



## Principles of data processing at Winter, Brandl Partnerschaft mbB

In order to fulfill our information obligations according to Art. 12 pp. of the General Data Protection Regulation (DSGVO), we would like to provide you with our information on data protection below:

### Who is responsible for data processing?

The responsible party in terms of Data Protection Law is

**Winter, Brandl - Partnerschaft mbB**

**Alois-Steinecker-Strasse 22**

**85354 Freising**

**Phone: +49 (0)8161 / 930 - 0**

**Fax: +49 (0)8161 / 930 - 100**

**Mail: [info@wbetal.de](mailto:info@wbetal.de)**

**Web: [www.wbetal.de](http://www.wbetal.de)**

You will find further information about our company, details of the persons authorized to represent us and further contact options in the imprint of our Internet site: <https://wbetal.de/impressum/>

### For what purposes is the processing performed and on which legal basis is it executed?

If we have received personal data (hereinafter also referred to as "data") from you, we will only process it for the purposes for which we received or collected it.

#### a) Collection and processing in the context of the fulfillment of contractual obligations.

We collect and process personal data in the context of contacting you and for the fulfillment of our contractual obligations with you. The collection of data takes place in particular,

- to be able to identify you as our client;
- to be able to provide you with appropriate legal advice and representation;
- for correspondence with you;
- for invoicing purposes;
- for the settlement of any existing liability claims and the assertion of any claims against you.

We process the data on the legal basis according to Art. 6 Para. 1 lit. b) DSGVO and thus for the implementation of pre-contractual measures as well as for the fulfillment of contracts.

#### b) Processing due to legal obligations or in the public interest

Our company is also subject to legal and regulatory requirements and obligations with which we must comply and which make it necessary to process personal data. The fulfillment of the legal requirements arising in detail requires the processing of personal data, which is permitted to this extent under Art. 6 (1) c) DS-GVO. In addition, the processing of personal data may be in the public interest (Article 6 (1) (e) of the GDPR), for example, to avert danger or to safeguard public safety and health.

#### c) Processing on the basis of a legitimate interest

In addition, we process personal data insofar as this is necessary to protect our legitimate interests or the legitimate interests of a third party, unless the interests or fundamental rights and freedoms of the data subjects which require the protection of personal data prevail (Article 6 (1) (f) DS-GVO). Third parties are natural or legal persons, authorities, institutions or other bodies other than you, us, our processors and persons who are authorized to process personal data under our direct responsibility or by processors. Processing of data on the basis of a legitimate interest takes place in particular insofar as this is necessary for the assertion of legal claims and defense in legal disputes; in this respect, we assume that our interests outweigh your fundamental rights and freedoms that require the protection of your data.

**If we process data on the basis of a balance of interests, you as the data subject have the right to object to the processing of personal data, taking into account the requirements of Article 21 of the GDPR.**

#### d) Processing based on consent

In addition, personal data is collected and processed if this processing has been expressly consented to in advance (consent, Art. 6 para. 1 lit. a) DS-GVO). If personal data is processed on the basis of your **consent**, you have the right to withdraw your consent at any time with effect for the future by contacting us in any way. The revocation of consent does not affect the legality of the processing carried out on the basis of the



consent until the revocation.

Data processing for other purposes can only be considered if the necessary legal requirements pursuant to Art. 6 (4) DSGVO are met. In this case, we will of course comply with any information obligations pursuant to Art. 13 (3) DSGVO and Art. 14 (4) DSGVO.

#### **How long is the data stored?**

The personal data collected by us for the client relationship 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, unless we are obliged under Article 6 para. 1 p. 1 lit. c) DSGVO, we are obliged to store the data for a longer period of time due to tax and commercial law retention and documentation obligations (from HGB, StGB or AO) or you have consented to a storage beyond this according to Art. 6 para. 1 p. 1 lit. a) DSGVO.

#### **To which recipients is the data passed?**

Within the company, those departments receive your data that need it to fulfill our contractual and legal obligations. Contractual processors employed by us (Art. 28 DSGVO) may also receive data for these purposes. These are companies in the categories of IT services, logistics, printing services, telecommunications, debt collection, advice and consulting as well as sales and marketing and address determination.

With regard to the transfer of data to recipients outside the company, please note that we will only transfer your data if this is permitted or required by law, if you have given your consent or if we are authorized to provide information. Under these conditions, recipients of personal data can be, for example:

- Public bodies and institutions (e.g. public prosecutor's office, police, supervisory authorities) if there is a legal or official obligation.
- Other companies to which we transfer personal data in order to carry out the business relationship with you (depending on the contract: e.g. banks, credit agencies, suppliers, commercial agents).

