

General Privacy Policy of O&R Kreston AG

(Status August 2021)

We inform you below how and on what basis we process your personal data and what rights you are entitled to.

1. Who is responsible for data processing

O&R Kreston AG
Ganghoferstraße 66
80339 Munich
phone: 089-4118930-0
e-Mail: info@or-group.com

Represented by the managing directors:

Dieter Heidemann, Dr. Christoph Mittermaier, Jochen Schön, Patrick Rössler, Verena Seifert,
Hanns-Georg Schell

You can reach our data protection officer at the above address and by e-mail at datenschutz@or-group.com

2. Processing purposes and legal basis

Your personal data will be processed in accordance with the provisions of the General Data Protection Regulation (DSGVO), the Federal Data Protection Act (BDSG) and other relevant data protection regulations. Further details and additions to the processing purposes can be found in our contractual documents, forms, consent forms and the other information provided to you (e.g. the website or the general terms and conditions).

We process personal data for the purposes of

- Execution and processing of the mandate relationship, including correspondence
- Fulfillment of our contractual and legal obligations as lawyers
- Processing in the context of mutual claims arising from the client-attorney relationship (e.g. invoicing, claims for performance, remuneration and liability, etc.).

2.1 Consent (Art. 6 para. 1 lit. a DSGVO)

If you have expressly given us consent to process personal data for certain purposes, the respective consent is the legal basis for the aforementioned processing. You can revoke consent at any time with effect for the future.

2.2 Implementation of pre-contractual measures and fulfillment of contractual obligations (Art. 6 para. 1 lit. b DSGVO)

We process your personal data to carry out measures and activities in the context of pre-contractual relationships, in particular for contract negotiations. Furthermore, your personal data is processed for the fulfillment of our mandate contract and for the utilization of our service.

2.3 Fulfillment of legal obligations (Art. 6 Para. 1 lit. c DSGVO).

We process your personal data insofar as this is necessary for the fulfillment of retention obligations under commercial and tax law or other legal standards.

2.4 Safeguarding the legitimate interests of us or a third party (Art. 6 para. 1 lit. f DSGVO).

We may also process your personal data on the basis of a balancing of interests to safeguard the legitimate interests of us or a third party. In particular, the ongoing business relationship with our clients is in our legitimate interest.

3 Categories of personal data processed by us.

The following categories of data are processed:

- First and last name, title, if applicable.
- Postal addresses
- Telephone numbers
- Fax numbers, if applicable
- E-mail addresses
- Information required for the appropriate execution of the mandate

4 Who receives your data?

We pass on your personal data within our company to those areas that require this data to fulfill contractual and legal obligations or to implement our legitimate interests.

Personal data is only transferred to third parties on your behalf and with your consent. We pass on personal data within the scope of the mandate relationship - insofar as necessary for the mandate - to the following recipients:

- Tax authorities and courts
- Social insurance institutions
- Bundesanzeiger publishing house
- Order processors (e.g. computer centers, IT service providers, printing service providers, waste disposal companies, etc.), whose services we only use insofar as they have been obligated to maintain our professional secrecy pursuant to Section 203 (3) of the German Criminal Code.
- Depending on the individual case, to other recipients, which we will agree with you in advance.

5 Transfer of your data to a recipient in a third country or to an international organization

A transfer of data to third countries (countries outside the European Economic Area - EEA) only takes place if this is necessary for the execution of the mandate agreement (e.g. payment orders) or if you have given us your consent or if this is otherwise permitted by law. In this case, we take measures to ensure the protection of your data, for example through contractual regulations. We only transfer data to recipients who ensure the protection of your data in accordance with the provisions of the DSGVO for transfers to third countries (Art. 44 to 49 DSGVO).

6 How long do we store your data?

As far as necessary, we process your personal data for the duration of our contractual relationship with you.

In addition, we are subject to various storage and documentation obligations resulting from the legal framework, among other things. As a rule, these are 10 years plus a grace period of a further 4 years to cover cases of possible expiry suspension. After 14 years, we check whether there are reasons for further storage.

Ultimately, the storage period is also assessed according to the statutory limitation periods, which, for example, according to §§ 195 ff. of the German Civil Code (BGB), are generally three years, but in certain cases can be up to thirty years.

7 To what extent is there automated decision-making in individual cases (including profiling)?

We do not use any purely automated decision-making procedures pursuant to Article 22 DSGVO. Should we use these procedures in individual cases, we will inform you about this separately.

8 No obligation to provide us with your data

You are not obliged to provide us with your personal data. However, without the provision, the execution of a mandate agreement would not be possible in a proper manner, which would ultimately result in the refusal to conclude or the termination of the mandate relationship. In this context, you only need to provide data

- which are necessary for the establishment and execution of the contractual relationship with us,
- which we are legally obliged to collect, or
- in the collection of which there is a legitimate interest on our part.

If we request additional data from you, you will be informed separately of the voluntary nature of the information.

9 Data subject rights

You have the right

- according to Art. 15 DSGVO, 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, and the existence of automated decision-making, including profiling, and, if applicable, meaningful information about its details;
- pursuant to Art. 16 DSGVO, to request the correction of incorrect or incomplete personal data stored by us without undue delay;
- pursuant to Art. 17 DSGVO, 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;
- pursuant to Art. 18 DSGVO, to request the restriction of the processing of your personal data, 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 pursuant to Art. 21 DSGVO;
- pursuant to Art. 20 DSGVO, 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;
- in accordance with Art. 7 (3) DSGVO, to revoke your consent once given to us at any time. This has the consequence that we may no longer continue the data processing based on this consent for the future.

If you wish to exercise any of these rights, please contact us or, if applicable, our data protection officer.

Information about your right to object according to Art. 21 DSGVO

You have the right to object to processing of personal data relating to you that is carried out on the basis of Art. 6(1)(f) DSGVO (data processing for legitimate interests) or Art. 6(1)(e) DSGVO (data processing for tasks in the public interest).

If you object, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

Information about your right of withdrawal according to Art. 7 (3) DSGVO.

Insofar as we carry out processing for certain purposes of your personal data based on your consent, you have the right to revoke your consent at any time in accordance with Art. 7 (3) DSGVO. Upon receipt of your revocation, we will stop processing data for the purposes for which you gave us your consent. The lawfulness of the processing prior to receipt of your revocation remains unaffected.

Please note that the revocation will only take effect for the future. Processing that took place before the revocation is not affected.

The objection can be made form-free and should preferably be addressed to:

O&R Kreston AG
Ganghoferstraße 66, 80339 Munich
E-Mail: info@or-group.com

10 Your right to complain to the competent supervisory authority

You have the right to lodge a complaint with the data protection supervisory authority if you are of the opinion that the processing of your data violates the DSGVO (Art. 77 DSGVO). The supervisory authority responsible for us is:

Bayerisches Landesamt für Datenschutzaufsicht (BayLDA), Promenade 18, 91522 Ansbach, phone: +49 (0) 981 180093-0, e-mail: poststelle@lda.bayern.de

Changes to this privacy policy

We revise this data protection notice in the event of changes to data processing or other occasions that make this necessary. The current version can always be found on our website at <https://or-group.com/datenschutz>