

**Lawyer Jens Bruhn-Petersen**

c/o ng6advokater, office partnership for independent lawyers  
Nytov 6, 2.  
1164 Copenhagen K

25 May 2018

**PERSONAL DATA POLICY****1. Registration and processing of personal data**

Lawyer Jens Bruhn-Petersen, business reg. no. 16973637, hereinafter referred to as the Lawyer, operates an independent law firm in the office partnership ng6advokater, Nygade 6, 2., 1164 Copenhagen K, and as such receives personal information about clients and other natural persons that are being processed by the Lawyer.

The Lawyer is responsible (data controller) for processing of such personal data and the Lawyer's processing of personal data is subject to the rules of this Personal Data Policy.

**2. What personal data are stored and used?**

The Lawyer processes the following categories of personal data about clients, the client's family members, counterparts and other natural persons:

- General personal data, including name, address, telephone number, email address, IP address;
- Civil registration number (CPR);
- ID documentation, e.g. copy of passport or driver's licence;
- Financial and legal information;
- Health information;
- Criminal record;
- Insurance and banking information;
- Social and personal information, e.g. religious affiliation;
- Employment information, including e.g. information about union affiliation;
- Information about sexual orientation, political affiliation, etc., in cases about asylum or other residence issues in Denmark.

The personal data are processed in digitised form.

**3. The purposes of the processing**

The Lawyer processes the personal data for the following purposes:

- to provide legal assistance and representation of prisoners, defendants, victims and others in connection with criminal proceedings, including as court-appointed defence lawyer and legal representative before the courts and the Criminal Injuries Compensation Board;
- to provide legal assistance for asylum seekers and other foreign nationals in cases about obtaining asylum or another form of residence in Denmark as well as other cases involving foreign nationals, including cases before the Danish Immigration Service, the Danish Refugee Appeals Board and the Danish Ministry of Immigration and Integration;

- to provide legal assistance for parties in family law disputes, including assistance in connection with termination of shared custody as well as transfer of residence before the ordinary courts;
- to provide legal assistance for parties in family law disputes based on decisions made by the Danish State Administration and other authorities' administrative processing of cases about family law issues, e.g. visitation and residence, out-of-home placements of children, etc.;
- to provide legal assistance for tenants and landlords in cases about legislation governing the rights of tenants and landlords, including in administrative cases processed by rent tribunals as well as housing cases before the ordinary courts;
- to provide other forms of legal assistance in disputes before the ordinary courts, tribunals, etc.;
- to provide legal counselling in various areas pertaining to the law that fall within the business areas of the Lawyer.

Processing of the personal data will be limited to the extent necessary in order to fulfil the relevant purpose(s).

#### **4. Collection of personal data**

Personal data that are processed by the Lawyer will 1) come from the client himself/herself, 2) be supplied by third party, e.g. the courts, social services, the prosecution, the Immigration Service, the Danish Refugee Appeals Board, the Danish Ministry of Immigration and Integration, other public authorities, counterparts and their lawyers, witnesses or other individuals involved in cases that are processed by the Lawyer, or 3) be collected by the Lawyer from public registers, such as the Land Registry, Register of persons, Central Business Register (CVR) and the Civil Registration System (CPR) or 4) be collected by the Lawyer from public sources, including the Internet.

#### **5. Basis of personal data processing**

The legal basis of the Lawyer's processing of personal data is one or more of the following:

- in order to determine, enforce or defend a legal claim, including when the Lawyer acts in the capacity of court-appointed lawyer for his/her client;
- in consideration of fulfilling an agreement with the client, including an agreement about legal representation in a court case or agreement about providing legal assistance;
- in certain cases where it is necessary in order for the Lawyer to take care of a legitimate interest where the consideration of the client does not take precedence;
- in order to comply with the rules in place for lawyers to combat money laundering.

#### **6. Sharing personal data**

The following natural persons and legal entities can to a relevant degree gain access to personal data as part of the Lawyer's case processing:

- courts, arbitration tribunals, complaints boards and public authorities that can make decisions in the client's case;
- counterparts and their lawyers who are part of court cases or legal matters to which the client is party;
- the prosecution and the Prison and Probation Service in criminal procedure cases;
- the Danish Immigration Service, the Danish Refugee Appeals Board and the Danish Ministry of Immigration and Integration in cases about asylum or other residence issues in Denmark;
- other parties and their lawyers in groups to which the client is party;
- other lawyers who are instructed to handle limited tasks in the client's case, e.g. appearing in court on behalf of the Lawyer;
- insurance companies providing coverage under a legal expenses insurance or who in other ways represent a party interest in a case to which the client is party;
- banks, estate agents and other companies who play a relevant role in the processing of the client's case;

- experts and other individuals, including witnesses involved in the client's case;
- lawyers and other employees with ng6advokater;
- public authorities who pursuant to Danish law are entitled to demand personal data or to whom the Lawyer has a reporting duty, e.g. in connection with money laundering rules;
- Representatives of the Danish Bar and Law Society in connection with supervision pursuant to current rules for lawyers;
- public authorities if this is required by law, including in specific cases for the purposes of combating online fraud and other criminal activities or attempts thereof.

