

DUTY OF INFORMATION IN THE EXERCISE OF THE LEGAL PROFESSION

TASK	PERSONAL DATA	PURPOSE	LEGAL BASIS	PERIOD	RECIPIENTS
Litigation and arbitration	<p>Clients and counterparties:</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> <li>– Confidential personal data</li> <li>– Special categories of personal data (sensitive)</li> </ul> <p>Specifically in relation to the duty of information to opponents:</p> <ul style="list-style-type: none"> <li>– in terms of compliance with the duty of information to opponents, the professional secrecy of attorneys and a person's right to prepare his or her own defence in court proceedings may under section 22(1) of the Danish Data Protection Act justify an exemption from the duty of information in a number of circumstances.</li> </ul> <p>Directors from the winning tenderer:</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> <li>– Confidential personal data</li> </ul> <p>The representative of the opponent, secondary parties in court proceedings, business partners, arbitrators, witnesses, experts etc.:</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> </ul>	<p>Personal data are processed for the purpose of protecting the client's interests in connection with the preparation and conduct of legal or arbitral proceedings.</p> <p>The processing of personal data includes:</p> <ul style="list-style-type: none"> <li>– drafting and examining pleadings;</li> <li>– summoning of witnesses;</li> <li>– obtaining expert opinions;</li> <li>– cooperation with the arbitration tribunal;</li> <li>– settlement of legal costs to arbitrators and experts; witness compensation.</li> </ul>	<p>The processing of personal data is necessary for the performance of a contract to which the data subject is party (the assignment), see Article 6(1), point (b) of the General Data Protection Regulation.</p> <p>The processing of personal data is necessary for cooperation with, e.g., the arbitration tribunal so that Poul Schmith/Kammeradvokaten can pursue a legitimate interest in terms of the practice of the legal profession and the fulfilment of the assignment, see Article 6(1), point (f) of the General Data Protection Regulation.</p> <p>General personal data may be processed where the processing is necessary for the performance of a task carried out in the public interest, see Article 6(1), para (e) of the General Data Protection Regulation.</p> <p>Special categories of personal data (sensitive) are processed if the processing is necessary for the establishment, exercise or defence of a legal claim, see Article 9(2), point (f) of the General Data Protection Regulation and Article 6(1), point (f) where the legitimate interest is justified by the necessity of establishing, exercising or defending a legal claim.</p> <p>Data about civil registration numbers (CPR) are processed when necessary</p>	<p>Access to the file is limited in connection with archiving.</p> <p>For private clients, personal data are erased 10 years after archiving of the file unless special circumstances render the file worthy of preservation for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p> <p>For government clients, personal data are erased 10 or 20 years after archiving unless special circumstances render the file worthy of preservation for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p>	<p>Poul Schmith/Kammeradvokaten only discloses your personal data to the extent necessary and if there is a legal basis for doing so. It may be to public authorities, private businesses or persons, foundations, associations etc. depending on the nature of the matter.</p> <p>Poul Schmith/Kammeradvokaten passes on personal data to our data processors (e.g. IT suppliers). Transfers of personal data to non-EU/EEA countries, which have not been deemed safe by the European Commission, may take place through the provision of various transfer tools that provide appropriate safeguards. As an example we can mention conclusion of the European Commission's standard contractual clauses regarding data protection with the recipient and additional measures.</p> <p>In special cases, transfers to non-EU/EEA countries may also take place pursuant to Article 49(1) of the General Data Protection Regulation, e.g., in cases where the transfer is necessary for the establishment, exercise or defence of legal claims.</p>

