**Mr/ Mrs**

born on:

working for:

"the employee" below

Obligation according to Art. 1 of the Act on the Official Obligation of Persons Having no Civil Servant Status dated March 02, 1974 (Federal Gazette I, p. 547)

The employee shall be obliged to diligently fulfill her/ his obligations. The employee shall be informed about the contents of the following penal provisions of the Penal Code:

Art. 97-b in association with Arts. 94 – 97 Betrayal in the erroneous assumption of an illegal secret

Art. 120, par. 2 Rescue of a prisoner

Art. 133, par. 3 Destruction of documents in official custody

Art. 201, par. 3 Breach of the secrecy of the word

Art. 203, pars. 2, 4, 5 Breach of private secrets

Art. 204 Utilization of foreign secrets

Arts. 331, 332 Acceptance of advantages and corruptibility

Art. 353-b Breach of the official secret and of a special secrecy obligation

Art. 355 Breach of tax secrecy

Art. 358 Incidental legal consequences

The employee is informed of the above penal provisions being applicable due to the obligation of her/ him.

In addition, the employee is informed about the protection of **data secrecy** (Art. 3 par. 2 of the State Data Protection Act - LDSG). According to this Act, persons employed by public institutions shall be enjoined from processing personal data or using them in another way without authorization. Data secrecy shall continue to be effective even after the termination of employment. If the employee contributes to business-related telecommunications services as part of her/his activity (e.g. electronic mail), she/ he shall be obliged to observing the **secrecy of telecommunications** (Art. 88, TKG). Violations of data secrecy, telecommunications secrecy or other data protection regulations may result in claims for damages and may also be punished with a fine or imprisonment.

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In most cases, violation of the above obligations will simultaneously represent a violation of the contractual obligations, as a consequence of which the respective legal actions up to a termination of employment without notice and claims for damages have to be expected.

The employee herewith declares to have been informed about the contents of the provisions mentioned.

The employee confirms that she/ he has received a copy of the above penal provisions and of the explanations concerning the Data Protection Act (information sheet).

..................................................., ...................................... ..................................................................................................... (Place) (Date) (Signature)