

Privacy policy

Bazlyankov, Stanoev & Tashev Law Office (herein after referred to as ‘**The Office**’) is the name under which the partners in Bazlyankov, Stanoev & Tashev Law Office, a company registered under the Obligations and Contracts Act, Bulstat: 115618701, practice their profession as lawyers.

Contact information

For matters of the personal data protection:

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I. SUBJECT OF THE POLICY

The lawyers from The Office practice advocacy, which is a so – called ‘regulated profession’, and while practicing it we not only have the legal obligation to maintain the secrecy of your affairs, but also to protect the personal data of natural persons.

The present policy is in accordance with the provisions of Regulation (EU) 2016/679 on the protection of the personal data, as well as with the Personal data protection act, the Bar act and the legislation in force in Bulgaria.

The present policy presents detailed and clear information about the following:

- Subject of the policy;
- The Lawyers at The Office;
- Definition of „personal data”;
- Persons, whose data is processed by The Office;
- Nature of the data processing and its legality;
- **Purposes and legal bases for processing personal data;**
- **Types of data, processed by The Office for the performance of the assigned legal services;**
- **Categories of joint controllers and persons, processing personal data (‘processors’);**
- Terms of processing and storing personal data;
- **Rights of the natural persons in relation to the processing of their personal data;**

II. THE LAWYERS AT THE OFFICE

Partners at The Office are:

Attorney –at – law Boyan Aleksandrov Stanoev, Personal Bar number: 1700009040

Attorney –at – law Nikolay Iliev Bazlyankov, Personal Bar number: 1300070140

Attorney –at – law Diana Ilieva Ilieva Personal Bar number:1400027440

Attorney –at – law Ekaterina Ventsislavova Nikolova Personal Bar number:1000033740

All lawyers at The Office are members of the **Plovdiv Bar Association**.

The clients' documents of every one of the lawyers are kept in Bazlyankov, Stanoev & Tashev's office on address: 16 Altzeko Str., 2-nd floor, Plovdiv 4000, Bulgaria.

III. DEFINITION OF „PERSONAL DATA”

Personal data is any information about a natural person, which can be used to identify this person.

IV. PERSONS, WHOSE DATA IS PROCESSED BY THE OFFICE

Subject of processing is the data for the following persons:

- 5.1. natural persons, who have hired The Office or a lawyer at The Office, as well as their proxies;
- 5.2. representatives of legal entities, who have hired The Office or a lawyer at The Office, the owners of the capital, as well as the employees of the legal entities;
- 5.3. the other party to a contract, a court case or a legal relationship - when it is a natural person, as well as when it is a representative, an owner of the capital or an employee of a legal entity;
- 5.4. natural persons, representatives of legal entities, owners of the capital or employees of legal entities, in case that their data is included in a survey, conducted for an assigned legal service;
- 5.5. natural persons, who have given the Office their consent to use their contact details (those would not be given to third parties);
- 5.6. natural persons, who have addressed a request, objection, claim, inquire, withdraw of consent or have addressed any other kind of correspondence to The Office;
- 5.7. natural persons – employees of The Office or persons with whom the Office might be in a contractual relationship.

V. NATURE OF THE DATA PROCESING AND ITS LEGALITY

‘Processing of personal data’ means receiving personal data and using it in any chosen way.

In particular, the law provides examples of when the personal data is being processed, namely those are the cases in which personal data is **collected**, recorded, organized, structured, **stored**, adapted or altered, retrieved, consulted, used, **disclosed by transmission**, disseminated or otherwise made available, aligned, or combined, restricted, **erased or destroyed**.

Individuals who process personal data are referred to as data controllers.

The lawyers at Bazlyankov, Stanoev & Tashev Law Office are controllers of personal data and as such they bear responsibility for collecting and using the personal data in a lawful manner.

The personal data in The Office is processed mainly on paper carrier and is arranged in cases. As well as on paper carrier, the data is also processed in a digital version – in case of drafting contracts, claims, complaints, etc. This data is stored on a secured and designated for this purpose server or if the contracted lawyer deems it appropriate – on his/hers personal computer, protected with a password.

VI. PURPOSES AND BASIS FOR PROCESSING PERSONAL DATA

The processing of the data is only lawful, if performed on the bases, listed in Regulation (EU) 2016/679 on the protection of the personal data and the Personal data protection act (referred to as lawful bases for processing).

‘Consent’ is only one of the bases, on which the data can be processed. Other bases are, for example: processing for the performance of a contract, for the compliance with a legal obligation, for the purposes of the legitimate interests, pursued by the controller or by a third party. In the latter cases, the consent is not required due to the fact that the processing is necessary and cannot depend solely on the consent of the individual (for example, a contract cannot be left out of the accounting books and reports simply because the client has not consented to the inclusion of the contract in the accounts).

