs and Others*

Request for a preliminary ruling from the Investigatory Powers Tribunal - London  
Reference for a preliminary ruling – **Processing of personal data in the electronic communications sector** – Providers of electronic communications services – **General and indiscriminate transmission of traffic data and location data** – Safeguarding of national security – Directive 2002/58/EC – Scope – Article 1(3) and Article 3 – **Confidentiality of electronic communications** – Protection – Article 5 and Article 15(1) – Charter of Fundamental Rights of the European Union – Articles 7, 8 and 11 and Article 52(1) – Article 4(2) TEU

- [C-203/15](#) - Tele2 Sverige  
Judgment of the Court (Grand Chamber) of 21 December 2016  
*Tele2 Sverige AB v Post- och telestyrelsen and Secretary of State for the Home Department v Tom Watson and Others*

Requests for a preliminary ruling from the Kammarrätten i Stockholm and the Court of Appeal (England & Wales) (Civil Division)  
Reference for a preliminary ruling — Electronic communications — Processing of personal data — **Confidentiality of electronic communications** — Protection — Directive 2002/58/EC — Articles 5, 6 and 9 and Article 15(1) — Charter of Fundamental Rights of the European Union — Articles 7, 8 and 11 and Article 52(1) — National legislation — **Providers of electronic communications services** — Obligation relating to the general and **indiscriminate retention of traffic and location data** — National

authorities — Access to data — No prior review by a court or independent administrative authority — Compatibility with EU law

## CASE LAW - CJEU

### BIOMETRIC DATA

- [C-446/12](#) - Willems and Others  
Judgment of the Court (Fourth Chamber) of 16 April 2015  
*W. P. Willems and Others v Burgemeester van Nuth and Others*

Requests for a preliminary ruling from the Raad van State

Reference for a preliminary ruling — Area of freedom, security and justice — Biometric passport — **Biometric data** — Regulation (EC) No 2252/2004 — Article 1(3) — Article 4(3) — Use of data collected for purposes other than the issue of **passports and travel documents** — Establishment and use of databases containing biometric data — Legal guarantees — Charter of Fundamental Rights of the European Union — Articles 7 and 8 — Directive 95/46/EC — Articles 6 and 7 — Right to privacy — Right to the protection of personal data — **Application to identity cards**

- [C-291/12](#) – Schwarz  
Judgment of the Court (Fourth Chamber), 17 October 2013  
*Michael Schwarz v Stadt Bochum*

Request for a preliminary ruling from the Verwaltungsgericht Gelsenkirchen

Reference for a preliminary ruling — Area of freedom, security and justice — **Biometric passport** — **Fingerprints** — Regulation (EC) No 2252/2004 — Article 1(2) — Validity — Legal basis — Procedure for adopting — Articles 7 and 8 of the Charter of Fundamental Rights of the European Union — Right to respect for private life — Right to the protection of personal data — **Proportionality**

## CASE LAW - CJEU

## OTHER DATA PROTECTION CASE LAW

- [C-398/15](#) – Manni  
Judgment of the Court (Second Chamber) of 9 March 2017  
*Camera di Commercio, Industria, Artigianato e Agricoltura di Lecce v Salvatore Manni*

Request for a preliminary ruling from the Corte suprema di cassazione  
Reference for a preliminary ruling — Protection of individuals with regard to the processing of personal data — Directive 95/46/EC — Article 6(1)(e) — **Data subject to disclosure in the companies register** — First Directive 68/151/EEC — Article 3 — **Winding-up of the company** concerned — Restriction of access to that data by third parties

- [C-191/15](#) - Verein für Konsumenteninformation  
Judgment of the Court (Third Chamber) of 28 July 2016  
*Verein für Konsumenteninformation v Amazon EU Sàrl*

Request for a preliminary ruling from the Oberster Gerichtshof  
Reference for a preliminary ruling — Judicial cooperation in civil matters — Regulations (EC) No 864/2007 and (EC) No 593/2008 — Consumer protection — Directive 93/13/EEC — Data protection — Directive 95/46/EC — Online sales contracts concluded with consumers resident in other Member States — **Unfair terms** — General terms and conditions containing a choice-of-law term applying the law of the Member State in which the company is established — Determination of the applicable law for assessing the unfairness of terms in those general terms and conditions in an action for an injunction — Determination of the law governing the processing of **personal data of consumers**

- [C-127/13 P](#) - Strack v Commission  
Judgment of the Court (Second Chamber), 2 October 2014  
*Guido Strack v European Commission*

