

## DUTY OF INFORMATION IN THE EXERCISE OF THE LEGAL PROFESSION

TASK	TYPES OF PERSONAL DATA	PURPOSE	LEGAL BASIS	STORAGE PERIOD	DISCLOSURE
Litigation and arbitration	<p>Clients and opponents:</p> <ul style="list-style-type: none"> <li>- Personal data (non-sensitive)</li> <li>- Confidential personal data</li> <li>- Special categories of personal data (sensitive)</li> </ul> <p>Specifically in relation to the duty of information to opponents:</p> <ul style="list-style-type: none"> <li>- In relation to compliance with the duty of information to opponents, the professional secrecy of attorneys and a person's right to prepare their own defence in legal proceedings may justify an exemption from the duty of information in a number of circumstances, see section 22(1) of the Danish Data Protection Act (<i>data-beskyttelsesloven</i>).</li> </ul> <p>D&amp;Os of the winning tenderer:</p> <ul style="list-style-type: none"> <li>- Personal data (non-sensitive)</li> <li>- Confidential personal data</li> </ul> <p>The representative of the opponent, secondary parties in legal proceedings, business partners, arbitrators, witnesses, experts, etc.:</p> <ul style="list-style-type: none"> <li>- Personal data (non-sensitive)</li> </ul>	<p>Personal data are processed for the purpose of protecting the client's interests in connection with the preparation and conduct of legal or arbitral proceedings.</p> <p>The processing of personal data includes:</p> <ul style="list-style-type: none"> <li>- Drafting and examining pleadings;</li> <li>- Calling of witnesses;</li> <li>- Obtaining information from experts;</li> <li>- Cooperation with the arbitral tribunal;</li> <li>- Settlement of fees for arbitrators and experts; settlement of witness compensation.</li> </ul>	<p>The processing of personal data is necessary for the performance of a contract to which the data subject is a party (the legal assignment), see point (b) of Article 6(1) of the General Data Protection Regulation ("GDPR").</p> <p>The processing of personal data in connection with cooperation with, e.g., the arbitral tribunal is necessary for Poul Schmith to pursue a legitimate interest with regard to the exercise of the legal profession and fulfilment of the legal assignment, see point (f) of Article 6(1) of the GDPR.</p> <p>Personal data (non-sensitive) may be processed when necessary for the performance of a task carried out in the public interest, see point (e) of Article 6(1) of the GDPR.</p> <p>The processing of special categories of personal data (sensitive) will take place if necessary for the establishment, exercise or defence of a legal claim, see point (f) of Article 9(2) of the GDPR, and point (f) of Article 6(1) where the legitimate interest is justified by the possibility of establishing, exercising or defending a legal claim.</p> <p>National identification numbers or any other identifier of general application are processed when necessary for the</p>	<p>For private clients, personal data are deleted 10 years after the case has been filed, unless special circumstances render it necessary to retain the file for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p> <p>For government clients, personal data are deleted 10 years - or in some cases 20 years - after filing, unless special circumstances render it necessary to retain the file for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p>	<p>Poul Schmith only discloses your personal data to external parties if necessary and if there is a legal basis for doing so. External parties may be public authorities, private businesses or persons, foundations, associations, etc., depending on the nature of the case. Poul Schmith discloses data to our data processors (e.g. IT suppliers). The transfer of personal data to a country outside the EU/EEA that has been assessed by the European Commission as not being safe because data protection rules may be more lenient than in Denmark and the rest of the EU/EEA may take place on the basis of a number of different transfer bases according to which a system is established that ensures the necessary data protection. An example of this is the conclusion of the European Commission's standard contractual clauses on data protection with the recipient and additional measures, or that appropriate data protection is in place in such countries according to the European Commission (adequacy decisions). In specific cases, transfers to such countries may also take place in accordance with Article 49(1) of the GDPR, e.g., a transfer for the purpose of establishing, exercising or defending a legal claim.</p>

