



## PRESS RELEASE No 161/25

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Judgment of the Court in Case C-422/24 | Storstockholms Lokaltrafik

### **GDPR: if a body camera is used during a ticket inspection, certain information must be provided immediately to the passenger concerned**

*The most important information may be indicated on a warning sign, while other information may be provided in an easily accessible place*

A public transport company in Stockholm (Sweden) equips its ticket inspectors with body cameras to film passengers during ticket inspections.

The Swedish Authority for Privacy Protection fined that company for breaching several provisions of the General Data Protection Regulation (GDPR). <sup>1</sup> Among other things, it considers that the use of body cameras allowed personal data to be collected directly <sup>2</sup> from the persons filmed, who had not been provided with sufficient information in that regard.

The company disputes that there has been a breach of the obligation to provide information. It maintains that it collected the data indirectly, <sup>3</sup> a method of collection that determines the timing and scope of that obligation differently and that, in its view, makes the fine unjustified.

The Swedish court hearing that dispute asked the Court of Justice to interpret the GDPR.

The Court replies that, since **data obtained by means of body cameras are collected directly from the data subject, that data subject must be provided with certain information** <sup>4</sup> **immediately**.

The classification of data collection as 'direct' does not require either that the data subject knowingly provide data or any particular action on his or her part. Therefore, data obtained from observing the data subject is considered to have been collected directly from him or her.

The second situation, that relating to **indirect data collection**, applies where the controller is not in direct contact with the data subject and obtains the data from another source.

In the case of collection of data directly from the data subject, the obligation to provide information may be implemented in the context of a multi-layered approach. <sup>5</sup> The most important information may be indicated on a warning sign. The other mandatory information may be provided to the data subject in an appropriate and complete manner, in an easily accessible place.

**NOTE:** A reference for a preliminary ruling allows the courts and tribunals of the Member States, in disputes which have been brought before them, to refer questions to the Court of Justice about the interpretation of EU law or the validity of an EU act. The Court of Justice does not decide the dispute itself. It is for the national court or tribunal to dispose of the case in accordance with the Court's decision, which is similarly binding on other national courts or

tribunals before which a similar issue is raised.

Unofficial document for media use, not binding on the Court of Justice.

The [full text and, as the case may be, an abstract](#) of the judgment is published on the CURIA website on the day of delivery.

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Images of the delivery of the judgment are available on '[Europe by Satellite](#)' ☎ (+32) 2 2964106.

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<sup>1</sup> [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.

<sup>2</sup> Article 13 of the GDPR, headed 'Information to be provided where personal data are collected from the data subject'.

<sup>3</sup> Article 14 of the GDPR, headed 'Information to be provided where personal data have not been obtained from the data subject'.

<sup>4</sup> This information includes the identity and contact details of the controller, the purposes of the processing, the legal basis for the processing, the recipients of the data, the period for which the personal data will be stored and the right to request access to and erasure of the data.

<sup>5</sup> As envisaged by European Data Protection Board (EDPB) Guidelines 3/2019 on processing of personal data through video devices, adopted on 29 January 2020.