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Personal Data Protection Policy

Applicable to Voinescu și Asociații S.P.A.R.L.

In strict compliance with the provisions of Regulation EU 2016/679 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 („GDPR Regulation”), Voinescu și Asociații S.P.A.R.L. („Voinescu și Asociații”) processes Personal Data as an essential part of its work.

1. DEFINITIONS

Supervisory Authority	The National Authority for the Supervision of Personal Data Processing, as regulated by Law no. 102/2005 on the Creation, Organization and Operation of the National Authority for the Supervision of Personal Data Processing;
Consent	Any freely given, specific, informed and unambiguous indication of the Data Subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of Personal Data relating to him or her;
Personal Data	Any information relating to an identified or identifiable natural person who is protected by the applicable EU Data Protection Laws and Regulations;
Data Controller	<p>Voinescu și Asociații, a limited liability professional partnership of lawyers registered with Bucharest Bar under the provisions of Law no. 51/1995 and of the Statue of the Lawyer's Profession of 03.12.2011, having its professional address in strada Aleea Alexandru nr. 9, etaj 1, sector 1, Bucharest, Romania, zip code 011821;</p> <p>The Data Controller can be contacted via mail at the address mentioned above, via electronic mail at office@voinesculawyers.com, or via phone, at no. 0310 052 025;</p>
Data Subject	Any natural person with whom the Data Controller has direct or indirect contacts, such as clients, their legal or conventional representatives, prospective clients or their legal representatives, external collaborators (translators, experts, notaries, mediators etc.), prospective collaborators etc., as well as any natural person

	accessing the website www.voinesculawyers.com or providing personal information either based on his/her consent or based on an unambiguous action having the value of a consent;
Personal Data processing	Any operation or set of operations performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction, including its pseudonymization;
Pseudonymization	The processing of Personal Data in such a manner that the Personal Data can no longer be attributed to a specific Data Subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures to ensure that the Personal Data are not attributed to an identified or identifiable natural person;
GDPR Regulation	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;
Data Controller's Representative	In compliance with Art. 4 paragraph 17 of GDPR Regulation, the Data Controller's Representative appointed to perform the obligations resting on the Data Controller under the EU law is Ms. Timeea Ciudin, in her capacity as partner lawyer with Voinescu și Asociații;
Business Day	Any day since Monday to Friday in which the Data Controller performs activities at its professional seat, except for legal holydays, which are deemed days off in the meaning of the Labor Code.

2. CATEGORIES OF PERSONAL DATA THAT CAN BE COLLECTED AND PROCESSED

- 2.1. Depending on the purpose of processing applicable to each Data Subject, the Data Controller may process the following categories of Personal Data: family and first name, domicile and/or residence address, age, citizenship, personal identification number (CNP)/tax identification number (NIF), birth date and place, marital status, email address, phone and/or fax number, financial and accounting data of Data Subjects (IBAN account, assets, garnishments, seizures etc.), data referring to family life, data referring to the private life and/or the health condition of Data Subjects, geolocation data, image (obtained by Processing copies of identity documents or from pictures provided by Data Subjects to the Data Controller), voice, signature, and other identification data (car registration number, accounts on social platforms, web cookie modules etc.).

3. LAWFULNESS AND PURPOSES OF PROCESSING

- 3.1.** Voinescu și Asociații Processes Personal Data solely for the performance of the following actions, which confer lawfulness to the Processing, as follows:
- (a) for the performance of legal assistance agreements concluded with our clients;
 - (b) for the performance of other types of agreements (collaboration, internship, professional cooperation, association, employment agreements, service agreements under which Voinescu și Asociații acts as beneficiary, utility supply agreements, lease agreements etc.);
 - (c) for the performance of various legal obligations resting on the Data Controller (for instance, according to Law no. 129/2019 on Preventing and Fighting Money Laundering and Terrorism Financing, and Amending Other Normative Acts, under which the Data Controller acts as reporting entity; under Accounting Law no. 82/1991 etc.);
 - (d) for the drafting of statistics, if the case, by Pseudonymizing Personal Data;
 - (e) for the performance of other punctual obligations, enforceable on a case-by-case basis, depending on the Data Subject's Consent given in a specific way, as needed.

