

# DATA PROTECTION POLICY

## “June 2024”

**Eruditus Legal Co., Ltd.**

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Email: [info@erudituslegal.com](mailto:info@erudituslegal.com)

Website: [www.erudituslegal.com](http://www.erudituslegal.com)

Address: P.PV17.02, L17-11, 17th Floor, Vincom Center, 72 Le Thanh Ton, Ben Nghe Ward, District 1, Ho Chi Minh City, Vietnam

We thank you for your interest in our online presence. The protection of your personal data is a central concern for **ERUDITUS LEGAL COMPANY LIMITED** an enterprise established under the laws of Vietnam (referred to in the following as "**ERDL**", "**Eruditus Legal**", or "we" or "us"). With this data protection information, we would like to inform you, in accordance with the laws of Vietnam related to the processing of your personal data, within the course of the use of the website, which can be called up at [www.erudituslegal.com](http://www.erudituslegal.com) (referred to in the following as "**website**"), the use of our services and features, as well as the establishment of contact with us.

This data protection information does not apply to other websites that may be linked to this website. We recommend that visitors carefully read the data protection information of each of these other websites before they provide any personal data.

To navigate directly to the respective chapters of the data protection information, please click on the headings.

## 1. Controller

### **Eruditus Legal Company Limited**

Represented by: Ms. Nguyen Thi Quynh Nhu, Director

Operation License No.: 41.07.4479/TP/ĐKHHĐ issued by the Department of Justice of Ho Chi Minh City on 08 May 2024.

Tax Code: 0318460104

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Email: [info@erudituslegal.com](mailto:info@erudituslegal.com)

Website: [www.erudituslegal.com](http://www.erudituslegal.com)

Address: Room PV17.02, L17-11, 17th Floor, Vincom Center, 72 Le Thanh Ton, Ben Nghe Ward, District 1, Ho Chi Minh City, Vietnam.

## 2. Categories of personal data that we process

Within the use of our website, the provision of the called-up features or services for you or your employer, as well as with establishing contact or correspondence with us - is dependent on the features and services that you use, or we provide to you or your employer - we collect and/or process (hereinafter may be referred collectively as "process" or "processing") the personal data and data categories listed below:

### **a. Surfing our website (page view, own cookies and web analysis, social media plug-ins)**

- IP address (in some cases as appropriate, only in abbreviated form)
- Information about the browser type and version
- The operating system of your device
- Your Internet service provider
- Date and time of access
- Websites from which you have accessed our website
- Websites that are accessed by you via our website
- Cookie data (e.g. pseudonymous cookie ID, length of stay on our website, page views, movement via links), unless and insofar as you should prevent this, as explained in section 6 b) aa)
- As appropriate, the content shared by you

For details of processing, please refer to Section 6 b) aa) and the sub-items there.

**b. Establishing contact/correspondence by email, telephone, fax, conference systems of ERDL, contact form, or direct marketing**

- Master data (e.g. salutation, title, first name, last name)
- Contact data (e.g. email address, as appropriate, telephone number or fax number)
- Metadata of your message (e.g. date and time of the dispatch)
- Message content/object of your request/conversation content
- As appropriate, video images transmitted
- As appropriate, the contents of the documents

If you should send us personal data by email, at your discretion please ensure that (a) security commensurate measure(s) is/are used to protect your data since data transfer by email is not secure and monitoring by third parties is possible. For details of processing please, refer to Section 6 b) bb).

**c. Subscription to our newsletters and publications, information material, and/or press releases**

- Master data (e.g. salutation, title, first name, last name)
- As appropriate, company information (e.g. name of the company, your department)
- Contact data (e.g. email address)
- As appropriate, address data (e.g. street, postcode, location, country)
- Your interest in certain topics

**d. Registration/Conduction of ERDL events**

- Master data (e.g. salutation, first name, last name)
- Contact data (e.g. email address, telephone number, as appropriate, fax number)
- Company specifications (e.g. name and address of the company)
- Additional specifications (e.g. different invoice address, SAP/Order Number)

**e. Registration/Conduction of ERDL webinars and if appropriate recordings**

- Master data (e.g. first name, last name)
- Contact data (e.g. email address)
- Company specifications (e.g. name and address of the company)
- Metadata about the event (e.g. invitation, cancellation, attendance)
- As appropriate, your voice and the content of the questions
- As appropriate, recording of your contributions (if you have consented).

**f. Application via the ERDL application form or sending of documents by letter post or email (also by personnel providers)**

- Master data (e.g. salutation, title, first name, last name)
- Address data (e.g. street, house number, postcode, location, country)
- Contact data (e.g. telephone, mobile communications number, email address)
- Knowledge (e.g. knowledge of language, additional knowledge)
- Application or profile data (e.g. cover letter, CV, certificates, earliest entry date, job desired, locations desired, salary requested)

- Consent to inclusion into the applicant pool
- Your consent to contact references named by you and, as appropriate, data from correspondence with these references
- Consent to forwarding of your profile to us through a personnel provider or a contract between you and the personnel provider

If you should send us personal application data by email, for example in attachments, please ensure adequate encryption since data transfer by email is not secure and monitoring by third parties is possible.