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			<p>establishment, exercise or defence of a legal claim.</p> <p>The processing of national identification number or any other identifier of general application is based on paragraph (4) of section 11(2) of the Data Protection Act, including point (f) of Article 9(2) of the GDPR, where the legitimate interest is justified by the possibility of establishing, exercising or defending a legal claim.</p> <p>Data on criminal convictions and offences are processed on the basis of section 8(3) of the Data Protection Act, cf. Article 10 of the GDPR, as the processing is necessary for conducting legal and arbitral proceedings.</p>		
Bankruptcy, debt collection, reconstruction and liquidation	<p>Debtors, including relationships with debtors or their relatives, owners, employees, D&amp;Os and creditors:</p> <ul style="list-style-type: none"> <li>- Personal data (non-sensitive)</li> <li>- Confidential personal data</li> <li>- Special categories of personal data (sensitive)</li> </ul> <p>Business partners (e.g. co-trustee):</p> <ul style="list-style-type: none"> <li>- Personal data (non-sensitive)</li> </ul> <p>In relation to the duty of information: in relation to compliance with the duty of information to opponents, the professional secrecy of attorneys and a person's right to prepare their own defence in legal proceedings may justify an exemption from the duty of information in a number of circumstances, see section 22(1) of the Data Protection Act.</p>	<p>The processing of personal data may serve one or several of the following purposes:</p> <ul style="list-style-type: none"> <li>- to handle bankruptcy estates, including to exercise our duties as trustee in accordance with the rules of the Danish Bankruptcy Act (<i>konkursloven</i>), to ensure recovery of funds in the estate through recovery proceedings, management of the estate and the debt collection process, to handle reconstructions, including to ensure identification and recovery of receivables, to maintain operation, to manage the company's ongoing contractual relationships and to prepare reconstruction proposals and plans;</li> <li>- to handle liquidations, including to exercise our function as liquidator, to ensure identification and recovery of</li> </ul>	<p>The processing of your personal data (non-sensitive) is necessary for, e.g., establishing contact with business partners related to a case so that Poul Schmith can pursue a legitimate interest with regard to the exercise of the legal profession and the fulfilment of the legal assignment, see point (f) of Article 6(1) of the GDPR.</p> <p>The personal data that are included in the processing will in principle be processed on the basis of a legal obligation, see point (c) of Article 6(1) of the GDPR.</p> <p>In connection with appointment as a trustee in accordance with the rules of the Danish Bankruptcy Act (<i>konkursloven</i>), reconstructor, etc., relationships</p>	<p>Personal data will be deleted 10 years after the filing of the case, unless special circumstances render it necessary to retain the file for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p>	<p>Poul Schmith only discloses your personal data to external parties if necessary and if there is a legal basis for doing so. External parties may be public authorities, private businesses or persons, foundations, associations, etc., depending on the nature of the case. Poul Schmith discloses data to our data processors (e.g. IT suppliers). The transfer of personal data to a country outside the EU/EEA that has been assessed by the European Commission as not being safe because data protection rules may be more lenient than in Denmark and the rest of the EU/EEA may take place on the basis of a number of different transfer bases according to which a system is established that ensures the necessary data protection. An example of this is the conclusion of the</p>

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		<p>receivables and to decide on resumption of activities, merger or bankruptcy proceedings of the company;</p> <ul style="list-style-type: none"> <li>– to identify, secure and realise assets, including examination of claims and recovery;</li> <li>– to carry out investigations in order to identify possible voidable or actionable transactions;</li> <li>– to carry out investigations for the purpose of identifying D&amp;O liability or claims for damages;</li> <li>– to submit letters of demand and enforcement petitions, appear before the bailiff's court and enter into payment arrangements;</li> <li>– to comply with acts required under law, such as registrations and reports to the Danish Customs and Tax Administration (SKAT) and other authorities;</li> <li>– to receive assistance from foreign authorities and attorneys for the purpose of securing assets placed abroad.</li> </ul>	<p>with debtors or their relatives are processed on the basis of section 238 of the Bankruptcy Act, cf. Article 6(1)(c) and Article 9(2)(f) of the Data Protection Regulation.</p> <p>National identification numbers or any other identifier of general application are processed because it is necessary for the establishment, exercise or defence of a legal claim. The processing of national identification numbers or any other identifier of general application is based on paragraph (4) of section 11(2) of the Data Protection Act, including point (f) of Article 9(2) of the GDPR.</p> <p>Data on debtors, owners or the criminal convictions of employees are processed on the basis of section 8(3) of the Data Protection Act, cf. Article 10 of the GDPR, as the processing is a necessary prerequisite for handling the matters.</p>		<p>European Commission's standard contractual clauses on data protection with the recipient and additional measures, or that appropriate data protection is in place in such countries according to the European Commission (adequacy decisions). In specific cases, transfers to such countries may also take place in accordance with Article 49(1) of the GDPR, e.g., a transfer for the purpose of establishing, exercising or defending a legal claim.</p>
Legal advice and assistance, including drafting of legal documents and opinions, contract drafting and assistance in negotiations, etc.	<p>Clients:</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> <li>– Confidential personal data</li> <li>– Special categories of personal data (sensitive)</li> </ul> <p>Client contact person, business partners or other advisors:</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> </ul> <p>Target company employees:</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> <li>– Confidential personal data</li> </ul>	<p>Personal data are processed for the purpose of preparing memorandums, provide advice by e-mail or telephone, assist in negotiations or assist in the preparation of material, including, e.g., data processing agreements, shareholders' agreements, cooperation agreements, draft administrative decisions, draft statutory orders, draft legislation, anonymisation of material in connection with access to documents, establishment of companies etc.</p>	<p>The processing of your personal data is necessary for assistance in connection with, e.g., business transfers so that Poul Schmith can pursue a legitimate interest with regard to the exercise of the legal profession and the fulfilment of the legal assignment, see point (f) of Article 6(1) of the GDPR.</p> <p>With respect to target company employees, national identification numbers or any other identifier of general application are processed when necessary for</p>	<p>For private clients, personal data are deleted 10 years after the case has been filed, unless special circumstances render it necessary to retain the file for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p> <p>For government clients, personal data are deleted 10 years - or in some cases 20 years - after filing, unless special circumstances render it necessary to</p>	<p>Poul Schmith only discloses your personal data to external parties if necessary and if there is a legal basis for doing so. External parties may be public authorities, private businesses or persons, foundations, associations, etc., depending on the nature of the case. Poul Schmith discloses data to our data processors (e.g. IT suppliers). The transfer of personal data to a country outside the EU/EEA that has been assessed by the European Commission as not being safe because data protection</p>