4. RECIPIENTS OF PERSONAL DATA

- 4.1.** Personal Data is intended to be used exclusively in the professional activity of the Data Controller and in no case will it be transferred or leased, free of charge or for a consideration, to any third parties.
- 4.2.** Voinescu și Asociații concluded in 2019 an alliance with Lexquire Tax & Law (Maastricht, the Netherlands), and in 2020, a partnership with Studio Legale asociato Martinez & Novebaci (Milano, Italy). Last but not least, the Data Controller opened an office also in Paris, France.
- 4.3.** Also, at a national level, Voinescu și Asociații concluded a series of professional cooperation agreements with various lawyer practice entities, as well as with translation firms, notary offices, bailiff offices etc.
- 4.4.** Therefore, as an exception to the provisions of point 4.1., depending on the needs of Data Subjects, Personal Data processed by the Data Controller can be communicated to the entities mentioned at points 4.2. and 4.3. above.
- 4.5.** At the same time, Personal Data can be communicated to the Supervisory Authority or to other national entities only if the general interest so requires, by observing the principle of professional secrecy in the attorney-client relationship.
- 4.6.** If the case, as an exception to the provisions of point 4.1., Personal Data processed by the Data Controller can be communicated to companies providing hosting and cloud storage services.

5. RIGHTS OF DATA SUBJECTS

- 5.1.** In compliance with GDPR Regulation, Data Subjects have a series of rights acknowledged by law and, implicitly, by the Data Controller, which are explained below.
- 5.2. Right of access to Personal Data.** Irrespective of the manner in which the Personal Data of a Data Subject gets in the possession of Voinescu și Asociații (based on the consent given by the Data Subject, based on its communication by third parties, accidentally etc.), Data Subjects have a right to know what categories of personal information are processed, the purposes of such processing,

their recipients, if any, the rights they can exert in connection with such processing, as well as any other right conferred by law.

- 5.3. **Right to Personal Data rectification.** Data Subjects have a right to the rectification (alteration and/or supplementing) of data concerning them if, in making use of their right of access, they notice that such data is inaccurate. Data may be rectified at the initiative of Voinescu și Asociații or at the initiative of the Data Subject.
- 5.4. **Right to Personal Data erasure.** If the purposes for Personal Data processing no longer subsist and if there is no other legal obligation to keep Personal Data for a specific period (i.e., paysheets, payrolls, accounting documents etc.), Data Subjects have a right to the erasure of their personal data that is processed by the Data Controller.
- 5.5. **Right to restriction of Personal Data processing.** This right may be exercised only under the terms provided for by GDPR Regulation.
- 5.6. **Right to Personal Data portability.** This right may be exerted only in situations where Personal Data is not processed based on the consent of the Data Subject or for the performance of a contract.
- 5.7. **Right to object.** Data Subjects have a right to object, except for the following situations:
 - the Data Controller demonstrates that its compelling legitimate interest justifies the processing and overrides the Data Subject's interests or rights and freedoms;
 - the Data Controller demonstrates that the purpose of processing consists in the establishment, exercise or defense of legal claims;
 - the Data Controller Processes Personal Data for statistical purposes, and such processing is necessary for the performance of a duty for reasons of public interest.
- 5.8. **Right to address the Supervisory Authority.** This right of Data Subjects is exerted under the terms provided for by GDPR Regulation and by Law no. 102/2005 on the Creation of the Supervisory Authority.