Lawyers working with a lawyer from ng6advokater, and who receives personal data as part of such co-operation, for example in connection with court hearings, is the data controller of such information and is obligated to ensure that the General Data Protection Regulation and other sets of rules in effect are observed, including observing confidentiality regarding the information and deleting the information when it is no longer necessary for the purposes for which it was collected.

Sharing/disclosure only happens when necessary for the purpose of the Lawyer's processing of client's case and any associated administrative and financial tasks, e.g. invoicing.

Personal data may, when relevant for case processing, be transferred to other countries in the EU, as well as to so-called "safe third countries", including Norway, Faroe Islands, Switzerland, Israel, Argentina, Uruguay, New Zealand, Australia and USA. In case of transfer to any other countries, the transfer is based on an assessment of the technical safety or consent from the individual who is the object of the information, typically the client.

## **7. Duration of storage**

The Lawyer stores the personal data as long as it (1) is relevant for the Lawyer's management of the task; (2) necessary to counter any demands that are brought against the client or the Lawyer; and including (3) as long as necessary in order to handle the interests of the client and to accommodate the client's needs. This is based on a specific assessment of each individual case.

When making this assessment, emphasis is on the character of the assistance given, evidence considerations and the relevant legislation, including especially accounting rules, rules concerning conflicts of interest and general rules on limitation periods concerning property rights claims as well as the client's need to be able to access the information in the future.

A client can at any time terminate the duties of the Lawyer just as an appointment can be terminated by the appointing authority. However, the Lawyer will in this situation be subject to a number of rules and duties that make it necessary to store the personal data for a longer period of time.

## **8. Safety measures**

The Lawyer safeguards personal data through both technical as well as organisational safety measures for the purposes of protecting the information of the data subject against unauthorised access, manipulation, destruction/deletion or loss of information.

The Lawyer uses Advosys (Unik System Design A/S) as system provider and has entered into a data processing agreement with Advosys that guarantees the relevant, recommended and mandatory safety measures and any consequential protection of the personal data that is processed by the Lawyer and the Lawyer's staff through Advosys.

Furthermore, the Lawyer uses standard software from Microsoft (Office365). Microsoft processes personal data on behalf of the Lawyer on terms as stated in the standard Microsoft conditions: <https://www.microsoft.com/en-us/trustcenter/compliance/eu-model-clauses>.

Processing and storage of personal data furthermore happens through a server operated and hosted by ng6advokater.

ng6advokater uses Labtech Data as IT consultant, including for the purposes of but not exclusively maintenance of the server and has entered into a data processing agreement with Labtech Data guaranteeing the relevant, recommended and mandatory safety measures and any consequential protection of the personal data processed by Labtech Data as a result of the co-operation.

ng6advokater uses the external telephone service Back-Up Service ApS Labtech and has entered into a data processing agreement with Back-Up Service ApS guaranteeing the relevant, recommended and mandatory safety measures and any consequential protection of the personal data that are processed by Back-Up Service ApS as a result of the co-operation.

ng6advokater has determined that only other lawyers and members of staff with ng6advokater shall be able to access the client's personal data after prior agreement with the Lawyer.

## **9. The rights of the data subject**

The natural person about whom the Lawyer stores information, including the client, has the following rights vis-à-vis the Lawyer:

- Access to gaining insight into what personal data about the individual in question is recorded by the Lawyer;
- Right to correct incorrect information about the individual recorded by the Lawyer,
- Right to have information deleted about the individual in question when recording of the information is no longer necessary to comply with the purpose of item 3 and is not prevented by a task/duty incumbent upon the Lawyer in accordance with Danish or EU law;
- Right to limited processing of personal data about the individual in question when the correctness or incorrectness of the personal data in question is in dispute or the personal data is to be used as evidence;
- Access to transmission in a structured, regular and machine-readable format, e.g. via email, to the person in question or to a new appointed lawyer by the person in question or other third party, the information that the person in question has given to the Lawyer.

The Lawyer will not inform a person who is not a client about this personal data policy, including the rights of the person under item 9, if the Lawyer's processing of the personal data is covered by the Lawyer's confidentiality and this will be compromised by providing such information.

## **10. Change of personal data policy**

The present personal data policy can be adjusted on an on-going basis by the Lawyer in order to comply with the current personal data rules in force at any time.

## **11. Contact**

If the data subject has any objections against the Lawyer's processing of his/her personal data, the data subject is encouraged to contact the Lawyer at: [hvp@ng6.dk](mailto:hvp@ng6.dk)

The data subject is also entitled to file a complaint with the Danish Data Protection Agency as regards his/her rights and about the Lawyer's processing of the personal data of the individual. For further information please refer to the Danish Data Protection Agency website at [www.datatilsynet.dk](http://www.datatilsynet.dk).