

schoenherr

Advokatsko druzhestvo
Stoyanov & Tsekova
Alabin 56
BG-1000 Sofia
17374/2007 (Sofia City Court)
Reg. No: 175404723
VAT: BG 175404723
T: (+359) 2 933 10 70
E: office.bulgaria@schoenherr.eu

**SCHOENHERR
DATA PRIVACY STATEMENT
FOR BULGARIA**

1 Preamble

As a law firm, Advokatsko druzhestvo Stoyanov & Tsekova in cooperation with Schoenherr (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 secrecy in all of our dealings. When using your personal data, we therefore naturally observe all data protection regulations, in particular all provisions of the EU General Data Protection Regulation¹ (hereinafter: "**GDPR**") and all other applicable national and European regulations. In this statement we set out which of your personal data will be processed by us, disclose the purposes for which data is processed and the legal basis upon which your personal data is processed and how you can exercise your rights under the GDPR.

2 Personal data and data processing purposes

We process your personal data only if and to the extent as you have given your consent or it is necessary to fulfill contractual obligations, to fulfill legal obligations or to protect the legitimate interests of Schoenherr.² In any case, processing of your personal data will always and only take place in compliance with all applicable national and European regulations.

If you have not provided us with your personal data yourself, we either received such data from our clients, business partners, service providers or cooperation partners for which you act as representative or employee, as the case may be, or via which you are being invited to our events, or we collected the data from publicly available sources, including, without limitation, company websites, participant lists of events or industry register. The latter always takes place in compliance with all applicable national and European regulations.

In particular, we process your personal data for the following purposes:

- (i) In reliance on our **engagement or preparation of our engagement** i.e. based on the contractual relationship between us and in order to perform legal and contractually agreed services or obligations related to our business relationship.
- (ii) In order to comply with **national and European regulations and legislation** (e.g. storage of data in compliance with statutory retention periods pursuant to the Bulgarian Lawyer's Act,³ the Bulgarian Accountancy Act,⁴ Bulgarian Tax and Social Insurance Procedure Code⁵ etc). In particular, it might be necessary before acceptance of specific mandates, to process your

¹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation).

² Legal bases for the processing of your personal data are art 6 para 1 lit a, b, c and f GDPR.

³ See art 47 of the Bulgarian Lawyer's Act.

⁴ See art 12 of the Bulgarian Accountancy Act.

⁵ See art 38 of the Bulgarian Tax and Social Insurance Procedure Code.

personal data based on our legal obligations regarding the prevention of money-laundering and countering terrorism financing.⁶ In this context, we are obliged to keep (copies of) the documentary evidence provided to us for identification purposes for a minimum of five years upon termination of the mandate.

- (iii) To **maintain business relationships** and to provide you with **current relevant legal or business related information**, e.g. via sending you newsletters in relation to the most recent legal developments and inviting you to certain events ("**Business Breakfast**", "**Schoenherr Abend**" etc).
- (iv) For the purpose of **efficient and correct** coordination, organization and management of **business and related internal administrative purposes** of the Schoenherr Group (e.g. for accounting purposes).
- (v) For communication purposes and **optimization of our contact management system** (Client Relationship Management "**CRM**").
- (vi) To **ensure IT security** and **IT operations** at Schoenherr.
- (vii) For **engaging service providers** (e.g. external IT service providers) who support our business processes.

Furthermore, we process your personal data in reliance on other legal basis in accordance with the GDPR and in compliance with data protection, civil law and any other applicable provisions.

We collect only personal data, which is necessary in order 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 containing details of personal or material circumstances such as name, address, e-mail address, phone number, date of birth, age, sex, personal identification number, video recordings, photos, voice recordings of individuals, 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.

Please also note that in general, when processing personal data, we always weigh our and your legitimate interests⁷ against each other and thus, carry out a balancing test. Upon request we will provide you with further information in relation to this balancing test performed by us.

⁶ For example, AML4 (Directive (EU) No 849/2015), AML5 (Directive (EU) No 843/2018) und AML6 (Directive (EU) No 1673/2018).

⁷ Art 6 para 1 lit f GDPR.

We do not process your data for decision making, which is solely based on automated processing, including profiling, which produces legal effects for you or affects you in similar significant ways.

3 Client-attorney-relationship

Our mandate as a law firm requires us to represent your interests zealously, faithfully and conscientiously. Based on our clients' interest we are therefore legally required to collect any personal data, which is needed for conscientious representation of our clients, about the latter. Furthermore, we process your personal information based on the engagement contract, your consent, our legal and/or contractual obligations⁸ as well as any other purpose covered by data protection laws. We use your personal data for statistical purposes only when anonymized.

4 Website and events

4.1 Website

You may use the website of Schönherr Rechtsanwälte GmbH and access its public content generally without having to disclose your personal data. Schönherr Rechtsanwälte GmbH only records 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 analyzed 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.