Other data recipients may be those entities for which you have given us your consent to transfer data.

#### **Where is the data processed?**

Your personal data is processed by us exclusively in data centers in the EU.

#### **Automated decision making**

An automated decision in the sense of Art. 22 DSGVO does not take place.

#### **Your rights as a "data subject"**

Any identified or identifiable natural person to whom the data we process relates ("data subject") has the following rights:

##### **a) Right to information according to Art. 15 DS-GVO:**

You have the right to receive information free of charge upon request, in particular whether and what data is stored about you and for what purpose it is stored, to which categories of recipients your personal data has been or will be disclosed, as well as the planned duration for which your personal data is stored.

##### **b) Right to rectification pursuant to Art. 16 DS-GVO:**

You have the right to request the rectification of your inaccurate personal data without undue delay. Taking into account the purposes of the processing, you have the right to request the completion of incomplete personal data - also by means of a supplementary declaration.

##### **c) Right to erasure ("right to be forgotten") pursuant to Art. 17 DS-GVO:**

You have the right to demand that your data be deleted without delay. We are obliged to delete personal data without delay if one of the following reasons applies:

- a. The purposes for which the personal data was collected cease to apply.
- b. You revoke your consent to the processing and there is no other legal basis for the processing.
- c. You object to the processing and there is no other legal basis for the processing.
- d. The personal data has been processed unlawfully.
- e. The erasure of the personal data is necessary for compliance with a legal obligation under Union or Member State law to which I am subject.
- f. The personal data was collected in relation to information society services offered in accordance with Article 8 (1) DS-GVO.



**d) Right to restriction of processing according to Art. 18 DS-GVO, § 35 BDSG:**

You have the right to request the restriction of processing if one of the following conditions is met:

- a. The accuracy of the personal data is doubted by you.
- b. The processing is unlawful, but you refuse to delete it.
- c. The personal data is no longer needed for the purposes of processing, but you need the data to assert, exercise or defend legal claims.
- d. You have objected to the processing pursuant to Art. 21 (1) DS-GVO. As long as it has not yet been determined whether my legitimate reasons prevail over yours, processing will be restricted.

**e) Right to data portability according to Art. 20 DS-GVO:**

You have the right to receive the data you have provided in a structured, common and machine-readable format. A forwarding to another responsible person may not be hindered by me.

**f) Right of objection according to Art. 21 DS-GVO:**

You have the right to object to the processing of personal data concerning you, which is based on Art. 6 para. 1 lit. e) or lit. f) DS-GVO, ggfs. in conjunction with Article 9 (2) (f) DS-GVO, for reasons arising from your particular situation. The processing of personal data will be stopped, unless there are compelling legitimate grounds for further processing or the processing serves the assertion, exercise or defense of legal claims. In the case of direct advertising, the personal data will not be further processed for these purposes in the event of an objection to this.

**g) Right to lodge a complaint with the supervisory authority pursuant to Art. 13 (2) d), Art. 77 DS-GVO in conjunction with Section 19 BDSG:**

If you are of the opinion that the processing of your data violates the DS-GVO, you have the right to lodge a complaint with the supervisory authority. For this purpose, please contact the competent supervisory authority.

Responsible for us is in principle the Bavarian State Office for Data Protection Supervision, Promenade 18, 91522 Ansbach, Tel.: 0981 / 180093-0, Fax: 0981 / 180093-800, E-Mail: [poststelle@lda.bayern.de](mailto:poststelle@lda.bayern.de).

**h) Withdrawal of consent pursuant to Art. 7 (3) DS-GVO:**

If the processing is based on your consent pursuant to Art. 6 para. 1 lit. a) DS-GVO or Art. 9 para. 2 lit. a) DS-GVO (processing of special categories of personal data), you are entitled to revoke the purpose-bound consent at any time without affecting the lawfulness of the processing carried out on the basis of the consent until the revocation. The declaration of revocation will not result in any further disadvantages for you.

**Our data protection officer**

We have appointed a data protection officer in our company. You can reach him under the following contact options:

**Mr. Sascha Weller, Attorney at Law, IDR - Institute for Data Protection Law.**

**Ziegelbräustrasse 7**

**85049 Ingolstadt**

**Phone: 0841 - 885 167 15**

**Fax: 0841 - 885 167 22**

**E-Mail: [ra-weller@idr-datenschutz.de](mailto:ra-weller@idr-datenschutz.de)**

**Web: [www.idr-datenschutz.de](http://www.idr-datenschutz.de)**