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			<p>for the establishment, exercise or defence of a legal claim. The processing of civil registration numbers (CPR) is authorised under section 11(2), point (4) of the Danish Data Protection Act, cf. Article 9(2), point (f) of the General Data Protection Regulation where the legitimate interest is justified by the necessity of establishing, exercising or defending a legal claim.</p> <p>Client data on criminal convictions and offences are processed under the authority of section 8(3) of the Danish Data Protection Act, cf. Article 10 of the General Data Protection Regulation, as the processing is necessary for conducting the legal or arbitral proceedings.</p>		
<p>Debt collection and administration of an estate</p>	<p>Debtors, owners or employees of the bankruptcy estate:</p> <ul style="list-style-type: none"> <li>- Personal data (non-sensitive)</li> <li>- Confidential personal data</li> <li>- Special categories of personal data (sensitive personal data)</li> </ul> <p>Business partners (e.g., co-trustee):</p> <ul style="list-style-type: none"> <li>- Personal data (non-sensitive)</li> </ul> <p>Specifically in relation to the duty of information:</p> <ul style="list-style-type: none"> <li>- in terms of compliance with the duty of information to opponents, the professional secrecy of attorneys and a person's right to prepare his or her own defence in court proceedings may under section 22(1) of the Danish Data Protection Act justify an</li> </ul>	<p>The processing of personal data may serve one or several of the following purposes:</p> <ul style="list-style-type: none"> <li>- to administer an estate in bankruptcy, including to ensure the recovery of funds in the estate through recovery proceedings;</li> <li>- to make investigations for the purpose of identifying management liability in bankruptcy proceedings;</li> <li>- to submit letters of demand and enforcement applications, and appear in the bailiff's court and enter into payment arrangements;</li> <li>- to prepare bankruptcy estate statistics;</li> <li>- to identify client data recorded before;</li> </ul>	<p>The processing of personal data is necessary for, e.g., establishing contact with business partners attached to a case so that Poul Schmith/Kammeradvokaten can pursue a legitimate interest in terms of the practice of the legal profession and the fulfilment of the assignment, see Article 6(1), point (f) of the General Data Protection Regulation. The processing of personal data in connection with the administration of the bankruptcy estate will in general take place on the basis of a legal obligation, see Article 6(1), point (c) of the General Data Protection Regulation.</p> <p>Data about civil registration numbers (CPR) are processed as they are necessary for the establishment, exercise</p>	<p>Personal data are erased 10 years after archiving of the file unless special circumstances render the file worthy of preservation for a longer period.</p>	<p>Poul Schmith/Kammeradvokaten only discloses your personal data to the extent necessary and if there is a legal basis for doing so. It may be to public authorities, private businesses or persons, foundations, associations etc. depending on the nature of the matter. Poul Schmith/Kammeradvokaten passes on personal data to our data processors (e.g. IT suppliers). Transfers of personal data to non-EU/EEA countries, which have not been deemed safe by the European Commission, may take place through the provision of various transfer tools that provide appropriate safeguards. As an example we can mention conclusion of the European Commission's standard contractual clauses regarding data protection with</p>

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	<p>exemption from the duty of information in a number of circumstances.</p>	<ul style="list-style-type: none"> <li>- to establish contact with the person attached to the case at the Danish Customs and Tax Administration (SKAT);</li> <li>- to obtain assistance from a foreign authority;</li> <li>- to exchange personal data with foreign authorities and attorneys for the purpose of securing assets placed abroad but belonging to the estate administered by Poul Schmith/Kammeradvokaten</li> </ul>	<p>or defence of a legal claim. The processing of civil registration numbers (CPR) is authorised under section 11(2), point (4) of the Danish Data Protection Act, cf. Article 9(2), point (f) of the General Data Protection Regulation.</p> <p>Data on the criminal convictions of debtors, owners or employees are processed under the authority of section 8(3) of the Danish Data Protection Act, cf. Article 10 of the General Data Protection Regulation, as the processing is necessary for conducting debt collection proceedings and administration of bankruptcy estates.</p>		<p>the recipient and additional measures. In special cases, transfers to non-EU/EEA countries may also take place pursuant to Article 49(1) of the General Data Protection Regulation, e.g., in cases where the transfer is necessary for the establishment, exercise or defence of legal claims.</p>
<p>Legal advice, including drafting of legal opinions, contract drafting, assistance in negotiations, due diligence, etc.</p>	<p>Clients:</p> <ul style="list-style-type: none"> <li>- Personal data (non-sensitive)</li> <li>- Confidential personal data</li> <li>- Special categories of personal data (sensitive)</li> </ul> <p>Client contact person, business partners or other advisors:</p> <ul style="list-style-type: none"> <li>- Personal data (non-sensitive)</li> </ul> <p>Target company employees:</p> <ul style="list-style-type: none"> <li>- Personal data (non-sensitive)</li> <li>- Confidential personal data</li> <li>- Special categories of personal data (sensitive)</li> </ul> <p>Specifically in relation to the duty of information:</p> <ul style="list-style-type: none"> <li>- In terms of compliance with the duty of information to opponents, the professional secrecy of attorneys and a person's right to prepare his or her</li> </ul>	<p>Personal data are processed for the purpose of preparing memos, provide advice by e-mail or telephone, assist in negotiations or assist in the preparation of material, including, e.g., data processing agreements, shareholders' agreements, cooperation agreements, draft administrative decisions, draft statutory orders, draft statutory prescriptions, anonymisation of material in connection with access to documents, establishment of companies etc.</p>	<p>The processing of personal data is necessary for assistance in connection with, e.g., business transfers so that Poul Schmith/Kammeradvokaten can pursue a legitimate interest in terms of the practice of the legal profession and the fulfilment of the assignment, see Article 6(1), point (f) of the General Data Protection Regulation.</p> <p>Employees in target businesses: Civil registration numbers are processed when necessary for the establishment, exercise or defence of a legal claim. The processing of civil registration numbers (CPR) is authorised under section 11(2), para (4) of the Danish Data Protection Act, cf. Article 9(2), point (f) of the General Data Protection Regulation.</p>	<p>Access to the file is limited in connection with archiving.</p> <p>For private clients, personal data are erased 10 years after archiving of the file unless special circumstances render the file worthy of preservation for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p> <p>For government clients, personal data are erased 10 or 20 years after archiving unless special circumstances render the file worthy of preservation for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p>	<p>Poul Schmith/Kammeradvokaten only discloses your personal data to the extent necessary and if there is a legal basis for doing so. It may be to public authorities, private businesses or persons, foundations, associations etc. depending on the nature of the matter. Poul Schmith/Kammeradvokaten passes on personal data to our data processors (e.g. IT suppliers). Transfers of personal data to non-EU/EEA countries, which have not been deemed safe by the European Commission, may take place through the provision of various transfer tools that provide appropriate safeguards. As an example we can mention conclusion of the European Commission's standard contractual clauses regarding data protection with the recipient and additional measures. In special cases, transfers to non-EU/EEA countries may also take place</p>