#### **g. Use of our social media sites (Fanpages)**

Within the course of use of our social media pages on:

- LinkedIn (call-up via the following external link)
- Twitter (call-up via the following external link)
- Facebook (call-up via the following external link)
- (Referred to jointly as "social media page"), we process the following categories of personal data:
  - User name and profile photo of the social media visitor or followers
  - Comment information (e.g. profile photo, user name/name displayed, comment content)
  - Contents of messages to us
  - Details on "Likes" concerning our posts
  - Specifications of posts that are shared by us
  - Photos of persons displayed in posts on our social media pages
  - Name and photos of employees (e.g. with LinkedIn)

#### **h. Registration with the ERDL Community Network**

- Personal master data (e.g. salutation, title, first name, last name, as the appropriate former name)
- Contact data (e.g. email address, appropriate telephone number, fax number)
- As appropriate specifications of current position (e.g. employer company, location, position)

### **3. Sources of personal data processed**

We basically collect personal data related to your person from you only. If this should exceptionally not be the case, we will inform you separately. In case we receive your personal data in the context of conduction of mandates from an informant other than you, data is transferred to us by our clients or capable public bodies. Within the course of processing data via our online forms (e.g. registration form for the newsletter, contact forms of the contact persons), we are provided with the personal data by the person who enters it into the respective form.

If you should provide us with the personal data of third parties (e.g. as a personnel provider), you are obliged to comply with all data protection law requirements. Otherwise, we do not have any intention to obtain this data and reserve the right to initiate legal proceedings against you.

#### 4. Storage duration

Obtained or collected personal-related data is only stored as long as necessary for the respective purpose associated with the storage (e.g. performance of a contract/mandate). When this purpose is fulfilled, we delete or anonymize the data, provided that, insofar as, deletion does not contravene any legitimate retention purposes and obligation (e.g. stipulations from tax or professional law). In the latter case, the data processing is restricted to fulfillment of the retention purposes or the retention obligation. Apart from that, processing will only take place with your consent, for the establishment, exercise, or defense of legal claims, for the protection of the rights of another natural or legal person, or for reasons of important public interest in Vietnam. In case of the existence of a retention obligation, we delete or anonymize the data after the safe omission of the retention obligation. For any data that must be included in accounting, taxation, or legal documents that we provide services to you upon our mutual agreements, data is protected and kept at our firm following the legal regulations on accounting, taxation, enterprises, and audit, and any other related legal regulations of Vietnam.

#### 5. Purposes of processing personal data

We adhere to the principle of purpose limitation and process your personal data only for the purposes, which are explained in this data protection information. If you visit our website, it is not prescribed by law or contract that you must actively disclose details of your person. However, we process certain data in individual cases, thereby using our own cookies, deploying social plugins, and operating social media sites. Further information on this can be found under Section 6 b) aa).

We use the personal data provided by you for the following purposes:

- Handling of your request(s) (e.g. via our registration form for the newsletter, contact forms of the contact persons);
- Direct marketing - among other things distribution of publications requested by you (e.g. our Newsletter, our Surveys and Studies, our Brochures, and other our publications) or press releases;
- Forwarding of invitations on certain seminar or webinar topics;
- Performance of a contract, as well as measures prior to contract entering (e.g. seminar/webinar registration and conduction; project management, consulting services);
- Other establishing of contact (e.g. with our "Experts" named on the website);
- Customer care;
- The decision about entering into an employment relationship and possibly also for the contracting, performance, and termination of same;
- Association control (e.g. budget planning and reporting);
- Compliance with legal requirements (e.g. for the fulfillment of tax and legal (storage) obligations under commercial law and the application of compliance management, including compliance checks);
- Data protection, security management, and audits;
- Information about activities in our Community Network;
- Authentication as a website administrator;
- Distributing our website content on the social media used by you;
- Operating our social media channels.

**6. Legal basis for processing, including details of the purposes of processing**

The basis for the processing of personal data is the law of Vietnam, especially Decree 13/2023/ND-CP on personal data protection and the Law on Cyberinformation Security 2015.

**a. Overview of the legal bases**

The following schedule gives you an overview of the existing and applied legal bases by Vietnamese Laws, to which we appeal in the processing of your data, where appropriate:

Principles	Description / Explanation
<p><b>Consent</b>  <b>(Art. 17 Law on Cyberinformation Security 2015; Decree 13/2023/ND-CP)</b></p>	<p>The legal basis applies if you have agreed that we collect and/or process your data for one or more purposes (e.g. subscription to publications, inclusion into our applicant pool, address references or registration with our Community Network). If you have given us your consent, you can withdraw it at any time with effect for the future (see Section 9 i). The lawfulness of collecting/processing of your data up to the time of the withdrawal is not affected by the withdrawal.</p>
<p><b>Performance of a contract or request for pre-contractual measures</b>  <b>(Art. 387 Civil Code 2015)</b></p>	<p>If we have entered into a contract with you (e.g. service agreement or participation in a training/webinar) or if you have requested us with pre-contractual measures (e.g. request for a training/webinar), these legal bases allow us to process all data from you which is necessary for the performance of the contract or for taking pre-contractual measures.</p>
<p><b>Compliance with a legal obligation</b>  <b>(Art. 81 Commercial Law 2005; Art. 29 Law on Tax Administration 2019; Labor Code 2019, Civil Code 2025; Consolidated Law on Lawyers 2015)</b></p>	<p>These legal bases allow us to process your data, when this is necessary for the fulfillment of a legal obligation, we are subject to (e.g. for compliance with commercial, tax, or professional law).</p>
<p><b>Legitimate own interests or those of the third party</b></p>	<p>In part, we base the processing of personal data on legitimate interests pursued by us or by a third party. Potentially all legal, economic and idea-related interests, which are not disapproved of by the legal system, may form such legitimate interests. Examples are as follows:</p> <ul style="list-style-type: none"> <li>• Data processing for communication with you as a contact person on behalf of our client</li> <li>• Direct marketing (provided that it is not already covered by Art. 17.1.a Law on Cyberinformation Security 2015), e.g. in order to let you or your company know about our seminars. You have the right to object to direct marketing at any time with effect for the future, as explained in Section 10g)</li> <li>• Processing of personal data of contact persons at contract partners or prospective customers.</li> </ul>

	<ul style="list-style-type: none"> <li>• Data processing in the context of professional activities by tax consultants or lawyers for our clients based on a respective mandate agreement</li> <li>• Access to the website and participation in surveys and studies conducted by us.</li> </ul>
<b>Decision on entering into an employment relationship (Art. 16 Labor Code 2019)</b>	If you apply for a job with us, e.g. via our website, we use your data for the decision on entering into an employment relationship with you, as well as possibly for the performance and termination of the same.

