

## **NOTICE OF PROCESSING OF PERSONAL DATA IN CONNECTION WITH LEGAL INVESTIGATIONS AND INQUIRIES AS WELL AS INVESTIGATION PROCESSES OF A SIMILAR NATURE**

### **1. Introduction**

- 1.1 At Norrbom Vinding, we protect the personal data we hold. In this notice, we provide further information on how we generally process personal data when we conduct legal investigations and inquiries as well as investigation processes of a similar nature.
- 1.2 This notice has been produced in order to comply with the duty to provide information under Article 13 (personal data is collected from individuals, *i.e.*, “data subjects”) as well as Article 14 (personal data is collected from other persons than data subjects) of the General Data Protection Regulation (GDPR).
- 1.3 This notice may be supplemented by a specific notice drafted in connection with a concrete legal investigation or inquiry, or investigation process of a similar nature, to ensure that data subjects have access to information on how Norrbom Vinding processes their personal data in the specific context. If your personal data is processed in the context of a legal investigation or inquiry, or an investigation process of a similar nature, conducted by us, we therefore ask you also to read the specific notice applicable for the concrete legal investigation or inquiry, or investigation process of a similar nature, if such a notice has been drafted. If so, you will have received, or in another way been given access to, the specific notice as part of the legal investigation or inquiry, or the investigation process of a similar nature.
- 1.4 Norrbom Vinding processes personal data in accordance with the guidance on legal investigations and inquiries, including appendix 1, of the Danish Bar and Law Society which can be found [here](#) (in Danish)

### **2. Data controller**

- 2.1 Norrbom Vinding processes personal data in accordance with the relevant rules of the data protection legislation, including in particular the rules of the GDPR (Regulation (EU) 2016/679 of 27 April 2016) and the Danish Data Protection Act (Act No. 502 of 23 May 2018).

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We are controller of the data we process, and we are thus responsible for ensuring that personal data is processed in accordance with the data protection legislation.

2.2 Norrbom Vinding's contact information is as follows:

Norrbom Vinding  
Dampfærgevej 26  
2100 Copenhagen Ø  
CVR no.: 20 49 14 77  
Telephone: +45 35 25 39 40  
Email: [info@norrbomvinding.com](mailto:info@norrbomvinding.com)

### **3. Purpose, categories of data, legal basis and retention**

3.1 Purpose

The purpose of Norrbom Vinding's processing of personal data is to enable us – after being commissioned by a client to conduct a legal investigation or inquiry, or an investigation process of a similar nature – to perform the specific assignment.

3.2 Categories of personal data

The categories of personal data that will be processed in the course of a legal investigation or inquiry, or an investigation process of a similar nature, can be information defined in Article 6 (general personal data) or Article 9 (special categories of personal data) of the GDPR, or information defined in section 8 (data on criminal offences) or section 11 (data on identification numbers (in Danish: "personnumre")) of the Danish Data Protection Act.

The concrete categories of personal data will depend on the subject matter of the legal investigation or inquiry, or the investigation process of a similar nature. By way of example, the categories of personal data processed in connection with legal investigations and inquiries as well as investigation processes of a similar nature may be:

- Information identifying individuals, such as name, date of birth, address, email and telephone number
- Information relating to a relevant employment relationship, including employment contract and documents appertaining to the employment

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- Information on the connection or relation to a specific employer or organisation, including function/position
  - Other information relevant to the concrete legal investigation or inquiry, or investigation process of a similar nature, such as information on education, experience, specific functions and areas of responsibility, specific duties and responsibilities, involvement in or knowledge of dealings (including actions, behaviour, expressions, statements, etc.), events, etc., or possible breaches of guidelines, policies, instructions, legislation, etc.
  - Depending on the nature and subject matter of the legal investigation or inquiry, or the investigation process of a similar nature, special categories of personal data defined in Article 9(1) of the GDPR may be processed, such as personal data concerning racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health information (e.g., in the form of medical certificates or medical records) including genetic data and biometric data for the purpose of identification, or data concerning sex life or sexual orientation
  - Depending on the nature and subject matter of the legal investigation or inquiry, or the investigation process of a similar nature, personal data concerning criminal convictions and offences as defined in section 8 of the Danish Data Protection Act and Article 10 of the GDPR may be processed if, in connection with the legal investigation or inquiry, or the investigation process of a similar nature, information is received giving grounds for assuming that a criminal offence has been or may have been committed
  - Depending on the nature and subject matter of the legal investigation or inquiry, or the investigation process of a similar nature, data on identification numbers may be processed

The above are examples only, and the list is not exhaustive.

### 3.3 Legal bases for processing

Norrbom Vinding's processing of personal data is based on point (f) of Article 6(1), and in this regard our legitimate interest is the ability, as a law firm, to conduct a legal investigation or inquiry, or an investigation process of a similar nature, in accordance with the specific assignment undertaken for a client.

