



**Advokatpartnerselskab**

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# PRIVACY POLICY

**Lund Elmer Sandager Law Firm**

## **1 INTRODUCTION**

- 1.1 As a customer, client, business partner, supplier, guest, party, etc. Lund Elmer Sandager may process your personal data. This Privacy Policy specifies how we process your personal data. At the same time, we will also inform you about your rights in connection with our processing.
- 1.2 If you are a job applicant, you can read more about the recruitment process and our processing of your personal data at [www.les.dk](http://www.les.dk) in the career section.
- 1.3 At Lund Elmer Sandager, we process all personal data securely and confidentially. Lund Elmer Sandager has established internal procedures for e.g. deletion, storage and transfer of personal data to ensure the integrity, confidentiality and security of the personal data. Our processing of your personal data is done solely for explicitly stated and legitimate purposes. We do not further process your personal data in a manner inconsistent with these purposes.
- 1.4 Our data protection efforts are based on the risk assessments we conduct for the processing of your personal data.
- 1.5 All employees at Lund Elmer Sandager are bound by confidentiality in accordance with the Administration of Justice Act and the Code of Conduct for the Danish Bar and Law Society regarding all client-related information.

## **2 DATA CONTROLLER**

Lund Elmer Sandager is the data controller of the personal data you have sent to the company. You will find our contact information below:

Lund Elmer Sandager Advokatpartnerselskab  
CVR no. 32283934  
Kalvebod Brygge 39-41  
DK-1560 Copenhagen V

If you have any questions about our processing of your personal data, please do not hesitate to contact our Chief Compliance Officer.

Contact person:

Chief Compliance Officer Charlotte Stoltenberg

Phone Number: + 45 8188 3988

E-mail: [cst@les.dk](mailto:cst@les.dk)

2.1 If Lund Elmer Sandager acts as the data processor, you will be informed about this when you contact Lund Elmer Sandager. However, the processing of your personal data in this context will still follow the principles of this Privacy Policy.

### 3 **THE PURPOSES OF AND LEGAL BASIS FOR THE PROCESSING OF YOUR PERSONAL DATA**

#### 3.1 Purpose of the processing:

3.2 The purpose of the processing of your personal data depends on your relation with Lund Elmer Sandager. Below you can find the purposes for which we collect personal data:

- Law firm
- Improving our consulting and other services
- Marketing and educational activities
- Statistics
- Optimization of website (see also our separate Cookie Policy)
- Compliance with legislation applicable to LES, including, for example, the Danish Anti-Money Laundering Act, the Administration of Justice Act, the Danish Bookkeeping Act, and the Code of Conduct for the Danish Bar and Law Society
- To enable Lund Elmer Sandager and its clients to defend themselves against or establish legal claims

#### 3.2.1 Legal basis for the processing:

3.2.2 We process your personal data in accordance with the following legal basis:

- 3.2.3 The processing is necessary to comply with a legal obligation incumbent on Lund Elmer Sandager, see Article 6 (1), letter c and Article 9 (2), letter b of the GDPR.. This may, for example, be Lund Elmer Sandager's compliance with obligations in the Money Laundering and Accounting Act.
- 3.2.4 The processing is necessary for the fulfillment of a contract to which you are a party, or for the implementation of measures taken at your request prior to the conclusion of a contract, see GDPR art. 6(1), letter b. This may, for example, be Lund Elmer Sandager's entering into an agreement with clients to perform legal work.
- 3.2.5 The processing is necessary for legal claims to be established, asserted or defended, see Article 9 (2), letter f of the GDPR. This includes Lund Elmer Sandager's own legal claims as well as clients' claims.
- 3.2.6 The processing is necessary for us or a third party to pursue a legitimate interest, unless your interests or fundamental rights and freedoms take precedence over this, see Article 6 (1), letter f.
- 3.2.7 The legitimate interests may be Lund Elmer Sandager's own as well as the client's legitimate interests. This may, for example, be Lund Elmer Sandager's interest in being able to handle general administration of the client or cooperative relations.
- 3.2.8 You have given your consent to the processing of your personal data for one or more specific purposes, see Article 6 (1), letter a, and Article 9 (2), letter a, of the GDPR.

## **4 CATEGORIES OF PERSONAL DATA**

- 4.1.1 Lund Elmer Sandager only processes personal data that is necessary to fulfill the purpose. The personal data we process about you depends on your relationship with us. Below you may find the categories of personal data that we most often process.
- General personal data such as: Name, address, e-mail, telephone number, CVR registration, registration of property, employment, gender, citizenship, marital status, family situation, IP address, etc.
  - Confidential personal data such as: Passport number, social security number (CPR no.), financial information (e.g. salary income, loans, investments,

debt, wealth, bank, accounts, etc.), pension and insurance information, lawsuits, criminal information, social problems, etc.