**b. Details of the purposes of processing**

**aa. Surfing our website (Page view, own cookies, web analytics, social media plug-ins)**

(i) Communication with the website by opening the page

For technical reasons, our website automatically collects the IP address of the device you are using when you open our website. The processing of this data is mandatory for opening our website, as the website data can only be sent to your browser using the IP address. Our legitimate interest is to provide you with a functioning website.

In addition, further data (such as information about the browser type and its version, the operating system of your end device, your Internet service provider, date and time of access, websites from which you have accessed our website, websites that are accessed by you via our website) are collected by us and stored in log files. Our legitimate interest is to ensure the security of our website.

(ii) Use of cookies

We use so-called cookies on our website. **Cookies are small data packages that are generated by our web server and stored on your computer's hard drive when your computer communicates with the web server.** A distinction must be made between session cookies, which are used for the mere functionality of our website and which are deleted immediately after the browser is closed, and cross-session cookies (so-called **persistent cookies**), which are stored and used beyond one session. We use the following cookies:

<b>Cookie name</b>	<b>What is this cookie used for?</b>	<b>Period of validity</b>
_GRECAPTCHA	Google reCAPTCHA sets a necessary cookie (_GRECAPTCHA) when executed for the purpose of providing its risk analysis.	6 months
_gid	This cookie is set by Google Analytics. It stores and updates a unique value for each page visited and is used to count and track page views.	1 day
_ga	This cookie name is associated with Google Universal Analytics – which is a significant update to Google’s more commonly used analytics service. This cookie is used to distinguish unique users by assigning a randomly generated number as a client identifier. It is included in each page request on a site and used to calculate visitor, session and campaign data for the site analytics reports.	2 years

_gat_gtag_UA_1586 15948_1	This cookie is part of Google Analytics and is used to limit requests (throttle request rate).	1 minute
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You can object to this processing at any time. If you do not agree with the storage and evaluation of this data from your visit, they explain this below by mouse click. In this case, a so-called opt-out cookie will be stored in your browser. This has the effect that Matomo does not collect any session data. Please note that deleting your cookies will also delete the opt-out cookie. In this case, you can activate it again.

You can avail yourself of your right to reject cookies at any time. Without prejudice to the other opportunities as explained above, you can prevent cookies by setting your browser so that no cookies are accepted at all, or that you issue individual acceptance for setting a cookie. Please consult the help section of your browser for details of this. You can also delete existing cookies via your browser. If you do not accept any cookies or delete existing cookies, it is possible that you cannot use all functions on a website. In addition, you can declare your objection or withdraw as explained in sections 9g and 9i.

(iii) Social media plug-ins (“share” buttons)

We use so-called social media plug-ins (“**plug-ins**” or “**share buttons**”) on our website. The providers of these are described in more detail below. These plug-ins allow you to share content on our website on the social media on which you are active on a purely voluntary basis. The plug-ins are embedded on a number of our sites through the so-called “double-click procedure”. This procedure prevents information about you from being forwarded to the respective provider of the plug-in without any action from you. If you want to activate the plug-in of a particular provider, your action is required and you need to activate the plug-in.

**In detail, the respective plug-in can be activated as follows:**

If you click on one of the “Share Now” buttons on our website, a dialog box opens. Here you can activate the plug-ins (buttons) individually by clicking on them (“**first click**”). You can notice the active buttons by their colored background. The respective provider of the plug-in receives personal data about you solely from the activation. This is regardless of whether or not you are logged in to the provider’s service when the button is activated. If you log in to the respective provider or are already logged in, the provider may be able to assign data to your social media account and merge these together with your plain data, which it has collected about you through cookies, even without our actions or our knowledge. We have no knowledge of the actual content of these data or the period in which these data were recorded.

If you now click on an active button (“**second click**”), you will be forwarded to the provider’s website, whereby you leave our website. You share the content selected on our page in the selected social media directly by double-clicking on the button of the respective provider in the dialogue box. The respective provider of the plug-in thereby receives personal data about you. Details about this and information on how you may be able to prevent this on the pages of the respective provider can be found in the data protection policies of the respective provider of the plug-in. This is because we are, insofar, not responsible for processing the data. In the following sections, you find further information on the respective provider and how you can inspect the data protection policies of the respective provider of the plug-in.



The legal basis for our processing of your data explained in the section in the context of the various plug-ins is the consent you have given to us, Art. 17.1.a Law on Cyberinformation Security 2015, whereby you issue your consent via your click on the button of the respective provider. You can withdraw this consent for the future by either closing the website or by pressing the “Back” button on your web browser. This does not affect the legitimacy of the processing performed until then. Please note that we thereby collect the data solely for one-time transmission, so that processing by us is finished with the transmission. The deletion of content shared and the data processed in this context by the social media provider is therefore solely the responsibility of the social media provider. For the rest, the following applies regarding the processing of your data in the context of the different plug-ins:

#### **(1) Twitter plug-ins (“Share button”)**

Plug-ins from the microblogging service Twitter are used on our website. These are operated by Twitter International Company, One Cumberland Place, Fenian Street, Dublin 2 D02 AX07, Ireland (“Twitter”). The plug-ins are designated with a Twitter logo, for example in the form of a blue “Twitter bird”. A summary of the Twitter plug-ins and what they look like can be found under the following **external link**: <https://dev.twitter.com/web/overview>

If you activate the Twitter plug-in on a page of our web presence, your browser makes a direct connection to the Twitter servers. The content of the plug-in is transmitted directly to your browser by Twitter and embedded into the page. This integration provides Twitter with the information that your browser has called up the relevant page of our web presence, even if you do not have a Twitter profile or are not logged in to Twitter. This information (including your IP address) is transmitted by your browser directly to a Twitter server in the USA, where it is stored. If you are logged in to Twitter, Twitter can directly assign your visit to our website to your Twitter account. If you interact with the plug-ins, for example by pressing the “Twitter” button, this information is likewise transmitted directly to a Twitter server, where it is stored. In addition, the information is published on your Twitter account and displayed to your contacts there.

