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This book examines the lawyer's duty of professional secrecy (also known as the attorney-client privilege) in the twenty-seven Member States of the European Union, the three Member States of the European Economic Area, and Switzerland. It provides valuable information for those working on transactions or litigations which involve several countries - they can use this book to find out to what extent any

information shared with or any advice received from a lawyer is protected in each of ...

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In common law legal privilege comprises the contents of documents issued by an attorney to the client. Professional secrecy of attorneys in civil law jurisdictions applies solely to independent lawyers; in-house lawyers are usually not allowed to benefit from rules on professional secrecy (exceptions in the Netherlands and Belgium). On the other hand, common law jurisdictions apply legal professional privilege, recognized also to in-house lawyers.

Professional secrecy and legal professional privilege ...

Professional secrecy. Austria. 05.06.2018. The ADPA does not provide for specific regulations in this regard. However, the ADPA contains the following principles: Data secrecy: Sec 6 ADPA provides for a general principle of data secrecy and obliges all data controllers, processors and their employees to keep all personal data strictly confidential. Further, Sec 5 ADPA provides for a specific obligation for Data Protection Officers to keep all received information strictly confidential.

GDPR Tracker - Professional secrecy

Professional secrecy has since long ceased to exist, in the case where the lawyer is confronted with money laundering or terrorism - where the journalist's source protection also ceases. Last year, however, a further European Directive has been in place, which could further undermine professional secrecy, at least for those lawyers working for the financial sector.

The lawyers are broke: professional secrecy is at stake ...

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Portugal (Chapter 26) - Professional Secrecy of Lawyers in ...

Professional secrecy in GERMANY is no longer solely based on the provisions of the Criminal Code, but also on the law regulating the legal profession: §43 a II of the Bundesrechtsanwaltsordnung - BRAO, German Lawyers Act: "The lawyer is bound by professional secrecy obligations. This duty refers to information that the lawyer became

THE PROFESSIONAL SECRET, CONFIDENTIALITY AND LEGAL ...

In France, the protection of communications between attorney and client derives both from the obligation incumbent upon lawyers to maintain the secrecy of the information and documents exchanged...

Legal Privilege & Professional Secrecy in France - Lexology

It is generally recognised that article 321 of the Swiss Criminal Code, pursuant to which the intentional breach of the professional secrecy by an attorney is a punishable offence, also applies to...

Legal Privilege & Professional Secrecy in Switzerland ...

It has also been claimed that the duty of professional secrecy prevents lawyers from fulfilling their duty of disclosure and the authorities from gaining access to lawyers' client files. More and more people believe that the duty of professional secrecy should yield. In this regard it is important to be aware of why we have a statutory duty of professional secrecy for lawyers and to understand the intrinsic value of this right for the client.

Norway (Chapter 24) - Professional Secrecy of Lawyers in ...

The duty of professional secrecy ensures the confidentiality of discussions between a lawyer and his or her client so that no third party can gain access to the information exchanged. Lawyers are not entitled to disclose information provided by their clients and should never be forced to do so. The information exchanged is privileged.

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particular that the interception of conversations between the lawyer and his client undoubtedly breaches professional secrecy, which is the basis of the relationship of trust existing between a lawyer and his client. Versini-

Campinchi and Crasnianski v. France. 16 June 2016 . The applicants were a lawyer and his junior colleague.

Legal professional privilege

For each jurisdiction, we set forth some of the main national laws or rules which create or describe the lawyer's fundamental duty of professional secrecy (the duty of lawyers to maintain in confidence the matters disclosed by them to their clients, in the course of rendering legal advice) and we also offer guidance as to whether staff and employees of such lawyers are included within the ambit of the duty not to disclose.

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