6. OBLIGATIONS OF THE DATA CONTROLLER

- 6.1. In turn, all the rights of Data Subjects represent obligations for the Data Controller, which must be performed by the Data Controller's Representative without undue delays.
- 6.2. **Confidentiality.** The Data Controller will make sure that the staff involved in Personal Data processing has been informed on the confidential nature of Personal Data, that it has received proper training on its responsibilities and that it has signed written privacy agreements.
- 6.3. **Limitation of access.** The Data Controller will make sure that only persons with whom the Data Controller has concluded an employment, collaboration or professional cooperation agreement, if the case, an internship or sponsorship agreement etc. have access to Personal Data, while the access of any unauthorized persons will be prohibited.
- 6.4. **Minimization of Personal Data processed.** Data Controller's obligation to minimize the Personal Data that is processed will be performed in compliance with GDPR Regulation in connection with any of the purposes and means of processing.
- 6.5. **Appropriate technical measures.** The Data Controller implements at an internal level adequate technical and organizational measures for the protection of Personal Data in strict compliance with the provisions of GDPR Regulation.

- 6.6. Appropriate security measures.** The Data Controller declares that it has implemented adequate security measures in order to protect Personal Data against accidental or unlawful destruction, loss, alteration, unauthorized disclosure or access and against all other unlawful forms of Processing, and that such measures ensure a security level adequate to the risks posed by the Processing and nature of Personal Data that needs to be protected, by considering the current status of technologies and the cost for their implementation.
- 6.7. Duty to collaborate.** In case of any request from a Data Subject or from an entity requesting for the communication of specific Personal Data for the performance of any legal obligation, the Data Controller will fulfill its duty to collaborate in good faith and within the terms specified by the law or, in the absence of such terms, within a reasonable term, by also considering the request's nature.
- 1.1.1. **Requests from Data Subjects.** Within maximum 2 (two) Business Days after the request receipt date, the Data Controller will solve the request/s of the Data Subject related to the exercise of his/her rights listed under Art. 5 of this Personal Data Protection Policy;
 - 1.1.2. **Requests from the Supervisory Authority.** Within maximum 1 (one) Business Day after the date of request, the Data Controller will respond to the requests of the Supervisory Authority.
- 6.8. Management of personal data breach events.** Persons who have access to Personal Data based on an order or permission from the Data Controller will notify without undue delays (within maximum 24 hours) any **Personal Data Breach**, defined as follows: unauthorized disclosure of or access to Personal Data, its accidental or unlawful alteration, destruction or loss.
- 6.9. Reporting of personal data breaches.** The Data Controller's Representative will notify the Supervisory Authority on any Personal Data Breach. The Data Controller will make reasonable efforts to discover the cause for such Personal Data Breach and will take all steps deemed necessary and reasonable by it to remedy the cause for such breach.
- 6.10. Records of processing operations.** The Data Controller will establish and keep updated records of processing operations for Personal Data Processed under GDPR Agreement, by selecting the most appropriate organization for such processing records, according to the applicable provisions of the EU data protection Laws and Regulations.
- 6.11. Processing geolocation.** The Data Controller undertakes to permanently Process the Personal Data within the frontiers of the European Union and/or of the European Economic Area.

7. TERMINATION OF APPLICATION OF THIS PERSONAL DATA PROCESSING PROTECTION POLICY

- 7.1.** In situations where Personal Data has been processed based on the consent of a Data Subject, the consent related to the termination of application of this Personal Data Protection Policy is deemed withdrawn when the Data Subject withdraws his/her Consent to the Processing, by requesting the data erasure.
- 7.2.** In situations where Personal Data has been processed for the performance of an agreement (legal assistance, collaboration, or service agreement under which the Data Controller acted as a beneficiary, internship, sponsorship agreement etc.), this Policy becomes inapplicable at the time when the agreement is terminated in compliance with the legal norms applicable to it through performance, expiry, unilateral termination, termination for cause, rescission etc.

- 7.3. In situations where Personal Data is processed based on legal obligations exceeding the scope of the Consent given by a Data Subject, as well as the scope of a contract performance, this Policy becomes inapplicable if the purposes for the performance of which Personal Data have been Processed no longer exist.
- 7.4. The provisions above are applicable in the absence of any legal obligation of the Data Controller to Process Personal Data for a longer identified or identifiable time period.
