

INFORMATION ON DATA PROTECTION

1. Who is responsible and who can I contact?

Responsible for the processing of your personal data am I, Notary Dr Joachim Asendorf. You can contact me or our data protection officer for all data protection requests, as follows:

Notary Dr Joachim Asendorf
Schlachte 3 - 5
28195 Bremen
GERMANY
(+49) 421/365050
(+49) 421/3650560
bremen@einem.de

Data protection officer
Schlachte 3 - 5
28195 Bremen
GERMANY
(+49) 421/365050
(+49) 421/3650560
bremen@einem.de

2. What data do I process and where does the data come from?

I process personal data that I receive from you or from third parties appointed by you (e.g. lawyer, tax consultant, estate agent / real estate broker, insurance broker, credit institution), such as

- Personal data, e.g. first and family name / surname, date and place of birth, nationality, marital status; in individual cases your birth registration number;
- Contact details, e.g. postal address, telephone and fax numbers, e-mail address;
- In the case of land contracts, your tax identification number;
- In certain cases, e.g. marriage contracts, wills, inheritance contracts or adoption, also information about your family situation and your assets as well as, if necessary, information

about your health or other sensitive data - as this information serves to document your legal capacity;

- In specific cases also data from your legal relationships with third parties, e.g. file numbers or loan or account numbers at credit institutions.

In addition, I also process data from public registers, e.g. the land register and trade and association registers.

3. For what purposes and on what legal basis is the data processed?

As a notary, I am the holder of a public office. When performing my duties, I ensure, in the interest of the general public, the orderly precautionary administration of justice and thus act in the public interest, also as regards the exercise of official authority (Art. 6 (1) (1) (e) of the General Data Protection Regulation (GDPR)).

Your data will be processed exclusively to perform, according to my official duties, the notarial activity requested by you and, as may be the case, other persons involved in a given transaction, such as the preparation of draft documents, the notarisation and execution of documentary transactions, or the provision of consultations. The processing of personal data therefore always takes place only on the basis of the professional and procedural provisions that apply to me, as essentially set out in the German Federal Notary Order (Bundesnotarordnung (BotO)) and the German Notarisation Act (Beurkundungsgesetz (BeurkG)). At the same time, these provisions give me the legal obligation to process the necessary data (Art. 6 (1) (1) (c) GDPR). Failure to provide the data I have requested from you would therefore result in my having to decline the (further) execution of the official business

4. To whom do I pass data?

As a notary, I am subject to a statutory duty of confidentiality. This duty of confidentiality extends to all my employees and any other person appointed by me.

Therefore, I may only pass on your data if and to the extent that I am obliged to do so in individual cases, e.g. due to notification obligations to the tax authorities, or to public registers, such as the land registry, commercial or association registers, the central register of wills (Zentrales Testamentsregister (ZTR)), the central register of lasting powers (Zentrales Vorsorgeregister (ZVR)), courts like the probate, custody or family court, or authorities. In the context of the supervision of the profession and the services it provides, I may also be obliged to provide information to the Chamber of Notaries or my service supervisory authority, which, in turn, are subject to an official duty of confidentiality.

Otherwise, your data will only be passed on if I am obliged to do so on the basis of statements made by you or if you have requested the transfer.

5. Will data be transmitted to third countries?

A transfer of your personal data to third countries only takes place upon special request from you or if and insofar a party to the document is resident in a third country.

6. How long will your data be stored?

I process and store your personal data as required by law.

According to § 5 para. 4 of the Official Regulations for Notaries (Dienstordnung für Notarinnen und Notare (DONot)), the following retention periods apply to the storage of notarial documents:

Register of deeds, list of inheritance contracts, list of names to the register of deeds and collection of deeds including the separately kept contracts of inheritance (§ 18 para. 4 DONot): 100 years,

- Custody ledger, mass book, list of names to the mass book, list of escrow accounts, general files: 30 years,

- Ancillary files: 7 years; however, the notary can, at the latest when the contents of a file is last edited, specify a longer retention period in writing, e.g. in the event of death or risk of recourse; the provision can also generally be made for individual types of legal transactions, e.g. for dispositions due to death.

Following expiry of the storage periods, your data will be deleted and all paper documents destroyed, unless I am under Art. 6 (1) (1) (c) GDPR due to obligations under tax and commercial law regarding storage and documentation (as set out in the German Commercial Code (Handelsgesetzbuch (HGB)), Criminal Code (Strafgesetzbuch (StGB)), Money Laundering Act (Geldwäschegesetz (GwG)) or the Fiscal Code (Abgabenordnung (AO)) as well as professional law regulations for the purpose of collision checks required to store them for a longer period of time

7. What rights do you have?

You have the right to

Request information about whether I process personal data about you, and if so, for What purposes I process the data and which categories of personal data process, to whom the data may have been forwarded, how long the data may be stored and what rights you are entitled to.

Correct any inaccurate personal data concerning you that is stored by me; likewise you have the right to have an incomplete data record stored by me completed by me.

Demand the deletion of your personal data if there is a legal reason for deletion (cf. Art. 17 GDPR) and the processing of your data is not required for the fulfilment of a legal obligation or for other priority reasons under the GDPR.

Require me to process your data only to a limited extent, e.g. to assert legal claims or for reasons of important public interest, while I check, for example, your claim for correction or objection, or possibly reject your claim for deletion (cf. Art. 18 GDPR).

Object to the processing of your data, where this is necessary for me to carry out my duties in the public interest or to exercise my public office, but where there are grounds for opposition arising from your particular situation

Contact the regulatory authorities with a data protection complaint; the regulatory authority responsible for you is:

The Commissioner for Data Protection and Freedom of Information
for the Federal State of Bremen

Dr Imke Sommer

Arndtstrasse 1

27570 Bremerhaven

GERMANY

Tel.: +49 421 3612010 or +49 471 5962010

Fax: +49 421 49618495

E-Mail: office@datenschutz.bremen.de

The complaint may be lodged with any regulatory authority, irrespective of its particular competence