

# Case C-317/04

## European Parliament v Council of the European Union

(Intervention)

Order of the Court (Grand Chamber), 17 March 2005 . . . . . I - 2459

### Summary of the order

*Procedure — Intervention — Interested persons — Proceedings relating to the annulment of a Council decision on the processing and transfer of personal data by air carriers — European Data Protection Supervisor — Admissibility — Conditions*  
(Art. 286(2) EC; European Parliament and Council Regulation No 45/2001, Art. 47(1)(i))

Article 47(1)(i) of Regulation No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data confers on the European Data Supervisor a right to intervene in actions brought before the Court of Justice, which is circumscribed within the limits of the task entrusted to him.

Accordingly, the intervention of the European Supervisor in a case having as its subject-matter a Council measure concerning the processing of personal data by air carriers must be considered admissible, in so far as it relates to a situation coming within his task.

Under Article 41(2) of Regulation No 45/2001, that task is advisory in nature and concerns the processing of personal data by the Community institutions and bodies and also the duties provided for in Article 46 of that regulation and the power conferred on the Data Protection Supervisor by Article 47 of the regulation.

(see paras 14-18)