

press release

Ansbach, January 2, 2023

Bavarian State Office for

data protection supervision

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data protection supervision

- press office -

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Legal action successful, but no license for "illegal parking photographers"

- Judgment reasons of the VG Ansbach now published

The Bavarian administrative court in Ansbach had decisions of November 2nd

2022 two notices from the Bavarian State Office for Data Protection Supervision (BayLDA).

"Wrong-parking photographers" abolished, which since the turn of the year has also included the

There are reasons for the decision.

The President of the BayLDA, Michael Will, states in an initial assessment: "Despite the success of the plaintiffs

should the decisions of the administrative court not be misunderstood as a license to

photographs" and similar processes from the requirements of data protection law. The court has

The basic approach of the state office confirms that the transmission of such photos is not considered purely private

Process of reporting the complaint is to be evaluated. It has rather their actions in full the validity of

GDPR subject. Even if the court has a power to process data in the individual cases at hand

has acknowledged, when using images, those filing the complaint remain obliged to provide basic information

To comply with data subject claims such as the right to information or deletion. Explicitly emphasizes that

Incidentally, the court also ruled that data should be minimised. It underlines that about taking pictures

uninvolved passers-by in the vicinity of illegally parked vehicles is to be avoided."

In his examination of two data protection supervisory warning notices against private individuals, which repeatedly

photographed illegally parked vehicles in the state capital of Munich and these photographs by the police

had transmitted, the administrative court only had to decide on the question of whether for transmission of the images there was a sufficient legal basis. Further details can be found in the press release

2022

(<https://www.vgh.bayern.de/media/vgansbach/presse/p-2022-07.pdf>) and the one that is now publicly accessible Judgment reasons (cf. e.g. <https://openjur.de/u/2460452.ppdf> and <https://openjur.de/u/2460456.ppdf>).

administrative court

November

from the

of

3.

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