The corresponding legal basis for this processing of your personal data is on the one hand our legitimate interest in ensuring the functionality, security, etc of our website and on the other hand your consent, which you can withdraw at any time with immediate effect.⁹

4.1.1 Press releases and newsletters

You can subscribe to our press releases or newsletters at <https://www.schoenherr.eu/subscription/>.

Our press releases provide the latest updates and information on Schoenherr deals. Our newsletters allow you to access information on the

⁸ Legal bases: art 6 para 1 lit a, b and c GDPR.

⁹ Legal bases: art 6 para 1 lit a and f GDPR.

current 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 as to whether you want to receive our press releases or our newsletters. Please note that some of our Offices located in other countries have their own local marketing activities, such as sending out local press releases and newsletters.

The corresponding legal basis for this processing of your personal data is your consent, which you can withdraw at any time with immediate effect, or the legitimate interest of the respective Schoenherr Office in maintaining business relationships as well as in informing existing and potential clients as far as permitted according to applicable national laws.¹⁰

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 have 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 note that the processing of your personal data may be carried out by one of our service providers (so-called "**processor**"; see section 7 of this Data Privacy Statement) on behalf of Schoenherr.

The corresponding legal basis for this processing of your personal data is your consent, which you can withdraw at any time with immediate effect.¹¹ Please note that we may have to suspend the application process, if you do not, or not sufficiently, provide us with your data required for the use of the career portal.

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

4.2 Events

Our 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. 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 optimize contact management.

¹⁰ Legal bases: art 6 para 1 lit a and/or lit f GDPR.

¹¹ Legal basis: art 6 para 1 lit a GDPR.

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 withdraw at any time. 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 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.¹³

Please note that some of our Offices located in other countries have their own local marketing activities, such as sending out invitations to their own local events. The corresponding legal basis for this processing of your personal data is either based on your consent, which you can withdraw at any time with immediate effect, or based on the legitimate interest of the respective Schoenherr Office, if and to the extent this is permitted according to applicable national laws. Also in this case you can notify us at any time that you do not wish to receive any further invitations.¹⁴

4.3 Client Relationship Management ("**CRM**")

If you have contacted us, we will be in possession of your contact details.

We process your contact details in order to fulfill our contractual and legal obligations, to contact you or based on our legitimate interest to optimize our contact management system. You may object at any time to any further processing of your data for the optimization of our contact management system.¹⁵ 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.

5 **Data security**

We have taken appropriate organizational and technical measures to ensure the protection of your personal data in particular against unauthorized, 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 unauthorized access

¹² Legal basis: art 6 para 1 lit a GDPR.

¹³ Legal basis: art 6 para 1 lit f GDPR.

¹⁴ Legal bases: art 6 para 1 lit a and f GDPR.

¹⁵ Legal bases: art 6 para 1 lit a, b, c and/or f GDPR.

by third parties not caused by us (e.g. hacking of e-mail accounts, telephone, or interception of fax messages).

6 Use of data

When concluding a client-attorney relationship or a contractual relationship with us, you will disclose your (or your relatives', co-workers' or other third parties') personal data and business or trade secrets. In all these cases, we generally assume that you are authorized 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 our engagement, your consent or otherwise by a provision in accordance with GDPR, except for the use for statistical purposes, provided that data made available was anonymized.

7 Transfer of data to third parties

In general, we transfer your personal data only to third parties, if and to the extent that there is a valid legal basis for this transfer and if the transfer does not breach any professional confidentiality obligations. In any event we only transfer your personal data as far as required for the respective purpose, required by applicable law, the transfer is based on a legitimate interest or on your consent.

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 authorities. Also, an international issue arising in connection with a mandate may require us to exchange data within the Schoenherr Offices. Data will be transferred only in reliance on data protection (and all other applicable national) laws and in particular to execute your mandate or based on your prior consent.

If necessary, your personal data will be e.g. transferred to the following recipients:

- courts and authorities;
- opponents and their legal representatives;
- other Schoenherr-Offices;
- independent lawyers in cooperation with Schoenherr;
- competent bar associations;
- tax consultants and auditors;

- banks and insurance companies; and
- service providers (e.g. travel agencies, taxi service, hotels).

Some of the above recipients of your personal data are located abroad or outside the EU/EEA and process your data there. The level of data protection in other countries may not be exactly equal to the level of protection in Bulgaria. We will ensure that the European level of data protection and the European data security standards are maintained. For this reason, we will transfer your personal data only to countries which the EU Commission decided 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).

Our processors (i.e. service providers) also process your personal data. These processors are in particular IT-services providers, providers of other tools and software solutions as well as of corresponding or related services. Our processors will only process your personal data on our behalf, in accordance with our instructions and for the purposes mentioned in this data privacy statement. Some of these processors may be located outside the territory of the EU/EEA. However, whenever we use processors, we always ensure to maintain the European level of data protection and the European data security standards.

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

Should you have submitted a job application via a 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 and/or to the competent supervisory authority. Reporting will include the respective data categories concerned.

