



## **PRIVACY STATEMENT VAN DEN EERENBEEMT NOTARISSEN B.V.**

This statement provides information about the way our office, as the controller within the meaning of the General Data Protection Regulation, handles personal data that are processed in the context of the work and the services.

### **1. OUR CONTACT DETAILS**

Office name	: Van den Eerenbeemt notarissen B.V.
Address	: Apollolaan 153
Postal code / City	: 1077 AS Amsterdam
Contact person	: Herman van den Eerenbeemt
E-mail address	: <a href="mailto:he@vdenotarissen.nl">he@vdenotarissen.nl</a>
Telephone	: +31 6 20201737

### **2. PROCESSING PERSONAL DATA**

As a civil-law notary office, we collect and use data on (directly or indirectly identifiable) natural persons ("personal data"). This includes data pertaining to the following categories of data subjects:

- Individuals who are clients or who are employed by our clients (paragraph 3);
- Third parties whose data appear in the files we handle, such as counterparties of our clients, business contacts in the chain and other relevant third parties (such as experts) (paragraph 3);
- Individuals who provide products or services to us (suppliers) or who are employed by our suppliers (paragraph 4);
- Visitors to our office (paragraph 5);
- Visitors to our website (paragraph 6);
- Job applicants (paragraph 7).

This document describes the types of personal data we process (as far as necessary) and the purposes and legal basis for this.

If we process your personal data on the basis of consent, you may withdraw your consent at any time. This does not affect the lawfulness of the processing on the basis of your consent prior to the withdrawal.

In addition to the types of processing specified below, we process personal data (where necessary) to handle and settle (impending) disputes based on our legitimate interest in dealing with (impending) disputes and to defend our legal position if necessary.

This statement also explains how we collect your data (paragraph 8), to whom we may provide your data (paragraph 9), how we secure the data (paragraph 10) and how long we keep them (paragraph 11), what your rights are (paragraphs 12 and 13), how you may file a complaint (paragraph 14) and how we handle amendments to this statement (paragraph 15).

### **3. NOTARIAL SERVICES**

In order to properly carry out our work for clients, it is necessary and sometimes legally required to process personal data. This involves personal data of our clients, of individuals who are employed by our clients and of third parties whose data appear in the files we handle, such as counterparties of our clients, business contacts in the chain and other relevant third parties (such as experts).

#### **3.1. Categories of personal data**

We process the following (categories of) personal data (where necessary):

- Name, address and contact details;
- Data from counterparties or third parties;
- Extracts from the Chamber of Commerce, the Land Registry and other public registers;
- Information about the case;
- Copies of identity documents;
- Payment and bank details;
- Any other personal data you provide to us or whose processing is required or necessary.

#### **3.2. Rules on personal data in notarial deeds**

If our office draws up a notarial deed containing your personal data, the civil-law notary is bound by legal rules. These rules affect the processing of personal data:

- (a) The civil-law notary is required to include certain (personal) data in the deed. This means that your data are processed on a legal basis.
- (b) The civil-law notary is required to keep the signed deed containing your personal data in perpetuity.
- (c) When the deed is signed by the civil-law notary, it becomes official documentary evidence. It will no longer be possible to make any changes, not even if the personal data are incorrect. If changes are needed, the civil-law notary has to draw up a new deed with the change.



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- (d) The civil-law notary is required to verify certain (personal) data in the Key Register of Persons (Dutch BRP), Commercial Register and Land Registry.
- (e) The civil-law notary is required to verify your identity. To do so, he must ask you for a valid form of identification. The civil-law notary is one of the few people who are also allowed to make a copy of the identification document and all the information it contains.
- (f) The civil-law notary has an obligation of professional secrecy with regard to your personal data. Unauthorised individuals will not have access to the data.

### 3.3. Consultation and other services

The following applies to all other types of processing of personal data by our office:

- The purposes and legal grounds for the processing category "**the processing (including retrieval, collection, consultation, use, storage) of personal data for the purpose of executing and keeping notarial deeds**" are as follows:
  - (i) Purposes: execution of the notarial deeds.
  - (ii) Legal grounds: legal obligation; retention period at the office is 20 years; after 20 years, deeds may be moved to the general depository and after 30 years they must be moved.
- The purposes and legal grounds for the processing category "**the processing (including retrieval, collection, consultation, use, storage) of personal data for the purpose of preparing and/or finalising notarial deeds (file)**" are as follows:
  - (i) Purposes: execution of the notarial deeds.
  - (ii) Legal grounds: legal obligation; retention period is 20 years, with the exception of data under the Money Laundering and Terrorist Financing (Prevention) Act, which are subject to a retention period of 5 years.
- The purposes and legal grounds for the processing category "**the processing of personal data by means of the transmission of drafts and file documents to third parties**" are as follows:
  - (i) Purposes: provide information to third parties regarding the execution of assignments from clients.
  - (ii) Legal grounds:
    - If you are our client: performance of contract;
    - If you are not our client (but your employer is, for example, or you are (employed by) a counterparty, business contact or other third party): legitimate interest of Van den Eerenbeemt notarissen B.V. or our client, as the case may be (in both cases: execution of the assignment/instructions of the client).



