

Rechtsanwälte Grassner, Lenz, Thewanger & Partner
(Grassner, Lenz, Thewanger & Partners, attorneys at law)
Company Register 140793z, Südtirolerstrasse 4-6, 4020 Linz, Austria (“GLTP”)

P R I V A C Y P O L I C Y

General Provisions

To the extent that the term „data processing“ is being used in the following, this covers any action carried out in connection with personal data such as its collection, organisation, structuring, storage, adaptation or alteration, its retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making it available, its alignment or combination, its restriction, erasure or destruction (Article 4 EU GDPR).

The following information provides an overview of our lawfirm’s general processing of personal data and of your own personal data, pursuant to Articles 13 et seq. of the EU General Data Protection Regulation (EU GDPR), including your and any other data subject’s rights and remedies (according to the same EU GDPR). The way in which such data is being processed in each specific case depends much on the respective services, applications and legal bases.

More specific data protection information can be found [here](#).

GLTP uses ADVOKAT, a software specifically designed to be used by lawyers.

Data Controller

Rechtsanwälte Grassner, Lenz, Thewanger & Partner, Company Register 140793z, Südtirolerstrasse 4-6, 4020 Linz, Austria (“GLTP”) acts as the Responsible Data Controller.

For any information and/or question related to our privacy policy, please contact us

by phone: +43 732 770815-0

by fax: +43 732 7708 16

or by e-mail: office@gltp.at (kindly use the words “privacy policy” in the subject line).

Types and Sources of Personal Data Processed by GLTP

Subject to Article 4 Section 1 of the EU GDPR, GLTP processes the following personal data:

- personal data obtained from our clients in connection with our business relationship
- any data obtained from publicly available sources (such as land, company, association and/or civil registers, electronic notice boards of courts and any type of media), credit agencies and debtor records (including creditor protection associations etc.).

This includes

- any personal data relating to our client (e.g. name, address, contact data, date and place of birth, sex, citizenship, social security number, ID card/passport number)
- any data serving the fulfilment of contractual duties (e.g. bank data)
- any information on a client’s financial status (relating to his/her creditworthiness etc.)
- any registry, sound and/or image data (e.g. video or telephone recordings)
- any information obtained in the course of GLTP’s electronic communication
- any data processing results obtained by GLTP
- any data needed to meet statutory and regulatory requirements and
- any other comparable data

referring not only to our clients, but also to any other person involved or concerned (e.g. opponents, co-plaintiffs, co-defendants, other intervening parties, contractual partners, private parties and their representatives, insurances, witnesses, notaries, experts and other consultants).

Purpose of and Legal Basis for the Processing of Personal Data

- Consent (pursuant to Article 6 Section 1 of the EU GDPR)

Your personal data shall be processed for specific purposes, to the extent of your consent given to GLTP. Your consent can be revoked at any time. A withdrawal of consent shall not affect the lawfulness of any personal data processed up to that time.

- Performance of a Contract (Article 6 Section 1 b of the EU GDPR)

The processing of your personal data serves the fulfilment of our legal services as instructed in your assignment and encompasses any respective action (as needed) taken within the scope of our lawfirm's management and operation. More specifically, the purpose of the processing of personal data extends to any form of consulting services, drafting of an agreement, representation in proceedings before courts, administrative and financial authorities, needs assessments, transactions, fiduciary relationships as well as any fulfilment of public and court orders related to custodianships, legal aid, guardianship, insolvency administration etc.

- Compliance with Legal Obligations (Article 6 Section 1 c of the EU GDPR)

The processing of your personal data also serves GLTP's fulfilment of its statutory obligations with respect to legal requirements and professional as well as ethical standards (including reports to the Austrian Financial Intelligence Unit, pursuant to Article 8a et seq. of the Austrian Bar Association, and any procedure relating to custodianships, legal aid, guardianship and insolvency administration etc.).

- Legitimate Interests (Article 6 Section 1 f of the EU GDPR)

To the extent needed, GLTP also processes your personal data beyond the actual scope of our agreement, for the purposes of legitimate interests pursued by GLTP or by a third party, e.g. in order to assert and enforce certain rights and/or in order to prevent fraud.

