

# DEUTSCHE OPPENHEIM

## Family Office

### DATA PROTECTION INFORMATION UNTER THE EU GENERAL DATA PROTECTION REGULATION FOR AUTHORIZED „JUSTIC PERSONS“

Stand: Januar 2018

The following information provides an overview of how we process your personal data and your rights under data protection law. Which specific data are processed and how they are used depends largely on the services requested or agreed in each case.

Please also forward this information to the current and future authorised representatives and beneficial owners. These include, e.g., beneficiaries in the event of death or procurists.

#### 1. Who is responsible for the data processing and who can I contact in this regard?

Controller:

Deutsche Oppenheim Family Office AG  
Keferloh 1 A  
85630 Grasbrunn  
Telefon: 089 4569160  
Telefax: 089 45691699  
E-Mail: [info@deutsche-oppenheim.de](mailto:info@deutsche-oppenheim.de)

Our internal data protection officer may be contacted at

Deutsche Oppenheim Family Office AG  
Datenschutzbeauftragter  
Keferloh 1 A  
85630 Grasbrunn  
Telefon: 089 4569160  
E-Mail: [datenschutz@deutsche-oppenheim.de](mailto:datenschutz@deutsche-oppenheim.de)

#### 2. What sources and data do we use?

We process personal data that we receive from you in your function as the representative / authorized representative of the legal person (prospect and / or client). On the other hand, we process personal data that we have legitimately obtained and are allowed to process from publicly accessible sources (e.g. land registers, commercial and association registers, press, media, Internet).

Relevant personal data of the authorized representative / authorized representative can be:

Name, address / other contact details (phone, email address), date / place of birth, gender, nationality, marital status, legal capacity, dependent / self-employed, identification data (e.g. ID card data), authentication data (e.g. signature sample), tax -ID. When concluding and using products / services, in addition to the aforementioned data, further personal data can be collected, processed and stored. These essentially include: Information and logging of knowledge and / or experience with securities, interest and currency products / investments (MiFID status: suitability / adequacy test).

#### 3. Why do we process your data (purpose of the processing) and on what legal basis?

We process the aforementioned personal data in compliance with the provisions of the EU General Data Protection Regulation (GDPR) and the Federal Data Protection Act (BDSG)

#### a. for the performance of precontractual obligations (article 6 (1b) GDPR)

The processing of personal data takes place for the provision of services within the scope of the implementation of our contracts with our customers or for the implementation of pre-contractual measures. You can find further details on the purpose of data processing in the respective contract documents.

#### b. Due to legal requirements (Article 6 (1c) GDPR) or in the public interest (Article 6 (1e) GDPR)

In addition, as a financial service provider, we are subject to various legal obligations, i.e. legal requirements (e.g. Banking Act, Money Laundering Act, Securities Trading Act, Tax Laws) as well as banking regulatory requirements (e.g. the European Central Bank, the European Banking Authority, the German Bundesbank and the Federal Financial Supervisory Authority). The purposes of the processing include the suitability check, the identity and age check, and the prevention of fraud and money laundering.

#### c. as part of the balancing of interests (Article 6 Paragraph 1f GDPR)

If necessary, we process your data beyond the actual fulfillment of the contract to protect the legitimate interests of us or third parties. Examples: - Assertion of legal claims and defense in legal disputes - Ensuring the IT security and IT operations of the institute - prevention of crime - Video surveillance to protect domestic rights, gathering evidence in the event of robberies and fraud - Measures for building and plant security (e.g. access controls) - Measures to ensure house rights

#### d. Based on your consent (Article 6 (1a) GDPR)

Insofar as you have given us your consent to the processing of personal data for specific purposes (e.g. passing on data within the association / group), the lawfulness of this processing is based on your consent. A given consent can be revoked at any time. This also applies to the revocation of declarations of consent that were issued to us prior to the validity of the EU General Data Protection Regulation, i.e. before May 25, 2018. Please note that the revocation will only take effect in the future and processing will not be affected until then.