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- The purposes and legal grounds for the processing category "**the processing (including retrieval, collection, consultation, use, storage) of personal data relating to services that do not require a notarial deed, such as advertising, private instruments and/or settlement of an estate**" are as follows:
  - (i) Purposes: execution of assignments from clients.
  - (ii) Legal grounds:
    - If you are our client: performance of contract;
    - If you are not our client (but your employer is, for example, or you are (employed by) a counterparty, business contact or other third party): legitimate interest of Van den Eerenbeemt notarissen B.V. or our client, as the case may be (in both cases: execution of the assignment/instructions of the client).
  
- The purposes and legal grounds for the processing category "**the processing by means of transmission for the purpose of entering data or deeds in register(s)**" are as follows:
  - (i) Purposes: disclosure.
  - (ii) Legal grounds:
    - Legal obligation; or
    - In case of registration in the Central Register of Living Wills (Dutch CLTR):
      - If you are our client: performance of contract;
      - If you are not our client (but the heir, for example, or another affected party): legitimate interest of Van den Eerenbeemt notarissen B.V. (execution of the assignment/instructions of the client) or our client, as the case may be (execution of the assignment/instructions of the client, disclosure of existence of living will).
  
- The purposes and legal grounds for the processing category "**the processing (including recording and consultation) of personal data for the purpose of authenticating signatures and copies of identification documents and/or other documents**" are as follows:
  - (i) Purposes: confirm authenticity of signature or authenticity of the document on request.
  - (ii) Legal grounds:
    - Performance of contract (if you are our client);

- If you are not our client (but your employer is, for example): legitimate interest of Van den Eerenbeemt notarissen B.V. (execution of the assignment/instructions of the client) or our client, as the case may be (execution of the assignment/instructions of the client, obtain confirmation that the signature or document is genuine).

The retention period in both cases is 5 years.

- The purposes and legal grounds for the processing category "**the processing (including retrieval, collection, consultation, use, storage) of personal data for the purpose of managing business relationships with contact persons in the chain**" are as follows:
  - (i) Purposes: to inform and facilitate collaboration in the chain.
  - (ii) Legal grounds: legitimate interest of Van den Eerenbeemt notarissen B.V. or our client, as the case may be (in both cases: referral to business contacts in the chain, execution of the assignment/instructions of the client).

#### **3.4. Marketing and business development**

- The purposes and legal grounds for the processing category "**the processing (including retrieval, recording, use, storage) of personal data for the purpose of marketing and business development activities, such as sending out newsletters, invitations to events and other relevant marketing communications**" are as follows:
  - (i) Purposes: marketing and business development
  - (ii) Legal grounds: consent, legitimate interest of Van den Eerenbeemt notarissen B.V. (to bring our services to the attention of our existing clients and maintain our business relationships with them).

#### **3.5. Financial accounting**

- The purposes and legal grounds for the processing category "**the processing (including collection, recording, use, storage) of personal data for financial accounting purposes**" are as follows:
  - (i) Purposes: (a) disclosure of financial rights and obligations of Van den Eerenbeemt notarissen B.V., (b) performing audits, (c) billing for our services and (d) debt collection, including assignment of these debts to third parties.
  - (ii) Legal grounds: (re a and b) legal obligation of Van den Eerenbeemt notarissen B.V. to keep proper records and its legitimate interest in doing so, (re c) performance of contract (if you are our client) or legitimate interest of Van den Eerenbeemt notarissen B.V. in billing for our work, and (re d) performance of contract (if you are our client), the legitimate interest of Van den Eerenbeemt notarissen B.V. in collecting debts.

#### 4. SUPPLIERS

When we purchase goods or services from suppliers, we process personal data from those suppliers or from individuals employed by them.

