

# HOCHLEITNER

*Rechtsanwälte GmbH*

## **Data Privacy Statement / Agreement**

We, Hochleitner Rechtsanwälte GmbH, are committed to secrecy and confidentiality, and therefore also in particular to the protection of information and especially of personal data, and process the personal data provided by our respective clients in accordance with the provisions of the General Data Protection Regulation (EU) 2016/679 and the applicable Austrian Data Protection Act.

As the technical and legal framework for the processing of personal data is subject to constant and progressive development, we reserve the right to adapt this Data Privacy Statement to the framework conditions from time to time. In this case, an updated version of the Data Privacy Statement is available on our website at <https://www.iura.at>.

We have implemented appropriate technical and organizational measures in accordance with the GDPR to ensure that no unauthorized access or manipulation of (as well as unlawful processing of) the personal data provided takes place. The technical and organizational measures include, in particular, an access authorization concept, a data backup concept, as well as physical and digital protection measures regarding our IT infrastructure. These data protection and data security measures are subject to constant review and are continuously revised in line with technological developments.

Please note that cookies may be set when using the website of Hochleitner Rechtsanwälte GmbH <https://www.iura.at>.

Cookies are small text files that are downloaded via the Internet browser (e.g. Google Chrome, Firefox or Internet Explorer) of a website user when visiting a website and are stored on the end device (e.g. PC, tablet or smartphone) of the website user. The cookies stored by the web browser of the Internet user send data to the web server of the website operator or potentially to a commissioned data processor when visiting the respective website.

When using our website <https://www.iura.at>, only the following categories of cookies can be set:

- **Session cookies** (designation: PHPSESSID):

These cookies are mandatory cookies. These cookies are necessary for the functionality of our website and expire when the browser is closed (i.e. when the session is ended). Session cookies do not store any personal data.

Whether and which cookies are actually set depends initially on the **browser settings** of the website user himself. Hochleitner Rechtsanwälte GmbH has no technical influence on these browser settings. This website provides a clear explanation of how you can edit your browser settings: <https://aboutcookies.org/>.

Please note that if you deactivate all cookies (including session cookies), the functionality of our website may be limited by your browser settings!

You can also **edit your cookie settings** regarding analysis or tracking cookies directly on our website itself by clicking on the following link: <https://www.iura.at/de/kontakt/aab>. As long as you have not agreed to the use of cookies on our website, only the session cookies described above will be set, but no analysis or tracking cookies.

Even after the fact, you can edit your cookie settings regarding analysis or tracking cookies and thereby **revoke** the cookie consent you have already given (via the link <https://www.iura.at/de/kontakt/aab>).

On the website of Hochleitner Rechtsanwälte GmbH, interested persons have the option to register for the firm's **newsletter**. The registration is carried out in such a way that only an email address must or can be provided. Before registering for the newsletter, it is necessary to agree to the current Data Privacy Statement. After registering for the newsletter, an email will be sent to the specified e-mail address asking for completion of the registration. Only after completion of this registration ("double opt-in procedure"), newsletters from Hochleitner Rechtsanwälte GmbH can be sent to the respective e-mail address. If the registration is not completed, the data (e-mail address) will be deleted by Hochleitner Rechtsanwälte GmbH within 14 days at the latest. It is possible to unsubscribe from the newsletter at any time. If the user has unsubscribed, the e-mail address provided will be deleted by Hochleitner Rechtsanwälte GmbH within 14 days at the latest. In addition to the automated deletion pro-

cess described above, the data subject rights described in more detail below are also available. The legal basis for the data processing of the e-mail address is based on Art. 6 (1) lit. a GDPR, as explicit consent has been given. It is clarified that there is no contractual relationship between Hochleitner Rechtsanwälte GmbH and the owner of the respective email address. Therefore, there is no contractual relationship between Hochleitner Rechtsanwälte GmbH and the owner of the respective e-mail address. The information provided in the newsletter of Hochleitner Rechtsanwälte GmbH cannot replace individual legal advice. Therefore, there is no trust worthy of protection of the owner of the respective email address in information contained in a newsletter of Hochleitner Rechtsanwälte GmbH. Hochleitner Rechtsanwälte GmbH is therefore not liable for any resulting damages.

All employees of Hochleitner Rechtsanwälte GmbH are bound by professional law (pursuant to § 9 of the Austrian Bar Code (RAO)) or contractually to secrecy as well as to compliance with data secrecy pursuant to § 6 of the Austrian Data Protection Act (DSG) 2018 and have been or will be trained accordingly on an ongoing basis. Furthermore, within Hochleitner Rechtsanwälte GmbH, only those employees who need the personal data provided within the scope of the purposes stated below are granted access to the personal data provided.

Personal data is processed exclusively on the basis of the legal basis in Art. 6 (1) GDPR, primarily for the purpose of providing the contractually assured services or for the implementation of pre-contractual measures (lit. b); for the purpose of fulfilling legal obligations (lit. c), as well as in individual cases on the basis of legitimate interests of Hochleitner Rechtsanwälte GmbH (lit. f).

The purpose of the data processing and transmission is the processing of orders, as this is necessary and expedient for the fulfillment of the tasks assigned to the lawyer by the client or results from legal or professional obligations of the lawyer. Insofar as it concerns the processing of personal data pursuant to Art 9 GDPR, these are processed for the purpose of order processing and on the basis of Art 9 (1) lit f GDPR (assertion, exercise and defense of legal claims).

