

Grounds of appeal and main arguments

In support of her appeal, the appellant contests in particular paragraphs 69 and 70, 73 to 77, 83 to 91, 109 to 116, 126 to 139, 149 and 150 of the judgment under appeal. The appellant puts forward a single ground of appeal, alleging distortion of the facts and manifest errors of assessment resulting in an inadequate and inaccurate legal reasoning.

Request for a preliminary ruling from the Bundesarbeitsgericht (Germany) lodged on 13 September 2021 — ZS v Zweckverband ‘Kommunale Informationsverarbeitung Sachsen’ KISA, a body governed by public law

(Case C-560/21)

(2022/C 37/12)

Language of the case: German

Referring court

Bundesarbeitsgericht

Parties to the main proceedings

Applicant: ZS

Defendant: Zweckverband ‘Kommunale Informationsverarbeitung Sachsen’ KISA, a body governed by public law

Questions referred

1. Is the second sentence of Article 38(3) of Regulation (EU) 2016/679 ⁽¹⁾ (the General Data Protection Regulation; ‘the GDPR’) to be interpreted as precluding a provision of national law, such as, in the present case, the first sentence of Paragraph 6(4) of the Bundesdatenschutzgesetz (Federal Law on data protection), which makes dismissal of the data protection officer by the controller, who is his or her employer, subject to the conditions set out therein, irrespective of whether such dismissal relates to the performance of his or her tasks?

If the answer to the first question is in the affirmative:

2. Does the second sentence of Article 38(3) of the GDPR have a sufficient legal basis, in particular in so far as the provision covers data protection officers who have an employment relationship with the controller?

⁽¹⁾ 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 (OJ 2016 L 119, p. 1).

Appeal brought on 23 September 2021 by DD against the judgment of the General Court (Fourth Chamber) delivered on 14 July 2021 in Case T-632/19, DD v FRA

(Case C-587/21 P)

(2022/C 37/13)

Language of the case: English

Parties

Appellant: DD (represented by: N. Lorenz, Rechtsanwältin)

Other party to the proceedings: European Union Agency for Fundamental Rights