

# FRICK & PARTNER

ATTORNEYS AT LAW LTD.



## Data protection notice **Clients**

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Dear Client

With the following data protection notice we would like to give you an overview on how personal data may be processed by our law firm and your rights in relation to this information under the EU General Data Protection Regulation (GDPR) and the Liechtenstein Data Protection Act (DPA). The specific data that will be processed and how the data will be used will essentially depend on the services that will be provided.

In the course of our client relationship, we will need to process personal data required for the purpose of fulfilling our mandate, meeting applicable statutory or contractual requirements. Without having this data, we would generally be unable to enter into or maintain a client relationship.

Your privacy is important to us. Should you have any questions concerning specific data processing activities or wish to exercise your rights, as further described under section 5 below, please contact the controller:

**Frick & Partner Attorneys at Law Ltd.**

Austrasse 79

LI-9490 Vaduz

T +423 238 11 38

Fax +423 238 11 22

info@fricklaw.li

## **1 Which data will be processed (data categories) and from which sources do they come from (origin)?**

We collect and process personal data that we obtain in the course of our client relationship with our Clients. Personal data may be processed at any stage of the client relationship and the type of data will vary depending on the group of persons involved.

Generally, we will process personal data that you provide in the course of submitting powers of attorney, agreements, contracts, forms, correspondence or other documents to us. We may also process personal data which were not collected directly with you but lawfully obtained by third parties or originate from publicly available sources.

We only collect personal data that we need to provide and manage our legal services or that you have voluntarily made available to us.

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Personal data concerns the following categories of data in particular:

- Personal details (e.g. name, date of birth, nationality)
- Address and contact details (e.g. private or business address, telephone number, e-mail address)
- Identification data (e.g. passport or ID details)
- Image and sound files (e.g. video recordings or and voice recordings, photos)
- Information necessary for the assertion and defence of your rights under the mandate. Sensitive data such as health data or data related to criminal proceedings may also be included.

## 2 For which purposes and on which legal basis will your data be processed?

We process personal data in accordance with the provisions of the GDPR and the DPA for the following purposes and on the following legal basis:

- For the fulfilment of a contract or to take steps prior to entering into a contract in connection with our legal services. In general the data will be processed at your request for the purpose stated for the appropriate processing of the mandate and for the mutual fulfilment of obligations arising from the mandate relationship.
- For compliance with a legal obligation or in public interest, in particular for compliance with legal and supervisory requirements (e.g. GDPR, DPA, Lawyers Act, due diligence and anti-money laundering rules, tax legislation and tax treaties).
- For the protection of legitimate interests of us or third parties for specially defined purposes, in particular to assert and enforce claims, to guarantee IT security and IT operations, video surveillance to ensure compliance with house rules and to prevent threats.
- On the basis of the consent given by you for the fulfilment of our mandate. You have the right to withdraw your consent at any time. This also applies to the withdrawal of declarations of consent that were given to us before the GDPR came into effect, i. e. prior to 25 May 2018. Consent may only be withdrawn with effect for the future and does not affect the lawfulness of data processing undertaken before consent was withdrawn.

We reserve the right to engage in the further processing of personal data, which we have collected for any of the foregoing purposes, including any other purposes that are consistent with the original purpose or which are permitted or prescribed by law (e.g. reporting obligations).

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### 3 Who will have access to personal data and how long will the data be held?

Parties within and outside of the law firm may obtain access to your data. Employees within the law firm may only process your data to the extent required for the purpose of fulfilling our contractual, statutory and regulatory duties as well as pursuing legitimate interests.

Your personal data will only be disclosed to third parties if this is necessary for the processing of the client relationship. Third parties include adversaries and their representatives as well as courts and other authorities for the purpose of correspondence and for asserting and defending your rights. In addition, data may be disclosed to processors, for example in the area of IT services.

Public bodies and organizations (e.g. supervisory authorities, fiscal authorities) may also receive your personal data where there is a statutory or regulatory obligation.

Data will only be transferred to countries outside the EU or EEA (so-called third countries) if

- this is required for the purpose of taking steps prior to entering into a contract, performing a contract, supplying services or executing orders;
- you have given us your consent
- this is necessary for important reasons of public interest or
- this is mandatory by law.

We process and store your personal data throughout the duration of client relationship. In addition, the length of time that data will be stored will depend on whether processing continues to be necessary as well as the purpose of processing. Data will be erased at regular intervals, if the information is no longer required for the purpose of fulfilling contractual or statutory duties or pursuing our legitimate interests, i.e. the objectives have been achieved, or if consent is withdrawn, unless further processing is necessary by reason of contractual or statutory retention periods or documentation requirements, or in the interests of preserving evidence throughout any applicable statutory limitation periods.

### 4 Will there be automated decision-making including profiling?

We basically do not make decisions based solely on the automated processing of personal data. We will inform you separately in accordance with the statutory regulations of any intention to use this method in particular circumstances.

## 5 Which data protection rights do you have?

As a client or generally as a person affected you have -subject to the obligation of legal confidentiality - the following data protection rights:

We kindly ask you to inform us of any changes of your personal data.

- **Right of access:** You may obtain information from the law firm about whether and to what extent personal data concerning you are being processed (e.g. categories of personal data being processed, purpose of processing).
- **Right to rectification, erasure and restriction of processing:** You have the right to obtain the rectification of inaccurate or incomplete personal data concerning you. In addition, your personal data must be erased if the data are no longer necessary in relation to the purposes for which they were collected or processed, if you have withdrawn your consent, or if the data have been unlawfully processed. You also have the right to obtain restriction of processing.
- **Right to withdraw consent:** You have the right to withdraw your consent to the processing of personal data concerning you for one or more specific purposes at any time, where the processing is based on your explicit consent. This also applies to declarations of consent provided before the GDPR took effect, i.e. prior to 25 May 2018. Please note that consent may only be withdrawn with effect for the future and does not affect any data processing undertaken prior to withdrawing consent. Moreover, the withdrawal of consent has no effect in relation to data processing undertaken on other legal grounds.
- **Right to data portability:** you have the right to receive the personal data concerning you, which you have provided to the controller, in a structured, commonly used and machine-readable format, and to have the data transmitted to another controller.
- **Right to object:** You have the right to object, on grounds relating to your particular situation, without any formal requirements, to the processing of personal data concerning you, if such processing is in the public interest or in pursuit of the legitimate interests of the law firm or a third party.
- **Right to lodge a complaint:** You have the right to lodge a complaint with the relevant Liechtenstein data protection authority. You may also lodge a complaint with another data protection authority in an EU or EEA member state, e.g. your place of habitual residence, place of work or the place in which the alleged breach took place.

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The contact details for the data protection authority in Liechtenstein are as follows:

## **Liechtenstein data protection authority**

Städtle 38, P.O. Box 684  
9490 Vaduz, Liechtenstein  
T +423 236 60 90  
info.dss@llv.li

You should preferably submit any requests for access or raise any objections with us in writing. We are also the appropriate point of contact for any other data protection matters.

## **6 Data security**

We apply safety standards compliant to data protection law. However unauthorized access and improper use of data by third parties cannot be completely excluded therefore we cannot accept any responsibility or liability.

May 2020