

Data protection information with respect to information obligations for parties involved in estate matters (estate administration or estate administration or execution of wills) pursuant to Art. 12 et seq. of the GDPR

1. Name and contact details of the controller and the company data protection officer

The data will be collected by **LEONHARDT RATTUNDE** law firm partnership with limited professional liability (mbB), an administrator or guardian of the estate or executor (hereinafter "estate matters") acting on behalf of this company. The contact details are:

Kurfürstendamm 26a, 10719 Berlin
Email: berlin@leonhardt-rattunde.de
Telephone: +49 (0)30 – 885903-0
Fax: +49 (0)30 – 885903-100

The operational data protection officer of the controller can be reached under the above address or at datenschutz@leonhardt-rattunde.de.

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

We process personal data that has been and will be collected from you.

Furthermore, personal data are processed from publicly available sources (e.g. bankruptcy notices, commercial and association registers, the Internet, etc.).

Finally, personal data will be provided via third parties, on request, in case of legitimate claims, in order to fulfil the court order to process an estate matter, as is provided for in the relevant legal regulations.

Among other things, we process the following information:

- first name, last name,
- contact details, such as telephone, e-mail address
- address,
- date of birth, place and nationality,
- in some cases, special categories of personal data, if these are necessary to fulfil the purpose of the data processing,
- marital status and maintenance obligations,
- financial, tax and insurance data,
- information on financial circumstances, assets and claims against third parties.

The data processing takes place for the purpose of the fulfilment of the court order and for the execution of the respective estate matter. The **legality of this data processing results from Art. 6 para. 1 sentence 1 lit. c of the GDPR**. The data processing is necessary to fulfil a legal obligation of the controller that results from the German Civil Code (BGB) and other laws regarding the implementation of such a procedure.

There is a need to store the collected data for the stated purpose. After completion of the task, the stored data must be deleted. The data collected for the purpose of executing the estate matter will be deleted after the termination of the proceedings, the fulfilment of all mutual claims, and if no other statutory retention or justification exists. The corresponding retention obligations arise from the Commercial Code (HGB) and Fiscal Code of Germany (AO). These stipulate a ten-year retention for certain documents. If a corresponding duty of retention should arise from the documents, a deletion is scheduled at the end of ten years after termination of the respective estate.

3. Transfer of data

A transfer of your personal data to third parties for purposes other than those listed will not take place. Among other things, a transmission for the stated purposes may be required or may be made on the basis of a legal provision to:

- courts
- proceedings
- public authorities

- in some cases, tax offices
- social security institutions
- the Bundesagentur für Arbeit (the federal agency for work)
- or the public prosecutor's office

The employees of the controller who are involved in the respective insolvency estate matter receive access to the data. All such employees are contractually bound to maintain confidentiality.

Likewise, service providers and vicarious agents who are also contractually obliged to observe confidentiality will be granted access to the data if their activities are necessary for carrying out the respective estate matter. In some cases, the service providers in their capacity as processors are additionally bound by the terms of a data processing agreement pursuant to Art. 28 et seq. of the GDPR to comply with the data protection regulations.

A transmission of the data to third parties in a third country or an international organisation will not take place as a rule, unless the implementation of the respective estate matter makes this specifically necessary.

4. Rights of those affected

You have the right:

- pursuant to Art. 15 of the GDPR, to request information about your personal data processed by us;
- pursuant to Art. 16 of the GDPR, to demand immediately the rectification of incorrect data or the completion of data;
- pursuant to Art. 17 of the GDPR, to demand the deletion of your personal data stored by us, insofar as such a claim is not precluded;
- pursuant to Art. 18 of the GDPR, to demand the restriction of the processing of your personal data, insofar as nothing prevents such a claim;
- In accordance with Art. 20 of the GDPR, your right to transfer data, insofar as such a claim is not precluded;
- in accordance with Art. 21 of the GDPR, to formally appeal.

With regard to the right to information and deletion, the restrictions apply *inter alia* to sections 34, 35 of the BDSG and the GDPR. Furthermore, there is a right of appeal to the competent data protection supervisory authority pursuant to Art. 77 of the GDPR in conjunction with section 19 of the BDSG. Responsible for the controller named here is the Berliner Datenschutzbehörde (Berlin Data Protection Authority).

5. Right to object

Insofar as your personal data may be processed on the basis of legitimate interests in accordance with Art. 6 para. 1 sentence 1 lit. e-f of the GDPR, **which is currently not taking place**, you would have the right to file an objection against the processing of your personal data in accordance with Art. 21 of the GDPR, insofar as there are reasons for this arising from your particular situation.

If you would like to exercise your right to object or exercise another right held by you, please send an e-mail to datenschutz@leonhardt-rattunde.de