

**Request for a preliminary ruling from the Verwaltungsgericht Wiesbaden (Germany) lodged on  
4 August 2021 — TX v Bundesrepublik Deutschland**

**(Case C-481/21)**

(2021/C 422/11)

*Language of the case: German*

**Referring court**

Verwaltungsgericht Wiesbaden

**Parties to the main proceedings**

*Applicant:* TX

*Defendant:* Bundesrepublik Deutschland, represented by the Bundeskriminalamt

**Questions referred**

1. Considered in the light of Article 54 of Directive (EU) 2016/680, <sup>(1)</sup> is Article 15(3) and (1) of Directive (EU) 2016/680, read in conjunction with Article 14 thereof, to be interpreted as meaning that it permits national legislation
  - (a) under which, in the case of joint responsibility for data processing, the entity actually responsible for the data stored does not have to be named, and
  - (b) which also allows access to be refused without substantive reasons being given to a court?
2. If Questions 1(a) and 1(b) are answered in the affirmative, is Article 15(3) and (1) of Directive (EU) 2016/680 consistent with the right to an effective judicial remedy under Article 47 of the Charter of Fundamental Rights of the European Union <sup>(2)</sup> even though it would thus be impossible for the court
  - (a) to join to the proceedings, in accordance with national procedural rules, in a multi-stage administrative procedure, the other authority which is involved and is actually responsible and which must give its consent to the provision of access to data; and
  - (b) substantively to verify whether the conditions for the refusal of access are met and have been correctly applied by the authority refusing access?
3. Does the refusal of access and thus of an effective remedy under Article 47 of the Charter unlawfully interfere with the freedom to choose an occupation under Article 15 of the Charter in the case where the information stored is used to exclude a data subject from the desired activity on the ground of an alleged security risk?

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<sup>(1)</sup> Directive (EU) 2016/680 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 by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ 2016 L 119, p. 89).

<sup>(2)</sup> OJ 2012 C 326, p. 391.

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**Reference for a preliminary ruling from the Court of Appeal (Ireland) made on 10 August 2021 —  
GV v Chief Appeals Officer, Social Welfare Appeals Office, Minister for Employment Affairs and  
Social Protection, Ireland, Attorney General**

**(Case C-488/21)**

(2021/C 422/12)

*Language of the case: English*

**Referring court**

Court of Appeal

**Parties to the main proceedings**

*Applicant:* GV