

Privacy policy

Information on the processing of personal data

1. Introduction

The Federal Act on Data Protection (Data Protection Act, DPA) of September 25, 2020 obliges companies to inform the persons concerned about the processing of personal data in the company, in particular about the procurement of personal data.

This Privacy Policy informs data subjects and potential data subjects about the processing of personal data (in particular also about the collection of personal data) by Dr. Künzle. The consent of data subjects and potentially data subjects, i.e. clients, their employees or other contact persons, persons making inquiries or users of the [morethanlaw.ch](https://www.morethanlaw.ch) website, to the data protection declaration is not required. This data protection declaration is a one-page information about the type, scope and purpose of the use of personal data.

Dr. Künzle reserves the right to unilaterally amend this Privacy Policy at any time and without notice. It is therefore recommended that you consult the data protection declaration regularly on the [morethanlaw.ch](https://www.morethanlaw.ch) website.

2. Processing of personal data

Dr. Künzle processes personal data (data that directly or indirectly identifies natural persons) that he receives (i) from his clients or from third parties (e.g. from other parties to the proceedings and their legal representatives, authorities, experts) or from their employees in connection with the mandates for which he is responsible or (ii) that he collects himself.

Dr. Künzle may consider it useful or necessary to disclose personal data to third parties (e.g. to other parties to the proceedings and their legal representatives, authorities, experts) in accordance with this Data Protection Agreement. Which personal data Dr. Künzle discloses in his capacity as acting attorney is at his discretion.

Dr. Künzle has an overriding interest in the processing of personal data in connection with the mandates he manages, which justifies this (Art. 31 para. 2 let. A DPA).

Dr. Künzle only retains personal data for as long as this is necessary in connection with the mandates for which he is responsible, for as long as there is a legal obligation to retain and document data or for as long as he has an overriding private or public interest in doing so (for example, to defend against liability claims until the absolute limitation period expires). The following statutory provisions, among others, are decisive for the duration of the retention of client data:

- Pursuant to Art. 11 of the Cantonal Lawyers Act (KAG) of the Canton of Berne, lawyers' files (client files) must be kept for ten years;
- Pursuant to Art. 958 f. CO, the business books and accounting documents (e.g. invoices to clients) must be kept for ten years;
- Pursuant to Art. 127 CO, claims arising from breach of contractual obligations (e.g. expert opinions and legal mandates) expire after ten years.
- If the client provides Dr. Künzle with personal data via third parties (e.g. via your employees or other contact persons), it is up to you to inform the persons concerned in a general manner about the processing by legal service providers or other external service providers (e.g. in a data protection declaration for employees).

3. Processing of personal data for inquiries

In the case of inquiries of a general nature or regarding the execution of orders or the acceptance of legal mandates, the principles of processing personal data of clients (see section 2 above) apply to the processing of personal data, even if no contractual or client relationship is established.

Correspondence via e-mail is not secure and does not meet the requirements for the communication of particularly sensitive personal data (e.g. communication under attorney-client privilege). Anyone who communicates with Dr. Künzle by e-mail does so at their own risk.

Dr. Künzle assumes that persons who communicate with him by e-mail agree to this method of communication and thus consent to the use of e-mail by Dr. Künzle to answer inquiries.

The website of Dr. Künzle (morethanlaw.ch) only uses those cookies that are essential for the operation of the website (technically necessary cookies).

4. Rights of affected persons

In particular, data subjects have the right to information about the personal data concerning them and the purpose of the data processing (Art. 25 FADP), the right to rectification and erasure or restriction of processing of their personal data (Art. 32 FADP), the right to object to the processing, the right to lodge a complaint with a competent supervisory authority (Federal Data Protection and Information Commissioner) and the right to the disclosure or transfer of the personal data they have provided (Art. 28 and 29 FADP). It should be noted that preconditions and exceptions apply to these rights. To the extent permitted or required by law, Dr. Künzle may refuse requests to exercise these rights. In addition, personal data must continue to be stored or processed for legal reasons despite requests for deletion or restriction of processing.

In the case of applications concerning the exercise of rights by the data subject, the principles of processing personal data of clients described above apply to the processing of personal data.

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