##### 4.1. Categories of personal data

We process the following (categories of) personal data (where necessary):

- Name, address and contact details;
- Chamber of Commerce number;
- VAT number;
- Payment and bank details;
- Details of orders or the purchase of goods and/or services;
- Any other data whose processing is necessary or required by applicable laws or regulations.

##### 4.2. Supplier management

- The purposes and legal grounds for the processing category "**the processing (including collection, recording, use, storage) of personal data for supplier management purposes**" are as follows:
  - (i) Purposes: selection of suppliers, placing orders or purchasing services, maintain contact with our suppliers.
  - (ii) Legal grounds:
    - If you are our supplier: legitimate interest of Van den Eerenbeemt notarissen B.V. (selection of suppliers), performance of contract;
    - If you are not our supplier (but you are our contact person, for example, or you are employed by our supplier): legitimate interest of Van den Eerenbeemt notarissen B.V. (selection of suppliers, placing orders and purchasing services, maintain contact with our suppliers).

##### 4.3. Financial accounting

- The purposes and legal grounds for the processing category "**the processing (including collection, recording, use, storage) of personal data for financial accounting purposes**" are as follows:
  - (i) Purposes: (a) disclosure of financial rights and obligations of Van den Eerenbeemt notarissen B.V., (b) performing audits, (c) billing.



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- (ii) Legal grounds: (re a and b) legal obligation of Van den Eerenbeemt notarissen B.V. to keep proper records and its legitimate interest in doing so, (re c) performance of contract (if you are our client) or legitimate interest of Van den Eerenbeemt notarissen B.V. (if you are not our supplier but our contact person, for example, or you are employed by our supplier) in assessing invoices from the supplier, making payments and recording expenses.

## 5. VISITORS

We may record who visits our office and with whom an appointment was made.

### 5.1. Categories of personal data

We process the following (categories of) personal data (where necessary):

- First and last name;
- Contact details;
- Details of your position and/or the organisation where you work;
- Details of visit to our office;

### 5.2. Visitor registration

- The purposes and legal grounds for the processing category "**the processing (including collection, recording, use, storage) of personal data for visitor registration purposes**" are as follows:
  - (i) Purposes: organisation of reception of visitors, office security.
  - (ii) Legal grounds: legitimate interest of Van den Eerenbeemt notarissen B.V. (relationship management, performance of our services, office security).

## 6. WEBSITE VISITORS

### 6.1. Categories of personal data

If you visit our website or contact us via the contact information published on our website, we process the following (categories of) personal data:

- Name, address and other contact details insofar as these have been disclosed to us; and
- Correspondence data ((personal data in) letters, e-mails or other electronic messages);
- Data related to your visit to [www.vdenotarissen.nl](http://www.vdenotarissen.nl), including your browsing habits (when you visit the website, the duration of your visit and which parts of the website you visit) and your IP address.



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## 6.2. Website

- The purposes and legal grounds for the processing category "**the processing (including collection, recording, use, storage) of personal data for the purpose of responding to a message or request from website visitors**" are as follows:
  - (i) Purposes: to respond to a message or request, communicate with the sender about the message or request, and document the way it is handled.
  - (ii) Legal grounds: legitimate interest of van den Eerenbeemt notarissen B.V. (our interest in handling your message or request correctly and having the ability to respond properly if you contact us in the future).
  
- The purposes and legal grounds for the processing category "**the processing (including collection, recording and use) of personal data in connection with website management**" are as follows:
  - (i) Purposes: to enable our website to function properly, website analysis and quality improvement, effectiveness and user-friendliness of our website.
  - (ii) Legal grounds: legitimate interest of van den Eerenbeemt notarissen B.V. (technical management and security of our website, promoting the ease of use of our website, adapting and improving (the information offered on) our website). Please see our [Cookie Statement](#) for more information about the collection and processing of these data through the use of cookies on our website.

## 7. JOB APPLICANTS

### 7.1. Categories of personal data

We process the following (categories of) personal data (where necessary):

- Name, address and contact details;
- Date of birth, gender;
- CV and cover letter including information about your education, work experience and skills;
- Details of your current employment and any termination thereof;
- Diploma, grades and/or any other evidence of education received;
- Details of the position you're applying for and the application process;
- References;
- Assessment;
- Any other data you provide to us.



## 7.2. Application process

- The purposes and legal grounds for the processing category "**the processing (including collection, recording, use, storage) of personal data for the purpose of the application process**" are as follows:
  - (i) Purposes: recruitment and selection of personnel, assessing the suitability of the candidate, communicating with the candidate about the process and, if the candidate is successful, extending an offer.
  - (ii) Legal grounds: legitimate interest of van den Eerenbeemt notarissen B.V. (proper, effective and efficient recruitment and selection process and proper personnel management). If your application is unsuccessful, your data will be deleted no later than 4 weeks after the completion of the application process unless you give consent to keep your data in our portfolio for a longer period (12 months) in order to be considered for future job openings.