- Sensitive personal data such as: Information about affiliations with trade unions and the unemployment insurance fund as well as information about sickness and health, etc.

## **5 RECIPIENTS OF PERSONAL DATA**

5.1 In some situations, we pass on your personal data to several actors, including authorities and data processors.

5.2 Examples of authorities to which data is passed on may be the Danish Financial Supervisory Authority, SKAT or the courts. Examples of data processors to whom information is passed on may be our IT providers.

5.3 When we enter into an agreement with a supplier who becomes Lund Elmer Sandager's data processor, we enter into a data processor agreement that meets the requirements for data processor agreements in Article 28 (3) of the GDPR. We continuously check up on the data processor's compliance with the GDPR and the provisions of the data processor agreement.

5.4 You can always be informed about which data processors that Lund Elmer Sandager uses by contacting our Chief Compliance Officer.

## **6 DATA TRANSFER TO THIRD COUNTRIES**

6.1 Lund Elmer Sandager's processing of personal data takes place within the EU/EEA.

6.2 If it is necessary to transfer personal data to a third country or an international organization located outside the EU/EEA, we ensure that the transfer of your personal data takes place to a secure third country/organization, to which the EU Commission has decided that the level of protection is sufficient or that the transfer takes place on another basis that ensures a sufficient level of protection, e.g. by applying the standard contract provisions on data protection of the EU Commission.

## **7 SOURCES FOR COLLECTING PERSONAL DATA**

7.1 Personal data is collected directly from you, parties in cases, third parties, public authorities, banks, insurance companies, auditors, the courts, other advisers, former employers, colleagues, clients, your IT units (IP addresses) and from the transactions which you complete with us.

7.2 We screen all clients and parties for sanctions, such as those on the EU's sanctions list, as Lund Elmer Sandager does not wish to assist parties subject to sanctions. We are also obligated to report to authorities and cooperate with their measures if a sanctioned party contacts us. Screening is conducted on an ongoing basis.

## **8 YOUR PERSONAL DATA**

8.1 Lund Elmer Sandager only stores personal data for as long as necessary to fulfill the purpose for which it was collected.

8.2 Personal data related to cases is stored for 10 years from the time the case is archived. In specific cases, personal data can be kept for up to 30 years due to special obsolescence rules or based on a specific assessment.

8.3 If you have been involved in a case as a party, we store your name and date of birth so that we are able to search for conflicts of interest in the Code of Conduct for the Danish Bar and Law Society.

8.4 According to the Money Laundering Act, copies of identification information obtained in connection with the implementation of customer due diligence procedures to which Lund Elmer Sandager is subject are deleted 5 years after the client's last case, under the Money Laundering Act, has been filed, see Section 30 (2) of the Money Laundering Act. You can read more about anti-money laundering measures on our website [www.les.dk](http://www.les.dk) under Practical Information and Anti Money Laundering Initiatives.

## **9 AUTOMATIC DECISIONS, INCLUDING PROFILING**

9.1 At Lund Elmer Sandager, we do not use automatic decisions or automatic profiling in connection with your personal data.

## **10 THE RIGHT TO WITHDRAW CONSENT**

10.1 If we have based all or part of the processing of your personal data on a consent, you have the right to withdraw this consent at any time. Please see contact information in Section 2

10.2 If you choose to withdraw your consent, it does not affect the legality of our processing of your personal data based on your previously given consent and up to the time of the withdrawal. Therefore, if you withdraw your consent, it will only take effect from this time.

## **11 YOUR RIGHTS**

### **11.1 The right of access**

11.1.1 As set out in Article 15 of the GDPR, you have the right to be informed of which personal data about you is being processed and, if so, to access or receive a copy of this personal data.

11.1.2 In addition, you have the right to receive the following information:

- The purposes of the processing and information about the affected categories of personal data, including where the personal data comes from if these data are not collected from you.
- The recipients or categories of recipients to whom the personal data are or will be passed on, in particular recipients in third countries or international organizations.
- If possible, the intended period during which personal data will be stored, or, if this is not possible, the criteria used to determine this period.
- The right to request Lund Elmer Sandager to correct or delete your personal data or to limit the processing of your personal data or object to such processing.
- The right to lodge a complaint with a supervisory authority, including the Data Protection Authority.

- You also have the right to receive information about relevant security if we have transferred personal data to third countries.

