Data Protection Information

Legal Engagements, Engagement Enquiries, Other Contacts and Job Applications · Articles 13 and 14 GDPR (As of 7 September 2026)

1. Controller and Contact Details

1.1. Zeinhofer Scherhaufer Rechtsanwalts GmbH
Hofgasse 9, A-4020 Linz, Austria
Telephone: +43 732 778898
Email: office@zsra.at

1.2. Enquiries concerning data protection should be addressed using the contact details set out above.

2. Scope of this Information

2.1. This Data Protection Information applies to the processing of personal data in connection with legal engagements and engagement enquiries, other contacts and business relationships, and job applications. It is addressed in particular to clients and their contact persons, prospective clients, opposing parties and their representatives, witnesses, experts, other persons involved in a matter, suppliers, business partners and applicants.

3. Legal Engagements and Engagement Enquiries

3.1. Categories and Sources of Data:

- identification and contact details, powers of representation and signing authorities;
- communications, appointment data, file and proceedings data, as well as documents provided;
- factual, contractual, asset, payment and billing data;
- data relating to statutory identification and sanctions checks and measures to prevent money laundering and terrorist financing, including in particular data concerning parties, beneficial owners and the source of funds, as well as the failure to implement and circumvention of targeted financial sanctions relating to proliferation financing;
- depending on the legal engagement, special categories of personal data under Article 9 GDPR, as well as personal data relating to criminal convictions and offences under Article 10 GDPR;
- data concerning opposing parties, their representatives, witnesses, officers, employees and other participants.

The data are collected from the data subject, the client or persons acting on the client's behalf. Other sources of data may include other parties to proceedings, courts, public authorities, insurers, banks, experts, professional legal representatives, and lawfully accessible registers and public sources.

3.2. **Purposes and Legal Bases**

Purpose	Legal basis
Conflict-of-interest check and engagement acceptance review	Article 6(1)(b) and (c) GDPR in conjunction with the Austrian Lawyers' Code (Rechtsanwaltsordnung – RAO) and the applicable professional conduct rules; where necessary, Article 6(1)(f) GDPR on the basis of the legitimate interest in practising the legal profession free from conflicts of interest.
Initiation, performance and termination of the legal engagement	Article 6(1)(b) GDPR; in respect of contact persons of businesses, Article 6(1)(f) GDPR on the basis of the legitimate interest in efficient administration of contracts and legal engagements.
Representation, legal advice, and the assertion or defence of claims	Article 6(1)(b) and (f) GDPR; for special categories of personal data, Article 9(2)(f) GDPR; for data under Article 10 GDPR, in conjunction with Section 4(3) of the Austrian Data Protection Act (Datenschutzgesetz – DSG), the RAO and the applicable procedural law, insofar as the processing is necessary for legal advice, legal representation or the establishment, exercise or defence of legal claims.
Compliance with statutory and professional obligations; identity checks, measures to prevent money laundering and terrorist financing, and sanctions checks	Article 6(1)(c) GDPR in conjunction in particular with Sections 8a et seq. and 9(5) of the Austrian Lawyers' Code (Rechtsanwaltsordnung – RAO), the Austrian Guidelines for Practising the Profession of Lawyer (RL-BA 2015), applicable anti-money laundering, sanctions, tax and accounting provisions, and orders of courts or public authorities.
Billing, accounting, receivables management and defence against liability claims	Article 6(1)(b), (c) and (f) GDPR; legitimate interests in proper billing, enforcement of claims and legal defence.
IT operations, information security, quality assurance and law firm organisation	Article 6(1)(f) GDPR; legitimate interests in secure, reliable and traceable law firm and IT operations.

4. **Special statutory obligations for certain transactions (Section 8a(1) RAO)**

4.1. Special statutory due diligence obligations apply under Section 8a(1) RAO where we carry out financial or real estate transactions in the name and on behalf of a client, or assist a client in planning or carrying out such transactions, and those transactions concern:

• the purchase or sale of real estate or businesses;

• the management of money, securities or other assets, or the opening or management of bank, savings or securities accounts; or

• the formation, operation or management of trusts, companies, foundations or similar structures, including raising the funds required for the formation, operation or management of companies.

4.2. For such transactions, we are legally required under Sections 8a et seq. RAO to process personal data for the purposes of preventing money laundering (Section 165 of the Austrian Criminal Code [Strafgesetzbuch – StGB]) and terrorist financing (Section 278d StGB), and in connection with the failure to implement and circumvention of targeted financial sanctions relating to proliferation financing. This includes, in particular, identifying and verifying the identity of the client and the beneficial owner and, where a representative acts for the client, identifying that representative and verifying the authority to act; determining and carrying out a risk-based assessment of the purpose and intended nature of the business relationship or transaction; ongoing monitoring of the business relationship; and statutory record-keeping and retention obligations, obligations to provide information to competent authorities and, where applicable, reporting obligations. The legal basis is Article 6(1)(c) GDPR in conjunction with Sections 8a et seq. and 9(5) RAO; pursuant to Section 9(5) RAO, processing for these purposes is deemed to be a matter of public interest within the meaning of the GDPR.

5. Other Contacts and Business Relationships

5.1. Where we are contacted by email, telephone, post or in person, we process the contact details and contents of the communication provided to us for the purpose of handling the enquiry and related communications. Where the contact is made with a view to entering into a legal engagement or another contractual relationship, the processing is based on Article 6(1)(b) GDPR; otherwise, it is based on Article 6(1)(f) GDPR and our legitimate interest in appropriate communication and record-keeping. Data relating to suppliers and business partners are processed for contract administration, accounting and organisational purposes on the basis of Article 6(1)(b), (c) and (f) GDPR.