The purpose and scope of processing your data by Twitter, your rights in this respect, and the setting options to protect your private sphere can be seen in Twitter’s data protection policies under the following **external link**: <https://twitter.com/privacy>.

If you do not want Twitter to assign the data collected via our web presence directly to your Twitter account, you need to log out of Twitter before you visit our website. You can also completely prevent the loading of Twitter plug-ins with add-ons for your browser, e.g. with the script blocker “No Script” from the following **external link**: <http://noscript.net/>.

#### **(2) LinkedIn plug-ins (“Share button”)**

Our internet site features plug-ins from the social network LinkedIn or LinkedIn Ireland Unlimited Company, Wilton Place, Dublin 2, Ireland (“LinkedIn”). You can recognize the plug-ins from LinkedIn by the corresponding logo or on the “Share on LinkedIn” button. When you visit our website, please note that the plug-in generates a connection between your internet browser and the LinkedIn server, insofar as you activate the plug-in, as described above. LinkedIn is thereby informed that our website has been visited by your IP address. If you click on the “Share on

LinkedIn” button and are logged in to your account with LinkedIn at the same time, you have the opportunity to link content from our internet site to your profile page on the LinkedIn account. You thereby enable LinkedIn to assign your visit to our website to your user account.

Further details on the recording of data, on your legal opportunities, and on the setting options can be found under the following **external link**: [http://www.linkedin.com/static?key=privacy\\_policy&trk=hb\\_ft\\_priv](http://www.linkedin.com/static?key=privacy_policy&trk=hb_ft_priv)

### **(3) Facebook plug-ins (“Share button”)**

You can recognize the plug-ins from Facebook by the corresponding logo or on the “Share on Facebook” button. When you visit our website, please note that the plug-in generates a connection between your internet browser and the Facebook server, insofar as you activate the plug-in, as described above. Facebook is thereby informed that our website has been visited by your IP address. If you click on the “Share on Facebook” button and are logged in to your account with Facebook at the same time, you have the opportunity to link content from our internet site to your profile page on the Facebook account. You thereby enable Facebook to assign your visit to our website to your user account. If you have questions about this policy, in some countries, you may also be able to contact the Data Protection Officer for Meta Platforms, Inc., and depending on your jurisdiction, you may also contact your local Data Protection Authority (“DPA”) directly. Further details on the recording of data, on your legal opportunities, and on the setting options can be found under the following external link: <https://www.facebook.com/privacy/policy>.

### **bb. Establishing contact/ correspondence by email, telephone, fax, online conference systems of ERDL, contact forms, or e-mail; direct marketing**

Provided that we should correspond by email and/or telephone, online conference systems of ERDL, and our contact form (e.g. within the context of client support), we process the data types indicated in Section 3 b). The processing of the indicated data is necessary in order to handle your request and possibly also to take pre-contractual measures requested by you (e.g. in order to send you a quotation requested by you). The processing can also be necessary for the performance of a contract if such a contract should be established between you or your employer and us, and contract performance requires correspondence or at a minimum correspondence should be appropriate.

If you would like to contact one of our contact persons (“**experts**”), you can do so by clicking on the contact buttons provided with the information about him or her. These open the corresponding options for communication (e.g. a contact form). The processing of the data provided is also necessary to answer your inquiry and to serve the purposes outlined above.

The legal bases for the processing explained in this section are Art. 17.1.a Law on Cyberinformation Security 2015. As far as we build the processing upon legitimate interest, this consists of fulfilling our contractual main and secondary obligations with respect to your employer, remaining in contact with you or your employer, promoting our sales as well and being able to handle your requests addressed to us adequately, in a timely manner and appropriately.

If you have explicitly consented to this, an establishing of contact can be implemented by email also for the **purpose of direct marketing**; an establishment of contact by telephone for the

purpose of direct marketing can be implemented if we do not identify you as a consumer if at a minimum your presumed consent is given. As a consumer, we would only contact you by telephone for the purpose of direct marketing if you have consented explicitly.

Provided that you have granted us your consent for the collecting and/or processing of your data for the purpose of direct marketing, you agree with the processing of your data for this purpose as follows:

*"I herewith give my consent that the contact data indicated by me (email and telephone) may also be collected and/or processed by Eruditus Legal Company Limited for establishing contact by email or telephone for the purpose of direct marketing. I can withdraw my consent to this at any time with effect for the future. The lawfulness of processing of my data up to the time of the withdrawal is not affected by the withdrawal. I have taken notice of the precise details of the processing of my data, as well as my rights concerning the data processing, as explained in the privacy policy (in particular in Section 6 b, bb)."*

You have the right to withdraw your consent at any time with effect in the future. The lawfulness of collecting, and/or processing of your data up to the time of the withdrawal is not affected by the withdrawal. You can withdraw your consent as described in Section 9i. As an alternative, it is further possible to be removed from the distribution list via a so-called "Unsubscribe link" at the end of a direct marketing email. Finally, you can also object to the ongoing processing of your data, as explained in Section 9 g).

