

PRIVACY POLICY PRESLMAYR RECHTSANWÄLTE OG

Preslmayr Attorneys at Law (“Preslmayr”, “we” or “us”) takes data protection very seriously. In the following we will inform you how, why, and which personal data we process from you, and about your rights in this respect.

This Privacy Policy describes the processing of personal data within the scope of the business relationship with you, in particular concerning data processing to fulfil the client relationship or the relationship based on another legal basis (e.g. contractual relationship or special assignments), as well as data processing within the scope of our website www.preslmayr.at, and in case you contact us.

Personal data means any information which contains individual details about personal or factual circumstances and which can be related to you personally, e.g. name, address, e-mail address, IP address, telephone number, date of birth, age, gender, social security number, video recordings, photos, voice recordings as well as biometric data such as fingerprints. Special categories of data, such as health data or information on criminal proceedings and records, may also be included.

1. Controller

Preslmayr Rechtsanwälte OG
Universitätsring 12
1010 Vienna, Austria

Tel: +43 (1) 533 16 95

Fax: +43 (1) 535 56 86

Web: www.preslmayr.at

E-mail: office@preslmayr.at

Please send your enquiries regarding data protection issues to: datenschutz@preslmayr.at

2. Data processing purposes and categories of personal data concerned

2.1. Data processing within the fulfilment of the client relationship

To fulfil the client relationship, especially to fulfil the tasks assigned to us by you, and insofar as this results from legal or professional obligations and authorizations, we process your master data (name, address, contact details, etc.) and all data provided to us as well as all information made known to and collected by us (also from third parties) in both electronic and non-electronic form. In this context we inform you that within our legal representation and services we also receive factual and case-relevant information from third parties.

We only collect and process personal data which are required by contract or law for the execution of our legal services or which have been provided to us by you voluntarily.

We process these data pursuant to Art 6 para 1 lit b) GDPR to fulfil the client relationship with you, hence for the performance of a contract or in order to take steps prior to entering into a contract. In addition, the processing is necessary for pursuing our legitimate interests pursuant to Art 6 para 1 lit f) GDPR, namely the processing using electronic systems to carry out our services with the greatest possible efficiency. Certain data processing, e.g. electronic legal communications with courts, authorities and other parties involved in proceedings or the collection of relevant data to prevent money laundering and terrorist financing, is also required by law. In case special categories of data are subject to this processing, we process these data pursuant to Art 9 para 2 lit f) GDPR, because the processing is necessary for the establishment, exercise, or defence of legal claims.

The provision of the personal data mentioned is required for the fulfilment of the client relationship and to some extent is required by law. Failure to provide these data or the withdrawal of any consent given regarding required data would result in the client relationship being impracticable and would lead to the immediate termination of the client relationship in accordance with Art 12 of our [General Terms and Conditions](#).

We transfer these data to the extent required to achieve the mentioned purposes to: Courts; authorities; opponents; third parties who (should) participate in our legal services; insurance companies; banks for the processing of payment transactions; tax consultants and auditors; the Austrian Bar Association (for trusts) as well as to other recipients if this has been approved by the client in individual cases or is required by law.

For certain tasks like IT support personal data are processed by Processors (Art 4 no 8 GDPR) only on behalf of and as instructed by us. Processors are contractually bound in accordance with the legal requirements.

We store your personal data for up to 30 years to be able to defend against liability claims. In cases where such claims are absolutely excluded, the retention period shall be at least 7 years. This does not apply to data pursuant to Art 8a RAO (regarding data to prevent money laundering and terrorist financing), which will be deleted after a maximum retention period of 10 years. If no instructions to the contrary are given, all files (including original documents) will be deleted and destroyed upon expiry of the storage obligations.

2.2. Data processing within the website

2.2.1. Server logfiles

By using our website <http://www.preslmayr.at> for information purposes only, i.e. if you do not take any action on the website such as using the contact form, or to register for events or our newsletter P) News, or otherwise actively provide information to us, we do not collect any personal data, except for the data your browser automatically transmits, so-called server logfiles, which enable you to visit the website. These server logfiles are:

- IP-address
- date and time of the request
- content of the request (specific page)
- access status/HTTP status code (in case of an error)
- the amount of data transferred (in case of an error)
- browser
- operating system
- language and version of the browser used

We process these data based on legitimate interests pursued by us pursuant to Art 6 para 1 lit f) GDPR, namely to optimize this website in terms of system performance, user-friendliness and to provide useful information about our services as well as to increase the security and stability of our website and to be able to detect and track attacks and misuse on our website.

If you use the contact form, the e-mail address of the web server from which we receive your message will be collected, additionally. This processing is necessary in order to be able to restore the message if errors occur during e-mail transmission.

These data will not be merged with personal data originating from other sources and these data will not be transferred to third parties.

These data are stored for 14 days.

2.2.2. Cookies

This website uses "cookies" to ensure the functionality of specific components of the website.

A "cookie" is a small text file which is transmitted to your computer by our web server. This enables our website to recognize you as a user when a connection is established between our web server and your browser. Cookies help us to determine the frequency of use and the number of users of our website. The content of the cookies we use is limited to an identification number which does not allow any personal reference to a user. The main purpose of cookies is to recognize the visitors of the website.

