

## **DATA PRIVACY POLICY**

### **1. GENERAL**

Carsted Rosenberg Advokatfirma GmbH ("**Carsted Rosenberg**") is responsible for your personal data and complies with the applicable EU data protection principles and laws (in particular, the General Data Protection Regulation (EU) 2016/679 (the "**GDPR**")) and the guidelines provided by the Danish Bar and Law Society and the Law Society of England & Wales. This statement explains how we may collect and process information about:

- visitors to our website;
- people who use our services e.g. clients or other subscribers to our online and legal services;
- job applicants and our current employees.

### **2. WHAT IS PERSONAL DATA?**

Personal data is defined by the GDPR as 'any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier'. Personal data is any information about you, which will enable you to be identified.

### **3. PERSONAL DATA WE COLLECT**

On various occasions, including through forms on our website, we invite or request you to submit your contact details and other information about yourself or your organisation, or to send us emails which will, of course, also identify you.

We may also collect and process the following personal data from you:

- Contact details and identity information, including your name, address, date of birth, email address, telephone number, marital status, employment history, educational or professional background, passport number, job title and function, and other personal data relevant to the services we provide you.
- Financial data, including your bank account details and other data required for processing payments and fraud prevention, such as credit/debit card information and other related billing information.
- Business information, which may include information such as share and shareholder information, provided in the course of the contractual or client relationship between you or your organisation and Carstead Rosenberg or otherwise voluntarily provided by you or your organisation.
- Usage and technical data, in relation to your communication and marketing preferences from us, including information about how you use our website including the services you viewed or searched for, length of visits and page interaction,

information collected during your visits to our website, the Internet Protocol (IP) address, browser type and version. To learn more about our use of cookies or similar technology please see point 10, below.

- Sensitive personal data, in the course of our services to you, we may represent you and/or your organisation in legal matters that require us to collect and use sensitive personal information relating to you (information about your racial or ethnic origin, political opinions, religious beliefs, trade union activities, physical or mental health, or genetic or biometric data).

#### 4. **HOW WE USE THIS INFORMATION**

Under the GDPR, we must always have a lawful basis for using your personal data. In each case, the purpose for which you are invited to give us information should be clear. We will not use your information for purposes that are not clear when you provide your details, and will not disclose it outside Carsted Rosenberg, except to service providers acting on our behalf or in other very limited circumstances, for example, with your agreement or where we are legally obliged to do so.

We may use your personal data for the following purposes (unless otherwise specified):

- Providing and administering legal services or other services or solutions, as instructed by you or your organisation, including handling the personal information of others on behalf of our clients.
- Administering and managing your account including billing and processing payments, accounting, auditing, and taking other steps linked to the performance of our business relationship.
- Promoting, tailoring and personalising our services for your organisation including analysing and improving our services and communications, also monitoring compliance with our policies and business practices. This may also include sending legal updates, publications and details of events.
- To prevent and detect security threats, frauds or other criminal or malicious activities to our communications and other systems.
- For the purposes of recruitment.
- For insurance purposes.
- To conduct compliance checks in accordance with our legal obligations (for example anti-money laundering, financial and credit checks, fraud and crime prevention and detection) and to fulfil our regulatory and risk management obligations, including establishing, exercising or defending legal claims.
- For any other purposes related to and/or ancillary to any of the above or any other purposes for which your personal data was provided to us.

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, taking into account legal, accounting and regulatory requirements to retain

the information for a minimum period, limitation periods for taking legal action, good practice and Carsted Rosenberg's business purposes.

The criteria we use to determine the appropriate period of retention, will be considered balancing the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Upon expiry of the applicable retention period we will securely destroy your personal data in accordance with applicable laws and regulations.

## 5. **IF YOU DO NOT WANT TO RECEIVE INFORMATION FROM US**

With your permission and/or where permitted by law, we may also use your personal data for marketing purposes, which may include contacting you to send you information from Carsted Rosenberg about events or legal developments which we believe may be of interest to you (other than information that you have specifically requested), we give you an opportunity to tell us that you do not wish to receive such information by sending an email to [info@carstedrosenberg.com](mailto:info@carstedrosenberg.com), or by contacting our database administrator by telephone on +49 (0)69 3650 654 58 or by post to Carsted Rosenberg Advokatfirma, Bahnhofplatz 4, Postfach 825, CH-6060 Sarnen 2, Switzerland.

We will always work to fully protect your rights and comply with our obligations under the GDPR and the Privacy and Electronic Communications (EC Directive) Regulations 2003, and you will always have the opportunity to opt-out.

Withdrawal of consent to receive marketing communications will not affect the processing of personal data for the provision of our legal services.

## 6. **YOUR RIGHTS**

Under the GDPR, you have the following rights with respect to our use of your personal data:

- Right to be informed about our collection and use of your personal data. This Data Privacy Policy should tell you everything you need to know but you can always contact us for further information or to ask questions.
- Right of access to the data we hold on you.
- Right to be forgotten. You have the right to erase your personal data when the personal data is no longer necessary for the purposes for which it was collected, or when, among other things, your personal data have been unlawfully processed.
- Right to data portability. You have the right to request that your data is transferred to another data controller to use.

- Right to rectification if any of the data we hold on you is inaccurate or incomplete.
- Right to object to us using your personal data for a particular purpose.
- Right to complain. If you believe that your rights may have been breached, you have the right to lodge a complaint with the applicable supervisory authority, or to seek a remedy through the courts.
- Right to restrict processing and withdraw consent. Where you have consented to our collection of your data you may at any time withdraw your consent. To do so please follow the steps in point 5 above.