## 8. SOURCE OF PROCESSED PERSONAL DATA

If, in the context of our notarial services, our office processes personal data about you that we did not receive from you as our client, as a person employed by our client and/or from you as another individual involved in the file, this will always be done in the context of the assignment we received. These data will be obtained from one of the following sources:

- Public registers, including the Land Registry, Chamber of Commerce, Key Register of Persons;
- Our client, a consultant or a counterparty in connection with a contract to which you are a party.

If you are a (contact person of a) supplier, we may obtain your data from your employer or client (our supplier) or from a reference.

If you are a job applicant, we may obtain your personal data from references you have provided or (if applicable) from a recruitment or assessment agency.

## 9. RECIPIENTS OF YOUR PERSONAL DATA

Our office only provides your personal data to others (third parties) if this is required by law or if it is truly necessary for the purposes described in this privacy statement.

Where necessary, our office provides personal data of **our clients, of individuals employed by our clients and of other individuals involved in the file** to the following recipients:

- Employees of Van den Eerenbeemt notarissen B.V. (in particular individuals at our office who are involved in handling the relevant file and its administrative processing)
- Counterparties, other civil-law notaries or consultants in the context of our services
- Land Registry



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- Chamber of Commerce
- Ultimate Beneficial Owner Register
- Central Register of Wills and Central Register of Living Wills
- Cloud provider for data storage
- Tax Authority
- Various registers maintained by the company (e.g., register of shareholders, register of depositary receipt holders, etc.)
- Chain partners engaged by clients, with the client's consent
- Insurers, experts, courts, administrative bodies, government agencies and similar parties
- Accountants (in connection with auditing) or other external advisors such as lawyers, to establish our rights or for the purpose of handling and settling disputes or defending our legal position, as the case may be
- Other parties, such as supervisory authorities and other agencies, if required by law or with your consent

We share personal data of **(contact persons of)** suppliers, where necessary, with:

- Employees of Van den Eerenbeemt notarissen B.V. (in particular individuals at the office who are involved in the order or delivery by the supplier and/or and its administrative processing)
- Suppliers (e.g. software vendors)
- Insurers, experts, courts, administrative bodies, government agencies and similar parties
- Accountants (in connection with auditing) or other external advisors such as lawyers, to establish our rights or for the purpose of handling and settling disputes or defending our legal position, as the case may be
- Other parties, such as supervisory authorities and other agencies if required by law or with your consent

We share personal data of **visitors to our office**, where necessary, with:

- Employees of Van den Eerenbeemt notarissen B.V. (who have an appointment with the person in question or who are otherwise involved)
- Suppliers (e.g. software vendors)

- Other parties, such as supervisory authorities and other agencies, if required by law or with your consent

We share personal data of **website visitors**, where necessary, with:

- Employees of Van den Eerenbeemt notarissen B.V. (in particular individuals at the office who are involved in processing your message or request)
- Suppliers (e.g. IT service providers, website analytics providers)
- Other parties, such as supervisory authorities and other agencies, if required by law or with your consent

We share personal data of **job applicants**, where necessary, with:

- Employees of Van den Eerenbeemt notarissen B.V. (in particular individuals at the office who are involved in the (job application) process)
- Suppliers (e.g. recruitment or assessment agencies)
- Other parties, such as supervisory authorities and other agencies, if required by law or with your consent

When processing your personal data for the purposes set out above, we may transfer your personal data to a recipient in a country outside the European Economic Area that provides a lower level of protection for personal data than provided under European law. In that case, Van den Eerenbeemt notarissen B.V. will ensure that such a transfer of personal data is in accordance with the applicable laws and regulations, for example by concluding a model contract drawn up and approved for that purpose by the European Commission. For questions regarding the transfer of your personal data and, if applicable, to obtain a copy of the appropriate or suitable safeguards we apply, please contact us using the contact information provided in this privacy statement.

## 10. SECURITY

The security and protection of your personal data is very important to us. Van den Eerenbeemt notarissen B.V. has taken appropriate technical and organisational measures to protect your personal data against unauthorised or unlawful processing and against loss, destruction, damage, modification, and disclosure. Our employees will have access to your personal data only if they need to access these data in order to do their job; If you have any questions about the security of your personal data, or if you suspect or have evidence of misuse, please contact us using the contact information provided in this privacy statement.

