

# KALLIOLAW CUSTOMER PRIVACY POLICY

This privacy policy has been latest updated on 28 February 2020

## **1 CONTROLLER**

Kalliolaw Attorneys Ltd (Business ID 1621379-9) ("**Kalliolaw**")

Address: Eteläranta 12, 00130 Helsinki, Finland

Tel +358 9 6812 930 | Fax +358 9 6812 9320

## **2 PERSON RESPONSIBLE FOR PERSONAL DATA MATTERS**

Pekka Kiviniemi

e-mail: pekka.kiviniemi@kalliolaw.fi

## **3 PURPOSE OF REGISTER**

3.1 Kalliolaw's Customer Register contains personal data of persons who represent Kalliolaw's customers towards Kalliolaw. Such persons are for example directors, employees or contracting parties of such customers (each later referred to as "**person**").

3.2 The provision of personal data is voluntary. However, if Kalliolaw does not have the personal data it requests, it may not be able to provide services to the customer.

## **4 PURPOSES AND LEGAL BASIS FOR PROCESSING**

### **4.1 Purposes for processing:**

- a) Rights and obligations based on the principal and attorney relationship, such as (i) customer's rights according to rules of the Finnish Bar Association, (ii) rights and obligations of the parties related to service prices and (iii) invoicing.
- b) Cooperation with Kalliolaw's cooperation partners. Cooperation partners are independent advisors or attorneys which the customer and Kalliolaw together agree to seek advice from (for example, Kalliolaw's cooperating attorneys abroad). The legal basis for processing of personal data for this purpose is the assignment contract between the customer and Kalliolaw and Kalliolaw's steps prior to entering into such assignment contracts.
- c) Development of Kalliolaw's services, based on e.g. responses to customer satisfaction surveys. The legitimate interests pursued by Kalliolaw is the legal basis for processing of personal data for this purpose.
- d) Taking care of statutory obligations of Kalliolaw, such as obligations related to the Advocates Act, information security and anti-money laundering matters, and ensuring compliance with the Finnish Bar Association's rules, for example by checking conflicts of interest.
- e) Providing information on Kalliolaw's services and marketing of Kalliolaw's services, within the boundaries set by law. When legislation requires consent for marketing, consent is the legal basis for processing of personal data. When legislation does not require consent, the legitimate interests pursued by Kalliolaw is the legal basis for processing of personal data.

## 4.2 Legal basis for processing:

- a) Statutory obligations and rights of Kalliolaw as stipulated by the laws applicable on the members of the Finnish Bar Association, for example the Advocates Act (496/1958) and anti-money laundering regulations.
- b) Assignment contracts between the customer and Kalliolaw.
- c) When the legitimate interests pursued by Kalliolaw is the legal basis for processing of personal data, Kalliolaw has performed the following assessment.

Such **legitimate interests** exist because there is a relevant and appropriate relationship with the person and/or his/her organization and Kalliolaw, such as a customer relationship. The interests and fundamental rights and freedoms of the person are respected, as no data pertaining to the special categories of personal data are processed and the person can expect Kalliolaw's processing activities. Provision of Kalliolaw's services, performance of a contract or cooperation with cooperation partners would not be possible without processing of the personal data.

## 5 CONTENTS OF REGISTER

The register includes the following personal data:

- (a) name;
- (b) title or position;
- (c) business address;
- (d) employer or other similar organization;
- (e) language;
- (f) email address;
- (g) phone number;
- (h) personal data required under anti-money laundering regulations, such as copy of personal ID and a personal ID number; and
- (i) responses to customer surveys and other feedback.

## 6 SOURCES OF PERSONAL DATA

6.1 The personal data is collected from the person or the person's organization.

6.2 Other possible sources of personal data are:

- (a) Suomen Asiakastieto Oy and other sources of marketing data;
- (b) Finnish Patent and Registration Office and the Tax Administration;
- (c) Authorities in Finland and other countries (such as local trade register authority); and
- (d) other public sources (such as the Internet) for Know-Your-Client purposes.

## 7 TRANSFERS OF PERSONAL DATA

### 7.1 Personal data may be transferred to the following parties:

- (a) external cooperation partners of Kalliolaw, if use of an external partner has been agreed with the customer. The external partners may process personal data for Know-Your-Client purposes and to provide agreed services to the customer, and they may also become data controllers of the personal data;

- (b) to the Finnish Bar Association in connection with their supervision or other of their tasks, to extent required by the Finnish Bar Association's rules or the Advocates Act; and
- (c) to legally required auditor of Kalliolaw, for auditing purposes to extent required by legislation.