## 7. **WHO WE SHARE YOUR DATA WITH**

We may share your personal data with certain trusted third parties in accordance with our contractual arrangements in place, including:

- Our professional advisers and auditors.
- IT service providers.
- Third parties engaged in the course of the services we provide to you and with your prior consent, such as local counsel, barristers and technology service providers like data room services.
- Third parties involved in hosting or organising events or seminars.

Where necessary personal information may also be shared with regulatory authorities, courts, tribunals, government agencies and law enforcement agencies, to comply with legal or regulatory requirements. We will use reasonable endeavours to notify you before we do this, unless we are legally restricted from doing so.

## 8. **TRANSFER OF INFORMATION ABROAD**

Carsted Rosenberg is incorporated as a private limited liability company under the laws of Switzerland and subject to the bilateral agreements between Switzerland the European Union and the rules governing the members of the European Economic Area. However, Carsted Rosenberg may operate through various local legal entities, which we add to or reorganise from time to time. When you provide information to any part of Carsted Rosenberg you will in most cases be providing it to Carsted Rosenberg as a whole, and should be aware that it may be accessed from countries whose laws provide various levels of protection for personal data, not always equivalent to the level of protection that may be provided in your own country over and above the applicable regulation applicable within the EU and the EEA. Where this is the case, we will implement appropriate measures to ensure that your personal information remains protected and secure in accordance with applicable data protection laws.

## 9. **SECURITY**

We have information security management systems in place to protect your personal information and follow best practice in information security and information risk management pursuant to the rules of the Danish Bar and Law Society and the Law Society of England & Wales. We rely on third-party contractors and suppliers for information security management.

#### 10. **COOKIES AND ANALYTICS**

A cookie is a piece of data stored on a user's hard drive containing information about the user. The information below explains the cookies we use on our website and why we use them.

We use Google Analytics, a web analytics service provided by Google, Inc. ("**Google**"), to monitor traffic. We use Google Analytics cookies to collect information about how visitors use our website, including details of the site where the visitor has come from and the total number of times a visitor has been to our website. We use the information to improve our website and enhance the experience of its visitors.

The information that we collect in this process will not identify you as an individual. We do not seek to identify individual visitors unless they volunteer their contact details through one of the forms on the site. In some circumstances our records will identify organisations visiting our site and we may use that information in managing our relationship with those organisations, for example, in considering how to develop the services that we offer them. By using our website you agree that we can monitor your traffic on our website through Google Analytics. Google Analytics uses cookies, to help us analyse how users use our site. The information generated by the cookie about your use of the website will be transmitted to and stored by Google on servers within the area of the European Union and other parties to the European Economic Area Agreement. In certain cases outside our control the IP address may be first transferred to a Google server in the USA. Google will use the information on behalf of Carsted Rosenberg for the purpose of evaluating your use of the website, compiling reports on website activity for us and providing us with other services relating to website activity and internet usage. The IP address that your browser conveys within the scope of Google Analytics, will not be associated with any other data held by Google. You may refuse the use of these cookies via the settings in your browser of choice. You can also opt out of being tracked by Google Analytics in the future by downloading and installing Google Analytics Opt-out Browser Add-on for your current web browser: <http://tools.google.com/dlpage/gaoptout?hl=en>.

#### 11. **LINKS TO OTHER WEBSITES**

Our website may contain links to other websites of interest. However, once you have used these links to leave our site, you should note that we do not have any control over that

other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this privacy statement. You should exercise caution and look at the privacy statement applicable to the website in question.

## 12. **ANTI-MONEY LAUNDERING POLICIES AND PROCEDURES**

Our anti-money laundering ("**AML**") policies are generally based on the applicable standards that are required by the Danish Bar and Law Society and the Law Society of England & Wales, and apply in relation to all of our business in all of our offices all over the world. Carsted Rosenberg conducts client due diligence enquiries on each new client and persons connected with them and conducts ongoing monitoring of existing clients. These enquiries are based on the the Danish Bar and Law Society recommendations, and the EU Fourth Money Laundering Directive, although if additional information is required by the local rules of any country where we are being asked to work, that information will also be obtained. Where necessary for these purposes, we seek relevant information from third party data suppliers, such as relevant company registers. Where individuals have supplied personal data for this purpose we will only use it for that purpose and will keep it only as long as the relevant AML and data protection legislation requires. Carsted Rosenberg also has internal procedures to ensure that any suspicions of money laundering are reported to the appropriate authorities where there is an obligation to do so. Lawyers and other relevant staff are provided with training on these issues.

## 13. **TELEPHONE CALLS**

We routinely record all telephone calls to our offices through or London main switchboard from where the call is transferred onwards to the relevant person requested by you. The London switchboard will record the contact details provided by you and the number you have called from and submit it to us. This information will be stored for a period of no less than three years.

## 14. **CONTACTS**

If you have any questions about our privacy policy, want to exercise your right to see a copy of the information that we hold about you, or think that information we hold about you may need to be corrected, want to delete all or any part of it or to object to the processing on legitimate grounds, [please contact us](#) with enquiry topic "Data Privacy", or alternatively send a signed letter addressed to the Data Protection Officer and sent to any of our offices. For all queries concerning or data privacy policy or any of your information, please contact our [data privacy officer](#).

Carsted Rosenberg may change this policy from time to time by updating this page without notice. You should therefore check this page from time to time to ensure that you are

happy with any changes. If you have previously agreed to us using your personal information for any purposes, you may change your mind at any time by writing to or emailing us.

Version May 2018