## 11. RETENTION OF YOUR PERSONAL DATA

Your personal data will not be kept by our office longer than necessary for the purpose for which they are processed, for the performance of legal duties and the fulfilment of legal obligations or performance of contract (i.e. subject to limitation periods). Retention periods pursuant to legal provisions such as the Notary Public Act and the Archives Act apply. Notarial deeds are kept in perpetuity. We also refer to the retention periods specified above in this privacy statement. We may retain personal data for a longer period of time if this is necessary for the resolution of incidents and/or settlement of legal disputes.



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## **12. YOUR RIGHTS WITH REGARD TO PERSONAL DATA PROCESSED BY US**

If your personal data are processed by our office, you may invoke the rights listed below on the basis of the General Data Protection Regulation.

You may do this by submitting a request (preferably in writing) using the contact information provided in this privacy statement. Before we respond to your request, we may ask you for additional information, such as a valid identity document, to verify your identity.

### **12.1. Data subject's right of access**

You may ask us whether we process your personal data and, if so, to give you access to and information about (the processing of) your personal data.

### **12.2. Right to rectification**

If you believe that certain data have not been processed correctly, you have the right to request rectification of these data. If it concerns data in a notarial deed, this is not possible and a new deed will have to be drawn up to supplement the incorrect deed.

### **12.3. Right to erasure (right to "oblivion")**

Under certain circumstances you may ask us to delete your personal data. This is the case if: the personal data are no longer needed for the purposes for which they were collected or otherwise processed, you have withdrawn your consent for the processing and there is no other legal ground for the processing, you have objected to the processing of your data and we have to comply, your personal data were processed by us unlawfully, or they must be deleted on the basis of a legal obligation of Van den Eerenbeemt notarissen B.V. If the data are in a notarial deed, the civil-law notary is not allowed to remove the data.

### **12.4. Right to restriction of processing**

You may ask us to restrict the processing of personal data by our office pending our response to the requested rectification of your personal data or an objection you have made to the processing of your personal data on the basis of your specific situation, because you do *not* want data to be deleted despite the processing being unlawful or despite the fact that we no longer need the data for the processing purposes, because you need them for the establishment, exercise or substantiation of a legal claim.

### **12.5. Right to data portability**

You may ask us to provide you with the personal data we received from you and which we process on the basis of your consent or on the legal ground "performance of contract" and through automated processes, in a structured, commonly used and machine-readable form. The purpose of this right is to enable you to easily transfer these data to another service provider. Incidentally, such a transfer is not always possible, as it may be precluded by legal notarial obligations.

### **12.6. Right of objection**

If we use your data for direct marketing, you may object to this processing. If we process your personal data on the basis of legitimate interest, you may object to such processing for reasons related to your specific situation.

### **13. POSSIBLE RESTRICTIONS ON THE EXERCISE OF YOUR RIGHTS UNDER THE GENERAL DATA PROTECTION REGULATION**

Our office will make every effort to respect your rights under the General Data Protection Regulation. In principle, we will inform within one month of receipt of your request whether we are able to comply with your request. This period may be extended by two months in specific cases, for example if it is a complex request. We will inform you of such an extension within one month of receipt of your request.

Under certain circumstances we may refuse your request on the basis of privacy laws. For example, these rights may conflict with other legal provisions such as the Notary Public Act or these rights cannot be exercised because they would infringe on the rights and freedoms of others. If we do not grant your request, you will be notified in writing.

If you object to the processing of your personal data for direct marketing purposes, we will always honour this request.

### **14. COMPLAINTS ABOUT THE PROCESSING OF YOUR PERSONAL DATA BY OUR OFFICE**

If you have any complaints about the processing of your personal data by our office, please let us know. You may contact Herman van den Eerenbeemt via [he@vdenotarissen.nl](mailto:he@vdenotarissen.nl). You also have the right to lodge a complaint with the competent supervisory authority. In the Netherlands, this is the Dutch Data Protection Authority. To do so, please visit the website [www.autoriteitpersoonsgegevens.nl](http://www.autoriteitpersoonsgegevens.nl). If you live or work in another country of the European Union, you may also file a complaint with the supervisory authority in that country.

### **15. AMENDMENTS**

This privacy statement was last amended on 28 January 2021. We reserve the right to amend this privacy statement and will always post the most recent version of this statement on our website. If there are substantial amendments that could significantly affect one or more data subjects, we will make every effort to inform those data subjects immediately.

Amsterdam, april 2022