

Information concerning data protection

1. Who is responsible, who may you contact?

Responsible for the processing of your personal data are we the notaries, Dr. Holger Weinkauff, Holger Schlode, Dr. Eckhard B. Zabel and Dr. Nikolas v. Wrangell. In the sense of the data protection regulation, each of the aforementioned notaries is solely responsible for the area for which he is responsible in each case. In case of data protection queries you may contact the respective responsible notary or our data protection officer, as follows:

	Responsible person	Data Protection Officer
Anschrift	Dr. Holger Weinkauff Holger Schlode Dr. Eckhard B. Zabel Dr. Nikolas v. Wrangell in each case: Adenauerallee 8 30175 Hannover	Dr. Holger Weinkauff Holger Schlode Dr. Eckhard B. Zabel Dr. Nikolas v. Wrangell in each case: att. Data Protection Officer Adenauerallee 8 30175 Hannover
Telefon	0511 283 54 0	0511 283 54 0
Telefax	0511 283 54 444	0511 283 54 444
E-Mail	info@brinkmannweinkauff.de	datenschutz@brinkmannweinkauff.de

2. Which data do I process and where will the data come from?

I process personal data which I receive directly from you or from a third party authorized by you (e.g. lawyer, tax consultant, broker, credit institutions), such as

- ▶ personal data, e.g. name and surname, date and place of birth, nationality, family status; in the individual case your birth register number;
- ▶ contact data, such as mailing address, telephone and fax numbers, email address;
- ▶ in case of property contracts your tax identification number;
- ▶ in certain cases, e.g. with marriage contracts, last wills, inheritance contracts or adoptions also data concerning your family situation and your assets as well as, if necessary, information on your health or other sensible data, e.g. because these serve to document your legal capacity;
- ▶ in certain cases also data from your legal relations with third parties such as file numbers or loan or account numbers at credit institutions.

Furthermore I process data taken from public registers, e.g. land register, commercial and association registers.

3. For which purposes and on which legal base are the data processed?

As notary I am holder of a public office. My duties are the performance of a task carried out in the public interest or in the exercise of official authority vested in me (Art. 6 (1) page 1, letter e of the GDPR).

Your data are only processed in order to carry through the notarial activity charged by you and, where appropriate, by further persons engaged in a business, according to my official duties, such as the preparation, execution, and completion of documentation procedures and conducting consultations. The personal data are therefore only always processed in accordance of the valid professional and procedural provisions imposed on me, which mainly result from the *Bundesnotarordnung* (Federal Notarial Code) and the *Beurkundungsgesetz* (Authentication Act). From these provisions arises for me at the same time the obligation to process the necessary data (Art. 6 (1) p. 1 letter c GDPR). Would the data, I requested from you, not be submitted, I would be forced to refuse the (further) performance of my duties.

4. To whom do I disclose data?

As notary I am subject to legal duty of confidentiality. This duty of confidentiality also applies to all of my employees and other persons mandated by me.

I may only disclose your data, if and as far as I am obliged in the individual case to do so, e.g. due to obligations to notify tax authorities, public registers like land registry, commercial or association registers, Central register of wills, Registers of Lasting Powers of Attorney, courts like probable courts, mental health courts, or family courts or authorities. Within the scope of civil and administrative supervision I shall possibly be also forced to give information to the *Notarkammer* (Notarial Association) or my supervisory organ, who in turn are subject to an official obligation of secrecy.

Otherwise your data will be only disclosed if I am obliged to do so pursuant to declarations submitted by you or if you applied for to transmit them.

5. Are data supplied to third countries?

A transfer of your personal data to third countries will only be effected if you submitted a special application to do so or if and insofar as parties involved in the deed have their domicile in third countries.

6. How long will your data be stored?

I process and store your personal data within the scope of my legal retention duties.

Pursuant to § 5 (4) *Dienstordnung für Notarinnen und Notare* (DONot) the following retention periods apply to notarial documents:

- ▶ Roll of deeds, list of contracts of inheritance, list of names for the roll of deeds and documents collection including the separately stored inheritance contracts (§ 18 (4) DONot): 100 years,
- ▶ Security registry, escrow ledger, list of names for the escrow ledger, list of escrow accounts, general files: 30 years,
- ▶ Ancillary files: 7 years; the notary may determine in writing a longer retention period at the latest when processing the content for the last time, e.g. in case of dispositions due to death or in case of risk of recourse; the determination can also be made in general for individual types of legal transactions e.g. dispositions due to death,

After expiry of the retention periods the data shall be deleted, respectively the paper documents destroyed, unless pursuant to Article 6 (1) p. 1 letter c GDPR I am obliged to keep them for a longer time due to tax and commercial retention and documentation duties (coming from the Commercial Code, Criminal Code, Money Laundering Act or fiscal code) or due to professional provisions for the purpose of collision checking.

7. What are your rights?

You have the right to:

- ▶ demand whether I process your personal data, and if so, for which purposes I process them and which categories of personal data I process; to whom the data are, where appropriate, have been transmitted, how long the data shall be stored and what your rights are.
- ▶ let correct inaccurate data relating to you which are stored in my office and let complete incomplete records.
- ▶ request deletion of your personal data where a statutory reason provides for deletion (see Art. 17 GDPR) and the processing of your data is not requested to fulfil a legal obligation or is required by other overriding reasons in the sense of the GDPR.
- ▶ request me to process your data only limitedly, e.g. for the assertion of rights or for reasons of substantial public interest when I for example review your request for correction or opposition or, where appropriate, refuse your request for deletion (see Art. 18 GDPR).
- ▶ object the processing, to the extent it is necessary, so that I can perform my tasks carried out in the public interest or exercise my public functions, if grounds for the objection exist which result from a special situation.
- ▶ make a data protection complaint to the supervisory authorities. The supervisory authority responsible for me is: The *Landesbeauftragte für den Datenschutz Niedersachsen* (State Officer for Data Protection in Lower Saxony) , Prinzenstraße 5, 30159 Hannover, Telefon: +49 511 120-4500, Telefax: +49 511 120-4599, E-Mail: poststelle@lfd.niedersachsen.de.

The complaint can be lodged independent of the responsibility before any supervisory authority.