

Privacy statement Batenburg Notarissen

This statement provides information on how our office handles personal data processed in the context of our activities and services.

Our contact details

Office name: Batenburg Notarissen
Address: Westerhoutplein 4
Postal code and town/city: 1943 AA Beverwijk
Contact person: Bas Korver LL.M
Email address: privacy@batenburg.eu

Our services

Our office requests your personal data for the following purposes only:

- to perform advisory engagements or other services;
- to fulfil statutory tasks and obligations;
- for the purposes for which you have specifically granted consent.

Your personal data will not be processed for any other purposes without your consent.

Personal data are requested for the purpose of drawing up a notarial deed or for performing another engagement.

Rules applicable to the use of personal data in notarial deeds

If our office draws up a notarial deed using your personal data, the civil-law notary must comply with the legal regulations governing the processing of personal data:

1. The civil-law notary must include certain mandatory data, personal or otherwise, in the deed. Your personal data are therefore processed on a legal basis.
2. The civil-law notary must retain the signed deed containing your personal data in perpetuity. We retain the signed deed at our office for a period of twenty years after signing. Afterwards, it is sent to the national archives.
3. As soon as the civil-law notary signs the deed, it becomes an official document. This means that no further changes may be made to it, even if the personal data are incorrect. If changes need to be made, the civil-law notary must draw up a new deed in which the change is incorporated.
Was your information correct at the date of signing, but have they changed later, i.a. because you have moved? In this case the deed does not need to be amended.
4. The civil-law notary must perform a mandatory check of certain data, personal or otherwise, in the Persons Database (*Basisregistraties Personen*, BRP), the Commercial Register (*Handelsregister*) and The Netherlands' Cadastre, Land Registry and Mapping Agency (*Kadaster*).
5. The civil-law notary must perform a mandatory check of your identity and will therefore request you to present a valid identity document. The civil-law notary is one of the few authorised to photocopy identity documents including all the data contained therein.

6. Your personal data are subject to the civil-law notary's obligation of professional secrecy. Unauthorised parties have no access to your data.

Advisory and other services

The following applies to the processing of personal data for other purposes by our office:

- We process personal data when we furnish third parties (such as a client's advisor) with documents. The purpose of this is to inform the third party, so that they are able to provide their services to the client. The legal basis for this processing of personal data is the client's written consent.
- We process personal data of clients and other concerned persons if this is necessary to advise our client. The legal basis for this processing of personal data is the necessity for the performance of a contract.
- We process personal data when information is registered in a public register, such as the Land registry (*Kadaster*) or the trade register with the Chamber of Commerce (*Kamer van Koophandel*). The purpose of this processing of personal data is knowability of this data. The legal basis for this processing of personal data is generally compliance with a legal obligation, but may also be a client's written consent and/or performance of a contract.
- We process personal data when notarising a signature. The civil-law notary confirms the authenticity of a signature and the identity of the signatory at the request of a third party. The legal basis for this processing of personal data is the necessity for the performance of a contract.
- We process personal data (name and email address) when we send you a newsletter. We will not do so without your consent.
- We process personal data that is necessary for management of our bank accounts, i.a. regarding our third party bank account, and the payment of invoices. The legal basis for this is compliance with a legal obligation.
- We process personal data of our employees insofar that is necessary for human resource management. Furthermore, personal data of employees is shared with our payroll administration. We are legally obliged to do so, and also need to process this information for the performance of a contract with our employees.
- We process personal data of applicants for the recruitment and selection of employees. We keep this data no longer than necessary for that purpose, unless the applicant gives his or her consent to keep this information for a longer period, i.a. with a view to a future suitable function.

Source of personal data processed

If our office processes personal data relating to you, which we have not received from you, this will always take place in the context of the engagement assigned to us. The source of those data will be one of the following:

- Public registries, including The Netherlands' Cadastre, Land Registry and Mapping Agency (*Kadaster*) and the Chamber of Commerce (*Kamer van Koophandel*);
- A real estate agent or other adviser in connection with a purchase agreement, to which you are one of the parties;
- Donor;
- Lawyer, accountant, tax specialist or other adviser;

- Executor of an estate.