#### 4. Who receives my data?

Within the institute, those places will get access to your data that they need to fulfill our contractual and legal obligations. Service providers and vicarious agents used by us can also receive data for these purposes if they comply with the contractual confidentiality obligation and our written data protection instructions. With regard to the transfer of data to recipients outside the institute, it should first be noted that we, as a financial service provider, are obliged to maintain secrecy about all client-related facts and assessments (equally affects representatives / authorized representatives) of which we are aware. We may only pass on information about you if this is required by legal provisions, you have given your consent and / or contract processors commissioned by us guarantee the compliance with contractual confidentiality obligations as well as the requirements of the EU General Data Protection Regulation / Federal Data Protection Act .

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### 5. Is data transferred to a third country or to an international organisation?

A data transfer to countries outside the EU or the EEA (so-called third countries) only takes place insofar as this is required by law to execute the orders of the client for whom you are trading (e.g. payment and securities orders) (e.g. tax reporting requirements). You have given us your consent or as part of order data processing. If service providers are used in the third country, they are obliged to comply with the data protection level in Europe in addition to written instructions through the agreement of the EU standard contractual clauses.

### 6. How long will my data be stored?

We process and store your personal data as long as you are authorized to represent us for the respective legal person.

If the data are no longer required for the fulfillment of contractual or legal obligations, they will be deleted regularly, unless their - temporary - further processing is necessary for the following purposes:

- Fulfillment of retention periods under commercial and tax law: These include the Commercial Code, the Tax Code, the Banking Act, the Money Laundering Act and the Securities Trading Act. The deadlines for storage and documentation specified there are two to ten years.

- Preservation of evidence under the statute of limitations. According to §§ 195 ff. Of the German Civil Code (BGB), the limitation periods can be up to 30 years, with the regular limitation period being three years.

### 7. What data protection rights do I have?

Every data subject has the right to information under Article 15 GDPR, the right to rectification according to Article 16 GDPR, the right to erasure according to Article 17 GDPR, the right to restriction of processing according to Article 18 GDPR, the right to object from Article 21 GDPR as well as the right to data portability from Article 20 GDPR. The restrictions under §§ 34 and 35 BDSG apply to the right to information and the right to erasure. In addition, there is a right of appeal to a data protection supervisory authority (Article 77 GDPR in conjunction with Section 19 BDSG).

You can revoke your consent to the processing of personal data at any time. This also applies to the revocation of declarations

of consent that were issued to us prior to the validity of the EU General Data Protection Regulation, i.e. before May 25, 2018. Please note that the revocation will only take effect in the future. Processing that took place before the revocation is not affected.

### 8. Is there a duty to provide data?

As part of our business relationships with the legal person you represent to us, you must provide us with the personal data that is necessary for the establishment and implementation of a representative / proxy and the fulfillment of the associated contractual obligations, or which we are legally obliged to collect. Without this data, we usually have to reject you as a representative / authorized representative or have to cancel an existing authorization / authorization.

In particular, according to the anti-money laundering regulations, we are obliged to identify you before setting up the authorization to represent / authorize, for example, using your ID card and to collect and record your name, place of birth, date of birth, nationality and your home address. In order for us to be able to comply with this legal obligation, you have to provide the necessary information and documents in accordance with Section 4 (6) of the Money Laundering Act and to notify changes that arise in the course of the business relationship without delay. If you do not provide us with the necessary information and documents, we may not set up or continue the right of representation / authorization requested by the respective legal person.

#### Information on your right to object under article 21 of the EU General Data Protection Regulation (GDPR)

##### 1. Right to object on a case-by-case basis

You have the right, for reasons that arise from your particular situation, at any time against the processing of your personal data, which is based on Article 6 Paragraph 1 e GDPR (data processing in the public interest) and Article 6 Paragraph 1 f GDPR (data processing on the basis of a balance of interests) takes place to object.

If you file an objection, your personal data will no longer be processed, unless we can demonstrate compelling legitimate reasons for the processing that outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend of legal claims.

The objection can be made form-free and should be addressed to: 089 4569160 if possible.