This website only uses one cookie, namely the session cookie "PHP-SESSID". Session Cookies are temporary cookies which remain in your browser's cookie-storage until you leave our website and are deleted automatically at the end of your visit.

You can customize the settings of your browser so that you will be informed about the use of cookies and only allow them in individual cases to exclude the acceptance of cookies for certain cases, or generally, and to activate the automatic deletion of cookies when closing the browser. When cookies are deactivated, the functionality of this website may be limited.

2.2.3. Contact form

By using the contact form provided, we will process the message text, the subject, your name, your e-mail address, the date of transmission and the e-mail address of the web server (provided that these fields have been filled in) for the purpose of responding to your inquiry.

We process these data in order to fulfil our (pre-)contractual obligations towards you. We also have a legitimate interest in communicating with you by reason of your contact.

2.2.4. Event registrations

By using the possibility to register for events via our website, we will process your name, your contact details, the event you want to participate in, and potentially other data provided in the registration form.

We process these data for conducting your registration. We (and you) have a legitimate interest pursuant to Art 6 para 1 lit f) GDPR in a well-functioning administration of registrations.

2.2.5. Data transfers

The data collected in the context of our website use will not be transferred to third parties, unless this is necessary in individual cases, e.g. to carry out an event registration, or you have consented to this transfer. This does not apply to the transfer to the Processor which is used to host our website (currently: A1 Telekom Austria AG, Lassallestraße 9, A-1020 Vienna).

2.3. Newsletter

If you subscribe to our newsletter or if other legal conditions are applicable, we process your e-mail address (or postal address) for sending our P) News as well as invitations to events and other promotional messages by e-mail (or mail).

By subscribing you consent to the processing of your contact details for this purpose and to the sending of promotional messages. We process your data for this purpose until you withdraw your consent (see Art 5. below). If the legal requirements are met, we will also process your contact details based on our legitimate interests, namely to stay in contact with you and to maintain our business contacts. In any case, you can refuse to receive the newsletter by sending an e-mail to p-news@preslmayr.at, subject "Unsubscribe newsletter".

2.4. General contact

If you contact us by e-mail, telephone, mail or other means of communication, we will process the content of your enquiry, the subject, your (e-)mail address, the date of your enquiry, your telephone number and/or any other contact data and information provided by you within the enquiry, for the purpose of processing and responding to your enquiry.

We process these data in order to fulfil our (pre-)contractual obligations towards you. We also have a legitimate interest in communicating with you by reason of your contact.

2.5. Applications

If you submit your application by e-mail, we process the provided data and information only to consider and process your application. Hence, this processing is necessary to fulfil our (pre-)contractual obligations towards you (regarding a possible employment), which are taken at your request (Art 6 para 1 lit b) GDPR).

The data processed depends on the content of your application documents, but regularly include: Name, title, address, date of birth, nationality, gender, qualifications (education, courses), references and recommendations, language skills, contact details (phone, e-mail, etc.), work experience, CV, intended employment/position and possible start date, application documents/letter of motivation, application photo, further documents and details which you provide us with as well as all written communication within the application process.

Personal data of rejected applicants will be stored for a maximum period of six months, starting on the day of the rejection of the application. If an employment relationship is concluded, your application documents will continue to be stored within your personnel file.

If you wish to be kept in records for possible later consideration, we will store your application data as long as it is appropriate, and you do not withdraw this consent. This request of keeping your data must be expressly stated in the application. You may withdraw your consent at any time with future effect (see Art 5. below).

3. Data security

Your personal data is protected by appropriate organizational and technical measures. These measures concern in particular the protection against unauthorized, illegal or accidental access, processing, loss, use and manipulation of your data.

Notwithstanding efforts to maintain a consistently high level of security and diligence requirements, the possibility cannot be excluded that information that you provide to us via the internet may be accessed and used by third parties. We point out that e-mail communication and communication via the contact form is not encrypted.

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

4. Retention period

In addition to the storage and retention periods specified in detail in the explanation of each processing purpose, we will not keep data longer than necessary to fulfil our contractual or statutory obligations or to establish, exercise or defend legal claims, in particular to defend against any liability claims.

5. Rights

As a client and generally as data subject concerned by our data processing, you have the right to request access to your personal data processed by us (in compliance with the duty of confidentiality of lawyers), their source, recipients, and the purpose of the processing as well as the right to rectification, data portability, restriction of processing and to blocking or deletion of incorrect or inadmissibly processed data.

In addition, you have the right to object to the processing of your personal data (in particular for direct marketing purposes) if reasons arise from your particular situation.

Please inform us of any changes of your personal data.

You have the right to withdraw your consent to a processing of your personal data at any time with future effect.

Please direct your enquiries regarding the above-mentioned rights and any withdrawal of consent by e-mail to datenschutz@preslmayr.at or by mail to the address stated in Art 1. above.

If you are of the opinion that the processing of your personal data by us infringes the applicable data protection law or that your privacy rights have been violated in any other way, you have the right to lodge a complaint with the competent supervisory authority. In Austria, this is the Austrian Data Protection Authority.

Version of June 11, 2018