

## **POLICY FOR KIELBERG ADVOKATER'S PROCESSING OF PERSONAL DATA**

This policy for the processing of personal data describes how Kielberg Advokater processes personal data in connection with our work as a law firm, including processing related to our case work, anti-money laundering procedures, etc.

Kielberg Advokater processes data about you, for example when you visit our website, establish a client relation with us (as an individual or as an enterprise), or as a natural part of our work as lawyers.

In most situations, Kielberg Advokater is the data controller in our daily business activities, case work and legal consulting services. Only in special cases will Kielberg Advokater be considered the data processor. If Kielberg Advokater is the data processor, we act upon the instructions of the data controller and in accordance with a data processor agreement.

### **DATA CONTROLLER**

Kielberg Advokater A/S

Business Reg. No. DK 19 08 50 82

Hunderupvej 71

DK-5230 Odense M

[www.kielberg.com](http://www.kielberg.com)

[kielberg@kielberg.com](mailto:kielberg@kielberg.com)

Tel. +45 63 13 44 44

### **COLLECTION AND REGISTRATION**

Kielberg Advokater processes your personal data in accordance with the general principles of data protection specified in the data protection rules in force at any given time. Consequently, Kielberg Advokater only processes the personal data required for us to perform our work as lawyers, and we only store your personal data for as long as it is necessary.

We collect personal data primarily from yourself; however, depending on the circumstances of a given case, we may also obtain personal data from your employer, other lawyers/consultants, or third parties, such as counterparts, public authorities such as the tax authorities, the State Administration offices, the police, etc.

The following is an overview showing you when and how we collect and process your personal data:

**OUR WEBSITE ([www.kielberg.com](http://www.kielberg.com)) AND SOCIAL MEDIA (Facebook, Instagram, and LinkedIn)**

Categories of data subjects	Categories of personal data	Purpose	Legal basis	Storage
<b>Visitors to the website</b>	Cookies: Read more in our cookie policy at <a href="http://www.kielberg.com">www.kielberg.com</a> .	Functional website.	Kielberg Advokater's legitimate interest in having a functional website, cf. letter f of Art. 6 (1) of the General Data Protection Regulation (GDPR), and Sect. 6 (1) of the Danish Data Protection Act.	Find specific information about storage of cookies in our cookie policy.
<b>Visitors using the contact form on the website</b>	Contact data: name, e-mail, telephone, the contents of your message.	To reply to your inquiry.	Kielberg Advokater's legitimate interest in being able to reply to inquiries via the contact form, cf. letter f of Art. 6 (1) of the GDPR and Sect. 6 (1) of the Danish Data Protection Act.	Your personal data will be stored as long as we are obliged to store them in connection with the establishment of a client relation.
<b>Kielberg Advokater's followers on the social media (Facebook, Instagram and LinkedIn)</b>	Accessible information via your privacy settings, your reactions (likes, comments, etc.) to our posts and sharing of these.	Branding and marketing of Kielberg Advokater.  See also the privacy policy of the social media used.	Kielberg Advokater's legitimate interest in making content accessible on the social media, cf. letter f of Art. 6 (1) of the GDPR and Sect. 6 (1) of the Danish Data Protection Act.	Your personal data are stored as long as the post is accessible or as long as your reaction, comments, etc., are visible on the post.
<b>Participants in our events</b>	Contact data: name, e-mail, telephone.	Communication concerning the event.	Kielberg Advokater's legitimate interest in being able to communicate with participants, cf. letter f of Art. 6 (1) of the GDPR and Sect. 6 (1) of the Danish Data Protection Act.	Your personal data will be stored until the event has been held.

