

Judgment of the Court (Second Chamber) of 20 December 2017 (Request for a preliminary ruling from the Supreme Court — Ireland) — Peter Nowak v Data Protection Commissioner

(Case C-434/16) ⁽¹⁾

(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)

(2018/C 072/25)

Language of the case: English

Referring court

Supreme Court

Parties to the main proceedings

Applicant: Peter Nowak

Defendant: Data Protection Commissioner

Operative part of the judgment

Article 2(a) of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data must be interpreted as meaning that, in circumstances such as those of the main proceedings, the written answers submitted by a candidate at a professional examination and any comments made by an examiner with respect to those answers constitute personal data, within the meaning of that provision.

⁽¹⁾ OJ C 364, 3.10.2016.

Judgment of the Court (Fifth Chamber) of 20 December 2017 (request for a preliminary ruling from the Court of Appeal — Ireland) — Florea Gusa v Minister for Social Protection, Ireland, Attorney General

(Case C-442/16) ⁽¹⁾

(Reference for a preliminary ruling — Directive 2004/38/EC — Person no longer working in a self-employed capacity — Retention of the status of self-employed person — Right of residence — Legislation of a Member State restricting eligibility for a jobseeker’s allowance to persons who have a right of residence on the territory of that Member State)

(2018/C 072/26)

Language of the case: English

Referring court

Court of Appeal

Parties to the main proceedings

Appellant: Florea Gusa

Respondents: Minister for Social Protection, Ireland, Attorney General