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	<ul style="list-style-type: none"> <li>– Special categories of personal data (sensitive)</li> </ul> <p>In relation to the duty of information:</p> <ul style="list-style-type: none"> <li>– In relation to compliance with the duty of information to opponents, the professional secrecy of attorneys and a person's right to prepare their own defence in legal proceedings may justify an exemption from the duty of information in a number of circumstances, see section 22(1) of the Data Protection Act.</li> </ul>		<p>the establishment, exercise or defence of a legal claim. The processing of civil registration numbers (CPR numbers) is based on paragraph (4) of section 11(2) of the Data Protection Act, cf. point (f) of Article 9(2) of the GDPR.</p> <p>The processing of special categories of personal data (sensitive) takes place if necessary for the establishment, exercise or defence of a legal claim, see point (f) of Article 9(2) and point (f) of Article 6(1) of the GDPR, where the legitimate interest is justified by the possibility of establishing, exercising or defending a legal claim.</p>	<p>retain the file for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p>	<p>rules may be more lenient than in Denmark and the rest of the EU/EEA may take place on the basis of a number of different transfer bases according to which a system is established that ensures the necessary data protection. An example of this is the conclusion of the European Commission's standard contractual clauses on data protection with the recipient and additional measures, or that appropriate data protection is in place in such countries according to the European Commission (adequacy decisions). In specific cases, transfers to such countries may also take place in accordance with Article 49(1) of the GDPR, e.g., a transfer for the purpose of establishing, exercising or defending a legal claim.</p>
Large projects, including legal investigations, investigations of a similar nature, etc.	<p>Client contact person and business partners:</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> </ul> <p>Persons affected or involved, e.g. employees, D&amp;Os, citizens, and others who are the subject of the investigations carried out:</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> <li>– Confidential personal data</li> <li>– Special categories of personal data (sensitive)</li> </ul>	<p>Personal data are processed for the purpose of assisting in large projects and studies.</p> <p>The investigations typically result in a large report, which will sometimes have to be published if it is an actual legal investigation.</p>	<p>The processing of your personal data is necessary in connection with large projects and investigations for the data controller's or a third party's pursuit of a legitimate interest with regard to the exercise of the legal profession and the fulfilment of the legal assignment, see point (f) of Article 6(1) of the GDPR.</p> <p>The processing of special categories of personal data (sensitive) takes place if necessary for the establishment, exercise or defence of a legal claim, see point (f) of Article 9(2) and point (f) of Article 6(1) of the GDPR, where the legitimate interest is justified by the possibility of establishing, exercising or defending a legal claim.</p>	<p>For private clients, personal data are deleted 10 years after the case has been filed, unless special circumstances render it necessary to retain the file for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p> <p>For government clients, personal data are deleted 10 years - or in some cases 20 years - after filing, unless special circumstances render it necessary to retain the file for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p>	<p>Poul Schmith only discloses your personal data to external parties if necessary and if there is a legal basis for doing so. External parties may be public authorities, private businesses or persons, foundations, associations, etc., depending on the nature of the case. Poul Schmith discloses data to our data processors (e.g. IT suppliers). The transfer of personal data to a country outside the EU/EEA that has been assessed by the European Commission as not being safe because data protection rules may be more lenient than in Denmark and the rest of the EU/EEA may take place on the basis of a number of different transfer bases according to which a system is established that ensures the necessary data protection. An example of this is the conclusion of the European Commission's standard contractual clauses on data protection with the recipient and additional measures, or that appropriate data protection is in place in such countries according to the European Commission (adequacy decisions). In specific cases, transfers to such countries may also take place in accordance with Article 49(1) of the GDPR, e.g., a transfer for the purpose of establishing, exercising or defending a legal claim.</p>