Forwarding your personal data

Our office will forward your personal data to other parties (third parties) only if this is required by law or if this is actually necessary for the execution of the activities.

Our office provides personal data to the following recipients:

- Dutch land registry (*Kadaster*);
- Dutch tax authorities;
- Dutch Chamber of Commerce;
- Banks;
- Persons Database (*Basisregistraties Personen*, BRP);
- Dutch central registry of last wills (*Centraal Testamentenregister*);
- Dutch central registry of *levenstestamenten* (*Centraal Levenstestamentenregister*);
- Administrator of Association of Owners (*Vereniging van Eigenaren*);
- Courts;
- Royal Dutch Association of Civil-law Notaries (KNB).

Our office does not forward personal data to non-EU countries nor to international organisations.

Retention of your personal data

Our office will not retain your personal data any longer than necessary for the purpose for which they were collected, for the execution of statutory tasks and compliance with statutory obligations or for the fulfilment of agreements (for instance, due to time limits). The retention periods stipulated in statutory provisions, for instance those of the Dutch Civil-Law Notaries Act (*Wet op het notarisambt*), apply. Notarial deeds are retained in perpetuity.

Your rights relating to personal data processed by our office

If your personal data are processed by our office, pursuant to the General Data Protection Regulation (GDPR) (EU) 2016/679, you may exercise the rights stated below.

To that end, you must submit a request (preferably in writing) to the contact address stated in this privacy statement. Before granting your request, we will confirm your identity on the basis of a valid identity document. We kindly request you to visit our office so we may verify your identity.

Right of inspection by the data subject

You can always enquire which personal data our office processes, for which purpose this is used and how long the data will be retained. In the event that there is any legal basis that precludes us from complying with your request, we will assess this and inform you accordingly.

Right to rectification

If you believe that certain data have been incorrectly processed, you have the right to request rectification of the data. If the data is included in a notarial deed, a new deed will have to be drawn up as an addendum to the incorrect deed. Was the data in the notarial deed correct at the time of signing,

but has this changed since then? In this case no addendum needs to be drawn up, and the original deed will remain unchanged. If you wish, we can change your personal data in our systems.

Right to erasure (right to be 'forgotten')

If you wish to have your personal data erased, you may submit a request to that effect. If the data are included in a notarial deed, the civil-law notary is not permitted to erase the data.

Right to restriction of processing

If you wish to restrict the processing of personal data by our office (pending rectification of your personal data at your request, an objection lodged against processing or because you specifically do not wish to have data erased even though processing of the data is unlawful), you may submit a request to that effect.

Right to data portability

If your personal data are not processed for the purpose of a notarial deed and you wish to transfer the personal data to another service provider, you may submit a request to that effect. However, please note that such a transfer may not always be possible due to incompatibility with the statutory notarial duties.

Right to object

If we use your data for direct marketing purposes, you may lodge an objection against such processing.

Possible restrictions in exercising your rights under the General Data Protection Regulation (EU) 2016/679

Our office will make every effort to fulfil your rights under the General Data Protection Regulation (EU) 2016/679. However, in some cases these rights may conflict with other statutory provisions for instance those of the Dutch Civil-Law Notaries Act. Should the civil-law notary for this reason be unable to fulfil a request relating to the rights described above, you will be notified accordingly in writing.

Amendment of the privacy statement

This privacy statement may be amended. The changes will be made public through our website www.batenburg.eu. Batenburg Notarissen may process your personal data for new purposes, not yet included in this privacy statement. If this is the case, we will contact you prior to the processing of your data for this new purpose, to allow you to take note of the changes to the privacy statement and to allow you to refuse use of your personal data for such a purpose.

Complaints concerning the processing of your personal data by our office

If you have any complaints concerning the processing of personal data by our office, please let us know by contacting: privacy@batenburg.eu. You also have the right to submit a complaint to the supervisory authority, the Dutch Data Protection Authority (Autoriteit Persoonsgegevens). You can use the website www.autoriteitpersoonsgegevens.nl.

Beverwijk, 23 May 2018