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EU court confirms consumer groups can take representative enforcement action when companies break GDPR

The European court (CJEU) has confirmed consumer groups can file injunctions if a company has violated the EU's General Data Protection Regulation (GDPR) as long as their national law allows it. BEUC welcomes this ruling which is a major development for its German member, vzbv (German Federation of Consumer Organisations), as it will unblock more than twenty GDPR-related cases they have filed which are awaiting this judgement.

Nonetheless, the significance of this ruling will drop as of next year when new EU-wide rules will apply. These will allow consumer groups which meet certain criteria to launch representative actions [1], such as injunctions or collective redress claims, when a company breaks one of a number of EU laws, including the GDPR.

Ursula Pachl, Deputy Director General of the European Consumer Organisation (BEUC), said:

"Today's ruling is good news because it underlines that consumer groups can file collective claims against companies like Meta in case of a breach of the GDPR, as long as this procedure exists at national level. The GDPR is a crucial law that protects people's personal data in the EU. It is essential that it is better enforced, and rulings like today's will help.

"As of next year, new EU rules will allow consumer groups to launch representative actions, which will further improve the situation. It will then be possible for consumer associations in all EU countries, as long as they meet certain criteria, to launch injunctions or collective redress claims against companies that break the law, including under the GDPR. A new era in enforcement by consumer groups will then begin."

ENDS

Notes to editors

[1] The Representative Actions Directive allows consumer groups to represent in court consumers whose rights have been violated. It will enter into application in June 2023.