

Privacy statement KAeP NOTARIS - 19 juni 2023

This statement provides information on how our firm handles personal data that are processed as part of our work and services. We process your personal data with the utmost care and in accordance with the General Data Protection Regulation (GDPR).

Our contact details

Name: KAeP NOTARIS (*controller*)
Address: Maliebaan 6
Postal code/city: 3581 CM Utrecht
Contact person: Saskia van den Eerenbeemt
Email address: svandeneerenbeemt@kaepnotaris.nl

Personal data

We process personal data obtained from you or through third parties. We may process, inter alia, the following personal data:

Name and address; contact details; titles; business details, such as excerpt from Trade Register and VAT numbers; company name and position; date and place of birth; gender; citizen service number (*BSN*); passport photograph; copy of identity card; bank and payment details.

Purposes

Our firm processes your personal data only for the following purposes:

- carrying out commissions for advice or other services, such as the drawing up of notarial deeds and all related activities such as invoicing and archiving;
- to comply with statutory duties and obligations; or
- for the purposes you have specifically consented to.

Newsletter / invitations

We may also use your personal data to send you a newsletter, or an invitation for a seminar, to keep you informed of developments in our field. Of course, you can always unsubscribe at info@kaepnotaris.nl. The legal basis for sending a newsletter or invitation is the necessity for representing our legitimate interests in the field of customer relationship management and marketing.

Job applications / human resources

If you apply to us, we process the personal data you provide, including your CV and motivation letter. These personal data are exclusively used for the selection and application process. The legal basis for this processing of the personal data is the necessity for pursuing our legitimate interests in relation to assessing your application.

The collection, recording, use of personal data is done for the purpose of creating and managing an employee file, legitimising an employee, keeping the payroll tax statement and takes place on the basis of a legal obligation.

Other business relations

We also process personal data of other business relations, including fellow notaries, lawyers, consultants, suppliers or other partners of our firm. We process the data to, for example, keep the relations informed about developments within our firm, our activities and meetings or to send a (e-mail) newsletter. The legal basis for this processing of the personal data is the necessity (i) for the performance of the agreement with our suppliers/partners and/or (ii) for the representation of our legitimate interests in the field of relationship management and marketing.

Your data will not be further processed for other purposes without your consent and will not be shared with third parties other than as necessary for the provision of services. Personal data may be requested from third parties for e.g. the preparation of a notarial deed or to carry out another assignment.

Personal data rules for notarial deeds

If our office draws up a notarial deed containing your personal details, the notary must adhere to legal rules. These affect the processing of personal data:

1. The notary is required to put certain (personal) data in the deed. Your data are thus processed on a legal basis.
2. The notary is required to keep the signed deed containing your personal details in perpetuity.
3. Once the deed is signed by the notary, it becomes an official piece of evidence. Then nothing may be changed to it, even if the personal details are incorrect. If changes are needed, the notary must make a new deed stating the change.
4. The notary has to check certain (personal) data, such as in the Basic Registers of Persons (*Basisregistratie Personen*, BRP), Verification Identification System (*Verificatie Identificatie Systeem*, VIS), Central Register of Wills (*Centraal Testamenten Register*, CTR), Central Register of Living Wills (*Centraal Levenstestamentenregister*, CLTR), Central Register of Curatorships and Guardianships (*Centraal Curatele- en bewindregister*, CCBR), Marriage Register (*Huwelijksgoederenregister*), Trade Register (*Handelsregister*) and Land Registry (*Kadaster*).
5. The notary is obliged to check your identity. To do so, he must have a valid request proof of identity from you. The notary is one of the few who is also allowed to copy this with all the details on it.
6. Your personal data is covered by the notary's professional secrecy. Unauthorised persons will not be able to access the data.

Consultancy and other services

For the other processing of personal data by our firm:

- The retrieval, collection, consultation, use and storage of personal data for the purpose of providing services will be done as specified in the assignment of or the agreement entered into with you.
- The forwarding of personal data for the purpose of registration of data or deeds in registers (such as, for example, the Land Registry, register Royal Notarial Association (*Koninklijke Notariële Beroepsorganisatie*, KNB), tax authorities, the CTR, and the Trade Register) according to legal basis will take place. Personal data will be sent to the CLTR only after express consent. Reports may also be made to the Financial Intelligence Unit Netherlands (FIU-NL) in appropriate cases.
- The capture and consultation of personal data for signature authentication purposes is intended to verify the authenticity of the individual's signature and will therefore be done after this request.
- The collection, recording, use etc. of data for financial administration for work arising from financial rights and obligations will be done according to legal basis.

