

May 2018

**schoenherr**

Schoenherr SRL  
MD-2012 Chisinau Municipality,  
Rascani District  
Str. Alexandru cel Bun no.51  
IDNO 1009600001625 (dated  
21.01.2009)  
Personal data controller 0000016

**SCHOENHERR  
DATA PRIVACY STATEMENT  
FOR THE REPUBLIC OF MOLDOVA**

## **1 Preamble**

As a law firm, Schoenherr S.R.L. (hereinafter: "Schoenherr", "we" or "us") gives highest priority to the protection of your personal data. Due to our professional duty of confidentiality, we are committed to the utmost of secrecy. When using your personal data, we therefore naturally observe all data protection regulations, including but not limited to the provisions of the EU General Data Protection Regulation (hereinafter: "GDPR") and the Law of the Republic of Moldova no. °133 dated 8 July 2011 "on personal data protection" (hereinafter: "Law 133/2011"). In this statement we set out which of your personal data will be processed, disclose the purposes for which data is processed and how you can exercise your rights under the GDPR and the Law 133/2011.

## **2 Personal data and data processing purposes**

We process your personal data in reliance on our engagement, thus based on the contractual relationship between us.

We also process your personal data for the purpose of sending you newsletters on current legal developments and inviting you to certain events ("Business Breakfast", "Schönherr Abend" etc.) only with your consent, which you can revoke at any time.

We will process your contact details (your name, phone number, email address, your company name and your position) to optimise our contact management (Client Relationship Management "CRM"). Of course, you are entitled to object to any further processing of your data for the optimisation of our contact management at any time. If you exercise your right to object, we ask you to give us the reasons for doing so. If you send us a reasoned notice of objection, we will examine the facts and either cease, or adjust the processing operations, or inform you of compelling and legitimate reasons why it is necessary to continue the data processing operations.

Furthermore, we process your personal data in reliance on any other legal basis in accordance with GDPR and in compliance with data protection legislation, including the Law 133/2011.

We collect only personal data, which is necessary to carry out and execute our legal services, or data, which you have provided to us on a voluntary basis. Please note that under certain circumstances, we might abstain from accepting an engagement if you fail to provide, or provide incomplete personal data which is necessary to execute and implement our legal services.

Personal data means any information referring to an identified or identifiable natural person, including information containing details of personal or material circumstances such as name, address, e-mail address, phone number, date of birth, age,

sex, social security number, video recordings, photos, voice recordings and biometric data such, as fingerprints. Personal data can also include special categories of data such as health data or data relating to criminal proceedings.

### **3 Your rights in connection with your personal data**

As a client, or generally as a data subject according to GDPR and to the Law 133/2011, and subject to the attorney-client privilege, you have the *right to information* on your processed personal data, on their origin and recipients of this data, the duration of processing, and the purpose of data processing.

If we process inaccurate or incomplete personal data, you have the *right to rectification* or completion of such data (*right of intervention*).

You may also request us to *erase* data which has been processed unlawfully. Please note that you may exercise this right only in respect of inaccurate, incomplete or unlawfully processed data.

If it is unclear whether your personal data is inaccurate, incomplete, or unlawfully processed, you may request us to *limit* the processing of your data until this issue has been resolved.

As indicated in Section 2, you have the *right to object* to the processing of your personal data. If you exercise your right to object, we ask you to give the reasons for doing so. Please note that these rights exclude each other; you can therefore request us only to either rectify or complete or erase your data. In certain cases, you also have the right to receive your personal data processed by us in a machine-readable format of our choice, or to instruct us to transmit such data directly to a third party of your choice; in this context, data portability must not be precluded by unreasonable efforts or legal or other obligations or requirements of confidentiality.

We ask you to address all inquiries in connection with the processing of your personal data to us, along with an electronic copy of an identity document to verify your identity. Our contact details can be found in Section 13 of this Data Privacy Statement.

We ask that you notify us of any change in your personal data.