**cc. Subscription to newsletters and publications, information material and/or press releases**

Provided that you request a newsletter, other publications, information material, or press releases from us, we process the data types listed in Section 2 c). In case of a transfer by email, the specification of your email address only is required for that. Furthermore, if you should request publications by letter post, the specification of your first and last name, your address data, as well as possibly the name of your company and your department (in case of distribution to your business address), are required. In this case, we base the processing on Art. 17.1.a Law on Cyberinformation Security 2015, since we process your data for distribution based on your consent.

**(i) Declaration of consent for the subscription to email newsletters or other publications**

If you give us your consent for the collecting and/or processing of your data for the dispatch (electronic and/or postal) of newsletters or other publications, you agree with the collection/processing of your data for this purpose as follows:

*"I herewith give my consent, within the course of the registration to an email newsletter or another publication, that the personal data indicated by me can be collected/processed for the dispatch of the publications selected by me. I can withdraw this consent at any time with effect for the future and thus cancel the respective publication again. The lawfulness of collecting and/or processing my data up to the time of the withdrawal is not affected by the withdrawal. I have herewith taken note of the precise details of the collecting and/or processing of my data, as well as my rights concerning the data processing, as explained in the privacy policy."*

**(ii) Declaration of consent to the subscription to press releases**

If you give us your consent to the collection and/or processing of your data for the purpose of the electronic distribution of press releases, you agree with the processing of your data for this purpose as follows:

*"I herewith give my consent that the personal data indicated by me within the course of the order of electronic press releases may be collected and/or processed for the distribution of electronic press releases. I can withdraw this consent at any time with effect for the future and thus cancel the reception press releases. The lawfulness of collecting and/or processing of my data up to the time of the withdrawal is not affected by the withdrawal. I have herewith taken notice of the precise details of the collection and/or processing of my data, as well as my rights concerning the data collecting, and processing, as explained in the privacy policy."*

**(iii) Withdrawal of your consent**

You have the right to withdraw your consent at any time with effect in the future. The lawfulness of the collection and/or processing of your data up to the time of the withdrawal is not affected by the withdrawal. You can withdraw your consent as described in Section 9i. As an alternative, it may further be possible to be removed from the distribution list of the respective newsletters, publications, or press releases via the respective "Unsubscribe Link" at the end of each email with which we sent you the newsletter, publications, or press releases.

**dd. Registration/Conduction of our events**

If you register for one of our events/seminars, we process the data types designated in Section 2 d) for the seminar/webinar registration and conduction. We process this data since the processing of the data is necessary in order to fulfill pre-contractual and contractual measures requested by you. Furthermore, we use this data in order to subsequently send you a summary of the documents of the event/seminar by email.

If not you, rather a third party (for example your employer), should be our contract. Here we have a legitimate interest in processing your data in our economic and legal interests, in complying with our contractual obligation with respect to this third party, as well as possibly processing in the interests of the third party, and in allowing you to participate in the event/seminar and, provided that for example, you are an employee of the third party, to continue to train you correspondingly. In this case, you can object to the processing of your data, as explained under Section 9 g).

**ee. Registration/Conduction of ERDL webinars and recording**

If you register for a webinar, we process the data types designated in Section 2 e) for the webinar registration and conduction. We process this data since the processing of the data is necessary in order to fulfill the pre-contractual and contractual measures requested by you. Furthermore, we use this data to subsequently send you a summary of the documents of the webinar by email.

If not you, rather a third party (for example your employer) should be our contract, we base the processing described in the above-designated paragraph of this Section. Here the legitimate interest lies in processing your data in our economic and legal interests, in complying with our contractual obligation with respect to this third party, as well as possibly in the interests of the third party, in allowing you to participate in the seminar and to continue to train you correspondingly. In this case, you can object to the processing of your data, as explained under Section 9 g).

Within the course of **the conduction of the webinar**, you further have the possibility to put questions to the lecturer. In this case, your question and request, as well as your voice, can be heard by all participants of the corresponding webinar. Processing of your question or your request and your voice in this case, since the processing of your data is necessary in order to respond to your question and/or your request and thus to comply with our contractual obligation.

Please note that it is not permitted to make **recordings** of our webinars. If we record our webinars ourselves, we will inform you of this in advance and ensure that your contributions are only recorded with your voluntarily declared explicit consent (Art. 17.1.a Law on Cyberinformation Security 2015). In this case, you will receive the consent text at the appropriate time before the start of the recording.

**ff. Possible application through the ERDL application form or sending documents by letter post or email (also by personnel providers)**

If you apply to us for employment (e.g. via the application form that you can obtain from our website), we process the data types about you stated under Section 2 f), whereby the details you give must be truthful. We only process types of data other than those in Section 2 f), if and insofar as this helps to prove your suitability for a certain position. If this is not the case, we do not have any intention to obtain such data. We process the corresponding data to decide upon commencing an employment relationship with you and, in case of a positive decision, also to initiate, perform, and terminate the employment relationship, unless something to the contrary is stated below.

We would like to give you additional notices on data processing in an application procedure as follows:

In case you apply to ERDL, this is responsible for processing your data.

You have the chance to apply to us for a described vacancy or to apply on your own initiative. If you want to apply to ERDL through the application form for an actual **job vacancy** or in the form of an **initial application**, you have the option of disclosing the following data, among others:

- Master data (e.g. salutation, title, first name, last name)
- Address data (e.g. street, house number, postcode, location, country)
- Contact data (e.g. telephone, mobile communications number, email address)
- Skills (e.g. language skills, additional qualifications)
- Application data (e.g. letter, CV, references, possible date of entry).

