

Information on data protection in the mandate

LPJ

Bantelmann & Reimann Rechtsanwalts-gesellschaft Steuerberatungsgesellschaft mbH

Information on data processing or compliance with the legally required information obligations pursuant to Art. 13 and Art. 14 GDPR.

Bantelmann & Reimann Rechtsanwalts-gesellschaft Steuerberatungsgesellschaft mbH (hereinafter "LPJ", "we" or "us") takes the protection of personal data seriously. In the following, we would therefore like to inform our clients about the processing of personal data that we receive in the context of the respective mandate.

1. Responsible entity, company data protection officer

- 1.1 The responsible party within the meaning of the GDPR is the
Bantelmann & Reimann Rechtsanwalts-gesellschaft Steuerberatungsgesellschaft mbH
Ericusspitze 4
20457 Hamburg, Germany
The company is represented by the managing directors Dr. Philip Reimann and Jörg Bantelmann.
Phone: +49 40 59 36 33 00
E-mail: kontakt@lpj.de

The contact details of our data protection officer are:
CFC - Compliance Factory Consulting GmbH
Mexikoring 27-29
22297 Hamburg, Germany
Phone: +49 40 52 16 97 71
E-mail: datenschutz@compliance-factory.com

- 1.2 Questions or comments about this privacy statement or data protection in general should be sent to the following e-mail address: kontakt@lpj.de.

2. Collection and storage of personal data as well as type and purpose and their use

- 2.1 When you mandate us, we collect the following information:
- First and last name, title (i/a)
 - Postal address/s
 - Phone number/s
 - Fax number(s) (i/a)
 - E-mail address/s
 - Information required for the appropriate execution of the mandate
- 2.2 The collection of this data takes place,
- in order to be able to identify you as our client and for the purpose of complying with legal requirements, e.g. the German Money Laundering Act;
 - to fulfill our contractual and legal obligations as attorneys and/or tax advisors in order to provide you with appropriate advice and representation;
 - for the execution and settlement of the mandate relationship including correspondence;
 - for processing within the scope of mutual claims arising from the legal and/or tax consulting contract (e.g. invoicing, claims for performance, remuneration and liability, etc.);
 - on the basis of a legitimate interest on our part, e.g. for the purpose of sending the data subject the latest legal news, exclusive event invitations and/or qualitative technical articles, etc.. Our legitimate interest is to stay in contact with our clients and to keep them informed.
- 2.3 The provision of the data listed in section 2.1 is required either due to the mandate relationship or due to a legal obligation, such as the German Money Laundering Act. If the data is therefore not provided, the mandate relationship may not be established or carried out. Insofar as we use contact data for direct advertising, i.e. to send the data subject, for example, current legal news, event invitations and specialist articles, etc., the data subject may object to this use at any time by informing us of the objection informally using the contact data provided above under section 1.1. We will then no longer use the data for this purpose.



- 2.4 The personal data collected by us for the mandate will be stored until the expiry of the statutory retention obligation for lawyers (6 years after the end of the calendar year in which the mandate was terminated) and then deleted, unless we are obliged under Article 6 (1) sentence 1 lit. c GDPR due to tax and commercial law retention and documentation obligations (from German Commercial Code (HGB), German Criminal Code (StGB) or German Fiscal Code (AO): As a rule, 10 years plus a grace period of a further 4 years to cover cases of possible expiry suspension), we are obliged to store data for a longer period or you have consented to storage beyond this period in accordance with Article 6 (1) sentence 1 lit. a GDPR.

3. Legal basis

Legal bases for data processing are:

- Art. 6 para. 1 subpara. 1 letter b GDPR for the fulfillment of the mandate contract,
- Art. 6 (1) subparagraph 1 letter c GDPR to fulfill the legal obligations to which we are subject as lawyers and tax consultants,
- Art. 6 (1) subparagraph 1 letter f GDPR, insofar as the data processing is necessary for the protection of legitimate interests of us or a third party; in particular, the continued business relationship with our clients is in our legitimate interest,
- Art. 6 (1) subparagraph 1 letter a GDPR, insofar as you have given us your consent to process the personal data concerning you for specific purposes.

4. Disclosure of data to third parties

Your personal data will not be transferred to third parties for purposes other than those listed below. Insofar as this is necessary for the processing of mandate relationships with you according to Art. 6 para. 1 p. 1 lit. b GDPR, your personal data will be passed on to third parties.

- 4.1 We disclose personal data to the following recipients within the scope of the mandate relationship:
- Tax authorities and courts,
 - Social Security Agency,
 - Bundesanzeiger Verlag GmbH,
 - Banks, credit institutions, insurance companies and professional associations,
 - Contractors (e.g. data centers, IT service providers, printing service providers, waste disposal companies, etc.) whose services we use only insofar as they are obligated to maintain our professional secrecy as a participating person pursuant to Sec. 203 para. 3 of the German Criminal Code,
 - depending on the order to further recipients, which we coordinate with you.
- 4.2 Furthermore, this also includes the disclosure to opposing parties and their representatives (in particular their lawyers) as well as courts and other public authorities for the purpose of correspondence and the assertion and defense of your rights. The data disclosed may be used by the third party exclusively for the purposes stated. The attorney-client privilege remains unaffected. Insofar as data subject to attorney-client privilege is involved, it will only be disclosed to third parties in consultation with you.
- 4.3 Data is only transferred to third countries (countries outside the European Economic Area - EEA) if this is necessary to execute the mandate agreement (e.g. payment orders) or if you have given us your consent or if this is otherwise permitted by law.

5. Data subject rights

You have the right:

- a. to revoke your consent at any time in accordance with Art. 7 (3) GDPR. This has the consequence that we may no longer continue the data processing based on this consent for the future;
- b. in accordance with Art. 15 GDPR to request information about your personal data processed by us. In particular, you can request information about the processing purposes, the category of personal data, the categories of recipients to whom your data has been or will be disclosed, the planned storage period, the existence of a right to rectification, erasure, restriction of processing or objection, the existence of a right of complaint, the origin of your data if it has not been collected by us, as well as the existence of automated decision-making including profiling and, if applicable, meaningful information about its details;
- c. in accordance with Art. 16 GDPR to immediately demand the correction of incorrect or completion of your personal data stored by us;



- d. pursuant to Art. 17 GDPR to request the erasure of your personal data stored by us, unless the processing is necessary for the exercise of the right to freedom of expression and information, for compliance with a legal obligation, for reasons of public interest or for the establishment, exercise or defense of legal claims;
- e. to request the restriction of the processing of your personal data in accordance with Art. 18 GDPR, insofar as the accuracy of the data is disputed by you, the processing is unlawful, but you object to its erasure and we no longer require the data, but you need it for the assertion, exercise or defense of legal claims or you have objected to the processing in accordance with Art. 21 GDPR;
- f. in accordance with Art. 20 GDPR, to receive your personal data that you have provided to us in a structured, common and machine-readable format or to request that it be transferred to another controller, and
- g. complain to a supervisory authority in accordance with Art. 77 GDPR. As a rule, you can contact the supervisory authority of your usual place of residence or workplace or our registered office.

6. Right of objection

If your personal data is processed on the basis of legitimate interests pursuant to Art. 6 (1) p. 1 lit. f GDPR, you have the right to object to the processing of your personal data pursuant to Art. 21 GDPR, provided that there are grounds for doing so that arise from your particular situation.

If you wish to exercise your right of objection, it is sufficient to send an e-mail to the e-mail address mentioned in section 1.1.

This information corresponds to the legal status as of May 25, 2018. We reserve the right to adapt our data protection information to changes in regulations or case law.