In spite of your best efforts to guarantee the protection and integrity of your data, we cannot fully rule out that disagreements will arise on the nature of use of your data. If you consider that we are unlawfully using your data, you may lodge a complaint with the National Centre for the Protection of Personal data of the Republic of Moldova. However, we hope that you will contact us first and we can address and dispel any doubts you may have.

## 4 Website and events

### 4.1 Website

You may use our website and access its public content generally without having to disclose your personal data. We only record information provided by your internet provider, including but not limited to your IP address and the duration and time of your visit. This information is saved during the time of your visit and analysed solely for statistical purposes under strict protection of anonymity (for details see our cookie policy: <https://www.schoenherr.eu/cookie-policy/>).

We also collect your personal data, if you disclose such data voluntarily or explicitly when you visit our website in connection with using the services offered on the website (e.g. press releases and newsletter, career portal). We only use this information for the specific purpose of the individual service and in compliance with applicable laws.

#### 4.1.1 Press releases and newsletters

We are pleased if you subscribe our press releases or newsletters at <https://www.schoenherr.eu/subscription/>.

Our press releases provide latest updates and information on Schoenherr deals. Our newsletters allow you to access information on latest legal developments and update you on our annual Roadmap and other Schoenherr publications.

This service simply requires you to disclose your e-mail address and make a decision if you want to receive our press releases or our newsletters.

#### 4.1.2 Career portal

You can use our career portal to submit an application for a job opening. We are happy to receive your application. We require certain information from you to assess whether we can offer you a suitable position.

We collect only personal data, which you disclosed in your job application: academic degree, name, contact details, interests, CV, letter of motivation, reference letters and any other information and documents you have sent in.

Please use the following link to submit your application: <https://www.schoenherr.eu/careers/>

### 4.2 Events

Our popular events, workshops and lectures (collectively: "Events") provide detailed information on latest developments in different areas of law and also allow you to

network with industry participants and meet the Schoenherr lawyers personally. You are therefore welcome to attend these Events at any time. We will use only your contact details to send out invitations and, in our legitimate interest, process your name, your company, and your position to optimise contact management.

## **5 Data security**

We have taken appropriate organisational and technical measures to ensure the protection of your personal data in particular against unauthorised, unlawful or accidental access, processing, loss, use and tampering.

In spite of our efforts of ensuring an appropriately high standard of diligence requirements at all times, it cannot be ruled out that information you have provided via the internet will be accessed or used by other persons.

Please note that we can therefore not assume any liability whatsoever for the disclosure of information due to errors in the data transfer and/or unauthorised access by third parties not caused by us (e.g. hacking of e-mail account or telephone, interception of fax messages).

## **6 Use of data**

When concluding a client-attorney relationship or a contractual relationship with us, you will possibly disclose your personal data (and your relatives', co-workers' or other third parties') and business or trade secrets. In all these cases, we generally assume that you are authorised to disclose this data. We use your data and data of third parties nominated by you only to the extent this is necessary for the proper establishment and processing of our mandate or contractual relationship with you.

We will not process data made available for purposes other than those covered by your consent or otherwise by a provision in accordance with GDPR and with Law 133/2011, except for the use for statistical purposes, provided that data made available was anonymised.

## **7 Transfer of data to third parties**

### **7.1 Mandate**

The execution of your mandate may require us to transfer your data to third parties (e.g. to your opponent, to substitute lawyers, to insurance companies and service providers we may use and to which we provide data, etc.), and to courts or public authorities. Also, an international issue arising in connection with a mandate may require us to exchange data within the Schoenherr group. Data will be transferred only in reliance on data protection laws and in particular to execute your mandate or based on your prior consent.

Furthermore, we would like to inform you that information relating to the specific circumstances of your case may regularly also be sourced from third parties (e.g. search engines, social networks, your company website) in connection with our legal services. We may also have to disclose your personal data to courts or public authorities on request. However, in all these cases, we will always ensure that we comply with legal regulations and protect your data.

Some of the above recipients of your personal data are located abroad and process your personal data there. The level of data protection in other countries may not exactly be equal to the level of protection in the Republic of Moldova. We will ensure that with regard to data protection and data security standards, at least the level of the Republic of Moldova is maintained. For this reason, we will transfer your personal data only to countries which the competent authorities decided to have an appropriate level of data protection, or we will take measures to ensure that all recipients maintain an appropriate level of data protection; for this purpose we will conclude standard contractual clauses (2010/87/EC and/or 2004/915/EC).