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			National identification numbers or any other identifier of general application are processed when necessary for the establishment, exercise or defence of a legal claim. The processing of civil registration (CPR) numbers is based on paragraph (4) of section 11(2) of the Data Protection Act, cf. point (f) of Article 9(2) of the GDPR.		ensures the necessary data protection. An example of this is the conclusion of the European Commission's standard contractual clauses on data protection with the recipient and additional measures, or that appropriate data protection is in place in such countries according to the European Commission (adequacy decisions). In specific cases, transfers to such countries may also take place in accordance with Article 49(1) of the GDPR, e.g., a transfer for the purpose of establishing, exercising or defending a legal claim.
Preparation of tender documents, including questions/answers, prequalification, tender evaluation, award of contract and obtaining ESPD documentation, handling of cases before the Complaints Board for Public Procurement, etc.	<p>Clients, business partners or employees of existing suppliers who are contact persons or participants in a market dialogue, tenderers, members of a consortium, counterparties, case officers, chairman (judge), experts, and persons about whom the tender documents contain information:</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> </ul> <p>Employees of existing suppliers covered by the Danish Transfer of Undertakings Act (<i>virksomhedsoverdragelsesloven</i>):</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> <li>– Confidential personal data</li> <li>– Special categories of personal data (sensitive)</li> </ul> <p>D&amp;Os of the winning tenderer:</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> <li>– Confidential personal data</li> </ul>	<p>The personal data are processed for the purpose of assisting in the preparation of tender documents and the implementation of the tendering process in general, i.e. in particular responding to questions/answers from tenderers, assistance regarding prequalification and tender evaluation, participation in negotiations, award of contracts and obtaining ESPD documentation.</p> <p>In complaints cases, personal data will typically be processed in connection with the registration of clients and counterparties and in connection with ongoing correspondence.</p>	<p>The processing of your personal data (non-sensitive) is necessary for the data controller's or a third party's pursuit of a legitimate interest in assisting the client in carrying out a tendering procedure, see point (f) of Article 6(1) of the GDPR.</p> <p>The processing of special categories of personal data (sensitive) takes place if necessary for the establishment, exercise or defence of a legal claim, see point (f) of Article 9(2) and point (f) of Article 6(1) of the GDPR, where the legitimate interest is justified by the possibility of establishing, exercising or defending a legal claim.</p> <p>The processing of national identification numbers or any other identifier of general application is based on paragraph (4) of section 11(2) of the Data Protection Act, including point (f) of Article 9(2) of the GDPR, where the legitimate</p>	<p>For private clients, personal data are deleted 10 years after the case has been filed, unless special circumstances render it necessary to retain the file for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p> <p>For government clients, personal data are deleted 10 years - or in some cases 20 years - after filing, unless special circumstances render it necessary to retain the file for a longer period, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p>	<p>Poul Schmith only discloses your personal data to external parties if necessary and if there is a legal basis for doing so. External parties may be public authorities, private businesses or persons, foundations, associations, etc., depending on the nature of the case. Poul Schmith discloses data to our data processors (e.g. IT suppliers). The transfer of personal data to a country outside the EU/EEA that has been assessed by the European Commission as not being safe because data protection rules may be more lenient than in Denmark and the rest of the EU/EEA may take place on the basis of a number of different transfer bases according to which a system is established that ensures the necessary data protection. An example of this is the conclusion of the European Commission's standard contractual clauses on data protection with the recipient and additional measures,</p>