- Marketing (Article 6 Sections a and f of the EU GDPR)

GLTP may make use of your personal data in order to market its own services and to send you newsletters, specialized literature, Christmas cards and/or information on legal developments. You have the right to object to the processing of your personal data for such direct marketing purposes.

Recipients of Personal Data

Within GLTP's lawfirm, such employees will be given access to your personal data as contribute to the fulfilment of any task required by our agreement, by law, by the courts, authorities and/or professional and ethical standards. In addition, processors processing data on GLTP's behalf (such as IT and back office service providers, accountants etc.) shall also be given access to your personal data to the extent required for the fulfilment of our and their services. Any and all of these processors shall be bound by contract to treat your data confidentially and to limit its processing to their provision of the respective services.

Our compliance with statutory requirements and professional standards may make it necessary for financial authorities, prosecution and law enforcement authorities etc. to obtain your personal data.

GLTP is committed to maintain secrecy in terms of matters entrusted and communicated to us in the exercise of our profession and in our clients' best interest. Therefore, any transfer of your personal data is subject to your prior written release from this obligation of confidentiality or to the existence of legitimate interests, in terms of our statutory, professional and/or ethical duties, which entitle or make it necessary for GLTP to disclose your personal data. Recipients of your personal data who obtain this data within the scope necessary for GLTP to fulfil its contractual obligations may include any person involved in the case, the Austrian Bar Association, courts, authorities, credit and financial institutions, insurances or similar institutions.

Transfer of Data Outside the European Union (non-member states)

Such a transfer is possible

- if a transfer of your personal data is needed to fulfil our assigned duties, such as a trust order etc. (e.g. in the case of a bank payment or of a transfer of funds)
- if this is required by law (e.g. to fulfil a fiscal reporting obligation)
- if you have given us permission to do so.

Period of Storage

To the extent needed, GLTP processes your personal data for the entire duration of our business relationship (including the business relationship's initiation, handling, transaction up to its termination) and, beyond this, for any period required by law (subject to the Austrian Enterprise Code, the Austrian Bar Association Rules and the Austrian Federal Fiscal Code).

In addition, thirty year limitation periods pursuant to the Austrian Civil Code (relating to liability and accounting) must also be observed.

In the event of a job application, GLTP shall store your personal data for a period of six months.

Rights of Data Subjects

You are entitled, at any time, to obtain information on your personal data we store, to have this personal data corrected, deleted and/or supplemented, to request that the processing of such personal data be restricted and/or that it be transferred, subject to the relevant data protection laws. Data subjects may exercise their full rights in this respect by sending us a message, either to office@gltp.at or by mail. In order for us to be able to answer such a request, we must first make sure that we can identify the recipient of our answer as the actual data subject concerned. If you think your personal data has been used in an unlawful way, you have the right to address a complaint to the Austrian Data Protection Agency as supervisory authority (www.dsb.gv.at).

Is there an Obligation for You to Provide Us with Your Personal Data?

You are expected to provide GLTP with any personal data that is needed by us and/or required by law for our lawfirm to enter a business relationship with you and to provide you with the respective services.

Processing of Data Pursuant to Articles 8a et seq. of the Austrian Bar Association Rules

In compliance with our duty of care and in keeping with the Austrian laws regarding the prevention of money laundering and terrorist financing, we are bound to collect and to store certain documents as well as any relevant information. According to Articles 8 a et seq. of the Austrian Bar Association Rules, this means that GLTP must

- ascertain the identity of our client
- in the case of a company: identify its economic
- if applicable, name a client's trustors
- define the interest pursued by our client
- assess the type of business relationship aspired to by our client
- obtain information on the source of the financial means invested
- continuously monitor transactions within the scope of our mandate.

More particularly, GLTP is expected to store copies of any document obtained (such as proofs of transaction etc.) and all information that is necessary for our lawfirm to comply with the above duty of care. By exercising due care, GLTP also complies with its legal obligations (according to Article 6 Section 1 c of the EU GDPR) when processing your personal data.

A. Adjustments and Amendments

GLTP reserves the right to adjust any information contained in this privacy policy. The latest version of our privacy policy is made available on our website.

Version of 23 May 2018