Appeal — Right to be heard — Right to be heard by a court or tribunal established in accordance with the law — Access to documents held by the institutions — Partial refusal to grant the appellant access to the documents concerned — Initial refusal — Implied decision deemed to exist — Replacement of an implied refusal by express decisions — Interest in bringing proceedings after the adoption of the express refusals — Exceptions to the right of access to documents — **Safeguarding the interests of good administration** — Protection of personal data and **commercial interests**

- [C-288/12](#) - Commission v Hungary  
Judgment of the Court (Grand Chamber), 8 April 2014  
*European Commission v Hungary*

Failure of a Member State to fulfil obligations — Directive 95/46/EC — Protection of individuals with regard to the processing of personal data and the free movement of such

data — Article 28(1) — **National supervisory authorities** — **Independence** — National legislation prematurely bringing to an end the term served by the supervisory authority — Creation of a new supervisory authority and appointment of another person as head of that authority

- [C-614/10](#) - Commission v Austria  
Judgment of the Court (Grand Chamber), 16 October 2012  
*European Commission v Republic of Austria*

Failure of a Member State to fulfil obligations – Directive 95/46/EC – Processing of personal data and free movement of such data – Protection of natural persons – Article 28(1) – **National supervisory authority** – **Independence** – Supervisory authority and the Federal Chancellery – **Personal and organisational links**

- [C-468/10](#) – ASNEF  
Judgment of the Court (Third Chamber) of 24 November 2011.  
*Asociación Nacional de Establecimientos Financieros de Crédito (ASNEF) (C-468/10) and Federación de Comercio Electrónico y Marketing Directo (FECEMD) (C-469/10) v Administración del Estado.*

References for a preliminary ruling: Tribunal Supremo - Spain.

**Processing of personal data** - Directive 95/46/EC - Article 7(f) - **Direct effect.**

- [C-104/10](#) – Kelly  
Judgment of the Court (Second Chamber) of 21 July 2011.  
*Patrick Kelly v National University of Ireland (University College, Dublin).*

Reference for a preliminary ruling: High Court - Ireland.

Directives 76/207/EEC, 97/80/EC and 2002/73/EC - Access to vocational training - **Equal treatment for men and women** - Rejection of candidature - Access of an applicant for vocational training to information on the **qualifications of the other applicants.**

- [C-92/09](#) - Volker und Markus Schecke and Eifert  
Judgment of the Court (Grand Chamber) of 9 November 2010.  
*Volker und Markus Schecke GbR (C-92/09) and Hartmut Eifert (C-93/09) v Land Hessen.*

References for a preliminary ruling: Verwaltungsgericht Wiesbaden - Germany.

Protection of natural persons with regard to the **processing of personal data** - Publication of information **on beneficiaries of agricultural aid** - Validity of the provisions of European Union law providing for that publication and laying down detailed rules for such publication - Charter of Fundamental Rights of the European Union - Articles 7 and 8 - Directive 95/46/EC - Interpretation of Articles 18 and 20.

- [C-28/08 P](#) - Commission v Bavarian Lager  
Judgment of the Court (Grand Chamber) of 29 June 2010.  
*European Commission v The Bavarian Lager Co. Ltd.*

Appeal - **Access to the documents of the institutions** - Document concerning a meeting held in the context of a procedure for **failure to fulfil obligations** - Protection of personal data - Regulation (EC) No 45/2001 - Regulation (EC) No 1049/2001

- [C-518/07](#) - Commission v Germany  
Judgment of the Court (Grand Chamber) of 9 March 2010.  
*European Commission v Federal Republic of Germany.*

Failure of a Member State to fulfil obligations - Directive 95/46/EC - Protection of individuals with regard to the processing of personal data and the free movement of such data - Article 28(1) - **National supervisory authorities** - **Independence** - Administrative scrutiny of those authorities.

- [C-524/06](#) – Huber  
Judgment of the Court (Grand Chamber) of 16 December 2008.  
*Heinz Huber v Bundesrepublik Deutschland.*

Reference for a preliminary ruling: Oberverwaltungsgericht für das Land Nordrhein-Westfalen - Germany.

Protection of personal data - European citizenship - Principle of **non-discrimination on grounds of nationality** - Directive 95/46/EC - **Concept of necessity** - General processing of personal data relating to citizens of the Union who are nationals of another Member State - **Central register of foreign nationals.**

- [C-318/04](#) - Parliament v Commission  
Order of the Court (Grand Chamber) of 17 March 2005.  
*European Parliament v Commission of the European Communities.*

#### Intervention.

- [C-450/00](#) - Commission v Luxembourg  
Judgment of the Court (First Chamber) of 4 October 2001.  
*Commission of the European Communities v Grand Duchy of Luxembourg.*

Failure by a Member State to fulfil its Treaty obligations - **Non-incorporation of Directive 95/46/EC**

- [C-223/98](#) – Adidas  
Judgment of the Court (Fifth Chamber) of 14 October 1999.  
*Adidas AG.*

Reference for a preliminary ruling: Kammarrätten i Stockholm - Sweden.

