Data Privacy Policy

1. Who is responsible, whom can you contact?

The persons responsible for processing your personal data (data controllers) are Boris Bodenburg and Susanne Lang, both notaries with registered offices in Frankfurt am Main. If you have any questions about data privacy, you may contact us or our data protection officer as follows:

	Data Controllers	Data Protection Officer
Address	Bodenburg & Partner, Rechtsanwälte und Notare Boris Bodenburg, notary Eschersheimer Landstraße 50-54 60322 Frankfurt am Main Susanne Lang, notary Eschersheimer Landstraße 50-54 60322 Frankfurt am Main	Michael Niegemann Ludwigstraße 81 63236 Neu-Isenburg
Telephone	+49 69-87 00 209 0	+49 69-756 09 55 99
Telefax	+49 69-87 00 209 10	
Email	boris.bodenburg@bodenburg-partner.de susanne.lang@bodenburg-partner.de	michael.niegemann@bodenburg-partner.de

2. What data do we process and what are the sources of data?

We process personal data that we receive from you personally or from third parties acting on your behalf (e.g., attorneys, tax advisors, brokers, banks), such as the following:

- data about your identity, e.g., first and last name, date and place of birth, nationality, marital status; in some cases, your birth registration number;
- contact information, such as your mailing address, telephone and fax numbers, and your email address;
- for real property agreements, your tax identification number;
- in certain cases, e.g., for marital agreements, wills, inheritance agreements, adoptions, also data about your family situation and your assets and, where appropriate, information about your health or other sensitive data, e.g., because such information documents your legal capacity;

- in certain cases, also data related to your legal dealings with third parties, e.g., file numbers or loan or account numbers at banks.

We also process data from public registers, e.g., the Land Register (*Grundbuch*), Commercial Register (*Handelsregister*), and Register of Associations (*Vereinsregister*).

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

As notaries we are holders of public office. We carry out our official duties in performance of a task that is in the interest of the general public in the orderly and precautionary administration of justice and thus in the public interest, and in the exercise of official authority (Art. 6 para. 1 sent. 1 lit. e) of the General Data Protection Regulation (GDPR)).

Your data will be processed exclusively to provide notarial services requested by you, or by any other persons involved in a transaction, in accordance with our official obligations, for example, to draft notarial deeds, to notarize and close notarized transactions, or to provide legal advice. Therefore personal data will in all cases be processed in compliance with applicable professional and procedural rules and provisions, which, in material part, are set forth in the Federal Regulations for Notaries (*Bundesnotarordnung*) and the German Notarization Act (*Beurkundungsgesetz*). Under these provisions we also have a legal obligation to process necessary data (Art. 6 para. 1 sent. 1 lit. c) GDPR). If you fail to provide data we have requested from you, we will therefore be required to decline providing (additional) notarial services to you.

4. To what third parties do we transfer data?

As notaries we are subject to a legal duty of confidentiality. This duty of confidentiality also extends to all of our employees and other authorized agents. As a result, we may transfer your data only if and to the extent that we have an obligation to do so in a particular case, e.g., as a result of reporting obligations to the German tax authorities, or to public registers, such as the Land Register Office (*Grundbuchamt*), Commercial Register (*Handelsregister*), Register of Associations (*Vereinsregister*), Central Register of Wills (*Zentrales Testamentregister*), Register of Emergency Powers of Attorney (*Vorsorgeregister*), courts, such as probate, custody, or family courts, or regulatory authorities. For professional regulatory purposes we may under certain circumstances also have an obligation to provide information to the Bar Association of German Notaries (*Notarkammer*) or to our professional regulatory authority, which, in turn, are subject to an official duty of confidentiality.

In all other cases your data will be transferred only if we have an obligation to do so based upon statements you have made or if you have requested a transfer of your data.

5. Are data transferred to any third countries?

Your personal data will not be transferred to any third countries, unless you have specifically requested such a transfer or if and to the extent that a party to a notarized deed resides or is domiciled in a third country.

6. How long will your data be stored?

We will process and store your personal data in compliance with our legal recordkeeping obligations.
Section 5 (4) of the Professional Regulations for Notaries (*DONot*) provides for the following recordkeeping obligations for notarial documents:

- Notarial record book, register of inheritance agreement, register of names for notarial record book and collection of notarial deeds, including separately kept inheritance agreements (§ 18 para. 4 of the Professional Regulations for Notaries): 100 years.

- Ledger of income and expenses, ledger of assets, register of names for ledger of assets, list of trust accounts, general files: 30 years.

- Ancillary files: seven years; on or before the date a file is last modified, the notary may designate a longer recordkeeping period, e.g., for transfers *causa mortis* or in the event of liability risks; the designation may also be made in general for certain types of transactions, e.g., dispositions *causa mortis*.

After our recordkeeping obligations have expired, your data will be erased or your documentation will be destroyed, unless we have an obligation to store data or documents for a longer time period in accordance with Art. 6 para. 1 sent. 1 lit. c) GDPR as a result of recordkeeping or documentation obligations under applicable tax or commercial law (under the German Commercial Code (*Handelsgesetzbuch*), German Criminal Code (*Strafgesetzbuch*), German Money-Laundering Act (*Geldwäschegesetz*), or German Tax Code (*Abgabengesetz*)), or under professional standards for purposes of reviewing conflicts of interest.

7. What are your rights?

You have the following rights:

- The right to demand information about whether we process your personal data and, if so, for what purposes, and about which categories of personal data we process, to which third parties, if any, your data have been transferred, how long your data will be stored, and what rights you have.

- The right to have any incorrect personal data stored by us corrected. You also have the right to demand that we supplement any incomplete data set stored by us.

- The right to demand that we erase your personal data, provided that there is a legal reason for erasure (see Art. 17 GDPR) and processing your data is not necessary to comply with any legal obligation and is not required for any other overriding reasons within the meaning of the GDPR.

- The right to demand that we process your personal data only on a restricted basis, e.g., to enforce legal claims or for reasons of an important public interest, for example, while we review your claim for correction or objection, or if we should deny your claim for erasure (see Art. 18 GDPR).

- The right to object to processing of your data; if such processing is necessary to perform our responsibilities in the public interest or to be able to perform our duties as holders of public office, you have the right to object to processing of your data for reasons related to your particular situation.

- The right to lodge a data privacy complaint with the regulatory authorities. The regulatory authority of proper jurisdiction is the Office for Data Protection and Freedom of Information of the State of Hesse, Postfach 3163, 65021 Wiesbaden, phone; +49 611 1408-0, fax: +49 611 1408-900, email: poststelle@datenschutz.hessen.de.

- A complaint may be lodged with any regulatory authority, irrespective of jurisdiction.