

## **Hammar skiöld & Co Privacy Policy**

This Privacy Policy (the “**Policy**”) contains information on how Advokatfirman Hammar skiöld & Co AB (“**we**”/”**us**”/”**our**”/”**Hammar skiöld & Co**”) collects, uses, shares and otherwise processes your personal data that you provide to us or which we may otherwise collect and obtain in connection with your relationship with us as a Hammar skiöld & Co client, representative of a client, other Hammar skiöld & Co business partner or being generally interested in our services, publications, newsletters, events and seminars or website.

We process personal data in accordance with applicable data protection laws and regulations, including but not limited to the Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (“**GDPR**”) which will apply as from 25 May 2018.

If you have any questions or concerns with respect to this policy, please contact us at [dataprotection@hammarskiold.se](mailto:dataprotection@hammarskiold.se) or at the address listed in the end of this Policy.

We may from time to time provide supplemental privacy notices in specific situations when we are collecting or processing personal data. Such supplemental notices should be read together with this Policy.

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## 1 DEFINITIONS

The below listed terms used in this Policy shall have the following meaning:

“**personal data**”: any information relating to an identified or identifiable natural person (an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person)

“**processing**” : any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction

“**controller**”: a natural or legal person, which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

“**processor**”: a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

## 2 GENERAL INFORMATION

In the course of operating our business, Hammarskiöld & Co processes personal data within the framework of our client and other business relationships. Under certain circumstances we also process personal data with regard to prospective clients. Furthermore, Hammarskiöld & Co processes personal data for marketing and recruitment purposes and with regard to visitors of Hammarskiöld & Co. See below for more detailed information regarding Hammarskiöld & Co’s processing of personal data.

Hammarskiöld & Co is the controller of the abovementioned personal data. As such, Hammarskiöld & Co is responsible for that the processing of personal data is compliant with applicable data protection laws and regulations, including but not limited to the GDPR.

## 3 THE DATA WE PROCESS, WHERE WE GET IT FROM AND WHY WE PROCESS IT

Our collection and processing of personal data can in general be divided into the following categories:

- Client and other business relationships (which also include prospective clients)
- Marketing and other communication (such as newsletters, legal updates and invitations to events and seminars)
- Recruitment
- Other processing purposes

### 3.1 Client and other business relationships

If you are, or represent, a client of Hammarskiöld & Co, we collect and process personal data within the framework of our client relationship with you or the company you represent. If you or the company you represent is not a client of Hammarskiöld & Co, we may receive or collect your personal data because you, or the company you represent, are involved in one of our client's matters.

When advising clients being legal persons and in order to act as legal counsel and represent our clients in the best possible manner, we need to collect and process personal data with regard to representatives and employees of the client company.

In order to comply with the Money Laundering and Terrorist Financing Prevention Act (*Sw. lag (2017:630) om åtgärder mot penningtvätt och finansiering av terrorism*) and the Code of Conduct for Members of the Swedish Bar Association (*Sw. Vägledande regler om god advokatsed*), Hammarskiöld & Co may also collect and process certain information with regard to prospective clients.

Categories of personal data	For what purposes we process the data	Legal basis for the processing
<ul style="list-style-type: none"> <li>The identity of the client</li> <li>The identity and authorisation of the client's representative(s)</li> <li>The structure of ownership and control of the client</li> <li>The identity of beneficial owner(s) (where applicable)</li> <li>The nature and purpose of the client relationship and the transaction</li> <li>The origin of the assets</li> </ul>	<p>According to the Money Laundering and Terrorist Financing Prevention Act (<i>Sw. lag (2017:630) om åtgärder mot penningtvätt och finansiering av terrorism</i>) as well as the Code of Conduct for Members of the Swedish Bar Association (<i>Sw. Vägledande regler om god advokatsed</i>), Hammarskiöld &amp; Co is obligated to obtain and retain satisfactory evidence of the identity of prospective clients in certain matters and in certain situations stipulated in abovementioned laws and regulations.</p>	<p>To comply with a legal obligation.</p>
<ul style="list-style-type: none"> <li>Name of the counterparty (where applicable)</li> </ul>	<p>According to the Code of Conduct for Members of the Swedish Bar Association (<i>Sw. Vägledande regler om god advokatsed</i>), we may not accept a matter if there is a conflict of interest or a significant risk of a conflict of interest. In order to assess whether there is a conflict of interest or a significant risk of a conflict of interest in representing a prospective client, we are obliged to obtain information on the name of the counterparty (where applicable).</p>	<p>To comply with a legal obligation.</p>
<p>Personal data related to representatives, officials and employees of the client company, namely:</p>	<p>In order to properly represent and advice our clients, as well as to communicate with our clients, we may need to process personal data with regard to deputies, officials and</p>	<p>The legal basis will depend on the specific matter and the legal services provided by us, and is generally one or</p>