The lawyers at The Office collect and use personal data on the bases described below and for the described purposes:

1. **In case of a specific request/ inquiry, addressed to The Office** - the personal data shall be processed for the purposes of giving feedback to the person. The fact that the person has voluntarily addressed the request/ inquiry to The Office means his/her consent for processing the personal data provided by him/her.

2. **In order to comply with legal obligations that the lawyers have**, personal data is processed as follows:

2.1. Archiving and preservation of the documents from finalized cases, contracts and legal relationships, to which the lawyers provided services;

2.2. Including the client’s data in legal assistance contracts, powers of attorney and other documents; issuing invoices, containing clients’ and contractors’ data. Such data may be names, PINs, addresses, paid amounts and description of the services for which an amount has been paid - in the cases that the clients or contractors are natural person. Regarding the legal entities, we include personal data of its representative, namely names and position in the entity. This data is also processed by the accounting office, which provides accounting services to Bazlyankov, Stanoev & Tashev Law Office. This data is also provided to the tax authorities for the purposes of complying with the tax legislation;

2.3. If the police, prosecution, customs, tax authorities and other bodies with official functions in relation to their investigation make a request to a lawyer, asking him/her to provide clients’ personal data and if the request is specific, reasoned and does not violate the advocacy secret, it is possible that the lawyer would be legally obliged to provide the requested data to these authorities;

2.4. For the purposes and on the bases of the Measures against Money Laundering Act the lawyers have the obligation to identify the clients and their actual owners, to collect information and to evaluate the purpose and nature of the business relations between the lawyers from the Office and the clients, and to determine the origin of the funds. In case of suspicion of money laundering, the lawyer is obliged to notify the competent authorities.

2.5. Upon request, objection, complaint or withdrawal of consent with regard to the processing of personal data, the data will be used for the purposes of fulfilling the legal obligation to reply to the person who filed the application, the objection, etc.

3. Processing data for the purposes of **the legitimate interests, pursued by the The Office**:

3.1. The data, containing in contracts, concluded with the clients and other persons, is archived and preserved not only for the purposes of settling the rights and obligations under the tax legislation, but also for proof of dully and proper conduct of the contractual and legal obligations of the lawyers and proof that the lawyers performed their assigned services;

3.2. Restricted access to personal data is provided to companies performing software support for the Office's computers and servers in order to maintain the systems and ensure an adequate level of protection of the personal data stored in them. This access occurs only to the extent that IT support requires and a review of the files is not allowed.

4. **In order to perform the assigned legal services**, for which a lawyer at The Office has been hired – for example: to perform legal assistance and representation before a court; to draft a contract; legal consultation or any other activity, performed under the legal profession, The Office will store and use the data, which:

- 4.1. the client has provided us with personally;
- 4.2. has been obtained on the basis of client's authorization;
- 4.3. has been provided by a proxy or an employer of the client;
- 4.4. has been provided by the other party of a contract, court case or legal relationship;
- 4.5. has been provided by the lawyer of the other party of a contract, court case or legal relationship;
- 4.6. are available in sources of information, which are public or accessible for lawyers.

The lawful bases, which allow the processing of data in this case, are:

- Client's data is processed as it is necessary to perform a contract to which the natural person is a party to, as well as to take steps on request of the natural person prior to entering into a contract;
- Data of other persons, including data of the other party on court cases, is processed in the client's name and on the bases of the client's legitimate interest.

There is a possibility that **in disputes under employment law** we might process special categories of personal data of natural persons – for example, data, indicating membership in trade union organizations, data, revealing health condition (contained in documents for sick leave or lab results, expert reports that indicate the existence of grounds for special protection under labor law). Such data may also be processed in relation to the social security legislation and social protection of citizens. The abovementioned data shall be processed for the purposes of performing the assigned service, where the legal bases for processing the data is:

- The client's data is processed in order to perform a **contract and for the necessary processing for the purposes of employment law and social security and social protection law** or under **collective agreements**;
- Other person's data, including defendant's on court cases, is processed on behalf of clients and on the basis of **their lawful interest and for the necessary processing for the purposes of employment law and social security and social protection law** or under **collective agreements**;

In order to perform the assigned service, personal data may be provided to bodies, offices and persons performing official functions such as courts, notaries, private and state enforcement agents, Commercial register and the Register of Non-Profit Legal Entities, Property register, Central registry of special pledges, Register of Family property relations, Geodesy, cartography and cadastre agency, Bulstat register, NRA and any other state or municipal authorities and offices. Additionally, personal data in such cases may also be provided to the other party to a court case, contract or relationship; the lawyer or other proxy of the other party to a court case, contract or relationship, appointed for the court case, contract or relationship; third parties whose special knowledge is necessary for the case (experts, translators, etc.).