Some data fields are compulsory. This is because we cannot process your application further without these details and cannot check the extent of your suitability. Compulsory fields are marked with “\*”. If you provide us with personal data (particularly in the free text fields and in the appendices that are not required for the purpose), we have no intention to obtain these data.

You can withdraw your consent at any time with effect for the future, as explained under Section 9i. Regardless of this, you have the opportunity to delete your profile from our pool of applicants at any time. To do so, please contact [info@erudituslegal.com](mailto:info@erudituslegal.com)

If you **send application documents by email**, please ensure that these are reasonably encrypted because data transmissions by email are insecure and it is possible that they are read by third parties.

Under the reservation of the statements in Section 4, your data recorded in the scope of an application will be deleted routinely after six months in case employment is rejected. However, the data will not be deleted after this period if you have given your consent to us, as described above, for inclusion in our pool of applicants. In this case, your data will be deleted twelve months after inclusion in the pool of applicants, unless you have explicitly given your consent to storage beyond this time or if you are undergoing an application procedure at this particular time. In the latter case, your data will be deleted again six months after the conclusion of the application procedure.

#### **gg. Use of our social media pages (Fanpages)**

If you use our social media sites, we process the data types you stated under Section 2 g). You have the opportunity to share, like or comment on our contributions, to ask questions, and to assess or recommend us. You can also contact us through the contact options on our social media sites.

If you make **an inquiry** or **comment on a contribution**, in order to receive information about our products for the conclusion of a contract, we process your data to perform the preliminary action you have requested to fulfill a contract with you or with your employer or to be able to react to your contribution. In the latter case and insofar as you get into contact with us for pure information, we process your personal data on the basis of our legitimate interests. In this case, our legitimate interests lie in answering your inquiry/comments, in presenting our enterprise on the internet in an optimum fashion, and in being able to inform interested parties

We process your **profile picture** on the basis of Art. 17.1.a Law on Cyberinformation Security 2015. You declare your consent that your photo may be displayed on our social media site (e.g. in the remarks section) by loading your profile picture onto your social media profile and in the interaction with our social media site. Your consent in this respect is given voluntarily and can be withdrawn at any time with effect for the future by adapting the settings for your private sphere in your social media profile. The legitimacy of processing up to the date of your withdrawal is not affected by this.

In addition, we can use the **analysis tools** reserved on social media sites. We do this to evaluate which contents are interesting for you as a user, the extent of the range of our contributions, and the interaction of users with our contents. We thereby only have access to anonymized statistical information – thus not to personal data – that we cannot assign to you without additional information. These are processed, whereby our legitimate interest is in optimizing our social media sites and making them more user-friendly.

If we show a **photo of you** in a post on one of our social media pages or if you can be seen and/or heard in a video, we process this data on the basis of consent granted to us pursuant to Art. 17.1.a Law on Cyberinformation Security 2015. You have the option to withdraw your consent

in this regard at any time with effect in the future. The withdrawal does not affect the lawfulness of the processing of your data until the time of revocation.

Provided that you are displayed on our **LinkedIn social media pages in the area "Employee"**, with your name and if applicable, photo, the processing is also implemented based on your consent according to Art. 17.1.a Law on Cyberinformation Security 2015. In this case, your consent is given by indicating in your LinkedIn profile that you work with ERDL and have not carried out your privacy settings in a way a listing on our page is prevented. Your consent in this connection is also given freely and can be withdrawn by adaptation of your privacy setting at any time with effect for the future. If you should not give your consent, of course, no disadvantages arise for you from this other than your name (and as applicable your profile photo) with LinkedIn not to be displayed on our page in the area "Employee".

Please note that ERDL does not have any control over the processing of your data in the sphere of control of the provider of the respective social media service or by service providers of other social media sites on the respective platform. For this reason, ERDL also has no control over whether and, if so, to what extent your personal data are transmitted by such service providers to further recipients (also those in third states) or whether technical information concerning you is processed when you call up our social media pages. Without prejudice to the data we process in accordance with Section 2 g), the following information can be called up in particular:

- the IP address of your end device and/or your internet connection
- the date and time our social media sites are called up
- your browser type
- the browser settings and the operating system
- the page last visited by you and the quantity of data transmitted

These statements concern all the following social media sites unless we declare otherwise on the respective social media sites below.

#### **(i) LinkedIn**

As a service provider of the LinkedIn page listed in Section 2 g), we can e.g. inspect who follows our LinkedIn page and which employees indicated to work with ERDL in their own LinkedIn profiles. Furthermore, we can see that our posts are marked with "I Like", and shared or comments have been written. In the case of comments, we process your data in order to facilitate a response to your request.

Furthermore, it is possible that LinkedIn Ireland Unlimited Company, Wilton Place, Dublin 2, Ireland provides us without being asked with anonymized - therefore not personal - statistical information, which we cannot assign to you without further additional information, about the use of our LinkedIn page (e.g. analysis for company pages).

Please find further information on the processing of your data by LinkedIn in their data protection information via the following **external link**: <https://www.linkedin.com/legal/privacy-policy>

#### **(ii) Twitter**

As a service provider of the Twitter page listed in Section 2 g), we can e.g. see who follows our Twitter page, who likes to view our posts ("Tweets") regularly, who marks our Tweets with "I Like", who answers them or publishes them again ("retweets"). Provided that you respond to one of our Tweets, we process your data in order to facilitate your request to be handled. Provided that you follow us on Twitter, you have the possibility of writing a private message to us. In this case, we use your data in order to handle your request.