If we in connection with the concrete legal investigation or inquiry, or investigation process of a similar nature, process special categories of personal data defined in Article 9(1) of the GDPR, such processing will be based on point (f) of Article 9(2) as the processing is necessary for the establishment, exercise or defence of legal claims. Depending on the circumstances, the legal basis may

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also be point (e) of Article 9(2) with regard to information which is manifestly made public by the data subject.

If we, in connection with the legal investigation or inquiry, or the investigation process of a similar nature, process data on criminal offences, such processing will be based on section 8(3)-(5) of the Danish Data Protection Act.

If we, in connection with the legal investigation or inquiry, or the investigation process of a similar nature, process data on identification numbers, the legal basis will be section 11(2) of the Danish Data Protection Act.

### 3.4 Retention

Norrbom Vinding does not store personal data collected and processed in connection with a legal investigation or inquiry, or an investigation process of a similar nature, longer than necessary. When it is no longer necessary to store the personal data, the data will be deleted.

The question of how long the personal data will be stored depends on a concrete assessment of the course and duration of the specific legal investigation or inquiry, or investigation process of a similar nature, any subsequent circumstances and the nature of the data. However, the data will generally not be stored longer than 10 years after finalising the relevant matter or process.

## 4. Recipients and sources of data

### 4.1 Recipients

Personal data collected by Norrbom Vinding in connection with a legal investigation or inquiry, or an investigation process of a similar nature, may be passed on to the commissioning party/client in accordance with the assignment to be performed.

Any information collected in the context of a legal investigation or inquiry, or an investigation process of a similar nature, will be treated confidentially and only the relevant employees of Norrbom Vinding who specifically perform tasks in relation to the concrete legal investigation or inquiry, or investigation process of a similar nature, have access to the information. In accordance with the Code of Conduct of the Danish Bar and Law Society, all our employees are bound by professional secrecy, cf. paragraph 6 below.

Depending on the course and nature of the legal investigation or inquiry, or the investigation process of a similar nature, it may further be necessary to pass on

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information to public authorities, including the police, or other involved parties such as representatives or other companions brought to meetings etc.

#### 4.2 Sources of data

Depending on the specific legal investigation or inquiry, or investigation process of a similar nature, the personal data processed may originate from several sources. Typically, the data will originate from material provided by the commissioning party/client or persons who have knowledge about matters relevant to the legal investigation or inquiry, or the investigation process of a similar nature.

As part of a legal investigation or inquiry, or an investigation process of a similar nature, a reporting channel may be established. Persons who may have knowledge relevant to the legal investigation or inquiry, or the investigation process of a similar nature, may report and contribute information through such a channel. The personal data may also originate from interviews, written consultation processes, etc. depending on how the concrete legal investigation or inquiry, or investigation process of a similar nature, is conducted.

Further, the personal data may originate from publicly available sources, including social media.

If a specific notice is issued in relation to a concrete legal investigation or inquiry, or investigation process of a similar nature, cf. paragraph 1.3 above, the notice may elaborate on where the information processed in the legal investigation or inquiry, or the investigation process of a similar nature, originates from.

### 5. **Right to withdraw consent**

5.1 Processing of personal data in the context of a legal investigation or inquiry, or an investigation process of a similar nature, will generally take place on the grounds of the legal bases specified in paragraph 3.3 above.

5.2 If Norrbom Vinding processes personal data based on consent, the data subject will have the right to withdraw their consent at any time.

Should the data subject decide to withdraw their consent, it will not affect the lawfulness of Norrbom Vinding's processing of personal data based on consent before its withdrawal. In other words, withdrawal of consent takes effect from the time the consent is withdrawn.

5.3 Consent can be withdrawn by contacting Norrbom Vinding at the contact information set out above in paragraph 2 "Controller".

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## **6. Assignment and disclosure of information**

- 6.1 Norrbom Vinding uses processors and suppliers to carry out work on our behalf, such as work relating to IT maintenance, backup and email accounts. Processors and suppliers may be granted access to the data necessary for such work but will be under a contractual obligation to treat such data as confidential. In pursuance of the data protection legislation, Norrbom Vinding has entered into data processor agreements with our processors.
- 6.2 When providing legal assistance, Norrbom Vinding is subject to an obligation of professional secrecy under the Code of Conduct of the Danish Bar and Law Society. Regardless of their job function, all employees of Norrbom Vinding are bound by professional secrecy. Thus, as a general rule, we are neither entitled nor obligated to assign or disclose information – including personal data which comes to our knowledge in the context of a client relationship – to third parties. However, we may disclose information to public authorities or courts, opposing parties in legal proceedings as well as clients if we are obligated to do so or in the course of performing assignments for clients. Depending on the concrete legal investigation or inquiry, or investigation process of a similar nature, the personal data processed when conducting the legal investigation or inquiry, or the investigation process of a similar nature, may to the relevant extent be presented to other persons in connection with, for instance, interviews or consultation procedures.
- 6.3 Generally, Norrbom Vinding does not transfer personal data to countries outside the EU/EEA, but if we do make such a transfer, for example to a court in a third country, it will be based on points (b)-(g) of Article 49(1) of the GDPR.

