



## Notes on data processing

### 1. Person responsible

**Kevin Mitchell**, lawyer and notary, is responsible for the processing of your personal data. This data protection notice applies to the processing of data by my law firm KANDO-LAW in its legal as well as notarial activities. You can reach me at any time:

*KANDO-LAW*

*Lawyer and notary Kevin Mitchell, Rosa-Luxemburg-Straße 7, 10178 Berlin, tel. +49-30-692 071 488, e-mail: [k.mitchell@kando-law.de](mailto:k.mitchell@kando-law.de)*

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

We process personal data that we receive from you personally or from third parties commissioned by you (e.g. lawyer, tax advisor, estate agent, credit institution), e.g.

- personal data, e.g. first name and surname, date and place of birth, nationality, marital status; in individual cases your birth registration number;
- contact data, such as postal address, telephone and fax numbers, e-mail address;
- information necessary for the assertion and defence of your rights under the mandate;
- for real estate contracts, your tax identification number;
- in certain cases, e.g. in the case of marriage contracts, wills, inheritance contracts or adoptions, also data on your family situation and assets as well as, if applicable, information on your health or other sensitive data, e.g. because these serve to document your legal capacity;
- in certain cases, also data from your legal relationships with third parties, such as file numbers or loan or account numbers with credit institutions.

We also process data from public registers, e.g. land registers, commercial registers and registers of associations.

The collection of this data takes place,

- to be able to identify you as our client;
- in order to be able to provide you with appropriate legal advice and representation;
- in order to carry out the notarial activity requested by you and, if applicable, other persons involved in a transaction, in accordance with my official duties, i.e. for the preparation of draft deeds, for the notarisation and execution of deeds or for the performance of consultations;
- for correspondence with you;

- for invoicing;
- for the settlement of any existing liability claims and the assertion of any claims against you.

As a rule, data processing is carried out in response to your request and is necessary for the aforementioned purposes in accordance with Art. 6 (1) sentence 1 lit. b DSGVO for the appropriate processing of the mandate and for the mutual fulfilment of obligations arising from the mandate agreement.

- 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.
- The following retention periods apply to the retention of notarial documents:
  - Register of deeds, register of inheritance contracts, register of names to the register of deeds and collection of deeds including the inheritance contracts kept separately: 100 years,
  - Custody book, mass book, list of names to the mass book, list of escrow accounts, general files: 30 years,
  - Ancillary files: 7 years; the notary may determine a longer retention period in writing no later than the last time the content is processed, e.g. in the case of dispositions on account of death or in the case of recourse; the determination may also be made generally for individual types of legal transactions, e.g. for dispositions on account of death,
- The two preceding paragraphs do not apply insofar as we are obliged to store data for a longer period of time in accordance with Article 6 (1) sentence 1 lit. c DSGVO due to tax and commercial law retention and documentation obligations (from HGB, StGB or AO) or you have consented to storage beyond this in accordance with Article 6 (1) sentence 1 lit. a DSGVO.

#### 4. Purpose and legal basis; 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 in accordance with Art. 6 para. 1 sentence 1 lit. b DSGVO for the processing of client relationships with you, your personal data will be passed on to third parties. This includes in particular the disclosure to other parties to the deed and opposing parties and their respective representatives (in particular their lawyers) as well as courts and other public authorities for the purpose of correspondence and the assertion and defence of your rights. The data disclosed may be used by the third party exclusively for the purposes stated.

Professional secrecy (lawyer and notary) remains unaffected. Insofar as data subject to professional secrecy is concerned, it will only be passed on to third parties in consultation with you.

## 5. Your rights

You have the right,

a) to request from us at any time:

- **to confirm** the processing of your personal data;
- **information** about the personal data stored about you and about its processing purpose, the categories of personal data, recipients of your data, the planned duration for which the personal data will be stored or, if this is not possible, the criteria for determining the duration and to obtain a copy of this information; as well as **information about** the origin of your data, insofar as this was not collected by us, as well as about the existence of automated decision-making including profiling and, if applicable, meaningful information about its details;
- **to correct** or **complete** incorrect or incomplete data;
- **to delete** your personal data without delay, unless 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 defence of legal claims;
- **to restrict** the processing of your personal data.

b)

- **to revoke** (for the future) the consent you have given for data processing;
- **to object** to the processing of your personal data at any time on grounds relating to your particular situation;
- to file a **complaint** with the competent supervisory authority (Berlin Commissioner for Data Protection and Freedom of Information, Friedrichstraße 219, 10969 Berlin, telephone: +49-30-13889-0, fax: +49-30-2155050, e-mail: mailbox@datenschutz-berlin.de).