

## Information on data protection

### 1. Who is responsible, who can you contact?

We, notary Dr. Marcus Mollnau and notary Dirk Scholz, are responsible for the processing of your personal data. Each of the aforementioned notaries is the sole responsible party within the meaning of the data protection regulations for the area for which they are responsible. You can contact the responsible notary or our data protection officer for all data protection inquiries as follows:

	Responsible persons	Data Protection Officer
<b>Address</b>	Notary Dr. Marcus Mollnau or Notary Dirk Scholz Bayerischer Platz 1 10779 Berlin	Data Protection Officer Moritz Till Borchert c/o Betz Rakete Dombek Bayerischer Platz 1 10779 Berlin
<b>Telephone</b>	030-264947-0	030-264947-0
<b>Fax</b>	030-264947-47	030-264947-47
<b>Email</b>	<a href="mailto:rae@robe.org">rae@robe.org</a>	<a href="mailto:privacy@robe.org">privacy@robe.org</a>

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

We process personal data that we receive from you or from third parties commissioned by you (e.g. lawyer, tax consultant, estate agent, bank), such as

- ▶ Personal data, e.g. first name and surname, title, date and place of birth, nationality, marital status; in individual cases your birth register number, birth name and place of birth;
- ▶ Data for making contact, such as postal address, telephone and fax numbers, e-mail address;
- ▶ Your tax identification number for real estate contracts;
- ▶ in certain cases, e.g. marriage contracts, wills, inheritance contracts or adoptions, also data on your family situation and your assets and, if applicable, information on your health or other sensitive data, e.g. because this serves to document your legal capacity;
- ▶ in certain cases also data from your legal relationships with third parties, such as file numbers or loan or account numbers at credit institutions.

We also process data from public registers, e.g. land registers, commercial registers and registers of associations.

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

As notaries, we are holders of a public office. Our official activities are carried out in the performance of a task which is in the public interest in the orderly and preventive administration of justice and thus in the public interest, and in the exercise of official authority (Art. 6 para. 1 sentence 1 letter e of the General Data Protection Regulation (GDPR)).

Your data will be processed exclusively in order to carry out the notarial activity requested by you and any other persons involved in a transaction in accordance with our official duties, i.e. for the preparation of draft deeds, for the notarization and execution of deed transactions or for the provision of advice. Personal data is therefore only ever processed on the basis of the professional and procedural provisions applicable to us, which are essentially derived from the Federal Notarial Code and the Notarization Act. These provisions also give rise to the legal obligation for us to process the required data (Art. 6 para. 1 sentence 1 letter c GDPR). Failure to provide the data we have requested from you would therefore mean that we would have to refuse to (further) carry out the official transaction.

### 4. To whom do we pass on data?

As notaries, we are subject to a statutory duty of confidentiality. This duty of confidentiality also applies to all our employees and other persons commissioned by us.

We may therefore only pass on your data if and insofar as we are 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, registers of precautionary measures, courts such as probate, care or family courts or authorities. In the context of professional and official supervision, we may also be obliged to provide information to the Chamber of Notaries or the supervisory authority, which in turn are subject to an official duty of confidentiality. As processors, possible data recipients are our external IT system administrator, notary software provider, web host and NotarNet GmbH.

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

## 5. Is data transferred to third countries?

Your personal data will only be transferred to third countries at your special request or if and insofar as a party to the deed is domiciled in a third country.

## 6. How long will your data be stored?

We process and store your personal data within the scope of our statutory retention obligations. According to § 50 para. 1 of the Ordinance on the Keeping of Notarial Files and Directories (NotAktVV), the following retention periods apply to the retention of notarial documents:

- ▶ Index of deeds, electronic collection of deeds, collection of inheritance contracts and special collection: 100 years,
- ▶ Paper-bound collection of documents, custody register and general files: 30 years,
- ▶ Collective file for bill of exchange and cheque protests and ancillary files: 7 years; the notary may specify a longer retention period in writing at the latest when the content of the ancillary file is last processed, e.g. in the case of dispositions mortis causa or in the event of a risk of recourse; the provision may also be made in general for individual types of legal transactions, e.g. for dispositions mortis causa.

After expiry of the storage periods, your data will be deleted or the paper documents destroyed, unless we are obliged to store them for a longer period of time in accordance with Article 6 para. 1 sentence 1 letter c GDPR due to tax and commercial law storage and documentation obligations (from the German Commercial Code, Criminal Code, Money Laundering Act or the Tax Code) as well as professional regulations for the purpose of conflict-of-law checks.

## 7. What rights do you have?

You have the right:

- ▶ to request information about whether we process personal data about you, if so, for what purposes we process the data and which categories of personal data we process, to whom the data may have been forwarded, how long the data may be stored and what rights you are entitled to (Art. 15 GDPR);
- ▶ to have inaccurate personal data concerning you that is stored by us corrected. You also have the right to have an incomplete data record stored by us completed by us (Art. 16 GDPR);
- ▶ to demand the erasure of personal data concerning you, provided that there is a statutory reason for erasure (see Art. 17 GDPR) and the processing of your data is not required to fulfill a legal obligation or for other overriding reasons within the meaning of the GDPR;
- ▶ to demand that we only process your data to a limited extent, e.g. to assert legal claims or for reasons of important public interest, while we examine your right to rectification or objection, for example, or, if applicable, if we reject your right to erasure (see Art. 18 GDPR);
- ▶ to object to processing your personal data where this is necessary for the performance of tasks carried out in the public interest or for the exercise of official authority vested in us and where there are grounds for the objection relating to your particular situation (Art. 21 GDPR);
- ▶ to contact the supervisory authorities with a data protection complaint. The supervisory authority responsible for us is the Berlin Commissioner for Data Protection and Freedom of Information, Friedrichstr. 219, 10969 Berlin.

The complaint can be lodged with any supervisory authority, regardless of jurisdiction.

## 8. Communication by email

In order to comply with data protection requirements, communication by e-mail requires that you expressly or impliedly consent to this method of dispatch. We use the Internet for e-mail communication. E-mail messages sent unencrypted are regularly transport-encrypted, i.e. they are encrypted during transmission. However, the email is available in plain text at the sender and recipient as well as at nodes and at the email provider and thus is comparable to postcards in terms of security because it can be viewed and changed by third parties. Secure communication is not possible in this way. We therefore offer you the option of communicating with us via an encrypted system (end-to-end encryption).