

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. The following gives you an overview of which personal data we process specifically, how we use this data and who we potentially pass your data on to. We also provide information about your rights under data protection law:

1. Data controller and Data Protection Officer

The person responsible for the processing of your personal data is the notary acting on your behalf in each case. Each notary is the sole data controller within the meaning 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 enquiries regarding data protection you may have:

Berlin		
Name and address	Dr Lorenz Claussen Dr Christian R. Schmidt Stefan Aldag Mohrenstrasse 42 10117 Berlin	Data Protection Officer: Dr Christian Szidzek Deputy: Aslihan Kilic
Phone	+49 30 203907-0	c/o TÜV Süd-Sec-IT GmbH Ridlerstrasse 65
Fax	+49 30 203907-44	80339 München
E-mail	lorenz.claussen@gsk.de christian.schmidt@gsk.de stefan.aldag@gsk.de	089 - 50084534 christian.szidzek@thales-datenschutz.de
Frankfurt am Main		
Name and address	Dr Volker Rebmann Sascha Zentis Bockenheimer Landstr. 24 60323 Frankfurt am Main	Data Protection Officer: Dr Christian Szidzek Deputy: Aslihan Kilic
Phone	+49 69 - 710003-0	c/o TÜV Süd-Sec-IT GmbH Ridlerstrasse 65
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E-mail	volker.rebmann@gsk.de sascha.zentis@gsk.de	089 - 50084534 christian.szidzek@thales-datenschutz.de

2. Types of data processed and origin

We process personal data obtained directly from you or from third parties appointed by you (e.g. lawyers, tax advisers, 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 cards 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, data regarding your family situation and assets and, if necessary, information on your health or other sensitive data, for example, if 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.

We also process data from public registers, such as the land registry or commercial registries and registers of associations.

3. Purpose and legal basis of data processing

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 para. 1 sentence 1 lit. e) of the EU General Data Protection Regulation – “GDPR”).

Your data is processed exclusively for the purpose of performing and processing the notarial services you or potentially other individuals involved in a transaction have requested 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 is processed only as stipulated by professional and procedural regulations that apply to us, essentially the German Federal Code for Notaries (“Bundesnotarordnung”) and the German Notarisation Act (“Beurkundungsgesetz”). At the same time, these regulations also impose a legal obligation on us to process the necessary data (Art. 6 para. 1 sentence 1 c) GDPR). If you do not provide the data we request from you, we may have to refuse to (continue) to execute the official business.



4. Disclosure of data

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 disclose your data to other parties 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 are in turn bound by a confidentiality obligation.

Otherwise, we will only disclose your data if we are obligated to do so based on 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 the statutory storage obligations. As of 1 January 2022, we store notarial documents for the following storage periods in accordance with Sec. 50 para. 1 of the German Regulation on the Maintenance of Notarial Files and Directories (NotAktVV):

- for entries in the directory of authentic acts: 100 years;
- for entries in the directory of procedures: 30 years;
- for documents stored in the register of authentic acts: 30 years;
- for documents stored in the register of testamentary contracts: 100 years;
- for documents stored in the electronic register of authentic acts: 100 years;
- for documents stored in the special register: 100 years;
- for documents stored in the ancillary file: 7 years;
- for documents stored in the consolidated file for bill and cheque protests: 7 years; and
- for documents stored in the general file: 30 years.

Your data will be deleted and hard copies will be destroyed upon expiry of the legally prescribed storage period and taking into account a processing time of no more than one year, unless retention 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 within the meaning of Art. 6 para. 1 sentence 1 lit. c) GDPR to store data for longer.

7. Your rights

You have the right to request information from us at any time regarding your personal data being processed by us. The lawyer-client confidentiality obligation remains unaffected. If the legal requirements are met, you also have the right to demand that we correct, delete or restrict the processing of your personal data as well as the right to object to us processing your data. Additionally, you also have the right to receive an overview of the relevant personal data you have made available to us in a structured, commonly used, and machine-readable format or have this transferred to another controller. If you have given your consent to the use of your personal data, you may revoke this consent at any time for the future. You can assert these rights by contacting us or our Data Protection Officer using the contact information provided under Section 1 above.

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

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

Your notaries,

Dr. Lorenz Claussen Dr. Volker Rebmann Dr. Christian R. Schmidt
Sascha Zentis Stefan Aldag