11.1.3 The right of access does not apply if your interest in the information is found to be of private interests, including consideration for yourself. This will i.a. include information covered by our duty of confidentiality as lawyers, for which reason no information can be provided in this information.

## 11.2 Data portability

11.2.1 As set out in Article 20 of the GDPR, you have the right to receive a structured, commonly used and machine-readable format of the personal data you have provided to us about yourself.

11.2.2 You also have the right to transmit this information to another data controller without hindrance from us when the processing is based on consent or a contract, and the processing is performed automatically. If you exercise this right of data portability, you also have the right to have personal data transmitted directly from one data controller to another, if technically possible.

11.2.3 The access to data portability - which may particularly be relevant in the event of a change of legal representation - only includes information that you have provided yourself and will only include processing that is performed automatically and which is based on a consent or contract with you.

## 11.3 Right to rectification

11.3.1 According to Article 16 of the GDPR, you have the right to have incorrect personal data about yourself corrected without undue delay. In addition, taking the purposes of the processing into account, you have the right to have incomplete personal data completed

11.3.2 This right complements our obligation to continuously ensure that only correct and up-to-date information is processed, see Article 5 (1) letter d, of the GDPR.

11.3.3 However, the right to rectification only apply to objective personal data and not subjective assessments.

## 11.4 The right to be forgotten



- 11.4.1 As set out in Article 17 of the GDPR, you have the right, in certain cases, to have your personal data that is registered at LES deleted.
- 11.4.2 You may e.g. demand deletion if the personal data are no longer necessary to process in order to fulfill the purposes for which they were collected if your legitimate interests in objecting to the processing exceed our legitimate interests in storing personal data, or if personal information has been processed illegally.
- 11.4.3 As set out in Article 17 (3) of the GDPR, you cannot require deletion if the processing is necessary to comply with a legal obligation, or for legal claims to be established, asserted or defended.
- 11.4.4 If we are obliged to delete personal data according to Article 17, which has been left to other data controllers or data processors, we must notify these data controllers or data processors that you have requested to have your personal data deleted, see Article 19 of the GDPR.
- 11.5 Right to object - as well as the right not to be subject to automated decisions
- 11.5.1 It is stated in Articles 21 and 22 of the GDPR that you have the right at any time to object to the processing of your personal data if the processing is based on Article 6(1), letter e, of the GDPR (performance of tasks in the interests of society) or letter f (legitimate interests) or on automatic processing, including profiling.
- 11.5.2 If you object, we may no longer process the personal data in question unless we can demonstrate compelling legitimate reasons for the processing that take precedence over your interests or if the processing is necessary for legal claims to be established, asserted or defended.
- 11.5.3 This right does not apply if the processing is necessary for the conclusion or fulfillment of a contract between you and Lund Elmer Sandager if the processing is based on law, or if the processing is based on your expressly given consent.
- 11.6 Right to restrict processing activities
- 11.6.1 According to Article 18 of the GDPR, you have the right to have the processing of personal data restricted if:
- the accuracy of personal data is disputed by you, but only in the period until we have had the opportunity to determine whether personal data is correct,

- the processing is illegal, and you oppose the deletion of personal data and instead request that its use is restricted,
- Lund Elmer Sandager no longer needs personal data for the processing, however, which does not apply if they are necessary for a legal claim to be established, asserted or defended, and
- you have objected to the processing pursuant to Article 21 (1) of the GDPR but only during the period in which it is checked whether Lund Elmer Sandager's legitimate interests take precedence over the data subject's legitimate interests.

**12** It is stated in Article 21 (2) of the GDPR that if processing has been restricted, such personal data, other than storage, may still be processed e.g. if you give consent to this, or if the processing is necessary for a legal claim to be established, asserted or defended.

### **13 CASE PROCEDURE**

13.1.1 If you wish to exercise your rights, your request will be processed within a maximum of 30 days. If the case processing unexpectedly exceeds this time, we will contact you about this. If your request cannot be met, we will give a reasoned explanation for the refusal.

### **14 CHANGE IN THIS PRIVACY POLICY**

**15** We may change this Privacy Policy at any time and without notice with effect for the future. The applicable Privacy Policy is available at [www.les.dk](http://www.les.dk).

### **16 THE DANISH DATA PROTECTION AGENCY**

16.1 If you have any complaints regarding our processing of your personal data, you can direct your complaint to the Danish Data Protection Agency.



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Carl Jacobsens Vej 35  
2500 Valby  
Telefon: +45 33 19 32 00  
[dt@datatilsynet.dk](mailto:dt@datatilsynet.dk)  
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