9 Storage of data

We will store data no longer than it is necessary to fulfil our contractual or legal obligations and to defend liability claims, if any. If we do no longer require your personal data, we erase or render them anonymous to ensure that you can no longer be identified.

Depending on the purpose of the processing, different retention periods apply to different data categories. Specific retention period for the respective provided data may be inferred from various legal provisions e.g. art 47 Bulgarian Lawyer's Act, art 12 Bulgarian Accountancy Act and art 38 Bulgarian Tax and Social Insurance Procedure Code. Upon request, we are happy to provide you with more specific information on the respective storage duration of your data/the data provided by you.¹⁶

We usually store the data for a period of 5 years after the termination of the legal relationship with you. If a legal dispute has arisen, a tax audit is being carried out or there is another similar emergency, we store your data until the relevant case is completed.

Your data in connection with applications for work with us, sent to us by e-mail or through the career portal will be stored for a period of 3 years.

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 recognize 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 recognize the user of a website.

We use two types of cookies on our website:

- **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 recognize 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/or 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

¹⁶ For the relevant contact details, please refer to section 14 of this Data Privacy Statement.

browser. Disabling cookies may result in disabling certain functionality and features of our website.¹⁷

The corresponding legal basis for this processing of your personal data is your consent, which you have given us by agreeing to the cookie banner on our website. You can withdraw your consent at any time with immediate effect.¹⁸

11 Server-log-files

For optimized 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. We need to process these logfiles in order to ensure the functionality, stability and security of our website. 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. The corresponding legal basis for this processing of your personal data is our legitimate interest in the functionality, stability and security of our website.¹⁹

12 Your rights in connection with your personal data

As a client or generally as a data subject according to the GDPR, and subject to the attorney-client privilege, you have the **right to information** on your personal data processed by us, on their origin and recipients, the duration of storage, and the purpose of data processing.²⁰

If we process inaccurate or incomplete personal data, you have the **right to rectification** or **completion** of such data.²¹

You may also **request us to erase** data, which have been processed unlawfully. Please note that you may exercise this right only in respect of inaccurate, incomplete or unlawfully processed data or other cases in which the legal requirements for exercising this right are met.²²

If it is unclear whether your personal data is inaccurate, incomplete, or unlawfully processed or if it is otherwise unclear, whether the requirements for erasing your personal data are met, you may **request us to limit** the processing of your data until this issue has been resolved. You may also request to limit the processing of your data, if your personal data are no longer necessary for the purposes of the

¹⁷ For further information in relation to our cookie policy, please refer to <https://www.schoenherr.eu/cookie-policy/>.

¹⁸ Legal basis: art 6 para 1 lit a GDPR.

¹⁹ Legal basis: art 6 para 1 lit f GDPR.

²⁰ Art 15 GDPR.

²¹ Art 16 GDPR.

²² Art 17 GDPR.

processing, but are required for the establishment, exercise or defense of legal claims or if you have objected to the processing pending the verification whether our legitimate grounds override the legitimate grounds stated by you.²³

Please note that these rights complement each other; you can therefore request us only to either rectify or complete or erase your data. Such a request must contain sufficient justification why the data should be corrected, deleted or limited, so that we can assess whether the legal requirements for complying with your request are met. In the event of a correction, the request must also state in which way the data should be corrected and how the data should be read correctly.

If the procession of your personal data is based on your consent, you have **the right to withdraw your consent at any time**. You have been informed that the withdrawal of your consent does not affect the lawfulness of processing your data based on your consent before its withdrawal.²⁴ As indicated, you have the **right to object** to the processing of your personal data if the processing is based on the legal basis of our legitimate interest or your consent. If you exercise your right to object, we ask you to give the reasons for doing so.²⁵

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 (**right to data portability**).²⁶

We ask you to address all inquiries in connection with the processing of your personal data to our Data Protection Officer, along with an electronic copy of an identity document to verify your identity. Our contact details can be found in section 14 of this Data Privacy Statement.

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

Despite our best efforts to guarantee the protection and integrity of your data, we cannot fully rule out that disagreements will arise on the nature of the use of your data. If you consider that we are unlawfully using your data, you may lodge a complaint with the Bulgarian Data Protection Authority. However, we hope that you will contact us first and we can address and dispel any doubts you may have.

²³ Art 18 GDPR.

²⁴ Art 7 GDPR.

²⁵ Art 21 GDPR.

²⁶ Art 20 GDPR.

13 Miscellaneous

We reserve the right to update this data privacy statement from time to time to reflect legal and/or technical changes and/or requirements or any changes to our business (activity).

We will take reasonable efforts to inform you of such updates immediately. The date of the most recent update may be seen on the first page of this data privacy statement.

14 Contact details

Controller of all your personal data is:

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Alabin 56 Street
BG-1000 Sofia
17374/2007 (Sofia City Court)
Reg. No: 175404723
VAT: BG 175404723

Please address any queries or your notice of withdrawal to dataprotectionbg@schoenherr.eu.