<ul style="list-style-type: none"> <li>• Name</li> <li>• Place of employment and its address</li> <li>• Telephone number</li> <li>• E-mail address</li> <li>• Job title</li> <li>• Social security number</li> <li>• Passport details</li> <li>• E-mail correspondence sent and received by deputies and employees</li> </ul>	<p>employees of our client companies.</p>	<p>more of the following:</p> <ul style="list-style-type: none"> <li>- A weighing of interests, where we rely on our (or a third party's) legitimate interest in being able to properly advise our clients and promote the interests of our clients.</li> <li>- To comply with a legal obligation.</li> <li>- Performance of a task carried out in the public interest.</li> <li>- Performance of a contract to which the data subject is a party.</li> </ul>
<p>In addition to the above, additional personal data collected or received in the context of our provision of legal services.</p> <p>The categories of personal data vary depending on the specific type of matter for which we have been engaged, but could include e.g. name, contact details (such as address, e-mail address and telephone number), social security number, employment details and other information relevant to the legal services that we are providing to our clients.</p>	<p>In order to properly represent and advise our clients, we may need to process personal data as part of our provision of our legal services.</p> <p>Such personal data may be received from our clients (or representatives of our clients), other parties relevant to the services we are providing (e.g. counterparties in transactions) and others such as regulators, courts and public authorities. We may also collect data directly from data providers such as Bisnode InfoTorg.</p>	<p>The legal basis will depend on the specific matter and the legal services provided by us, and is generally one or more of the following:</p> <ul style="list-style-type: none"> <li>- A weighing of interests, where we rely on our (or a third party's) legitimate interest in being able to properly advise our clients and promote the interests of our clients.</li> <li>- To comply with a legal obligation.</li> <li>- Performance of a task carried out in the public interest.</li> </ul> <p>Performance of a contract to which the data subject is a party.</p>

### 3.2 Marketing and other communication

Categories of personal data	For what purposes we process the data	Legal basis for the processing
<ul style="list-style-type: none"> <li>Name</li> <li>Place of employment and its address</li> <li>Telephone number</li> <li>E-mail address</li> <li>Job title</li> </ul> <p>With respect to managing and organizing client and business events and seminars, we may ask for information on special diet, allergies and other restrictions.</p>	<p>We may use your personal data to engage in marketing and business development activity in relation to our legal services, including client acquisition.</p> <p>In the event that you are a part of our established network of business contacts, we may process your personal data in order to send you and/or the company you work for invitations to events and seminars, newsletters and legal updates, holiday greeting cards or similar information. Such communication is made for the purposes of maintaining our established network of business contacts.</p> <p>We may also use your personal data for the purpose of performing client satisfaction and market surveys.</p>	<p>The legal basis for the processing of your personal data is a weighing of interests, where we rely on our legitimate interests in establishing and maintaining our established business relations with you.</p>

Please note that you may, at any time, contact us at [dataprotection@hammarskiold.se](mailto:dataprotection@hammarskiold.se) and ask to no longer receive the abovementioned communication from us. In such case, and provided that no other legal basis for the processing of your personal data applies, we will cease all further processing of your personal data.

### 3.3 Our Website

Categories of personal data	For what purposes we process the data	Legal basis for the processing
<ul style="list-style-type: none"> <li>IP addresses</li> <li>The date, time and duration of your visit.</li> <li>Cookies (a piece of data stored on a user's hard drive containing information about the user)</li> </ul>	<p>Cookies and recording of IP addresses are used for statistical purposes in order for us to see what information visitors look for on our website.</p> <p>For more information about the cookies we use, the purposes for which we use them and details on how to block or delete cookies, please see our <a href="#">Cookie Policy</a>.</p>	<p>A weighing of interests, where we rely on our legitimate interest in being able to keep track of visiting patterns on our website in order to improve our services.</p> <p>To the extent required by law, we may request your consent for our use of cookies as further explained in our <a href="#">Cookie Policy</a>.</p>

### 3.4 Recruitment and job applications

Categories of personal data	For what purposes we process the data	Legal basis for the processing
<ul style="list-style-type: none"><li>• Name and address</li><li>• E-mail and telephone number</li><li>• Social security number</li><li>• Previous employments</li><li>• Education, qualifications and grades</li><li>• References from previous employers</li><li>• Personal information which you choose to disclose in your CV and personal letter</li></ul>	We collect and process the data for the purpose of our recruitment processes in order to assess and evaluate employment applications.	A weighing of interests where we rely on our legitimate interest in being able to properly evaluate received applications for employment.