**CONTACT PERSONS**

Categories of data subjects	Categories of personal data	Purpose	Legal basis	Storage
<b>Contact persons working for suppliers and business associates</b>	Employer, job title, contact data: address, telephone number, e-mail.	Ongoing contact.	Kielberg Advokater's legitimate interest in being able to get in touch with the supplier concerned, cf. letter f of Art. 6 (1) of the GDPR and Sect. 6 (1) of the Danish Data Protection Act.	These contact data are stored as long as is relevant for the relation concerned and for establishing, exercising or defending a possible legal claim.
<b>Contact persons in enterprises</b> (Real owners, board members, etc.)	Contact data: name, e-mail, telephone, the contents of your message.	To reply to your inquiry.	Kielberg Advokater's legitimate interest in being able to reply to inquiries made via the contact form, cf. letter f of Art. 6 (1) of the GDPR and Sect. 6 (1) of the Danish Data Protection Act.	Personal data are stored for five years after the end of business relations or after completion of a single transaction in accordance with Sect. 30 of the Danish Anti-Money Laundering Act.

## LEGAL CONSULTING SERVICES AND PROCESSING OF PERSONAL DATA AS PART OF CASE WORK

Categories of data subjects	Categories of personal data	Purpose	Legal basis
<b>Commercial law consulting services</b> (Personal data of enterprise owners, management and board members, employees, customers, suppliers, etc.)	<u>General personal data:</u> Contact data, personnel data, including information about wages and salaries, finances, passport, etc.  Central Public Register number and information about crime sheet, if any.	Ongoing legal consulting services regarding commercial law and company law, including the acquisition and sale of enterprises, enterprise registrations, board work, contact preparation, lawsuits, etc.	<ol style="list-style-type: none"> <li>1) Kielberg Advokater' legitimate interest in being able to perform the work of lawyers, cf. letters c and f of Art. 6 (1) of the GDPR and Sect. 6 (1) of the Danish Data Protection Act.</li> <li>2) The client's legal claim, cf. letter f of Art. 9 (2) of the GDPR and Sect. 7 (1) of the Danish Data Protection Act.</li> </ol>
<b>Restructuring, bankruptcy and compulsory dissolution</b> (personal data of employees in the bankruptcy estate, customers, suppliers, etc.)	<u>General personal data.</u> Contact data, personnel data, including information about wages and salaries, finances, passport, Central Public Register number, etc.  Central Public Register number and information about crime sheet, if any.	Legal case work, including dissolution and succession in bankruptcies and compulsory dissolution cases.	<ol style="list-style-type: none"> <li>1) Kielberg Advokater's work as lawyers and the resulting legal obligation in the Bankruptcy Act, cf. letter c of Art. 6 of the GDPR.</li> <li>2) Kielberg Advokater's legitimate interest in carrying out its work as lawyers, cf. letters c and f of Art. 6 (1) of the GDPR, and Sect. 6 (1) of the Danish Data Protection Act.</li> <li>3) Legal claim of the bankruptcy estate, cf. letter f of Art. 9 (2) of the GDPR, and Sect. 7 (1) of the Danish Data Protection Act.</li> </ol>

<p><b>Debt collection cases</b> (Information about the creditor and the counterpart (debtor))</p>	<p><u>Creditor:</u> contact data: name, telephone number, e-mail, address. <u>Debtor(s):</u> Information about the claim, including the size of the claim, the preceding process, and relevant personal data in the form of Central Public Register number, crime sheet, if any, and sensitive personal data, including health data, etc.</p>	<p>Collection of debt.</p>	<ol style="list-style-type: none"> <li>1) Kielberg Advokater's legitimate interest in carrying out its work as lawyers, cf. letters c and f of Art. 6 (1) of the GDPR, and Sect. 6 (1) of the Danish Data Protection Act.</li> <li>2) The client's legal claim, cf. letter f of Art. 9 (2) of the GDPR, and Sect. 7 (1) of the Danish Data Protection Act</li> </ol>
<p><b>Employment law consulting services</b> (potential, present and former employees and private individuals)</p>	<p><u>General personal data:</u> Contact data: name, telephone number, e-mail, address, wages or salaries, terms of employment, sanctions.  <u>Sensitive personal data:</u> Trade union affiliation, health information, religious information.  Central Public Registry number and crime sheet, if any.</p>	<p>Ongoing employment law consulting services.</p>	<ol style="list-style-type: none"> <li>1) Kielberg Advokater's legitimate interest in carrying out its work as lawyers, cf. letters c and f of Art. 6 (1) of the GDPR, and Sect. 6 (1) of the Danish Data Protection Act.</li> <li>2) The client's legal claim, cf. letter f of Art. 9 (2) of the GDPR and Sect. 7 (1) of the Danish Data Protection Act</li> </ol>
<p><b>Private law consulting services</b> (Testator, heir, spouses, deceased persons, etc., as well as external parties)</p>	<p><u>General personal data:</u> Contact data: name, e-mail, address,</p>	<p>Ongoing legal consulting services, in particular related to the administration of the estate of a deceased person,</p>	<ol style="list-style-type: none"> <li>1) Kielberg Advokater's work as lawyers and resulting legal obligation in the Danish Inheritance Act, the Danish Act on the Administration of the</li> </ol>

