

Data Protection Notes

1. Persons in charge

These notes of data protection apply for the processing of data by:

CHT Rechtsanwälte GbR

Frau Notarin Claudia Carl und Herr Notar Dr. Patrick Hollmann

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Aforementioned notaries both are solely liable for their field of responsibility within the scope of data protection regulations.

Please contact the responsible notary or the Data Protection Officer concerning any requests on data protection.

2. Contact information of the Data Protection Officer

The Data Protection Officer of CHT Rechtsanwälte GbR can be reached with following contact information:

Herr Phillipp Herold – Mein Datenschutzbeauftragter.de, Rudolf-Diesel-Str.

10, 23617 Stockelsdorf, phone: 0451-4988020, Fax: 0451-4988024,

email: info@hub24.de.

3. Collection and retention of personal data

If you mandate us following personal data we are getting from you yourself or an authorized third party (e.g. attorney, tax consultant, broker, credit institutions) is regularly collected:

- data concerning your person, such as full name, date and place of birth, nationality, marital status; in particular cases also your number in the natal register;
- data concerning contact details, such as mailing address, telephone and fax numbers, email address;
- your tax identification number under contracts concerning real estate;
- in particular cases, such as marriage contracts, testaments, contracts of inheritance, adoptions, we also need data concerning your family situation and your financial assets (if necessary also data concerning your health or other sensible data) for example because we need them to verify your legal capacity;
- in certain cases also data concerning legal relationships with third parties, such as file numbers or loan or bank account numbers from credit institutions;
- data concerning public registers, such as land, trade and association register;
- further information being necessary to assert and defend your rights within the mandate and the execution of notarial deeds.

4. Purpose of processing data and legal basis

We collect this data,

- to identify you as our client;
- to be able to provide appropriate legal advice and representation;
- to be able to regard your interests within our notarial activities;
- for the purpose of corresponding with you;
- for invoicing;
- for processing potential claims as well as asserting possible claims against you.

The processing of data only happens on your request. It is mandatory to fulfill the purposes mentioned in Art. 6 Abs. 1 S. 1 lit. b DSGVO for handling the mandate appropriately and fulfill the mutual obligations arising from the mandate agreement.

Notaries are publicly appointed as an independent bearer of a public office. They carry out this task in the public interest of the proper administration of

justice as well as in the exercise of official authority (Art. 6 Abs. 1 S. 1 lit. e DSGVO).

Your data is only processed to fulfill the official obligations of the notary being requested by you yourself or third parties engaged in the business, such as the preparation, execution and completion of documentation procedures or implement consultations.

Therefore the processing of personal data is carried out based on the legal regulations primarily arising from the “Bundesnotarordnung” and “Beurkundungsgesetz”. Those regulations also contain the obligation to process all data being necessary (Art. 6 Abs. 1 S. 1 lit. c DSGVO). If you refuse to provide us with the data requested we would have to reject the (further) implementation of the official functions.

5. Retention

The personal data collected by us is stored until statutory limitation periods expire (10 years from the end of the calendar year in which the mandate ended.). They will be deleted afterwards, unless we are required by law (Art. 6 Abs. 1 S. 1 lit. c DSGVO) to store them longer on the basis of retention periods relating to commercial or tax law (“HGB”, “StGB” or “AO”) or you agreed to a storage beyond the legal provisions of Art. 6 Abs. 1 S. 1 lit. a DSGVO.

The following legal provisions given by the „Dienstordnung für Notarinnen und Notare (DONotO)“ apply for the storage period of data having been collected within the scope of notarial services:

- number in the roll of deeds, register of contracts of inheritance, directory to the roll of deeds and collection of deeds including the contracts of inheritance which are separately stored: 100 years,
- securities registry, estate account, directory to the estate account, list of escrow accounts, general files: 30 Jahre,
- ancillary files: 7 years; No later than directly after the last content-related edit the notary is able to determine a longer period of retention in written form. This longer retention period can be determined for example for a disposition of property upon death or in cases of risk of recourse;
- anthologies for objections to bills of exchange and cheques: 5 years

After those retention periods expired your data will be deleted unless we are required by law (Art. 6 Abs. 1 S. 1 lit. c DSGVO) to store them longer either on the basis of retention periods relating to commercial or tax law (“HGB”, “StGB”, “GwG” or “AO”) or legal regulations concerning collision checks.

6. Disclosure of data to third parties

There will not be any disclosure of personal data for other than the purposes mentioned in the following.

According to Art. 6 Abs. 1 S. 1 lit. b DSGVO your personal data will be disclosed to a third party if it is necessary to process the mandate.

This especially includes the disclosure to opposing parties or parties involved in the deed and their representatives (particularly their lawyers), as well as courts and other public authorities for purposes of correspondence, the assertion and defense of your rights and the execution of notarial deeds. The regulations concerning data protection also apply for third parties, which is why they are also only allowed to use the data for the purposes mentioned above.

The attorney-client privilege stays untouched. As far as the data concerns the attorney-client-privilege the disclosure only happens with your consent.

7. Will the data be disclosed to third countries?

Your personal data will only be disclosed to a third country by your request or if a party involved in the deed is domiciled in a third country.

8. Rights of persons affected

You have the right:

- to revoke your consent at any time according to Art. 7 Abs. 3 DSGVO. As a consequence we are not allowed to continue processing data based on your original consent in the future;
- to request information concerning your data having been processed by us according to Art. 15 DSGVO. This includes particularly information concerning: the purposes of processing the data, the category of personal data, the category of recipients your data was or will be disclosed to, the planned storage period, the existence of a right

concerning correction, deletion, restriction or objection, the existence of a right to file a complaint, the origin of the data as far as it was not collected by us, the existence of an automated decision finding including Profiling and meaningful information concerning details;

- to demand the correction of false or completion of your personal data which is stored by us according to Art. 16 DSGVO;
- to demand the deletion of your personal data being stored by us as far as it is not necessary to exercise the right on freedom of speech and information, to fulfill a legal obligation, for reasons of public interest or assertion, exercise or defense of legal claims according to Art. 17 DSGVO;
- to demand a restriction of the processing of your data (e.g. to assert a legal claim or for reasons of public interest) whilst awaiting an answer to your claim for correction or objection or if your claim for deletion was denied according to Art. 18 DSGVO;
- to receive your personal data you provided us with in a structured, conventional and machine-readable form or demand the transmission to another person responsible according to Art. 20 DSGVO and
- to complain to the responsible regulatory agency. It can normally be addressed to the regulatory agency of your usual residence or of our office residence according to Art. 77 DSGVO.

9. Right of objection

As far as your personal data is processed on the basis of public interest according to Art. 6 Abs. 1 S. 1 lit. f DSGVO, you have the right to object against the processing of your data according to Art. 21 DSGVO, if there are reasons resulting from your special situation.

If you want to make use of your right to objection just send an email to berlin@cht-legal.com.