

Data Protection Policy for Notaries

Dear Sir or Madam,

Fulfilling legal data protection requirements is of utmost importance to the notaries at GSK STOCKMANN Rechtsanwälte Steuerberater Partnerschaftsgesellschaft mbB. In this context, we would like to explain to you which personal data we process exactly, how we use them, who we are potentially passing them on to and what your data protection rights and remedies are:

1. Responsibilities and Data Protection Officer

The responsibility for the processing of your personal data lies with the notary acting on your behalf in each case. Each notary is solely responsible in the sense of the data protection regulations for the area assigned to him/her.

Please refer to the information below for contacting the relevant notary or our Data Protection Officer for any data protection-related requests you may have:

Berlin		
Names and address	Dr. Lorenz Claussen Dr. Christian R. Schmidt Stefan Aldag Mohrenstraße 42 10117 Berlin	Datenschutzbeauftragter: Dr. Christian Szidzek Vertreter: Mareike Vogt c/o TÜV Süd-Sec-IT GmbH Ridlerstraße 65 80339 München 089 - 50084534 datenschutzbeauftragter@gsk.de
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2. Types of Data Processed and Origin

We process personal data obtained directly from you or from third parties you appointed (e.g. lawyers, tax consultants, brokers, banks), for example,

- Personal information such as your first and last name, place of birth, date of birth, nationality, marital status; in individual cases, your birth register number;
- Identification data (e.g. ID card or passport data) and authentication information (e.g. specimen signature);
- Contact information such as your postal address, phone and fax numbers, e-mail address;
- Bank account or payment information;
- For certain types of contracts (e.g. land contracts), your tax ID number;
- In certain cases, for example for marriage contracts, wills, inheritance contracts or adoptions, also data regarding your family situation and assets and, if necessary, information on your health or other sensitive data, for example, because these are needed to document your legal capacity;

In certain cases, data regarding your legal relationships to third parties, such as file numbers, loan or bank account numbers at your bank.

3. Data Processing Purpose and Legal Basis

As notaries, we are holders of a public office. We exercise this office in fulfilling a task that serves the interest of the general public in the proper preventive administration of justice and in exercising official authority (Art. 6 Paragraph 1 (1) e General Data Protection Regulation – GDPR).

Your data are processed exclusively for the purpose of performing and processing the notarial services you or potentially other individuals involved in a transaction desire and in order to do so in accordance with our official duties; for example, for drafting certificates/deeds, for certifying and executing transactions subject to authentication or for notarial consultations. Therefore, personal data are processed only as stipulated by professional and procedural regulations that apply to us, essentially the German Federal Notarial Code (*Bundesnotarordnung*) and the German Notarization Act (*Beurkundungsgesetz*). At the same time, these regulations also assign us a legal obligation to process the necessary data (Art. 6 Para. 1 (1) c GDPR). We would therefore have to refuse (further) executing the official business if you do not provide the data we may request from you.

4. Data Transfer

As notaries, we are bound by a legal confidentiality obligation. This confidentiality obligation also applies to all our employees and other agents we may hire.

We are only allowed to and will only transfer your data if and as far as we are obligated to do so, for example, because of disclosure requirements vis à vis fiscal authorities, public registers, such as the land registry, commercial registries and registers of associations, the central register of wills, the central register of advance directives and courts, such as probate courts, custodianship or family courts or public authorities. In the context of administrative supervision, we may also be required to comply with information requests from the Chamber of Notaries or from our supervisory authority which is, however, itself bound by a confidentiality obligation.

Otherwise, we will only transfer your data if we are obligated to do so due to your declarations or if you have given your consent.

5. Transfer to Third Countries

We will only transfer your personal data to third countries (outside the European Economic Area – EEA), if and as far as this is necessary to perform the service requested, if it is legally required or if a stakeholder involved is based in a third country or if you have given your consent.

6. Duration of Data Storage

We process and store your personal data according to our statutory storage obligations. We store notarial documents according to Sec. 5 Para. 4 of the German Professional Regulations for Notaries (DONot):

- Register of deeds, list of inheritance contracts, list of names for the register of deeds and collection of deeds including the inheritance contracts kept separately (Sec. 18 Para. 4 DONot): 100 years;
- Deposit book, accounting records, list of names for the accounting records, list of escrow accounts, general files: 30 years;
- Ancillary files: 7 years. The notary may designate a longer retention period in writing at the latest when the text is last edited, for example, in case of testamentary dispositions or if there is a risk of recourse. The longer retention period can also apply in general for certain types of legal transactions, such as for testamentary dispositions.

Upon expiry of the legally prescribed retention period and taking into account a transaction time of no more than one year, your data will be deleted and hard copies will be destroyed, unless safekeeping and documentation obligations prescribed by tax or commercial law (German Commercial or Criminal Code, Money Laundering Act or Tax Code) or professional regulations for collision checks constitute a legal obligation for us as per Art. 6 Para. 1 (1) c GDPR to store data longer.

7. Your Rights

You have the right to request information from us at any time regarding your personal data processed by us. The lawyer-client confidentiality obligation remains unaffected. If the legal requirements are met, you also have the right to have your personal data corrected and deleted or their processing restricted as well as the right to **object to our processing of your data**. Additionally, you also have the right to receive or demand transmission to another person responsible of an overview of the relevant personal data you made available to us in a structured, commonly used, and machine-readable format. If you have given consent to the processing of your personal data, you can withdraw it at any time with effect for the future. You can assert these rights among others by contacting us or our Data Protection Officer using the contact information mentioned under section 1. above.

You have the right to file a complaint about the processing of your personal data at a data protection supervisory authority.

Please do not hesitate to contact us if you have any questions regarding the above information.

Your notaries,

*Dr. Lorenz Claussen
Dr. Christian R. Schmidt
Stefan Aldag*

*Dr. Volker Rebmann
Dr. h.c. Hans-Joachim Otto
Dr. Rainer Werum
Sascha Zentis*