

Statement on data processing

1. Name and contact details of the controller and the company data protection officer

This data protection statement applies for data processing by:

Controller:

Notaries Dr Wilhem Droste & Dr Henryk Haibt

Postal address: Koenigsallee 2, 40212 Duesseldorf, Germany

Email: notariat@droste-haibt.de

Telephone: +49 (0) 211 600 280 - 0

Fax: + 49 (0) 211 600 280 – 80

The company's data protection officer (Mr Denis Gabor) can be reached at the above contact details and at: gabor@droste-haibt.de

2. Collection and storage of personal data as well as type and purpose and their use

If you mandate us, we collect the following information:

- address, title, first name, surname, name at birth, date of birth;
- email address (where applicable fax number);
- address;
- telephone number (landline and/or mobile number);
- tax identification number (tax ID)
and if applicable value added tax identification number;
- information that is required within the framework of your mandate to observe the activities officially imposed on us.

The collection of these data is carried out

- to identify you as our client;
- to appropriately perform the tasks officially requested on us;
- insofar as we are obligated to do so for legal reasons;
- for correspondence with you;
- for invoicing;
- for processing any existing liability claims and for asserting any claims against you.

The data are processed at our request and the processing is required for the above purposes under Article 6(1)(1)(e) General Data Protection Regulation (“GDPR”) for the specified purposes to perform a task that is in the public interest or in exercising of public power, which was assigned to the controllers. Under certain circumstances, the data may also be processed under Article 6(1)(1)(c) GDPR to fulfil a legal obligation and/or under Article 6(1)(1)(a) GDPR on the basis of your consent and/or under Section 10(1) German Notarisation Act (*Beurkundungsgesetz*, “BeurkG”) and/or under Section 17(1) BeurkG.

The personal data collected by us are stored until expiry of the statutory retention obligation for notaries.

According to Section 5(4) of the Official Regulations for Notaries (*Dienstordnung für Notarinnen und Notare*, “DONot”) in North Rhine-Westphalia (AV of the Ministry of Justice of 23 March 2001 (3830 - I B. 54) - JMBl. NRW p. 117 – in the version of 21 February 2017- JMBl. NRW p. 53), the following applies for the duration of storing the documents:

- Document roll, inheritance agreement directory, name directory for the document roll and document collection including the separately stored inheritance agreements (Section 18(4) DONot): 100 years;
- Storage book, mass book, name directory for the mass book, other account list, general files: 30 years;
- Secondary files: 7 years; the notary can determine a longer retention period in writing at the latest on the last content revision, e.g. in the event of orders due to death or in the event of a risk of recourse; the determination can also be made in general for individual types of legal transactions, such as orders due to death;
- Collections for exchange and cheque protests: 5 years;
- Copies of orders due to death, which were added to the secondary files under Section 16(1)(5) DONot in the version valid from 01/01/1985, must be stored for 100 years in deviation from Section 5(4)(1) DONot. The documents created before 01/01/1950 must be stored permanently until further notice in deviation from the deadlines stated in Section 5(4)(1)(1) DONot and in Section 5(4)(2) DONot; a conservation obligation does not exist.

The retention period starts on the first day of the calendar year following the last content processing. On expiry of the retention period, the documents must be destroyed unless further retention is required in an individual case.

On expiry of the relevant period, the data are deleted, unless we are obligated to longer storage under Article 6(1)(1)(c) GDPR due to statutory retention and/or documentation obligations (in particular under the Anti-Money Laundering Act (*Geldwäschegesetz*), the Criminal Code (*Strafgesetzbuch*) or the Tax Code (*Abgabenordnung*)) or if you have agreed to a longer storage under Article 6(1)(1)(a) GDPR.

3. Passing on to third parties

Any transmission of your personal data to third parties for purposes other than those listed below shall not take place.

Insofar as required for the performance of a task under Article 6(1)(1)(e) GDPR, which is carried out in the public interest or in exercising public power, which was assigned to the controllers and/or prescribed or required under Article 6(1)(1)(c) GDPR to fulfil a legal obligation and/or under Article 6(1)(1)(a) GDPR on the basis of your consent and/or under Section 10(1) BeurkG and/or under Section 17(1) BeurkG or under other mandatory legal requirements (e.g. Section 18 Land Purchase Tax Act (*Grunderwerbsteuergesetz*), Section 54 Income Tax Enforcement Regulation (*Einkommensteuer-Durchführungsverordnung*)), your personal data will be passed on to third parties.

The passing on to third parties takes place within the framework of our official activities, in particular to parties involved and/or their advisers (e.g. lawyers, tax advisers, auditors), to courts and/or authorities and to financing banks/insurers. The data passed on may be used by third parties exclusively for the stated purposes.

The notarial secrecy obligation remains unaffected. The data subject to the notarial secrecy obligation are only passed on to third parties if this is legally prescribed or required to fulfil our official activities or if you have agreed to the passing on.

4. If concerned

You have the right:

- according to Article 7(3) GDPR, to withdraw your consent given to us at any time. This means that we will not continue the data processing, which was based on this consent, in the future; our official obligations remain unaffected;
- according to Article 15 GDPR, to request information of your personal data processed by us. In particular, you may request information on the processing purposes, the category of the personal data, the categories of recipients in relation to which your data has been or will be disclosed, the planned storage period, the existence of a right to correction, deletion, restriction of processing or contradiction, the existence of a right of complaint, the origin of your data if they were not collected on our end, as well as on the existence of automatic decision making, including profiling and, where applicable, meaningful information on its details;
- according to Article 16 GDPR, to immediately request correction of incorrect or incomplete personal data stored with us;
- according to Article 17 GDPR, to request the deletion of personal data stored by us, unless the processing is required to exercise the right to freedom of expression and information, to fulfil a legal obligation, for reasons of the public interest or to assert, exercise or defend legal claims;
- according to Article 18 GDPR, to request the restriction of the processing of your personal data, insofar as the correctness of the data is contested by you, the processing is unlawful, but you reject deletion and we no longer require the data, but you require them to assert, exercise or defend legal claims or you have filed an objection to processing under Article 21 GDPR;

- according to Article 20 GDPR, to receive the information you have provided to us in a structured, common and machine-readable format or to request transmission to another person in charge;
- according to Article 77 GDPR, to complain to a supervisory authority. As a rule, you can to this end also contact the supervisory authority of your usual abode, place of work or our official seat (*Amtssitz*) (Duesseldorf).

5. Right of objection

If your personal data are processed on the basis of legitimate interests under Article 6(1)(1)(f) GDPR, you have the right to file an objection against the processing of your personal data under Article 21 GDPR, if reasons are given for this that arise from your particular situation.

If you wish to exercise your right of objection, it is sufficient to send an email to

gabor@droste-haibt.de