<p>of significance, e.g. in processing the estate of a deceased person, in real property transactions, etc.)</p>	<p>telephone number, finances, net asset arrangements in marriage, insurance information, passport copy and other information for the use of processing the case.</p> <p><u>Sensitive personal data:</u> Health data and trade union affiliation.</p> <p>Central Public Register number and crime sheet, if any.</p>	<p>preparation of wills and powers of attorney, as well as ongoing consulting services related to real property transactions.</p>	<p>Estates of Deceased Persons, etc., cf. letter c</p> <p>of Art. 6 (1) of the GDPR.</p> <p>2) Performance of the contract between Kielberg Advokater and the client, cf. letter b of Art. 6 (1) of the GDPR, and Sect. 6 (1) of the Danish Data Protection Act.</p> <p>3) Kielberg Advokater's legitimate interest in carrying out its work as lawyers, cf. letters c and f of Art. 6 (1) of the GDPR, and Sect. 6 (1) of the Danish Data Protection Act.</p> <p>4) The client's legal claim, cf. letter f of Art. 9 (2) of the GDPR, and Sect. 7 (1) of the Danish Data Protection Act.</p>
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<p><b>Family law consulting services</b> (Persons comprised by the case at hand, including children and parents in cases regarding forcible removal, custody, etc.)</p>	<p><u>General personal data:</u> Contact data: name, e-mail, address, telephone number, finances, information of a purely private nature, including family situation, housing situation, etc., as well as other data of relevance to the case.</p> <p><u>Sensitive personal data:</u> Health data.</p>	<p>Ongoing legal consulting services, including in particular in cases regarding forcible removal, custody, etc.</p>	<ol style="list-style-type: none"> <li>1) Kielberg Advokater's work as lawyers and the resulting legal obligation in the Danish Social Services Act, etc., cf. letter c of Art. 6 (1) of the GDPR.</li> <li>2) Performance of the contract between Kielberg Advokater and the client, cf. letter b of Art. 6 (1) of the GDPR, and Sect. 6 (1) of the Danish Data Protection Act.</li> <li>3) Kielberg Advokater's legitimate interest in carrying out its work as lawyers, cf. letters c and f of Art. 6 (1) of the GDPR, and Sect. 6 (1) of the Danish Data Protection Act.</li> </ol>
	<p>Information about Central Public Register number and crime sheet, if any.</p>		<ol style="list-style-type: none"> <li>4) The client's legal claim, cf. letter f of Art. 9 (2) of the GDPR, and Sect. 7 (1) of the Danish Data Protection Act.</li> </ol>
<p><b>Personal debt settlement scheme</b> (persons comprised by a personal debt settlement scheme case)</p>	<p><u>General personal data:</u> Contact data: name, e-mail, address, telephone number, finances, information of a purely private nature, including family situation, housing situation, etc., and other information of relevance to the personal debt settlement scheme case.</p>	<p>Ongoing consulting services in connection with a personal debt settlement scheme.</p>	<ol style="list-style-type: none"> <li>1) Kielberg Advokater's work as lawyers and the resulting legal obligation in the Danish Bankruptcy Act, cf., letter c of Art. 6 (1) of the GDPR, and Sect. 6 (1) of the Danish Data Protection Act.</li> <li>2) Kielberg Advokater's legitimate interest in carrying out its work as lawyers, cf. letters c and f of Art. 6 (1) of the GDPR,</li> </ol>

