



NOTAR
Ralf Schumm

Data protection in the notary's office

(Privacy Statement according to Art. 13 GDPR)

As of: June 6th, 2019

The confidentiality and the protection of the privacy of the clients have a particularly high priority in the notarial work. We would like to inform you in the following which personal data we process according to the EU General Data Protection Regulation (GDPR). The information also tells you what rights you have regarding your data.

1. Accountability for data processing

Responsible body within the meaning of the GDPR for the processing of personal data is:

Notary Ralf Schumm
Neuwerkstraße 26
99084 Erfurt

Tel.: 0361/64569-0
Fax: 0361/64569-26
E-Mail: info@notar-schumm.de

The appointed data protection officer is the

Gesellschaft für notariellen Datenschutz mit beschränkter Haftung
(GNotDS)
Ehrensteinstraße 33
04105 Leipzig
E-Mail: datenschutz@gnotds.de

2. Purpose of the data processing

We process personal data in the performance of tasks assigned to us by law. This data processing is based on your request and is required for the appropriate processing of your request as well as for the fulfilment of information and application obligations.

3. Categories of personal data and legal bases for their processing

Personal data processed by us are all data that is relating to you. These include:

- general personal data: name, date of birth and age, gender, place of birth, marital status, address, nationality, e-mail address, telephone number, etc.;
- Identification numbers: identity card and passport number, tax identification number, driver's license, license plate number, etc.;
- Bank information: bank, account details, credit information etc.;
- Assets: property, other rights to land, equity interests, insurance, income, pension information, other movable assets, etc.

For the processing of personal data, the legal basis is Art. 6 (1) lit. c) and e) GDPR, § 16 Thuringian Data Protection Act in conjunction with the notarial professional law, in particular the German Notarisation Act (BeurkG), the Federal Notarial Code (BNotO) and the service regulations for notaries (DONot).

Art. 6 para. 1 lit. c) GDPR allows the processing of data, if this is necessary for the fulfilment of legal obligations of the person responsible. Art. 6 para. 1 lit. e) GDPR permits the processing of data in the public interest and the processing in the exercise of official authority.

In addition, for a due process under the German Notarisation Act, special categories of personal data may be processed, e.g. Information on disabilities (sight, hearing and writing difficulties), sexual orientation and health data. The legal basis for the processing of these special categories of data is Art. 9 (2) lit. g) GDPR in conjunction with §§ 11, 17, 22 ff., 28 German Notarisation Act.

Furthermore, we also collect personally identifiable information from publicly available sources, e.g. Property data from the land registry and register data from the commercial register. We also collect data from other sources, e.g. with creditors. However, this only happens on the basis of prior cause by you and for the processing of your specific request or for the fulfilment of legal obligations.

4. Recipients of your data

We only transfer your personal data to third parties if this is permitted and required by law or if you have consented to this.

The recipients of your personal data may include, in particular: the Land Registry, the Commercial Register, the Central Registers for Testaments and for Lasting Powers of Attorney and Living Wills, the Tax Office, the supervisory authority for notarial costs (Ländernotarkasse), other notaries, credit institutions and other private third parties. The transfer to private third parties is only for the fulfilment of your specific request and only at your request.

Furthermore, the transmission of data to other authorized recipients takes place. These include, in particular, service providers appointed by us if they are commissioned as processors in accordance with Art. 28 GDPR. Contract processors in this sense are e.g. the IT system administrator, the notary software vendor, the financial accounting.

5. Storage of your data

We store your data according to the legal retention periods. The retention periods depend primarily on the service regulations for notaries and the Fiscal Code and depend on the processing purpose. For example, the retention period for accounting documents is ten years from receipt or dispatch of correspondence and entry in the financial accounting, (§ 257 Commercial Code (HGB) in conjunction with § 147 Fiscal Code (AO)) or 100 years in a note on last wills or testaments in accordance with § 20 para 1 service regulations for notaries.

6. Your rights

You have the following rights with respect to the personal data concerning you:

- Information about personal data concerning you (Art. 15 GDPR);
- Correction of incorrect personal data concerning you (Art. 16 GDPR);
- Deletion of personal data (Art. 17 GDPR);
- Restriction of the processing of personal data (Art. 18 GDPR);
- Objection to the processing of personal data (Article 21 GDPR).

The above rights apply only to the extent that this does not conflict with the notarial obligation of confidentiality pursuant to § 18 Federal Notarial Code. The processing of your data is based on legal regulations.

Only in exceptional cases we need your consent. In these cases, you also have the right to revoke your consent for future processing (Article 7 (3) GDPR). The previous legality of the processing is not affected by this revocation.

You also have the right to contact a data protection supervisory authority if you believe that the processing of your personal data is unlawful.

The address of the supervisory authority responsible for us is:

Thüringer Landesbeauftragter für den Datenschutz und die Informationsfreiheit, Postfach 90 04 55, D-99107 Erfurt (Germany).

7. Updating and changing this privacy policy

Due to changed legal or official requirements, it may be necessary to change this privacy policy. The current privacy policy can be viewed, retrieved and printed at any time on our website

<https://notar-schumm.de/IHRE-DATEN/privacy-policy>

If you have questions about the processing of your data, we are at your disposal.

*Your notary Ralf Schumm
and staff*