Hochleitner Rechtsanwälte GmbH is obliged by professional regulations (esp. §§ 8a ff RAO) to check and process your personal data for the prevention of money laundering and financing of terrorism. This processing of your personal data is lawful and is in the public interest pursuant to § 9 (5) RAO in conjunction with Art 6 (1) lit e GDPR.

Insofar as the data subject has consented to the processing of data as defined by Art 6 (1) (a) GDPR, notwithstanding any lawfulness based on legal or contractual obligation and/or legitimate interest, he/she may revoke this consent at any time. A revocation must be made in the same way as the consent, namely in writing to Hochleitner Rechtsanwälte GmbH, as the responsible body. The revocation of the consent shall not affect the lawfulness of the processing carried out on the basis of the consent until the revocation, nor the lawfulness of the processing on the basis of legal or contractual obligation or legitimate interest of the responsible party.

The data will also be processed on the basis of individual retention and/or documentation obligations arising from the law or for justification with regard to the assertion and defense of claims. The personal data will be stored and processed as long as this is necessary for the fulfillment of the aforementioned purposes or legal retention obligation or they may be useful for the defense or assertion of any claims.

A transfer to countries outside the EU or the EEA will only take place if this is necessary for the execution of the order and has been agreed with the data subject.

As far as this is necessary for the performance of the contract or justified within the scope of legitimate interests of Hochleitner Rechtsanwälte GmbH, the personal data will also be transferred within Hochleitner Rechtsanwälte GmbH. Furthermore, the personal data may also be transferred to order processors used by Hochleitner Rechtsanwälte GmbH. In this case, the appointed processors must commit themselves in writing to Hochleitner Rechtsanwälte GmbH to comply with the required technical and organizational measures and to maintain secrecy. To this end, a written order data processing agreement shall be concluded with the order processors used.

A respective client must ensure that it complies with its information obligations vis-à-vis its data subjects (employees, customers, suppliers, etc.) in accordance with Art. 13 and 14 GDPR, and that they are informed about the data subject rights to which they are entitled in accordance with Art. 15 to 20 GDPR. The client assures that the personal data will be passed on to Hochleitner Rechtsanwälte GmbH in a lawful manner.

Insofar as Hochleitner Rechtsanwälte GmbH acts as a data controller under data protection law, Hochleitner Rechtsanwälte GmbH shall comply with the information obligations pursuant to Art. 13 and 14 GDPR.

In the event of a personal data breach that is likely to result in a high risk to the personal rights and freedoms of natural persons, the data controller shall **promptly notify** the data subject.

The contracting party which caused or is responsible for the data protection incident shall make the decision on a possible report to the data subject and/or the data protection authority. Both the client and Hochleitner Rechtsanwälte GmbH shall be responsible for the deletion of personal data in their own area of responsibility.

Insofar as Hochleitner Rechtsanwälte GmbH is the responsible party vis-à-vis the client, the client shall be entitled to the following data subject rights vis-à-vis Hochleitner Rechtsanwälte GmbH:

The data subject shall be entitled at any time to request confirmation as to whether personal data relating to him/her is being processed and, if necessary, to obtain corresponding **information** about such personal data from the data controller.

The data subject has the right to have the personal data relating to him/her **corrected** (completed), **deleted** or the **processing restricted**, as well as to **object** to it. This also applies to the automated processing of the data subject's personal data. The data subject also has the right to object to direct marketing of his/her personal data. Hochleitner does not carry out any profiling (evaluation).

The data subject is requested to notify Hochleitner of any changes to his/her personal data.

The obligation of Hochleitner Rechtsanwälte GmbH to provide information or to provide information under data protection law is limited in particular by the legal and professional **secrecy obligation**.

To the extent possible and not involving a disproportionate effort, recipients of personal data that has been corrected, deleted or whose processing has been restricted shall be **informed** by the data controller. If the data subject so requests, he or she will be informed about these recipients.

The data subject has the right to receive the personal data concerning him or her and provided to the data controller in a structured, common and machine-readable format, as well as to transmit this data to another data controller. When exercising the right to **data transfer**,

the data subject may obtain that the personal data be transferred directly from one data controller to another insofar as this is technically feasible.

All rights must be asserted **in writing** to Hochleitner Rechtsanwälte GmbH (for contact details, see below). In order to prevent misuse, the data subject must prove his/her identity in advance in a suitable form. The right to information is available to every person concerned for an unlimited number of times. The provision of information by Hochleitner Rechtsanwälte GmbH is free of charge once a year, and any costs exceeding this will be invoiced after prior information.

The data subject may obtain information related to the processing from the data controller at any time for the exercise of his/her rights.

In general, it is possible to lodge a complaint with the supervisory authority: Österreichische Datenschutzbehörde, Barichgasse 40-42, 1030 Vienna.

Our data protection office Mag. Dr. Aron Ewald Vrtala is reachable via email: [office@vrtala.com](mailto:office@vrtala.com)

We would like to point out that e-mails are transmitted in plain text and thus possibly readable by third parties. Data may be exchanged in encrypted form upon express request.

For further questions regarding data protection, please contact Hochleitner Rechtsanwälte GmbH, Kirchenplatz 8, 4070 Eferding; Managing Director: Dr. Johannes Hochleitner, Mag. Martin Hochleitner, Mag. Christian Kieberger; [office@iura.at](mailto:office@iura.at).

In addition, we refer you to our General Terms and Conditions of Engagement (GTC), which are available at <https://www.iura.at>.

Hochleitner Rechtsanwälte GmbH

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