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	own defence in court proceedings may under section 22(1) of the Danish Data Protection Act justify an exemption from the duty of information in a number of circumstances.		Special categories of personal data (sensitive) are processed if the processing is necessary for the establishment, exercise or defence of a legal claim, see Article 9(2), point (f) of the General Data Protection Regulation and Article 6(1), point (f) where the legitimate interest is justified by the necessity of establishing, exercising or defending a legal claim.		pursuant to Article 49(1) of the General Data Protection Regulation, e.g., in cases where the transfer is necessary for the establishment, exercise or defence of legal claims.
Large projects, including legal investigations and review of administrative decisions.	<p>Client contact person and business partners:</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> </ul> <p>"Persons under investigation", such as employees, executives, citizens, etc., who are the subject of the investigations carried out:</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> <li>– Confidential personal data</li> <li>– Special categories of personal data (sensitive)</li> </ul>	<p>Personal data are processed for the purpose of assisting in large projects and investigations.</p> <p>The investigations typically result in a large report, which is sometimes to be published in the case of actual legal investigations.</p>	<p>The processing of personal data is necessary in connection with large projects and investigations for the data controller's or a third party's pursuit of a legitimate interest in terms of the practice of the legal profession and the fulfilment of the assignment, see Article 6(1), point (f) of the General Data Protection Regulation.</p> <p>Special categories of personal data (sensitive) are processed if the processing is necessary for the establishment, exercise or defence of a legal claim, see Article 9(2), point (f) of the General Data Protection Regulation and Article 6(1), point (f) of the General Data Protection Regulation where the legitimate interest is justified by the necessity of establishing, exercising or defending a legal claim.</p> <p>Civil registration numbers are processed when necessary for the establishment, exercise or defence of a legal claim. The processing of civil registration numbers (CPR) is authorised under section 11(2), para (4) of the Danish</p>	<p>Access to the file is limited in connection with archiving.</p> <p>For private clients, personal data are erased 10 years after archiving of the file unless special circumstances render the file worthy of preservation for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p> <p>For government clients, personal data are erased 10 or 20 years after archiving unless special circumstances render the file worthy of preservation for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p>	<p>Poul Schmith/Kammeradvokaten only discloses your personal data to the extent necessary and if there is a legal basis for doing so. It may be to public authorities, private businesses or persons, foundations, associations etc. depending on the nature of the matter.</p> <p>Poul Schmith/Kammeradvokaten passes on personal data to our data processors (e.g. IT suppliers). Transfers of personal data to non-EU/EEA countries, which have not been deemed safe by the European Commission, may take place through the provision of various transfer tools that provide appropriate safeguards. As an example we can mention conclusion of the European Commission's standard contractual clauses regarding data protection with the recipient and additional measures.</p> <p>In special cases, transfers to non-EU/EEA countries may also take place pursuant to Article 49(1) of the General Data Protection Regulation, e.g., in cases where the transfer is necessary for the establishment, exercise or defence of legal claims.</p>

