

Terms of business for Hindkjær Law Firm

These terms and conditions apply to all the tasks performed by Hindkjær Law Firm unless otherwise agreed with the client.

The scope and contents of the assignments of an attorney

Hindkjær Law Firm's assignments include legal advice/legal tasks, which follow naturally from the nature of the task and any special instructions of the client. The legal advice only cover the content of Danish law and European Law.

Confidentiality

Hindkjær Law Firm is subject to a duty of confidentiality in relation to the information the firm receives.

The law firm, and all the employees of the law firm, must treat all information received as confidential. This confidentiality obligation also applies after the assignment has ended.

The duty of confidentiality is limited by the special exceptions that follow from public law legislation, and which imposes a duty of disclosure on the law firm in relation to public authorities or others, including the rules on money laundering.

Conflicts of interests

Hindkjær Law Firm is subject to the legal ethics rules on conflicts of interest.

Thus, prior to the start of an assignment, the law firm investigates whether there are any conflicts of interest, which result in the law firm being prevented from representing the client.

The client is involved to the extent necessary.

Fees and invoicing

Hindkjær Law Firm's fees are determined based on resource consumption and by the value the law firm's counselling has added to the assignment.

In determining the fee the following conditions are taken into consideration; the time spent, special competencies used, the complexity of the task, the interest the assignment represents to the client, whether the assignment has necessitated efforts under significant time pressure or outside normal working hours, the responsibilities associated with the task as well as the result obtained.

In addition to the fee, the client reimburses the law firm's expenses and certain direct costs, which i.a. includes court fees, registration fees, courier services, travel and accommodation expenses and copying fees. Direct costs and expenses are stated in the invoice.

The fee is subject to VAT unless special exceptions apply in accordance with current legislation.

Terms of payment are net in cash 8 days from the invoice date, after which default interest can be calculated in accordance with the provisions of the Interest Act.

Insurance

Hindkjær Law Firm has taken out liability insurance and provided a guarantee in accordance with the legislation and the Danish Bar Association's rules.

The liability insurance covers the practice of all law practice, regardless of where the law practice is carried out. The law firm's liability insurance and guarantee is taken out in CNA Hardy, Hammerens gade 6, 1267 København K.

Client money

All amounts paid into Hindkjær Law Firm's client accounts are deposited in client bank accounts in a Danish bank at the client's expense and risk.

With effect from 1 June 2015, the previous state guarantee for client account funds deposited in law firms' client accounts lapsed.

The law firm is not liable for losses due to a bank being in distress.

Unless client funds, at the request of the client, are deposited in a separate client account all paid client funds are included in collection accounts with other client funds, which is guaranteed by Hindkjær Law Firm. A client's deposit in a distressed bank is calculated as the proportionate share of the law firm's total client funds with the addition of the client's other deposits in the distressed bank, and is covered in total under the state guarantee for deposits with a maximum of EUR 100,000 (approx. DKK 750,000).

For private home sales, the above amounts of EUR 100,000 have been extended to include amounts of up to EUR 10 million, provided that this is a customary disposition regarding a home business in the form of, for example, a deposit, guarantee or similar.

Thus, if the client needs Hindkjær Law Firm to take special precautions in relation to the placement of any client funds, the law firm must have notice of this immediately upon the establishment of the client relationship or whenever the need occurs in an ongoing client relationship.

Filing

Case files are kept in archives for 3 years from the end of the case.

Original documents are returned no later than the end of the case.

Communication

The law firm finds security to be of great importance, including IT security, but the law firm cannot guarantee the maintenance of confidentiality by external communication via e-mail, etc. At the request of the client, encryption systems or digital signatures are used.

Personal data policy

The law firm processes clients' personal information at all times in accordance with the applicable law.

In connection with setting up a client in the law firm's system, registration of the client's personal information by name, CPR number / CVR number, if necessary, photo identification, address, telephone number and e-mail address will be made in order to comply with the rules on money laundering and to ensure contact information on the client.

The registration in the law firm's system only takes place with the client's consent.

The client must be informed of exactly what information the law firm collects and why.

This is done on an ongoing basis in the registration procedure.

As a client / registered with the law firm, you always have the right to object to the registration, and you have the right to insight into what information is registered. Inquiries in connection with this are directed to Hindkjær Law Firm via e-mail: post@hindkjaerlaw.com.

The following groups of employees have access to the registered information: Legal staff, secretaries, administration and bookkeeping. Client information is not passed on to other companies. The firm's IT providers manage the law firm's servers and statistics systems.

The law firm primarily collects information for the purpose of complying with the legislation, including the money laundering rules, as well as having the necessary contact information on the clients.

The personal information is registered with the law firm and stored for up to 5 years, after which the information is deleted, unless after this period an active client relationship persists where it may be in the client's interest that the law firm have knowledge of and use the information in question, or if the client has given consent for the information to be stored longer. The law firm does not store client information encrypted. Storage takes place at the law firm's hosting partner.

All information is confidential and belong to Hindkjær Law Firm.

Limitation of liability

Hindkjær Law Firm is liable for the advice provided in accordance with the general rules of Danish law with the restrictions set out below.

Hindkjær Law Firm's liability does not include liability for operating losses, loss of time, loss of data, lost profits, goodwill or other indirect losses.

The law firm is not responsible for advice provided by clients' other advisers. This applies even though such advisers are engaged as assistance to the law firm, as well as the law firm is not liable for any errors committed by subcontractors to whom the law firm, by agreement with the client, has engaged.

Hindkjær Law Firm's responsibility for advice in connection with the specific assignment cannot exceed DKK 10 million.

Complaints

Hindkjær Law Firm is subject to comply with the Code of Conduct for the Danish Bar and Law Society.

The Code of Conduct can be found on www.advokatsamfundet.dk.

The client can complain about the law firm's advice and the calculated fee to the Bar Council / Bar Council Secretariat, Kronprinsessegade 28, 1306 Copenhagen K. Mail: klagesagsafdelingen@advokatsamfundet.dk, www.advokatsamfundet.dk/Advokatnaevnet.aspx.

Choice of law and jurisdiction

Any disputes regarding Hindkjær Law Firm's advice are subject to Danish law and can only be brought before Danish courts.

General information

All attorneys working at Hindkjær Law Firm are appointed by the Ministry of Justice in Denmark and are part of the Bar Association. Hindkjær Law Firm is a personally owned company and is driven from the address Grønnegade 2, 1st floor, 8000 Aarhus C. The law firm's CVR no. is 16 90 22 41. The law firm's bank is Nordea.