Information regarding Data Protection

1. Who is responsible, whom can you turn to?

The controller responsible for the processing of your personal data is me, Dr. Lilly Fiedler, Notary (Notarin), with official seat in Berlin. For all inquiries with regard to data protection, please feel free to contact me or my data-protection officer as follows:

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

Notaries process personal data that they receive from you or from third parties instructed by you (e.g. attorneys, tax advisors, brokers, financial institutions), such as e.g.:
- personal details, e.g. first name and family name, date of birth and place of birth, nationality, marital status; in individual cases, your birth registration number;
- contact details, such as e.g. postal address, telephone and fax numbers, e mail address;
- for real-estate contracts: your tax identification number (steuerliche Identifikations-Nummer);
- in certain cases — e.g. in the context of prenuptial agreements, wills, contracts of inheritance, or adoptions —, also data on your family situation and your assets as well as (where applicable) information regarding your health or other sensitive data, for instance because they serve to document your capacity to contract;
- in certain cases also data from your legal relationships with third parties, such as e.g. reference numbers, or loan or account numbers with financial institutions.

Moreover, I process data from public registers, e.g. from the land register or from commercial registers and registers of association.

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

As a notary, I am the holder of a public office.

By way of my official activities, I perform a task that is in the interest of the general public as to an orderly precautionary administration of justice and thus in the public interest and occurs in the exercise of official authority vested in me (Art. 6(1) sentence 1 lit. e General Data Protection Regulation – GDPR).

Your data is processed solely in order to carry out the notarial activity requested by you and (where applicable) by additional persons involved in a transaction in accordance with my official duties, for instance, for purposes of preparing draft notarial documents, of notarizations and of executing notarial business, or of providing advice.

Accordingly, the personal data is always processed only on the basis of the provisions of professional and procedural law applicable to me, which predominantly derive from the German Federal Code of the Notarial Profession (Bundesnotarordnung – BNotO) and the German Notarization Act (Beurkundungsgesetz – BeurkG).

At the same time, those provisions also give rise to a legal obligation on my part to process the necessary data (Art. 6(1) sentence 1 lit. c GDPR). A failure on your part to provide me with the data that I request from you would, therefore, result in my having to decline to (continue to) carry out the official business in question.

4. To whom do I transmit data?

As a notary, I am subject to a statutory obligation to maintain confidentiality.

The obligation to maintain confidentiality also applies to all members of my staff and any other persons instructed by me. Accordingly, I am only allowed to transmit your data if and to the extent that I am under a corresponding obligation in the individual case, e.g. owing to notification obligations vis-à-vis the tax authorities; public registers such as the land register, commercial register or register of associations, Central Register of Wills, Central Register

of Lasting Powers of Attorney (Vorsorgeregister); courts such as the probate court, guardianship court or family court; or public authorities.

In the context of professional supervision and supervision of conduct in service, I might also be under an obligation to provide information to the Chamber of Notaries or to my supervisory authority regarding conduct in service, which, for their part, are subject to an official obligation to maintain confidentiality. Beyond that, your data will be transmitted only if I am under an obligation to do so owing to declarations made by you or if you have applied for such transmission.

5. Is data transmitted to third countries?

Your personal data will be transmitted to third countries only upon special request by you or if and to the extent that a party involved in a deed (Urkundsbeteiligter) is resident in a third country.

6. For what period will your data be stored?

I process and store your personal data within the limits of my statutory retention obligations. Pursuant to sec. 5(4) German Official Regulations for Notaries (Dienstordnung für Notarinnen und Notare – DONot) (hereinafter ›Notarial Regulations‹), the following retention periods apply to the retention of notarial records:

- register of deeds (Urkundenrolle), register of contracts of inheritance, index of names relating to the register of deeds and the collection of deeds (Urkunden) including the contracts of inheritance that are retained separately (sec. 18(4) Notarial Regulations): 100 years;
- custody ledger (Verwahrungsbuch), assets ledger (Massenbuch), index of names relating to the assets ledger, list of escrow accounts (Anderkonten), general files: 30 years;
- ancillary files: 7 years; the notary may, in writing and no later than in the context of the final substantive work on the respective file, designate a longer retention period, e.g. for dispositions mortis causa or in cases where there is a risk of recourse; such designation may also be made generally for individual types of legal transactions, such as e.g. dispositions mortis causa.

Once the storage periods have expired, your data will be erased and/or the hard-copy documents will be destroyed unless I am under an obligation to store them for a longer period pursuant to Art. 6(1) sentence 1 lit. c GDPR owing to retention or documentation obligations under tax or commercial law (under the German Commercial Code [Handelsgesetzbuch – HGB], the German Criminal Code [Strafgesetzbuch – StGB], the German Anti-Money Laundering Act [Geldwäschegesetz – GwG] or the German Fiscal Code [Abgabenordnung – AO]) as well as owing to obligations under professional rules of conduct for purposes of checking for possible conflicts.

7. What are your rights?

You have the following rights:
- to demand information on whether I process personal data concerning you; if so, for which purposes I process such data and which categories of personal data I process; to whom such data has been transmitted (if applicable); for what period such data will be stored (if applicable); and what rights you are entitled to;
- to have inaccurate personal data concerning you that is stored at my office rectified. Likewise, you have the right to have any incomplete data set that is stored at my office supplemented by me;
- the right to demand erasure of the personal data pertaining to you provided that a ground for erasure applies as provided for by statute (cf. Art. 17 GDPR) and the processing of your data is not called for in order to comply with a legal obligation or for other overriding grounds as per the GDPR;
- to require that, going forward, I process your data only in a restricted way — e.g. for purposes of establishing legal claims or owing to an important public interest — while I examine, for instance, your entitlement to rectification or your objection or (where applicable) in the event that I reject your claim for erasure (cf. Art. 18 GDPR);
- to object to the processing where such processing is necessary for me to perform my tasks that are in the public interest, or to discharge my public office, if there are grounds for such objection that arise from your particular situation;
- to turn to the supervisory authorities with a complaint under data-protection law.
The supervisory authority with jurisdiction in relation to me is the

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of Information of the state (Land) of Berlin,
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- The complaint may be filed with any supervisory authority regardless of jurisdiction.