



Judgment of the Court (Sixth Chamber) of 7 March 2024 (request for a preliminary ruling from the Itä-Suomen hovioikeus – Finland) – Endemol Shine Finland Oy

(Case C-740/22, (1) Endemol Shine Finland)

(Reference for a preliminary ruling – Protection of personal data – Regulation (EU) 2016/679 – Articles 2, 4, 6, 10 and 86 – Data held by a court relating to the criminal convictions of a natural person – Oral disclosure of such data to a commercial company on account of a competition organised by that company – Concept of ‘processing of personal data’ – National legislation governing access to those data – Reconciliation between the right of public access to official documents and the protection of personal data)

(C/2024/2909)

Language of the case: Finnish

Referring court

Itä-Suomen hovioikeus

Parties to the main proceedings

Applicant: Endemol Shine Finland Oy

Operative part of the judgment

- Article 2(1) and Article 4(2) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) must be interpreted as meaning that the oral disclosure of information on possible ongoing or completed criminal proceedings to which a natural person has been subject constitutes processing of personal data, within the meaning of Article 4(2) of that regulation, and comes within the material scope of that regulation where that information forms part of a filing system or is intended to form part of a filing system.
- The provisions of Regulation 2016/679, in particular Article 6(1)(e) and Article 10 thereof, must be interpreted as precluding data relating to criminal convictions of a natural person contained in a court's filing system from being disclosed orally to any person for the purpose of ensuring public access to official documents, without the person requesting the disclosure of those data having to establish a specific interest in obtaining those data, it being irrelevant in that regard whether that person is a commercial company or a private individual.

(1) OJ C 63, 20.2.2023.