### 3.5 Other processing purposes

In addition to the above, we may do the following with your personal data:

1. to comply with other legal and regulatory obligations that we have to discharge, or if we reasonably believe that use or disclosure is necessary to protect our rights, to establish, exercise or defend our legal rights and/or to comply with judicial or regulatory proceedings, a court order or other legal proceedings.
2. use it for our legitimate business interests, such as undertaking business research and analysis, managing the operations of our websites and our business.
3. use it to look into any complaints or queries you may have, and
4. use it for investigating, preventing and responding to actual or potential fraud or other illegal activities.

## 4 TRANSFER AND DISCLOSURE OF PERSONAL DATA

We will not share, sell, transfer or otherwise disclose personal data to third parties except as described in this Policy or if we are required to do so by law, other regulation or by decision from a court or competent authority.

Hammar skiöld & Co is required by law to disclose suspicions of money laundering and terrorism financing activities to the financial police authorities. We are not permitted to inform the client or any other person about such suspicions or that we have made or are contemplating to make disclosures to the police authorities.

We may share your personal data to parties outside Hammar skiöld & Co. Such third parties may include:

- Third party suppliers or contractors, bound by confidentiality undertakings, in connection with the processing of your personal data for the purposes described in this Policy. Such suppliers or contractors may include IT providers, such as data hosting and communications service providers, for example with regard to the managing and maintaining of our website and our e-

mail systems, communication of newsletters, events and other communication and back-up of our data.

- Third parties relevant to the legal services that we provide, such as counterparties to transactions or litigation, other professional service providers, regulators, public institutions, authorities and stock exchanges.

To the extent the abovementioned third parties constitute data processors, such third parties may only process the personal data in accordance with documented instructions as set out in a written data processing agreement between us and the relevant processor.

Hammarskiöld & Co stores your personal data in a secure manner within the EU/EEA. However, for the purposes described above, we may from time to time have to transfer your personal data to (or provide access to your personal data from) a country outside the EU/EEA (so called “third countries”). In such situations, we will always ensure that there is a legal basis and a relevant method for such data transfer (or access) so that your personal data is treated and processed in a manner consistent with EU laws and other applicable laws and regulations on data protection. Personal data will only be transferred to third countries if the European Commission has decided that the third country ensures an adequate level of protection or if appropriate safeguards are provided in accordance with article 46 or 49 of GDPR. Such adequate safeguards are use of “model contractual clauses” approved by the EU Commission, or if the recipient is located in the USA, where there recipient if a certified member of the EU-US Privacy Shield scheme. If you require further information on the protection of your personal data with respect to transfers to countries outside the EU/EEA (including a sample copy of the model contractual clauses) you can request such information by contacting [dataprotection@hammarskiold.se](mailto:dataprotection@hammarskiold.se).

## **5 YOUR RIGHTS**

According to the Swedish Code of Judicial Procedure (*Sw. rättegångsbalken*) and the Code of Conduct of the Swedish Bar Association, Hammarskiöld & Co has a duty of confidentiality in respect of matters disclosed to us by our clients (Attorney-Client Privilege). Our duty of confidentiality may thus affect (e.g. limit or prevent) your rights described below in this Section 5 with respect to our processing of your personal data.

### **5.1 Right to access**

Subject to the duty of confidentiality, you have the right to demand and receive confirmation whether or not we process personal data which concerns you. If such data is being processed, you have a right, subject to the duty of confidentiality, to receive information regarding the processing and a copy, free of charge, of the data being processed. For any further copies requested by you, we may charge a reasonable fee based on administrative costs.

### **5.2 Right to rectification**

You have the right to obtain, without undue delay, the rectification of inaccurate personal data concerning yourself. Taking into account the purposes of the processing, you also have the right to have incomplete personal data completed.

### **5.3 Right to erasure (“the right to be forgotten”)**

You have a right to have your personal data erased without undue delay and we are obligated to erase personal data without undue delay where one of the following grounds applies:

- (a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- (b) the processing is based on your consent and you withdraw your consent, unless there are any other legal grounds for the processing;
- (c) you object to processing based on a weighing of interests and there are no overriding legitimate grounds for the processing (note however that you always have the right to erasure of your personal data used for direct marketing purposes);
- (d) the personal data have been unlawfully processed; or
- (e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which we are subject.