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			Data Protection Act, cf. Article 9(2), point (f) of the General Data Protection Regulation.		
<p>Preparation of tender documents, questions/answers, prequalification, tender evaluation, award of contract and provision of ESPD documentation, as well as conducting cases before the Complaints Board for Public Procurement etc.</p>	<p>Clients, business partners or employees at existing suppliers who are contact persons or participants in a market dialogue, tenderers, members of a consortium, counterparties, case officers, chairman (judge), experts, and persons in relation to whom the tender documents include information:</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> </ul> <p>Employees with existing suppliers covered by the Danish Transfer of Undertakings Act:</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> <li>– Confidential personal data</li> <li>– Special categories of personal data (sensitive)</li> </ul> <p>Directors from the winning tenderer:</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> <li>– Confidential personal data</li> </ul> <p>Specifically in relation to the duty of information:</p> <ul style="list-style-type: none"> <li>– In respect of counterparties, the professional secrecy of attorneys and a person's right to prepare his or her own defence in court proceedings may under section 22(1) of the Danish Data Protection Act justify an exemption from the duty of information in a number of circumstances</li> </ul>	<p>The personal data are processed for the purpose of assisting with the preparation of tender documents and carrying out the tender process in general, i.e. in particular attending to questions/answers from tenderers, assisting with prequalification and tender evaluation, participating in negotiations, awarding contracts and obtaining ESPD documentation.</p> <p>In complaints cases, personal data will typically be processed in connection with registration of clients and counterparties and in connection with correspondence.</p>	<p>The processing of general personal data is necessary for the data controller's or a third party's pursuit of a legitimate interest in terms of assisting the client conduct a tender procedure, see Article 6(1), point (f) of the General Data Protection Regulation.</p> <p>Special categories of personal data (sensitive) are processed if the processing is necessary for the establishment, exercise or defence of a legal claim, see Article 9(2), point (f) of the General Data Protection Regulation and Article 6(1), point (f) where the legitimate interest is justified by the necessity of establishing, exercising or defending a legal claim.</p> <p>The processing of civil registration numbers is authorised under section 11(2), para (4) of the Danish Data Protection Act, including Article 9(2), point (f) of the General Data Protection Regulation where the legitimate interest is justified by the necessity of establishing, exercising or defending a legal claim.</p> <p>Data on criminal offences are processed under the authority of section 8(3) of the Danish Data Protection Act, cf. Article 10 of the General Data Protection Regulation, as the processing is necessary for conducting a tender procedure.</p>	<p>Access to the file is limited in connection with archiving.</p> <p>For private clients, personal data are erased 10 years after archiving of the file unless special circumstances render the file worthy of preservation for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p> <p>For government clients, personal data are erased 10 or 20 years after archiving unless special circumstances render the file worthy of preservation for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p>	<p>Poul Schmith/Kammeradvokaten only discloses your personal data to the extent necessary and if there is a legal basis for doing so. It may be to public authorities, private businesses or persons, foundations, associations etc. depending on the nature of the matter.</p> <p>Poul Schmith/Kammeradvokaten passes on personal data to our data processors (e.g. IT suppliers). Transfers of personal data to non-EU/EEA countries, which have not been deemed safe by the European Commission, may take place through the provision of various transfer tools that provide appropriate safeguards. As an example we can mention conclusion of the European Commission's standard contractual clauses regarding data protection with the recipient and additional measures. In special cases, transfers to non-EU/EEA countries may also take place pursuant to Article 49(1) of the General Data Protection Regulation, e.g., in cases where the transfer is necessary for the establishment, exercise or defence of legal claims.</p>

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ACTION	AUTHOR	APPROVED BY	DATE OF APPROVAL	VERSION
Information regarding personal data transfers to non-EU/EEA countries	LBEN	SDFR	07-12-2022	1.3
Updating of form regarding compliance with the duty to inform	SDFR	SDFR	17-08-2022	1.2
Addition of authority for the processing of personal data in connection with the preparation and conduct of legal or arbitral proceedings	MSKO	JNO	15-12-2020	1.1
Drafting of form regarding compliance with the duty to inform	MSKO	JNO	7-12-2019	1.0