Source of personal data processed

If our firm processes your personal data, which we have not obtained from you, this will always be done in the context of the assignment given to us. The source of those data may then be one of the following:

- Public registers, including the Land Registry, the BRP and the Trade Register;
- Broker or other adviser in connection with a purchase agreement in which you (or a legal entity controlled by you) are (is) one of the parties;
- (Financial) Advisor

- Accountant
- Bank
- Tax analyst

Transfer of your personal data

Our firm will only disclose your personal data to others (third parties) if it is legally required or if really necessary to carry out the work.

Our firm provides personal data (where necessary) to the following recipients, among others:

- Land Registry
- KNB
- Trade register
- Tax Office
- KNB
- FIU-NL
- CTR
- CLTR

Personal data will be sent to the CLTR only with explicit consent.

If we share your personal data with third parties who process your personal data on our behalf (processors), we ensure that we have entered into a processor agreement with these third parties requiring the processor to comply with all obligations under the AVG and this Privacy Policy. Examples of processors include our hosting provider, suppliers of (financial) administration, document management systems and e-marketing solutions, translation agencies, debt collection agencies, etc. For questions about these processors, please email info@kaepnotaris.nl.

In principle, personal data are not transferred by our firm outside the EU or to any international organisation.

One of our suppliers may be located outside the European Economic Area ("EEA"), including the Americas. If these suppliers, on our behalf, process your personal data, we will ensure that appropriate safeguards are in place which, in accordance with the AVG, provide an equivalent and sufficient level of protection for your rights and freedoms. We do this, for example, by ensuring that the supplier is bound by model data transfer contracts approved by the European Commission. For more information on the safeguards regarding transfers outside the EEA, please contact us at info@kaepnotaris.nl.

Retention of your personal data

Your personal data will not be kept by our firm for longer than necessary for the purpose for which they were collected, for the performance of statutory duties and the fulfilment of legal obligations or performing contracts (think of limitation periods). Retention periods from legal provisions such as the Notary Act (*Wet op het Notarisambt*) and the Archives Act (*Archiefwet*) apply. In addition, there may be a legitimate interest why your data is kept longer. Notarial deeds are kept in perpetuity.

Our office takes the protection of your data seriously and takes appropriate measures to counter abuse, loss, unauthorised access, unwanted disclosure and unauthorised modification. If you believe, that your data is not properly secured, or there are indications of misuse, please contact the contact person mentioned above.

Your rights regarding personal data processed by us

Where your personal data is processed by our firm, you may, pursuant to the AVG exercise the rights set out below. You do so by making a request (preferably in writing) via the contact

details provided in this privacy statement. Before we grant your request, we will first identify you by means of a valid identity document.

Data subject's right of inspection

You can always ask what personal data our firm processes, for what purpose and how long they are kept. There may be a legal basis preventing us from fulfilling your request; we will assess this and inform you accordingly.

Right of rectification

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

Right to data erasure (right to 'oblivion')

If you would like your personal data to be deleted, you can request submit. There may be a legal basis preventing us from fulfilling your request; we will assess this and inform you. If the data is in a notarial deed, the notary is not allowed to remove it.

Right to restriction of processing

If you wish to restrict the processing of personal data by our firm (pending a request for rectification of your personal data, objection made against processing or precisely because you do not want data to be deleted despite the processing is unlawful) you can submit a request for this.

Right to data portability

If your personal data is not processed for a notarial deed and you would like to transfer personal data to another service provider, you can submit a request. However, such a transfer is not always possible as legal notarial duties may oppose this.

Possible restrictions in exercising your rights under the AVG

Our firm makes every effort to comply with your rights under the AVG. However, these rights may conflict with other legal provisions such as the Notary Act (*Wet op het notarisambt*). Should the office be unable to comply with any of the aforementioned request for this reason, you will be notified in writing.

Complaints / objections

If you have any complaints about our firm's processing of personal data, or wish us to stop processing your personal data, please let us know by e-mail, at info@kaepnotaris.nl. You also have the right to lodge a complaint with the regulator, the Personal Data Authority (*Autoriteit Persoonsgegevens*). To do so, please visit the website www.autoriteitpersoonsgegevens.nl.