6. Job Applications

6.1. In connection with recruitment procedures, we process in particular identification and contact details, curriculum vitae information, education, qualifications and professional data, application documents, communications data, and notes and assessments generated during the selection procedure. The processing is carried out for the purposes of conducting the recruitment procedure and deciding whether to enter into an employment relationship, on the basis of Article 6(1)(b) GDPR and, where necessary, Article 6(1)(f) GDPR on the basis of the legitimate interest in documenting and defending against potential legal claims.

6.2. Special categories of personal data are processed only insofar as this is necessary under employment or social security law and permitted under Article 9(2)(b) GDPR, for the establishment, exercise or defence of legal claims pursuant to Article 9(2)(f) GDPR, or on the basis of consent that has been given expressly and voluntarily.

7. Requirement to Provide Data

7.1. The provision of certain data may be required by law or may be necessary for the initiation and performance of a legal engagement, billing, another business relationship or a recruitment procedure. Failure to provide required data may result, in particular, in a legal engagement or business relationship not being entered into or performed, or an application not being considered. Where processing is based on consent, any consent is voluntary and may be withdrawn at any time with effect for the future.

8. Recipients and External Service Providers

8.1. Data are transferred or otherwise disclosed only insofar as this is necessary for the purposes stated above, required by law, or required in connection with the legal engagement or the relevant business relationship. Recipients or categories of recipients may include in particular:

- courts, public authorities, bar associations, registry authorities and other public bodies, including, where provided by law, the Austrian Financial Intelligence Unit (A-FIU; Geldwäschemeldestelle) at the Bundeskriminalamt;
- opposing parties, their representatives, co-clients and other parties to proceedings or contracts;
- legal expenses insurers and liability insurers, banks, and escrow and payment service providers;

- experts, notaries, tax advisers, auditors, translators, correspondent lawyers, and process servers and courier services;
- carefully selected providers of hosting, email, telecommunications, law firm software, document management, electronic legal communications, cloud, backup, archiving, IT support, accounting and security services, and, where used, digital research, translation, transcription and assistance systems;
- other advisers and auditors bound by professional or contractual duties of confidentiality.

9. Transfers to Third Countries

9.1. Personal data are transferred to recipients in countries outside the European Union or the European Economic Area only insofar as this is necessary for the performance of a legal engagement, required by law, or necessary in connection with the use of a service provider, and the requirements of Articles 44 et seq. GDPR are met or the client has consented. A transfer may be based in particular on an adequacy decision of the European Commission, appropriate safeguards pursuant to Article 46 GDPR, or a derogation under Article 49 GDPR. Transfers relating to a legal engagement may be made in particular to foreign courts, public authorities, correspondent lawyers or other participants. Where a transfer is based on appropriate safeguards, information on those safeguards and on how to obtain a copy may be requested at office@zsra.at.

10. Retention Periods

Processing activity	Standard period / criterion
Client files	generally five years following termination of the legal engagement; beyond that period, insofar as longer statutory periods, pending proceedings, existing enforceable instruments, potential claims or the preservation of evidence so require. Identification data and matter-reference data required for conflict-of-interest checks may be retained separately for a longer period.
Anti-money laundering and terrorist financing documentation	generally five years following the end of the business relationship or completion of the transaction; any extension prescribed by law to a period of up to ten years remains reserved.
Accounting and billing records	generally seven years; beyond that period, for as long as the records are required for pending proceedings or other mandatory evidentiary purposes.
Engagement enquiries and other contacts	until the matter has been finally dealt with and generally for up to three years thereafter; for a longer period only insofar as this is necessary for conflict-of-interest checks, the pursuit or defence of legal claims, or compliance with statutory obligations.
Job applications	generally seven months following completion of the specific recruitment procedure; where separate consent has been given, for the period specified in that consent.

10.1. Upon expiry of the applicable retention period, the data will be erased or anonymised unless there is a further legal basis for their processing. Mandatory statutory retention and erasure periods remain unaffected.

11. Rights of Data Subjects

11.1. Subject to the applicable statutory requirements, data subjects have the right of access, rectification, erasure, restriction of processing, data portability and objection. Where processing is based on consent, consent may be withdrawn at any time with effect for the future; the lawfulness of processing carried out before the withdrawal remains unaffected.

11.2. Where processing is based on Article 6(1)(f) GDPR, the data subject may object on grounds relating to the data subject's particular situation. In that event, the data concerned will no longer be processed unless compelling legitimate grounds for the processing override the interests of the data subject or the processing is necessary for the establishment, exercise or defence of legal claims.

11.3. The rights of data subjects may be restricted on a case-by-case basis insofar as and for as long as this is necessary and provided for by law, in particular to preserve the statutory duty of professional secrecy applicable to lawyers, to protect the client or the rights and freedoms of other persons, or to enforce civil-law claims, including pursuant to Section 9(4) of the Austrian Lawyers' Code (Rechtsanwaltsordnung – RAO). Whether a restriction applies will be assessed on the basis of the specific request.

12. Right to Lodge a Complaint

12.1. Data subjects have the right to lodge a complaint with a data protection supervisory authority. In Austria, the competent authority is the Austrian Data Protection Authority (Österreichische Datenschutzbehörde), Barichgasse 40–42, 1030 Vienna, Austria, email: dsb@dsb.gv.at, www.dsb.gv.at.