

**PRIVACY NOTICE**

In the context of our professional activities, Cerha Hempel LLC and, where applicable, the independent lawyer cooperating with us advising you (hereinafter "**CERHA HEMPEL**", "**we**", "**us**" or "**our**") processes – as the controller within the meaning of Article 1 paragraph 8 of the Law of the Republic of Belarus No. 99-Z dated 7 May 2021 On Personal Data Protection (hereinafter "**Law**") – your personal data and the personal data of your employees and/or members of corporate bodies (hereinafter "**you**" or "**your**"). This privacy notice informs you of the details of the processing of your personal data. Personal data is all information which relates to an identified or identifiable person, such as his/her name, date of birth, address etc. (hereinafter "**data**").

***NOTE:** If we provide our professional services to legal entities, we kindly ask our contract and business partners to bring this privacy notice to the attention of the natural persons concerned (in particular employees and members of corporate bodies).*

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**A. Data processing in connection with our service**

**1) For what purposes do we process your data and on which legal basis?**

We process your data for the following purposes and on the following legal bases:

**a. Contractual performance**

We process the data of our contract partners (clients, suppliers, etc.) for the purpose of the performance of a contract, i.e. so as to provide our legal services or other contractually agreed services. Such processing is lawful on the basis of Article 6 paragraph 15 of the Law.

If this data is not provided to us in full or at all, we may not be able to meet all of our contractual obligations or to conclude the contract in the first place.

**b. Compliance with legal obligations**

Furthermore, we process the data in order to comply with the legal obligations to which we are subject (e.g. anti-money laundering legislation). Such processing is lawful on the basis of Article 6 paragraph 5 of the Law.

Also in this regard, we may not be able to meet all of our contractual obligations or conclude the contract in the first place, if data are not provided in full or at all.

## **c. Management and database of contract partners**

Furthermore, we process your data for administration and business management purposes (e.g. bookkeeping, cost accounting, maintaining a database of contract partners). Such processing is conducted on the basis of our legitimate interest in running our business properly and efficiently and in managing and optimising the selection of our contract partners (suppliers, tradesmen, etc.) and thus is lawful on the basis of Article 6 paragraph 15 of the Law.

### **2) Who receives your data?**

Your data will be disclosed by us only if there is a valid legal basis for such disclosure and provided it does not violate our duty of confidentiality. In any case, we only disclose your data to the extent necessary for each specific purpose, or as required under the relevant legal provision, in line with any legitimate interest or, in the case of consent, as specified by you.

Where necessary, your data will be disclosed in particular to the following recipients:

- our CERHA HEMPEL partner law firms, to the extent this is necessary for the purpose of providing legal advice
- independent attorneys (substitutes) cooperating with CERHA HEMPEL, to the extent this is necessary for the purpose of providing legal advice
- tax consultants or auditors
- banks
- insurance undertakings
- courts and authorities
- opponents and their legal representation
- service providers (e.g. travel companies, chauffeur services, hotels), to the extent this is necessary for the purpose of providing legal advice

### **3) How long will your personal data be retained?**

In principle, we retain your data until the contractual relationship is fulfilled or has ended. Furthermore, we are subject to multiple retention obligations, in accordance with which data are also required to be retained beyond the term of the contract, as stipulated for instance on the basis of retention periods provided under anti-money laundering law or tax law. We also retain your data, where appropriate, as long as legal claims can be made in connection with your agreement. In the case of pending administrative or judicial proceedings, your data will be retained until termination of the respective proceedings.

Moreover, we retain your data beyond the term of the contractual relationship as part of our database of contract partners and for the purposes of client management. We delete your data if you object to such data processing or if there has been no contact with you for business purposes over a period of two years.

### **4) Written consent**

The engagement agreement between CERHA HEMPEL and you has the provisions on collecting, storage, processing and transfer of the data. Upon signing the engagement agreement, you therefore give your written consent on such collecting, storage, processing and transfer of the data.

## **B. Your rights in connection with the processing of your data**

The Law grants you as a data subject certain rights to which we wish to draw your attention in the following. Please note that these rights are complementary.

### *1. Revocation of consent*

Where CERHA HEMPEL processes your personal data with your consent, you have the right to revoke your consent at any time. However, this does not affect the lawfulness of the processing of data conducted up until the time of revocation.

### *2. Right of access*

You have the right to obtain information on the name and location of the controller, the fact that your data were processed, your data and their origin, legal grounds and purposes of your data processing, duration of your consent, the name and location of the processor of your data (if applicable), the transfer of your data to third parties, as well as other information envisaged by the Law.

### *3. Right to rectification*

In the event CERHA HEMPEL processes data relating to you that are incorrect or incomplete, you have the right to request that the data be rectified or completed.

### *4. Right to restrict processing and erasure*

You have the right to request the free-of-charge restriction of the processing of your data including data erasure in case when there are no legal grounds for such processing of the data.

### *5. Right to lodge a complaint and appeal*

You have a right to lodge a complaint with the data protection authority if you are of the view that the processing of the data relating to you breaches your rights. The relevant decision of the data protection authority could be then appealed to the court.

### *6. To whom can you turn to enforce your rights as a data subject?*

To assert the aforementioned rights, please write (via letter or email) to the contact specified below.

#### **Contact us:**

Cerha Hempel LLC  
Surganova Str. 29, accommodation 3, office 16  
220012 Minsk  
Belarus  
E-mail: [minsk@cerhahempel.com](mailto:minsk@cerhahempel.com)