## **7. Security**

- 7.1 To ensure that the personal data we hold does not come to the knowledge of third parties, we have internal rules regarding handling of personal data, IT security and confidentiality, etc. which contribute to ensuring our compliance with the data protection legislation.
- 7.2 In our work, we always focus on protecting the personal data we hold in the best possible way.
- 7.3 To prevent data loss, we carry out daily backup of the data processed in our IT systems – including, of course, personal data.
- 7.4 In case of a personal data breach resulting in a high risk that personal data may be accessed by a third party, we will communicate the breach to the affected

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data subjects without undue delay, as prescribed by the data protection legislation.

- 7.5 If you become aware that a personal data breach may have occurred, or that personal data may have been accessed by a third party, please contact us as quickly as possible. You can send an email to [breach@norbomvinding.com](mailto:breach@norbomvinding.com).

## **8. Data subject rights**

### **8.1 Right to receive a copy of data (right of access)**

Data subjects have a right to know what information Norrbom Vinding holds about them. Likewise, data subjects are entitled to see such information, provided the right of access does not conflict with the rules on professional secrecy applicable to law firms and is not covered by other exceptions in the data protection legislation.

### **8.2 Right to rectification**

Data subjects are entitled to request Norrbom Vinding to rectify personal data if they believe that the data is incorrect, gives the wrong impression, etc., and we are obligated to assess such a request.

### **8.3 Right to erasure**

In certain situations, data subjects are entitled to have their personal data erased before the usual time of erasure.

### **8.4 Right to restriction of processing**

Data subjects are in some situations entitled to obtain restriction of processing of their personal data. In such case, Norrbom Vinding may only process – except for retention – such information subject to consent or in order to establish, raise or defend legal claims, or in order to protect another natural or legal person, or for reasons of important public interest.

### **8.5 Right to object**

In some situations, data subjects are entitled to object to Norrbom Vinding's lawful processing of their personal data.

### **8.6 Right to transmit (data portability)**

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In some situations, data subjects have a right to receive their personal data, which they have provided to Norrbom Vinding, in a structured, commonly used and machine-readable format and to have such data transmitted from Norrbom Vinding to another data controller without hindrance.

#### 8.7 Right to withdraw consent

To the extent that Norrbom Vinding uses consent as legal basis for processing personal data, the relevant data subject can always withdraw their consent. Personal data that is processed on another legal basis than consent may, however, continue to be processed by us.

### 9. **Duty to provide information**

9.1 As a starting point, Norrbom Vinding must inform any data subject about the processing of personal data that Norrbom Vinding carries out about the data subject, regardless of whether the personal data is processed on the basis of an unsolicited request from the data subject themselves, or a direct inquiry to the data subject from Norrbom Vinding, or whether the personal data on the data subject has been collected from another person than the data subject.

9.2 However, the duty to provide information is restricted by the rules of the Danish Administration of Justice Act as well as the obligation of professional secrecy under the Code of Conduct of the Danish Bar and Law Society, which means that Norrbom Vinding cannot provide information on the processing of personal data if this would be contrary to the obligation of professional secrecy.

9.3 In accordance with the data protection legislation, Norrbom Vinding may omit to comply with the duty to provide information vis-à-vis a data subject on the grounds of overriding private interests, including the data subject's interests, or on the grounds of overriding private or public interests if these interests are deemed to outweigh the data subject's interests in receiving the information. This exception is relevant if the duty to provide information is deemed to have a negative impact on the protection of our clients' interests, for example in connection with the prosecution and enforcement of civil claims or criminal offences, control or supervisory functions and similar situations.

9.4 Finally, Norrbom Vinding may omit to comply with the duty to provide information if the data subject must be assumed to be aware of the information, or if providing the information to the data subject is impossible or would involve a disproportionate effort or would hinder the achievement of the purposes of the processing.



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## **10. Further information**

- 10.1 If you have any questions concerning this notice or your legal rights under the applicable legislation, please contact us. Our contact details are set out above in paragraph 2 “Data controller”.
- 10.2 You can find further information about the data protection legislation and your legal rights on the website of the Danish Data Protection Agency: [English \(datatilsynet.dk\)](https://www.datatilsynet.dk). The Agency is the authority which ultimately can decide if data has been processed lawfully, for instance as part of a complaint process. All data subjects may file a complaint to the Danish Data Protection Agency.

## **11. Version**

- 11.1 Document version: October 2022.