**7.2 Personal data may be transferred to the following parties, who provide systems and ICT support services to Kalliolaw ("Service Provider" or "Service Providers")**

- (a) ICT, financial administration, invoicing, customer relationship management system (CRM) and enterprise resource planning system (ERP) suppliers, suppliers of customer survey systems, newsletter systems and other mailing systems, and suppliers of other similar support services, and subcontractors of all these suppliers. These suppliers process personal data only in order to provide services and systems to Kalliolaw. They do not process the personal data for other purposes.
- (b) Except as set out in sub-section 7.2 (b)(i) below, Kalliolaw does not transfer to the Service Providers any customer communications related to assignments, information on the assignments, customer's information related to the assignments or the results of the assignments.
  - (i) The information and results defined in the sub-section 7.2 (b) above can be accessed by Service Providers providing ICT-support in necessary support functions. An example of these ICT-support services is that the Service Provider advises Kalliolaw's employee in Kalliolaw's own ICT matters. Feedback voluntarily given by the customer according to Section 5 (i) can be accessed by the Service Providers. The Service Providers providing systems and/or services related to financial administration and invoicing can also access the service specifications and limited personal data in Kalliolaw's invoices.

**8 TRANSFERS OF PERSONAL DATA TO THIRD COUNTRIES**

- 8.1 Kalliolaw does not itself transfer personal data to countries outside the European Economic Area ("**EEA**") or the European Union ("**EU**"), unless authorized to do so under applicable laws or unless consented to or instructed by the person or the customer.
- 8.2 With exception to customer communications related to assignments, information on the assignments, customer's information related to the assignments and the results of the assignments (that can be accessed only by Service Providers providing ICT-support in necessary support functions as set out in section 7.2 (b)(i)), the Service Providers and their subcontractors may transfer and process personal data (including also the feedback given by the customer according to Section 5 (i)) also outside the EEA and the EU. In its contracts with the Service Providers, Kalliolaw requires the Service Providers to ensure that there are legal grounds for the transfer.
- 8.3 Kalliolaw has a branch in the United Kingdom ("**UK**"). The UK branch is part of Kalliolaw and Kalliolaw has the same liability for both the UK branch and the operations in Finland. Kalliolaw may continue to process the personal data in the UK even after the UK ceased to be a member of the EU.

**9 PERIOD FOR WHICH PERSONAL DATA WILL BE STORED**

According to the Finnish Bar Association's rules, documents pertaining to assignments shall be stored for ten (10) years from the end of the relevant assignment. According to the Finnish Bar Association's rules, personal data related to conflict of interest investigations are to be stored without timely limitation. According to the Finnish Bar Association's rules and personal data legislation, personal data required for the

establishment, exercise or defence of legal claims can be stored for as long as legal claims can be made. This includes also the period for possible complaints on Kalliolaw's personnel that can be made to the Disciplinary Board of the Finnish Bar Association. Personal data is destroyed after Kalliolaw does not have any legal right or obligation to store the personal data.

## **10 RIGHT OF ACCESS TO PERSONAL DATA**

- 10.1 The person has the right to request and obtain information on what personal data concerning the person is processed by Kalliolaw or that no personal data is being processed.
- 10.2 Where such personal data is being processed by Kalliolaw, Kalliolaw shall provide the person with a copy of the personal data and the following information:
- (a) the purposes of the processing;
  - (b) the categories of personal data concerned;
  - (c) the recipients or categories of recipients to whom the personal data is to be or has been disclosed;
  - (d) the period for which the personal data will be stored;
  - (e) the existence of the right to request from Kalliolaw rectification or erasure of personal data concerning the person or to object to the processing of such personal data;
  - (f) the right to lodge a complaint to the supervisory authority and the contact details of the supervisory authority;
  - (g) communication of the personal data undergoing processing and of any available information as to its source; and
  - (h) the significance and envisaged consequences of automated decision-making based solely on automated means.
- 10.3 For any further copies requested by the person, Kalliolaw may charge a reasonable fee based on administrative costs.

## **11 RIGHT TO DATA PORTABILITY**

If Kalliolaw processes the person's personal data by automated means based on the person's consent or on a contract with the person, the person may request:

- (a) that Kalliolaw provides the person with the personal data which he or she has provided to Kalliolaw, in a structured, commonly used and machine-readable format; and
- (b) if technically feasible, that Kalliolaw transmits the personal data in the same format directly to another data controller.

