

Information on data protection

Data Privacy Notice of the notaries

**Bernhard Naujack
and
Elmar Günther**

Data privacy

As civil law notaries under German law, we hold a public office. As a matter of course, we treat your personal data as confidential and hereby inform you of the personal data processed by us and of your rights with regard to your data in accordance with the General Data Protection Regulation (GDPR) as well as the Hessian Data Protection and Freedom of Information Act (HDSIG):

1. Who is responsible, who is your contact?

We, notary Bernhard Naujack and notary Elmar Günther, are responsible for the processing of your personal data. Each of the aforementioned is solely responsible for the area for which they are responsible within the meaning of the data protection regulations. You can contact the respective responsible notary or our data protection officer for all data protection queries as follows:

	Responsible	Data protection officer
Address	Notar Bernhard Naujack Notar Elmar Günther Bockenheimer Landstraße 77 60325 Frankfurt am Main	Dirk-Michael Mülöt Westfalenweg 3 33449 Langenberg
Phone	+49 69 274040-0	+49 5248 821-205
Telefax	+49 69 274040-250	+49 5248 821-206
E-Mail	ffm@rittershaus.net	datenschutz@rittershaus.net

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

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

- Personal data, e.g. first name and surname, date and place of birth, nationality, marital status; in individual cases your birth register number;
- Contact details, e.g. postal address, telephone and fax numbers, e-mail address;
- Your tax identification number in the case of real estate contracts;
- In certain cases, e.g. marriage contracts, wills, inheritance contracts, gifts 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 bank account numbers.

I 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 a notary, I am the holder of a public office. My official duties are carried out in the performance of a task that 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 my official duties, i.e. for the preparation of draft deeds, for the notarization and execution of deed transactions or for the performance of consultations. The processing of personal data is therefore only ever carried out on the basis of the professional and procedural provisions applicable to me, which are essentially derived from the Federal Notarial Code and the Notarization Act. These provisions also result in the legal obligation for me to process the required data (Art. 6 para. 1 sentence 1 letter c GDPR). Failure to provide the data requested from you would therefore mean that I would have to refuse the (further) execution of the official transaction.

4. To whom do I pass on data?

As a notary public, I am subject to a statutory duty of confidentiality. This duty of confidentiality also applies to all my employees, colleagues and other persons commissioned by me.

I may therefore only pass on your data if and insofar as I am 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, I may also be obliged to provide information to the Chamber of Notaries or my supervisory authority, which in turn are subject to an official duty of confidentiality. As processors, possible data recipients are our external IT system administrator, file management, security, notary and lawyer software providers, webhosts and NotarNet GmbH.

Otherwise, your data will only be passed on if I am 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?

I process and store your personal data within the scope of my statutory retention obligations.

According to Section 50 (1) of the Ordinance on the Keeping of Notarial Files and Directories (NotAktVV), the following retention periods apply to the retention of notarial documents:

- Register of deeds, electronic collection of deeds, collection of inheritance contracts and special collection: 100 years,
- Paper-based collection of deeds, register of safe custody and general files: 30 years,

- Omnibus file for bill of exchange and cheque protests and ancillary files: 7 years; the notary may stipulate a longer retention period in writing at the latest when last processing the content of the ancillary file, e.g. in the case of dispositions upon death or in the event of a risk of recourse; the stipulation may also be made in general for individual types of legal transactions, e.g. for dispositions upon death.

After expiry of the storage periods, your data will be deleted or the paper documents destroyed, unless I am 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 Fiscal Code) as well as professional regulations for the purpose of conflict of laws checks.

7. What rights do you have?

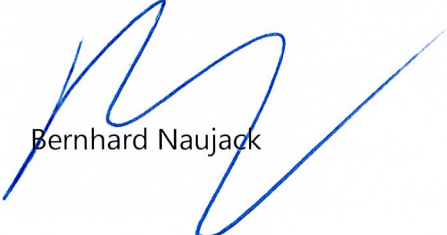
You have the right:

- To request information about whether I process personal data about you, if so, for what purposes I process the data and which categories of personal data I 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 me corrected. You also have the right to have an incomplete data record stored by me completed (Art. 16 GDPR).
- To demand the deletion of personal data concerning you, provided that there is a legally prescribed reason for deletion (cf. 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 I only process your data to a limited extent, e.g. to assert legal claims or for reasons of important public interest, while I check your right to rectification or objection, for example, or if I reject your request for erasure (cf. Art. 18 GDPR).
- To object to processing where this is necessary for the performance of a task carried out in the public interest or for the exercise of official authority vested in me, if there are grounds for the objection arising from your particular situation (Art. 21 GDPR).
- To contact the supervisory authorities with a data protection complaint. The supervisory authority responsible for me is: the Hessian Commissioner for Data Protection and Freedom of Information, P.O. Box 3163, 65021 Wiesbaden, e-mail: poststelle@datenschutz.hessen.de.


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

Do you have any questions? Our data protection officer and the undersigned will be happy to help you.

Best regards



Bernhard Naujack



Elmar Günther