Further information on the processing of your data by Twitter International Company, One Cumberland Place, Fenian Street, Dublin 2, D02 AX07, Ireland can be found via the following **external link**: <https://twitter.com/en/privacy>

### **(iii) Facebook**

As a service provider of the Facebook page listed in Section 2 g), we can e.g. inspect who follows our LinkedIn page and which employees indicated to work with ERDL in their own Facebook profiles. Furthermore, we can see that our posts are marked with "I Like", and shared or comments have been written. In the case of comments, we process your data in order to facilitate a response to your request.

Please find further information on the processing of your data by LinkedIn in their data protection information via the following **external link**: <https://free.facebook.com/privacy/policy/#2>

### **hh. Registration for the ERDL Community Network**

Insofar as you register for the ERDL Community Network, we process the categories of data you specified under section 2 h). We base the processing of your data on Art. 17.1.a Law on Cyberinformation Security 2015. Provided that you give us your consent for the processing of your data for the purpose of information about the activities of the ERDL Community Network, you agree with the processing of your data for this purpose as follows:

*"I give my consent that the personal data indicated by me to Eruditus Legal's Community Network for registering with the ERDL Community Network may be processed for these purposes. I can withdraw my consent at any time with effect for the future and herewith stop the reception of messages from the ERDL Community Network. The lawfulness of processing of my data up to the time of the withdrawal is not affected by the withdrawal. I have taken notice of the precise details of the processing of my data, as well as my rights concerning the data processing, as explained in the privacy policy under section 6 b) hh)."*

You can withdraw your consent at any time with effect in the future. The lawfulness of the processing of your data is not affected by the withdrawal up to the time of the withdrawal. You can withdraw your consent as described in Section 9i. Furthermore, a possible alternative exists to deregister via the respective "Unsubscribe Link" at the end of every email, with which we sent you information related to the ERDL Community Network.

### **ii. Other purposes (surveys and studies, company-/Group management, compliance, security and data protection, Group Security, public health)**

It is possible that the data types designated in Section 2 jj are also processed for the following purposes and on the following legal basis:

#### **(i) Surveys and studies**

We conduct surveys and studies you can voluntarily participate in. You also may, as appropriate, obtain the results and, if available also the results evaluated individually for you. Our legitimate interest is to identify trends, opinions, and experiences of the participating businesses, especially regarding compliance with regulatory requirements. The evaluated results serve to develop our consultancy portfolio and to identify (individual) consultancy needs. Herein we have an economic interest. Therefore, our interest is to be qualified as legitimate within the meaning of the



aforementioned provision. Affected by this is your IP address, which is required to access the website with the survey tool. We ask you not to enter any information in free text fields that contain personal references (e.g. names, but also functions in specific authorities). Should this nevertheless be the case, we have no intention to collect such data. The inevitable processing of this data, which we cannot prevent but can only terminate as quickly as possible, is also based on our legitimate interests. If you wish to receive the general survey results or an individual evaluation of your entries by e-mail, we will process your name and the contact data requested to fulfill this wish and thus. Your individual evaluation we will only provide to you. If we contact you, following the evaluation, and provide you with your individual or the cross-company overall results, the statements made under Section 2 b) and 6 b) bb) apply.

#### **(ii) Network control**

Within the scope of consistent Network reporting and management (e.g., for customer support), we collect data for Network management (e.g., for budget planning and reporting). Our legitimate interests are in Network control, as well as in the consistent Network management, for which we have an economic interest. Therefore, our interest is to be qualified as legitimate according to this requirement. Affected by this are particularly the data types designated in Section 2, which we collected from you in connection with the contract performance and/or the provision of pre-contractual measures (e.g. in connection with seminar registrations).

#### **(iii) Compliance with our legal obligations (Compliance)**

To comply with legal requirements incumbent to us (e.g. for the fulfillment of tax and commercial legal obligations and the application of a Compliance Management, including compliance checks) data can be collected.

#### **(iv) Data protection and security management**

In order to comply with the data protection requirements for which we are responsible, audits may also be carried out by our data protection contact person. Our legitimate interest is in secure and data protection-compliant processing of personal data.

### **7. Recipients or categories of recipients of personal data**

We transfer personal data to the following recipients:

- Public entities, to which the data must be sent according to legal stipulations (e.g. financial authorities, supervisory authorities, social insurance carriers, professional associations, and possibly prosecution authorities)
- Our clients, as necessary for the fulfillment of a contract
- Tax consultants and/or lawyers involved in the fulfillment of the contract as aligned with our clients
- Banks, insurance companies
- Internal departments which participate in the performance of the respective tasks, basically: Marketing, Personnel, IT & Security)
- Contractors (service enterprises such as IT service providers who can be engaged within or outside of ERDL, content aggregator web-based service providers e.g. Lexology)
- Providers of our social media pages
- Organizer and co-organizer of events.

## 8. Transfer of personal data to third countries (Art. 17.1.c Law on Cyberinformation Security 2015; Decree 13/2013/NĐ-CP on personal data protection)

Basically, we do not transfer personal data that we collect via our website to countries outside of Vietnam (third countries). If data is transferred to third countries as necessary for contract performance, for internal communication or administration within ERDL, or due to the registered office of a service provider being in a third country, this is always subject to prior detailed checking and assessment by our Data Protection contact person. It is also only implemented if, at the site in the third country, an adequate data protection level is ensured, or appropriate safeguards grant an adequate data protection level, or in exceptional cases where neither an adequacy decision nor appropriate safeguards are required. Provided that and insofar as you wish to be provided with further information on the individual safeguards, you can refer to our Data Protection contact information provided in Section 13.