## **12 RIGHT TO OBJECT TO PROCESSING**

The person has the right to object, on grounds relating to their particular situation, to Kalliolaw processing personal data on the basis of either (i) the legitimate interests of Kalliolaw or (ii) protection of the person's vital interests. The person however does not have the right to object if Kalliolaw has compelling legitimate grounds which override the person's interests.

## **13 RIGHT TO RESTRICT PROCESSING**

- 13.1 '**Restriction of processing**' means limiting the processing of stored personal data in the future.

- 13.2 At the person's request, Kalliolaw restricts processing in the following situations:
- (a) the accuracy of the personal data is contested by the person, in which case the processing is restricted for a period enabling Kalliolaw to verify the accuracy of the personal data;
  - (b) the processing is unlawful and the person opposes the erasure of the personal data and requests the restriction of its processing instead;
  - (c) Kalliolaw no longer needs the personal data for the purposes of the processing, but it is required by the person for the establishment, exercise or defence of legal claims; or
  - (d) the person has objected to processing, in which case the processing is restricted for the time during which it is verified whether Kalliolaw nevertheless has legitimate grounds for the processing.
- 13.3 In the situations listed above, Kalliolaw shall only process the personal data:
- (a) with the person's consent or for the establishment, exercise or defence of legal claims;
  - (b) for the protection of the rights of another natural or legal person;
  - (c) for reasons of important public interest of the EU or of an EU Member State; and/or
  - (d) to store the personal data.

## **14 RIGHT TO BE FORGOTTEN**

- 14.1 The person has the right to request erasure of his or her personal data if one of the following grounds applies:
- (a) the personal data is no longer necessary for the purposes for which it was collected or otherwise processed;
  - (b) the person withdraws consent on which the processing is based and where there is no other legal ground for the processing;
  - (c) the person objects to the processing in accordance with Section 12 and there are no overriding legitimate grounds for the processing;
  - (d) the personal data has been processed unlawfully; or
  - (e) the personal data has to be erased for compliance with a legal obligation in EU or EU Member State law to which Kalliolaw is subject.
- 14.2 However, Kalliolaw does not have to erase the personal data based on the grounds above to the extent Kalliolaw still needs to process the data:
- (a) in order to exercise the right of freedom of expression and information;
  - (b) for compliance with a legal obligation which requires processing by law to which Kalliolaw is subject or for the performance of a task carried out in the public interest;
  - (c) for reasons of public interest in the area of public health in accordance with legal requirements;
  - (d) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with legal requirements; or
  - (e) for the establishment, exercise or defence of legal claims.

## **15 RECTIFICATION AND RIGHT TO LODGE COMPLAINT WITH SUPERVISORY AUTHORITY**

- 15.1 At the person's request, Kalliolaw shall without undue delay correct, erase or supplement personal data if, taking into account the purpose of processing, the personal data is erroneous, unnecessary, incomplete or obsolete.
- 15.2 Should Kalliolaw decide not to take action in matters in sections 10-15.1 of this policy at the person's request, Kalliolaw will inform the person of this and of the reasons for not taking action without delay and at the latest within one month of receipt of the request. The person may then lodge a complaint with the supervisory authority.
- 15.3 If the person considers that the processing of personal data relating to him or her by Kalliolaw is unlawful, the person may lodge a complaint with a supervisory authority. The contact details of the Finnish supervisory authority are:

[www.tietosuoja.fi](http://www.tietosuoja.fi)

Office of the Data Protection Ombudsman

Postal address: P.O. Box 800, 00521 HELSINKI, FINLAND

Visiting Address: Ratapihantie 9, 00520 HELSINKI, FINLAND

Tel: +358 29 56 66700 (exchange)

Email: [tietosuoja@om.fi](mailto:tietosuoja@om.fi)

## **16 INFORMATION SECURITY**

The personal data processed on Kalliolaw's equipment is secured e.g. by using the following methods:

- (a) Kalliolaw's own server computers are located in Finland.
- (b) Mechanical or electric locks at Kalliolaw's premises.
- (c) Electrical surveillance systems at Kalliolaw's premises.
- (d) Double firewall systems and anti-malware systems on Kalliolaw's ICT systems.
- (e) Kalliolaw sends electronically verified emails (digital signature).
- (f) Personal user rights that can be traced in Kalliolaw's ICT systems.
- (g) Limited number of superusers.
- (h) Professional knowledge and training of Kalliolaw's personnel.
- (i) The Finnish Bar Association's practices and instructions concerning the processing of customer data, processing of personal data, information security and confidentiality.

## **17 NO AUTOMATED DECISION-MAKING OR PROFILING**

Kalliolaw does not use automated decision-making, such as profiling, in the processing of personal data.