	<p><u>Sensitive personal data:</u> Health data.</p> <p>Information on Central Public Register number and crime sheet, if any.</p>		<p>and Sect. 6 (1) of the Danish Data Protection Act.</p> <p>3) The creditor's legal claim, cf. letter f of Art. 9 (2) of the GDPR, and Sect. 7 (1) of the Danish Data Protection Act</p>
<p><b>Criminal law cases</b> (Defendant, injured party, witnesses, etc.)</p>	<p><u>General personal data:</u></p> <p>Contact data: name, e-mail, address, telephone number, finances, information of a purely private nature, including family situation, housing situation, etc., and other information of relevance to the criminal case.</p>	<p>Criminal law consulting services and conducting criminal cases before the law courts.</p>	<p>1) Kielberg Advokater's work as lawyers and the resulting legal obligation in the Danish Administration of Justice Act etc., cf. letter c of Art. 6 (1) of the GDPR.</p> <p>2) Performance of the contract between Kielberg Advokater and the client, cf. letter b of Art. 6 (1) of the GDPR, and Sect. 6 (1) of the Danish Data Protection Act.</p>



	<p><u>Sensitive personal data:</u> Data on religion, race, ethnicity, health data, etc.</p> <p>Information on Central Public Registry number and crime sheet, if any.</p>		<ol style="list-style-type: none"> <li>3) Kielberg Advokater's legitimate interest in carrying out its work as lawyers, cf. letters c and f of Art. 6 (1) of the GDPR, and Sect. 6 (1) of the Danish Data Protection Act.</li> <li>4) The client's legal claim, cf. letter f of Art. 9 (2) of the GDPR, and Sect. 7 (1) of the Danish Data Protection Act</li> </ol>
<p><b>Administration of foundations</b> (Foundation applicants)</p>	<p><u>General personal data:</u> Contact data: name, e-mail, address, telephone number, finances, information of a purely private nature, including family situation, housing situation, examination certificates, etc., as well as other information stated by the applicant in the application.</p> <p><u>Sensitive personal data:</u> Information about religion, race, ethnicity, health data, etc.</p> <p>Information and Central Public Register number and crime sheet, if any.</p>	<p>Administration of foundations and granting of donations</p>	<ol style="list-style-type: none"> <li>1) Performance of the contract between Kielberg Advokater and the foundation, cf. letter b of Art. 6 (1) of the GDPR, and Sect. 6 (1) of the Danish Data Protection Act.</li> <li>2) Kielberg Advokater's legitimate interest in carrying out its work as lawyers, cf. letters c and f of Art. 6 (1) of the GDPR, and Sect. 6 (1) of the Danish Data Protection Act.</li> </ol>

**STORAGE OF PERSONAL DATA IN RELATION TO LEGAL CASE WORK**

Your personal data will be stored until the legal case work has been completed, and then for a period of ten years, unless special circumstances make it necessary to store personal data for a shorter or longer period. Personal data obtained for use in our anti-money laundering procedures are stored for as long as there is an active client relation and then for a subsequent period of five years after the client relation has ended.

The storage period has been laid down in relation to the Danish Limitation Act and the rules of lawyer ethics.

**RECIPIENTS OF YOUR PERSONAL DATA**

We process your personal data confidentially and will only pass on personal data if stipulated by law or if required for us to be able to carry out our work as lawyers. Depending on the concrete circumstances, your personal data may be passed on to the following: Auditors, other lawyers including counterparts, public authorities including the police, the tax authorities, Finanstilsynet (the Danish Financial Supervisory Authority), and the law courts.