5. Employees' personal data within the meaning of employment and social security legislation.

Data of employees and contractors (bound to us by a 'civil' contract) is processed for the purposes of employment, social security and tax legislation.

VII. TYPES OF DATA, PROCESSED BY THE OFFICE FOR THE PURPOSES OF EXECUTING THE ASSIGNED LEGAL SERVICES

1. Data, provided by the natural persons themselves:

The Office operates mainly with the data, provided to us by the clients, his/her proxy, employees or employer. This data might be: contact details such as three names, addresses, e-mails, telephones, as well as PINs, bank accounts and any other information that may be required to perform the assigned service.

2. Data, for which the client has authorized the lawyer to receive on his/her behalf:

Depending on the assigned service, it might be necessary for a client to authorize a lawyer with the right to obtain additional data from government offices, authorities or third parties. Such additional data might be provided by the other party in a court case, contract or legal relationship, by the administration before which the lawyer represents the client, as well as any other data **according to the power of attorney, provided by the client.**

3. Data for the other party in a court case, contract or relationship:

The lawyer might obtain information about the other party in a court case, contract or relationship, which has been provided to him/her by the client or which could be collected from public registers in order to perform the assigned service.

4. Data from other sources:

In order to provide competent, qualified and complete protection of the clients' rights and interests, the lawyers may have to collect data from public registers, from government authorities, from other sources, which are accessible only to lawyers or from third parties.

4.1. Public sources of information:

Information can be obtained from the following public registers and bodies: the Commercial register and the Register of Non-Profit Legal Entities, the Bulstat register, the Property register, the electronic register, maintained by the Agency for Geodesy, cartography and cadastre, the Central registry of Special pledges, Register of Family property relations, the Register of public sales, the Patent Office of the Republic of Bulgaria, the European Union for Intellectual Property service and any other register, which is by its nature public or publicly available. The lawyers may obtain any information, which is available in the public sources – both public and restricted information, as long as it is available.

4.2. Sources of information that are ex officio accessible for the lawyers:

For the purpose of protecting the interests of their clients and the professional performance of their activities, lawyers have access to information from court cases, pre-trial authorities, administrative bodies and other government offices in the country and wherever necessary. This access is realized with regard to the rights of natural persons and without disseminating the received information beyond what is necessary for the purpose of protecting the rights and interests of clients. Sources of such type of information are the courts (from which information can be obtained from court cases, including identification data and substantive data), private or state enforcement agents (where we can obtain information, contained in the executive cases, including identification data and data on the substance of the dispute), the Property register, pre-trial authorities, administrative bodies and other services and institutions to which lawyers have free access and right to receive information in order to perform the service, assigned to them.

VIII. CATEGORIES OF JOINT CONTROLLERS AND PERSONS, PROCESSING PERSONAL DATA ('PROCESSORS')

1. Joint controllers – the lawyers at The Office process data jointly and each of them has access. Also, The Office works in conjunction with other lawyers with whom it has signed contracts on the grounds of Article 77 of the Bar Act. These attorneys can access and process personal data in the ways and for the purposes, described in these policies. These attorneys are committed to complying with the same technical and organizational measures for the protection of personal data which measures are taken by the lawyers at The Office.

2. Processors of personal data:

- 2.1. Other lawyers – in certain cases the lawyers at The Office reassign limited or technical tasks that are performed by other lawyers;
- 2.2. Assistants of The Office, who make inquiries, obtain documents or undertake other assignments on behalf of The Office;
- 2.3. A company that performs the accounting services to The Office;
- 2.4. Translation agencies for translating documents to and from foreign languages;
- 2.5. Courier services.

IX. PERIODS OF PROCESSING AND KEEPING THE PERSONAL DATA

Bazlyankov, Stanoev & Tashev Law Office stores and uses the personal data for the following periods:

- 1. Data, received on the bases of consent – until withdraw of the consent.
- 2. Data, available in the correspondence with lawyers - 5 years after the finalization of the lawyer's engagement in the matter.
- 3. Data for performed legal services – until the end of the absolute limitation periods under tax or any other law.

X. RIGHTS OF THE NATURAL PERSONS IN RELATION TO THE PROCESSING OF THEIR PERSONAL DATA;

Bazlyankov, Stanoev & Tashev Law Office shall provide as complete, accessible and comprehensible information as possible to the persons, whose data it processes, in relation to the processing of their personal data. In case of any questions, anyone can contact us by email: **dataprotection@bstlawyers.com** or visit our office, where his/her request shall be dully registered.