## 9. Your rights<sup>1</sup> with respect to data processing

You have the following rights with respect to us, as explained below, as well as the right to any-time withdrawal of your consent declared with respect to us, and the right to lodge a complaint to the supervisory authorities. You can **exercise your rights form-free** with respect to us and do this either **directly** to the contact data indicated in **Section 1** or **via our Data Protection contact details** whose contact information can be found in **Section 13**. Except for possible transmission or connection charges, **no costs** arise to you for that.

### a. Right to access

You have the right to obtain confirmation from us whether or not and which personal data is processed by us related to your person: With regard to this data in particular, you can obtain information about the purposes related to the processing (Sections 5 and 6), the categories of data that we process (Section 2), the categories of recipients (Section 7) and our intention to transfer the data to recipients in a third country (Section 8). The information furthermore contains specifications about the origin of the data, provided that it has not been obtained from you. You furthermore have the right to obtain a copy of the personal data which is subject to the processing, insofar as the rights and freedoms of other persons with respect to their personal data are adversely affected.

### b. Right to rectification

You have the right to obtain from us the rectification without undue delay of inaccurate personal data concerning you. You have furthermore the right to obtain completion of incomplete personal data, considering the purposes of the processing - also by means of a supplementary statement.

### c. Right to erasure

You have the right to obtain from us erasure without undue delay of your personal data if one of the following grounds applies and none of the exceptions listed below the grounds applies:

- We have fulfilled the purpose of using your data or the storage period has expired.
- Improperly processed personal data registered or notified to the data subject.
- You have withdrawn your consent (see also Section 9. i) and we do not have any other legal basis for processing your data.
- The data was processed unlawfully.

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<sup>1</sup> Article 18 Law on Cyberinformation Security 2015; Article 9 of Decree 13/2023/NĐ-CP on personal data protection.

- The maintenance of personal data storage is no longer necessary for the operation of the personal data processor.
- You have objected to the processing of your data by us (see also Section 9. g) and we do not have any overriding legitimate reasons for the processing of your data.

**d. Right to restriction of the processing**

You have the right to obtain from us the restriction of the processing of your personal data. You have this right in particular if one of the following applies:

- You contest the accuracy of your data.
- The processing of the data is unlawful, and you oppose the erasure of the data.
- We do not need your data any longer, however, you still require it for the establishment, exercise or defense of legal claims.
- You have objected to the processing (see also Section 9 g) and we are in the process of verifying whether our legitimated grounds override your legitimate grounds for the objection to the processing.

**e. Right to notification**

If you have a claim from us to rectify or erase your data or to restrict their processing, we are obliged to inform all recipients to whom your personal data was disclosed to carry out the rectification, or deletion of the data or the restriction of the processing, unless this proves impossible or involves disproportionate effort. You have likewise the right with respect to us to be informed of these recipients.

**f. Right to data portability**

You have the right to receive the personal data concerning you in a structured, commonly used, and machine-readable format and to transmit it to another controller, as long as you have provided this data to us based on consent or a contract, and the data is processed by automated means. You have the right to have the data transmitted directly from us to the other controller, as far as this is technically feasible and the rights and freedoms of other persons are not adversely affected.

**g. Right to object**

You have the right to object to the processing of personal data concerning you at any time, for reasons related to your particular situation, as far as the processing of this data is based on the necessity for the purposes of the legitimate interests pursued by us or those by a third party, or for the performance of a task that is in the public interest.

**h. Right to complain to a supervisory authority**

In addition, you can at any time lodge a complaint with the competent data protection supervisory authority, for example at your place of residence or at the place of the suspected infringement.

**i. Right to withdraw consent**

Provided that, and as far as you have given us your consent to the processing of your data, you have the right to withdraw this consent at any time with effect for the future. The lawfulness of the processing based on consent up to the time of the withdrawal is not affected by the withdrawal, rather the withdrawal can only affect the lawfulness of future processing.

**10. No obligation to provide data by yourself**

No legal obligation exists to provide your personal data to us; except if you decide to apply for employment at our firm via our website or media pages.

Should you prevent, e.g. technically, that we are provided with data which is required for the use of our website, it is possible that you cannot use our services or can use them to a limited extent only.

The provision of personal data in the course of ordering publications, newsletters, information material, and press releases, is freely given and not contractually or legally required. If you do not provide the necessary data this may imply we are incapable of sending you the publications requested.

The provision of personal data within the course of the registration to our seminars is required for a contract conclusion, as well as for its conduction. A non-provision of this data can result in our not being able to close any contract concerning your participation in a seminar and or to provide any corresponding performance.

The provision of your data within the course of establishing contact with us via our contact form, or the establishing of contact with one of our Experts, is voluntary. Without the required information, in particular a contact channel, however, it is not possible for us to handle your request.

The provision of your personal data within the course of an application is necessary for the decision on the establishment of an employment relationship with you. A non-provision of this data can result in our not being able to make any decision.

There is basically no obligation to provide us with personal data in the context of a contract established between you or your employer and us. In case of a non-provision of data, this may imply we may not be able to provide you or your employer with any, correct or comprehensive advice.

**11. Automated decision-making, including profiling**

Your personal data will not be used for automated decision-making, including profiling. Provided that these are used, we inform in detail regarding the logic as well as the significance and the envisaged consequences of such a processing for the data subject.

**12. Data Security**

We take technical and organizational security measures to protect your personal data against accidental or unlawful deletion, alteration, or loss and unauthorized transmission or access.

**13. Contact Information**

To exercise your rights or if you have any questions concerning your privacy while using the website, please contact us [here](#) and your request will be routed to the appropriate member firm or related entity.

Changes to this Privacy Notice.

**14. Status and changes to this data protection information**

This data protection information corresponds to the status indicated below. The right to change this data protection information remains reserved. We therefore kindly request you to inspect the data protection information on a regular basis to get informed about possible changes.

*Ho Chi Minh City, 20 June 2024.*