

Thursday, September 12, 2019 2: Press releases Tailwind for data protection - Federal Administrative Court ruling in the matter of Facebook fan pages The legal dispute relating to Facebook fan pages has been going on since 2011: At that time, the Independent State Center for Data Protection Schleswig-Holstein (ULD) of the Schleswig-Holstein Business Academy per issued an order to deactivate their Facebook fan page due to violations of data protection law. In the meantime, the Schleswig Administrative Court, the Schleswig Higher Administrative Court, the Federal Administrative Court in Leipzig, the European Court of Justice and again the Federal Administrative Court have dealt with the case. After the European Court of Justice had established the joint responsibility of Facebook and fan page operators in June 2018, the Federal Administrative Court decided on September 11, 2019 after the hearing that a data protection authority can prohibit the operation of a Facebook fan page. In short, the judgment means: The Federal Administrative Court confirms the responsibility of the operators of Facebook fan pages. At that time, the ULD was allowed to issue an order against fan page operators, especially since action against Facebook was not required due to jurisdiction. An order to deactivate the fan page can be a proportionate means of creating data protection-compliant conditions. Marit Hansen, State Commissioner for Data Protection Schleswig-Holstein, comments: "This clarification means tailwind for data protection. I am therefore pleased that the Federal Administrative Court overturned the appeal judgment of the Schleswig Higher Administrative Court and confirmed our arguments."

In particular, the Federal Administrative Court made it clear that action against the business academy was not in error of discretion. The plaintiff's allegation that a measure should have been taken against Facebook itself has thus been dispelled. The legal dispute was referred back to the Schleswig Higher Administrative Court because the Federal Administrative Court considered further clarification of the facts regarding the data processing operations when visiting a fan page to be necessary. More detailed analyzes will follow as soon as the reasoning for the judgment is available. Press release from the Federal Administrative Court: <https://www.bverwg.de/de/pm/2019/62> [Extern] More detailed analyzes will follow as soon as the reasoning for the judgment is available. If you have any questions, please contact: The State Commissioner for Data Protection Schleswig-Holstein

Independent State Center for Data Protection Schleswig-Holstein

Holstenstrasse 98, 24103 Kiel

Tel: 0431 988-1200, Fax: -1223

E-mail: mail@datenschutzzentrum.de Tags for this article: facebook, news, press releases Articles with similar topics:

E-prescription procedure: protect machine-readable codes! Short report on the conformity of the operation of Facebook fan pages with data protection law Property tax reform 2022 - responsibility of the BfDI No loopholes in communication with authorities and for foundations with public tasks - further develop the right to freedom of information Announcement - "Save the date!": Summer academy "Freedom of information by design - and data protection?! " on September 12, 2022 in Kiel