Whenever a question or a request, concerning the processing of personal data is addressed to us, ‘Bazlyankov, Stanoev and Tashev’ Law Office shall respond within the time, which is reasonable, according to the specific situation, but **not later than the legally defined one month term.**

Each natural person on the territory of Republic of Bulgaria may contact the competent control body, namely the Personal data protection commission.

Each natural person has the following rights regarding his/her personal data:

1. Right of access:

- 1.1. The right to be informed if his/her data is processed by The Office, as well as to receive the information, contained in the present **Privacy policy**;
- 1.2. The right to receive a copy of the personal data that The Office processes;
In case the requested documents contain personal data of other persons, you will be provided with a copy, which contains erasures of the information of others.

2. Right of data portability:

- 2.1. According to Regulation (EU) 2016/679 each natural person has the right to receive in respective digital format, the personal data processed digitally;
- 2.2. Each natural person has the right to require transmission of the digital storage of his/her personal data from one controller to another.

3. Right of rectification:

3.1. Each natural person has the right to require without any unnecessary delay rectification of his/her personal data, in the case that they are inaccurate;

3.2. Each natural person has the right to require from The Office to complete the records of his/her personal data, in the case that he/she establishes that the data is incomplete.

The lawyers at The Office collect and process only the data, which is mandatory and without which we cannot provide our legal service, nor can we meet our obligations, stipulated by the law. For those reasons the data shall be completed only after the lawyer has estimated that there is an actual need to collect and process additional personal data. Therefore, in some cases, it might be necessary to provide a declaration of consent to process the additional data, specified by the person.

4. Right to erasure (right to be 'forgotten'):

Each natural person has the right to require **his/her data to be erased in the following cases:**

4.1. the personal data in **no longer necessary** for the purposes it has been processed for;

4.2. the person has **withdrawn his/her consent** for processing of the data, in the cases that the data is processed on the basis of consent

4.3. the lawyer has declared that he/she processed personal data on the grounds of his/her or someone else's overriding legitimate interest for the processing, but a balancing test shows that the interest of the person, whose data is being processed, overrides the interest of the lawyer (or someone else's interest);

4.4. the Bulgarian or European legislation requires the erasure.

- The lawyers have a legal obligation to keep their clients' documents for a period of 5 years after the finalization of the case or the resolution of the issue for which they were hired and if a person requests his/her personal data to be deleted before the expiration of that period, the attorney has a legal ground to refuse.

- The lawyer can refuse to delete the personal data on the bases of his/her lawful interest with regards to proving the dully and proper conduction of the contractual and legal obligations of the lawyers and the performance of the assigned services.

5. The right to restriction of processing:

The natural persons have the right to require that no further actions are taken with their personal data and that those data are only being stored and not processed any further (the so-called restriction of processing). in the following cases:

5.1. When the person believes that his/her data is inaccurate, he/she might require that no further action be taken with his or her personal data until their accuracy is verified;

5.2. When the lawyer is not allowed to store and use data of the person, but the person does not wish for the data to be deleted;

5.3. When the lawyer no longer needs the data, but the person considers that such data is necessary for the establishment, exercise or defence of his/ her legal claims;

- Whenever the processing is restricted, the data can only be used with the consent of the person.

- A request for restriction of the processing will be refused if the data of the natural person is necessary for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural person or for important reasons of public interest.

- The natural persons have the right to be notified when the restriction on the processing of their data is lifted.

6. Right of objection:

In case that a lawyer has stated that he/she is processing personal data on the bases of the lawyer's own or someone else's lawful interest, the person, whose data is being processed, has the right to object to the processing, if this person considers that his/her right is violated and that the violated right has priority over the right of the lawyer or stated someone else's right. If it is established that this person's interest genuinely overrides the lawyer's (or someone else's) interest, the lawyer will discontinue the processing of his/her data for the purposes, for which the person has objected to.

'Bazlyankov, Stanoev and Tashev' Law Office does not make any computer analyses of your behavior or of your preferences, nor does it perform in any other way the so-called automated decision making for natural persons, nor profiling.

The data that The Office operates with is limited to what is necessary for the advocacy and is for the most part paper-based. Personal data is generally not provided on the Internet or other public sources of information, except for the purpose of entering them in an official government register and for court case hearings.

The storage and physical protection of the paper documents is carried out in special premises, guarded with a security system.

Documents that are to be destroyed are dully packed and send to a company, where they are destroyed immediately and under the supervision of an appointed employee from The Office or they are destroyed in a specific machine (shredder).

"Bazlyankov, Stanoev and Tashev" Law Office takes adequate measures for the protection of personal data, including by securing the office with the use of technical means, by controlling the access to premises, as well as by overseeing the activities of the persons, who have access to the data or the persons, who perform processing on behalf of The Office.

Adopted by:

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City of Plovdiv