Kielberg Advokater has engaged various data processors to whom your personal data may be transmitted. These data processors act in accordance with the agreement made with Kielberg Advokater. In addition, personal data may be transmitted to external suppliers who assist Kielberg Advokater in running its business.

Your personal data will not be passed on for marketing purposes, unless you have given your consent.

**PROCESSING SECURITY**

Kielberg Advokater has taken the necessary security measures and implemented a number of internal procedures and data protection policies, thereby ensuring a high level of security.

When you send confidential or sensitive personal data to us, we recommend that you use a secure e-mail or files protected by a password. In this way, you can contribute to protecting your own data.

## RIGHTS OF DATA SUBJECTS

As a data subject, you may invoke your rights by approaching Lene Andersen, our designated personal data controller, at [kielberg@kielberg.com](mailto:kielberg@kielberg.com).

No matter if you are a client, a counterpart, a contact person, or similar, you have the following rights as a data subject:

- **Right to information (information duty)**  
You have the right to be informed how the data controller processes your personal data. (As data controller, Kielberg Advokater has complied with our duty to give information by preparing this policy on personal data).
- **Right to see data (access right)**  
You have access right regarding the data about you which we process, and regarding a number of other data items.
- **Right to correction (rectification)**  
You have the right to have incorrect data about you corrected.
- **Right to erasure**  
In special cases, you have the right to have data about you erased before the time of our general erasure occurs.
- **Right to restriction of processing**  
In certain cases, you have the right to have the processing of your personal data restricted, in which case we may only carry out future processing of data – apart from storage – with your consent, or with a view to establishing a legal claim, or to exercise or defend such claim, or for the purpose of protecting a person or significant public interests.
- **Right to object**  
In certain cases, you have the right to object to our otherwise legitimate processing of your personal data. You may also object to our processing of your data for direct marketing, or in cases where our processing is the result of a balancing of interests.
- **Right to transmit data (data portability)**  
In certain cases, you have the right to receive your personal data in a structured, commonly used, machine-readable format and the right to have these personal data transmitted from one data controller to another without hindrance.

The exercise of your rights may be restricted in accordance with applicable rules, including consideration for crucial private interests if these are deemed to override our consideration for you.

If you have given consent to the processing of your personal data, you have the right to withdraw this consent at any time. However, such withdrawal does not affect the legality of the processing carried out on the basis of your consent before the withdrawal. If you withdraw your consent, Kielberg Advokater will no longer process your personal data, so your personal data will be deleted, unless there is a factual basis for continuing to store your personal data, e.g. for documentation purposes.

You can read more about your rights in the guidelines from the Danish Data Protection Agency on the rights of [data subjects](#). You will find these guidelines [here](#).

### **EXEMPTIONS TO THE DUTY TO INFORM**

You have the right to be informed about Kielberg Advokater's processing of your personal data. However, as a law firm, we are subject to non-disclosure under the rules of the Danish Administration of Justice Act and the rules on lawyer ethics, which is why in certain cases we may not comply with our duty to inform you. This applies in particular if the personal data about you which we process must remain confidential.

Furthermore, Kielberg Advokater may refrain from observing our duty to give you information if public or private interests, including consideration for your own interests, are deemed to overrule your interest in receiving such information. This is of particular relevance if the duty to inform you has negative consequences for our ability to cater for the interests of our clients.

### **CONTACT THE DANISH DATA PROTECTION AGENCY**

If you disagree with or are dissatisfied with Kielberg Advokater's processing of your personal data, you may at all times contact the Danish Data Protection Agency, which is the supervisory authority in Denmark in regard to data protection.

### **AMENDMENTS TO THE POLICY ON PERSONAL DATA**

This policy on personal data will be updated on a regular basis to reflect major changes to legislation or new or improved functions, or to optimise contents on the website.

The most recent update of this policy on personal data was made on 14 January 2019.