Please note however, that the right to erasure does not always apply, for example if the processing is necessary for compliance with a legal obligation which requires processing by Union or Member State law to which we are subject or for the performance of a task carried out in the public interest or for the establishment, exercise or defence of legal claims or if it is likely to render impossible or seriously impair the achievement of the objectives of the processing.

### **5.4 Right to restriction of processing**

You have the right to obtain restriction of the processing where one of the following applies:

- (a) the accuracy of the personal data is contested by you, for a period enabling us to verify the accuracy of the data;
- (b) the processing is unlawful and you oppose the erasure of the personal data and request that the use of the data is instead restricted;
- (c) we no longer need the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defence of legal claims;
- (d) you have objected to processing based on a weighing of interests, pending the verification whether our legitimate grounds to process the data override yours.

### **5.5 Right to data portability**

You have, under certain circumstances, the right to transmit the data to another controller, for example if the processing is based on your consent or on a contract between you and Hammarskiöld & Co given that the processing is carried out by automated means. Where technically feasible, you shall have the right to have the personal data transmitted directly from Hammarskiöld & Co to another controller.

### **5.6 Right to object**

You have the right to object, at any time, to processing of personal data which is based on a weighing of interests or based on necessity for the performance of a task carried out in the public interest.

Hammar skiöld & Co shall no longer process the personal data unless Hammar skiöld & Co demonstrates compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims. Where personal data are processed for direct marketing purposes, you shall have the right to object at any time to processing of personal data for such marketing purposes.

#### **5.7 Right to complain to the Swedish Data Protection Authority**

If you consider that your rights are not being respected by us, you are welcome to notify us and you also have a right to lodge a complaint with the Swedish Data Protection Authority (*Sw: Datainspektionen under change of name to Integritetsskyddsmyndigheten*).

### **6 IF YOU DO NOT WANT TO PROVIDE THE PERSONAL DATA WE REQUEST**

It is your sole decision to provide personal data to us. If you do not provide us with all or some of the personal data we request, we may not be able to accept your (or the company you represent) request for engagement with us, nor provide all or some of our legal services. Further, we may not be able to enter into a contract with you (or the company you represent) or send marketing or other communication to you.

### **7 HOW WE PROTECT YOUR PERSONAL DATA**

Protection and confidentiality of your and our clients' data is of utmost importance to us. We protect the integrity of the personal data we process and we will ensure that the personal data that we hold is subject to appropriate security measures. Our work to provide security with regard to personal data includes protection of information, IT infrastructure and internal secure networks. Special attention is given to the security of information in order to prevent and detect unauthorized access to or loss of data. Encryption is performed by way of recognized and safe encrypting methods. We encrypt data in transit externally and at rest, including backups. Please note, however, that Hammar skiöld & Co cannot be held responsible should you send unencrypted information to us. As part of our services, we provide our clients the possibility to upload and receive documents containing particularly sensitive information to an encrypted area, thus enabling secure transfer of particularly sensitive data. We work continuously to protect our networks against spam and viruses.

### **8 HOW LONG WILL WE RETAIN YOUR INFORMATION?**

We will not store personal data for a longer period of time than necessary due to the circumstances. How long we store your personal data will vary and will generally depend on the purpose for which we are using your personal data, where we will need to keep the information for as long as is necessary for the relevant purpose, and legal obligations, where laws and regulations may require a minimum period during which we must keep your personal data. Further, storing and sorting out of personal data will be performed in accordance with the Code of Conduct of the Swedish Bar Association and Hammar skiöld & Co's internal policy. Please note that according to the Code of Conduct, Hammar skiöld & Co is obligated to archive and store all relevant documents filed in connection with client matter for ten years or longer, depending on the nature of the client matter.

## 9 CHANGES TO THIS POLICY

We reserve the right to update this Policy at any time. If we make any changes to this Policy we will make an updated copy of this Policy available on our website. Updates to this Policy will be published and accessible [here](#).

## 10 CONTACT INFORMATION

In order to exercise your rights or if you wish to receive more information regarding our processing of personal data or if you have any questions you are welcome to contact us at:

**Data controller:** Advokatfirman Hammarskiöld & Co AB (org. no. 556547-1637)  
P.O. Box 2278  
103 17 Stockholm  
+46 8 578 450 00  
[dataprotection@hammarskiold.se](mailto:dataprotection@hammarskiold.se)

The contact person of the data controller is [Thomas Lindqvist].

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