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	<p>In relation to the duty of information:</p> <ul style="list-style-type: none"> <li>– In relation to counterparties, the professional secrecy of attorneys and a person's right to prepare their own defence in legal proceedings may justify an exemption from the duty of information in a number of circumstances, see section 22(1) of the Data Protection Act.</li> </ul>		<p>interest is justified by the possibility of establishing, exercising or defending a legal claim.</p> <p>Data on criminal offences are processed on the basis of section 8(3) of the Data Protection Act, cf. Article 10 of the GDPR, as the processing is necessary for carrying out a tendering procedure.</p>		<p>or that appropriate data protection is in place in such countries according to the European Commission (adequacy decisions). In specific cases, transfers to such countries may also take place in accordance with Article 49(1) of the GDPR, e.g., a transfer for the purpose of establishing, exercising or defending a legal claim.</p>
Whistleblower schemes	<p>Data on persons reporting to the whistleblower schemes managed by Poul Schmith on behalf of clients will be processed if they are not anonymous, as well as on persons mentioned in reports:</p> <ul style="list-style-type: none"> <li>– Personal data (non-sensitive)</li> <li>– Confidential personal data</li> <li>– Special categories of personal data (sensitive)</li> </ul>	<p>The personal data are processed for the purpose of handling reports received, including receipt of reports, acknowledgement of receipt of reports and processing of the report, in the whistleblower schemes that Poul Schmith manages for clients and where Poul Schmith is the data controller.</p> <p>In certain cases, Poul Schmith is the data processor on behalf of our client, where we act on instructions from the data controller and in accordance with a data processing agreement. In such cases, this information form and data protection policy do not apply to the processing.</p>	<p>The processing of your personal data for whistleblower schemes established under the Whistleblower Protection Act is necessary for Poul Schmith's processing of reports pursuant to section 22 of the Whistleblower Protection Act.</p> <p>For whistleblower schemes established on a voluntary basis that are not subject to the Whistleblower Protection Act, the processing of personal data (non-sensitive) is necessary for the data controller's or a third party's pursuit of a legitimate interest in assisting the client in managing the whistleblower scheme, see point (f) of Article 6(1) of the GDPR. Special categories of personal data (sensitive) are processed if the processing is necessary for the establishment, exercise or defence of a legal claim, see point (f) of Article 9(2) of the GDPR.</p> <p>Data on criminal offences are processed on the basis of section 8 of the Data Protection Act.</p>		<p>Personal data are stored until the case is filed and in some cases for a subsequent period of 10 years, unless special circumstances render it necessary to retain the file on a short or long term basis, for example if the continued processing is necessary for the establishment, exercise or defence of a legal claim.</p> <p>Poul Schmith will not disclose your personal data to external parties unless it is necessary and there is a legal basis for doing so. External parties may be public authorities, private businesses or persons, foundations, associations, etc., depending on the nature of the case. Poul Schmith discloses data to our data processors (e.g. IT suppliers). The transfer of personal data to a country outside the EU/EEA that has been assessed by the European Commission as not being safe because data protection rules may be more lenient than in Denmark and the rest of the EU/EEA may take place on the basis of a number of different transfer bases according to which a system is established that ensures the necessary data protection. An example of this is the conclusion of the European Commission's standard contractual clauses on data protection with the recipient and additional measures, or that appropriate data protection is in place in such countries according to the European Commission (adequacy decisions). In specific cases, transfers to such countries may also take place in</p>

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					accordance with Article 49(1) of the GDPR, e.g., a transfer for the purpose of establishing, exercising or defending a legal claim.

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ACTION	AUTHOR	APPROVED BY	DATE OF APPROVAL	VERSION
Updating of form with the introduction of section 238 of the Bankruptcy Act on conflicts of interest in connection with the appointment of a trustee in accordance with the rules of the Danish Bankruptcy Act ( <i>konkursloven</i> ), reconstructor,	SDFR	PNTH	29 January 2026	1.8
Updating of address details in footer	MLGA	MLGA	17 December 2025	1.7
Updating of form regarding compliance with the duty of information	MLGA	MLGA/SDFR	10 November 2025	1.6
Updating of form regarding compliance with the duty of information	SDFR/MLGA	SDFR	10 October 2024	1.5
Updating of information on disclosure	LBEN	SDFR	22 November 2022	1.4
Updating of form regarding compliance with the duty of information.	SDFR	SDFR	17 August 2022	1.3
Specification of deletion deadlines for government clients	MSKO	SDFR	22 June 2021	1.2
Addition of legal basis for the processing of personal data in connection with preparation and conduct of legal or arbitral proceedings.	MSKO	JNO	15 December 2020	1.1
Drafting of form regarding compliance with the duty of information	MSKO	JNO	9 September 2019	1.0

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