Free movement of goods - Regulation (EC) No 3295/94 - Prohibition of release for free circulation, export, re-export or entry for a suspensive procedure **of counterfeit and pirated goods** - Provision of national law requiring the **names of consignees of consignments detained by the customs** authorities pursuant to the regulation to be kept confidential - Compatibility of the provision with Regulation (EC) No 3295/94.

- [T-493/14](#) - Mayer v EFSA  
Judgment of the General Court (First Chamber) of 17 February 2017

*Ingrid Alice Mayer v European Food Safety Authority*

Seconded national expert — EFSA rules on SNEs — Decision not to extend the secondment — Access to documents — Regulation (EC) No 1049/2001 — Refusal to grant access — Exception relating to the **protection of privacy and the integrity of the individual** — Protection of personal data — Regulation (EC) No 45/2001 — Applications for a declaration and **seeking the issue of directions** — Written pleadings supplementing the originating application — Amendments to the heads of claim — Admissibility

- [T-483/13](#) - Oikonomopoulos v Commission  
Judgment of the General Court (Fourth Chamber) of 20 July 2016 (Extracts)  
*Athanassios Oikonomopoulos v European Commission*

Non-contractual liability — Damage caused by the Commission in the context of an OLAF investigation and by OLAF — Actions for damages — Action for a declaration that certain measures taken by **OLAF** were void and inadmissible for evidentiary purposes before the national authorities — Admissibility — **Misuse of powers** — Processing of personal data — **Rights of the defence**

- [T-308/10 P](#) - Commission v Nanopoulos  
Judgment of the General Court (Appeal Chamber) 12 July 2012  
*European Commission v Fotios Nanopoulos*

Appeal — Civil service — Officials — Duty to provide assistance — Article 24 of the Staff Regulations — Non-contractual liability — Articles 90 and 91 of the Staff Regulations — **Damages claim to be submitted within a reasonable time** — **Time-limit for reply** — Institution of disciplinary proceedings — Criterion requiring a ‘**sufficiently serious breach**’ — Personal data leaked to the press — Failure to assign tasks corresponding to an official’s grade — Amount of damages

- [T-259/03](#) - Nikolaou v Commission  
Judgment of the Court of First Instance (Second Chamber) of 12 September 2007.  
*Kalliopi Nikolaou v Commission of the European Communities*

Non-contractual liability - Inquiry of the European Anti-Fraud Office (OLAF) concerning a Member of the Court of Auditors - **Divulging of information** - Protection of personal information - Access to the inquiry file and to OLAF’s report - **Sufficiently serious breach of the rules of law** conferring rights on individuals - **Causal link** - **Loss**.

- [T-105/03](#) - Dionyssopoulou v Council  
Judgment of the Court of First Instance (First Chamber) of 31 May 2005.  
*Triantafyllia Dionyssopoulou v Council of the European Union*

**Officials** - Staff report - Action for annulment - No need to give a decision - **Action for damages**

- [T-320/02](#) - Esch-Leonhardt and Others v ECB  
Judgment of the General Court (Second Chamber) of 18 February 2004  
*Monika Esch-Leonhardt and Others v European Central Bank*

- [T-179/02](#) - Pflugradt v ECB  
Judgment of the General Court (Fifth Chamber) of 20 May 2003  
*Jan Pflugradt v European Central Bank*
- [F-57/14](#) - AQ v Commission  
Judgment of the Civil Service Tribunal (Second Chamber) of 21 October 2015  
*AQ v European Commission*

Civil service — Officials — Regulation No 45/2001 — Processing of personal data obtained for private purposes — **Administrative investigation** — Disciplinary proceedings — **Rights of the defence** — Duty to state reasons — **Disciplinary penalty** — Proportionality

- [F-46/09](#) - V v Parliament  
Judgment of the Civil Service Tribunal (First Chamber) of 5 July 2011.  
*V v European Parliament*

Public service.

- [F-130/07](#) - Vinci v ECB  
Judgment of the Civil Service Tribunal (Third Chamber) of 16 September 2009.  
*Fiorella Vinci v European Central Bank (ECB)*

Public service.