## 7.2 Website

Due to the complexity of today's data processing operations, we may sometimes have to appoint processors for the processing of your data. Some of these processors are located outside the territory of the Republic of Moldova. However, whenever we use processors, we always ensure to maintain the level of the Republic of Moldova of data protection and the level of the Republic of Moldova of data security standards.

Should you have submitted a job application via our career portal, we may also source data about you from third parties (e.g. search engines, social networks).

## 8 Notification of data incidents

We aim to ensure that data incidents are detected at an early stage and immediately reported to you or to the competent supervisory authority, including the respective data categories concerned.

## 9 Storage of data

We will store data no longer than is necessary to fulfil our contractual or legal obligations and to defend liability claims, if any.

## 10 Cookies

This website uses "cookies" to ensure that our services are user-friendly and more effective for our clients.

A "cookie" is a tiny text file that is downloaded by our web server on the hard drive of your computer via your browser and allows our website to recognise you as a

user if a connection is made between our web server and your browser. Cookies help us to establish the frequency of use and the number of users who visit our website. The content of the cookies we use is confined to an identification number and does not allow us to personally identify a user. The main purpose of cookies is to recognise the user of a website.

Our website uses two types of cookies:

- Session cookies: These are transient cookies stored in temporary memory, which are automatically erased when you close your browser.
- Permanent cookies: Cookies are stored on your hard drive to enhance user friendliness and allow us to recognise you when you visit our website again.

You can adjust the settings on your browser (i) to activate functionality which notifies you on the setting of cookies and to allow cookies only in a particular case, (ii) you may disable cookies for certain cases or in general, and (iii) you can also activate functionality which will automatically delete cookies when you close your browser. Disabling cookies may result in disabling certain functionality and features of this site.

## **11 Server-log-files**

For optimised system performance, user friendliness and the provision of useful information on our services, the website provider automatically collects and stores so-called server log files, which your browser automatically transmits to us. This information includes your IP address, browser and language settings, operating system, referrer URL, your internet service provider, and the date/time of your visit.

This data is not pooled with sources of personal data. We reserve the right to examine this data later on if there is solid evidence, which suggests unlawful use.

## **12 Legal basis**

### **12.1 Client-attorney-relationship**

Our mandate as a law firm requires us to represent your interests zealously, faithfully and conscientiously. We are therefore legally required in our clients' interest to collect any personal data about our clients needed for conscientious representation of our clients. Furthermore, we process your personal information based on the engagement contract, your consent or any other purposes covered by data protection laws. We use your personal data for statistical purpose only when anonymised.

### **12.2 Website**

All personal data collected via our website are voluntarily provided by you. You thereby express your consent to the processing of such data.

### 12.3 Events

We will invite you to our events if you have signed up for an Event. In this case, your invitation is sent out based on your consent, which you may revoke at any time.

If you are or were a client, it is in our legitimate interest to invite you to Events. You can notify us at any time that you do not wish to receive any further invitations.

Staying in touch with our former lawyers and co-workers is a matter of particular concern to us. We will send you these invitations also in reliance on your consent, which you can revoke at any time.

### 12.4 Client Relationship Management ("CRM")

If you have contacted us, we will be in possession of your contact details. It is in our legitimate interest to process your contact details. However, you may certainly object at any time to any further processing of your data for the optimisation of our contact management.

### 12.5 Video surveillance

We have a legitimate interest in monitoring our premises by video surveillance to ensure that our property and our clients' data are protected and to establish sufficient evidence that can be submitted when necessary.

## 13 Contact details

Controller of all your personal data is:

Schoenherr SRL  
Str. Alexandru cel Bun no. °51, Rascani District  
MD-2012 Chisinau Municipality, Republic of Moldova

Please address any queries or your notice of withdrawal to  
[dataprotectionMD@schoenherr.eu](mailto:dataprotectionMD@schoenherr.eu)