

# PRIVACY POLICY, WIKBORG REIN – Clients

## 1 Introduction

Wikborg Rein International Law Firm AS ("**Wikborg Rein**" or "**we**") process personal data related to existing and potential clients (the "**data subjects**"). It is important for us that your personal data are processed in a safe and secure manner, in compliance with applicable data protection laws and other legislation. In this privacy policy provide information about how we handle personal data and your rights in this regard.

Wikborg Rein is the data controller in relation to the personal data that we process. You are at all times welcome to contact us if you have any questions regarding our processing of your personal data. For contact information, please see clause 8 below.

The applicable legislation include, but is not limited to, Regulation (EU) 2016/679 ("**GDPR**"), the Personal Data Act with all associated regulations and the rules concerning legal aid practice and lawyers included in the Courts of Justice Act.

## 2 Further about the collection and processing of personal data

The categories of personal data we collect in connection with legal assignments varies according to the scope and character of each specific matters. In most cases we at least collect the following categories of personal data: Name, address, contact information and ID documents from the data subject or others acting as representatives of the data subject, personal data revealed as part of the information about the specific case, including information about the involved parties, and other data required to complete the legal assignment. Legal assignments also involve processing of sensitive personal data.

We primarily collect all personal data directly from the data subject, but in some cases we collect the personal data from third parties, e.g. counterparties, their representatives, witnesses, other involved parties, public authorities and publicly available sources.

The main purpose of Wikborg Rein's processing of personal data is to be able to carry out the legal assignment in a secure, adequate and appropriate manner, in compliance with all agreements between Wikborg Rein and its clients and applicable legislation. Occasionally, Wikborg Rein also process personal data in order to market its services towards the data subject, see further below under clause 4. Personal identification numbers and other unambiguous means of identification are only collected and processed in cases where Wikborg Rein has a justified need to identify a person, and that person may not be identified by other means, e.g. in connection with transactions.

The legal basis for Wikborg Rein's processing of personal data is primarily that such processing is necessary for the performance of a contract to which the data subject is party (GDPR art. 6 (1) b), or that processing is necessary for compliance with a legal obligation to which Wikborg Rein is subject (GDPR art. 6 (1) c). The processing may also be based on the legitimate interests pursued by Wikborg Rein, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data (GDPR art. 6 (1) f). Where none of the abovementioned legal grounds are applicable, the processing will be based on consent provided by the data subject (GDPR art. 6 (1) a).

Where Wikborg Rein bases its processing on the balancing of interests pursuant to GDPR art. 6 (1) f, the relevant interests relates to conducting our legal business. The strict confidentiality clauses to which all

lawyers are subject reduce any possible negative impact for the data subject, meaning that Wikborg Rein's interests are not overridden by the interests of the data subjects.

The processing of sensitive personal data and information about criminal cases and legal offenses is either based on the data subject's explicit consent to the processing of those personal data for one or more specified purposes (GDPR art. 9 (2) a), that the data subject has manifestly made public the personal data (GDPR art. 9 (2) e) or that the processing is necessary for the establishment, exercise or defence of legal claims (GDPR art. 9 (2) f).

In the event that Wikborg Rein is not provided with the required personal data, we may not be able to perform and complete the legal assignment.

### **3 Disclosure of personal data**

To the extent necessary to carry out the legal assignment and comply with applicable laws and regulations, Wikborg Rein will disclose personal data to the following third parties: Counterparties, witnesses or other involved parties, the courts, suppliers, collaborators, public authorities, etc.

In certain cases, Wikborg Rein will transfer your personal data to parties in countries outside the European Economic Area (EEA) ("**third countries**"), including our offices in Shanghai and Singapore, and also other collaborators in third countries. If personal data is transferred to such third countries, we will always implement necessary security measures to ensure an adequate protection of the personal data, either through binding corporate rules or contractual terms approved by the European Commission which directly impose privacy obligations on the receiver, or by other means ensure a level of protection equal to that provided within the EU/EEA.

We never disclose personal data where disclosure would represent a breach of any confidentiality obligation to which we or any of our employees are subject.

### **4 Processing of personal data for marketing purposes**

We never process personal data for marketing purpose unless we have obtained the prior consent of the data subject or there is an existing client relationship between Wikborg Rein and the data subject in question. The information processed for marketing purpose include, but is not limited to: e-mail addresses, phone numbers, addresses and considerations related to possible clients/collaborations. You may at any time declare that you no longer wish to receive marketing inquiries.

### **5 Duration of the processing**

Lawyers are subject to specific legal obligations and/or guidelines and recommendations regarding the retention of information and files. Personal data related to established client relationships are deleted after ten years of inactivity, unless the data subject has provided its consent to further retention. Case folders are deleted 10 years following the closing of the case.

Personal data are otherwise retained for as long as necessary to achieve the purpose for which they were collected. If the personal data are used for two different purposes, we will retain the data until both purposes are achieved. However, as soon as one of the purposes are achieved, we will cease the processing of the data for that particular purpose.

The retention period is based on the interests of our business, and we will either permanently anonymize or in a secure manner delete those of your personal data that we no longer need.

## **6 Rights of the data subject**

As a data subject, you have, under certain circumstances and with certain reservations, the right to:

- Obtain from Wikborg Rein confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to the personal data and information about the processing of personal data;
- Obtain from Wikborg Rein the rectification of inaccurate personal data concerning you, as well as completion of incomplete personal data;
- Obtain from the controller the erasure of personal data regarding you;
- Obtain from Wikborg Rein restriction of processing regarding your personal data;
- Obtain from Wikborg Rein a copy of personal data concerning you that you have provided to Wikborg Rein and to transfer these data to another controller without Wikborg Rein's hindrance;
- Object to our processing of personal data concerning you;
- Lodge a complaint with a supervisory authority (in Norway: Datatilsynet); and
- At any time withdraw your consent given to Wikborg Rein.

Wikborg Rein does not make use of automated decision-making, e.g. profiling.

## **7 Modification of our privacy policy**

This privacy policy was last updated on 25 May 2018. We reserve the right to modify the policy from time to time and we encourage you to familiarize yourself with the content of the policy on a regular basis.

## **8 Contact**

If you have any questions regarding the content of this policy, wish to exercise your rights pursuant to clause 6 above or for any other inquiries, you are welcome to contact us at [firmapost@wr.no](mailto:firmapost@wr.no).