

Privacy Statement K AeP NOTARIS

This statement provides information about how our firm handles personal data that is processed in the context 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 : K AeP NOTARIS (*controller*)
Address : Maliebaan 6, 3581 CM Utrecht, The Netherlands
Contact person : Barbara Zantkuijl-Mesenig
Email address : bzantkuijl@kaepnotaris.nl

Personal data

We process personal data obtained from you or via third parties. We may process the following personal data, among other things:

- name and address details;
- contact details;
- title;
- date and place of birth;
- gender;
- citizen service number (*burgerservicenummer (BSN)*) or similar tax number from abroad;
- passport photo;
- (copy of) identity document;
- signature;
- business details, such as extract from the commercial register and VAT numbers;
- company name and position;
- financial details.

We also make use of digital meeting platforms, such as Microsoft Teams. These meetings are not recorded.

Purposes

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

- to carry out assignments for advice or other services, such as drawing up notarial deeds and all associated activities, such as invoicing and archiving;
- to comply with legal tasks and obligations; and/or
- for the purposes you have given specific consent.

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 or other topics. You can, of course, unsubscribe at any time by sending an email to info@kaepnotaris.nl.

The legal basis for sending a newsletter or invitation is the necessity for representing our legitimate interests in the field of relationship management and marketing.

Job applications / human resources

If you apply for a job with us, we will process the personal data you provide, including your personal details, CV and motivation letter. This personal data will be used exclusively for the selection and application process. Once this process has been completed, this data will be deleted, unless we enter into a relationship with you.

The legal basis for this processing of the personal data is the necessity for the representation of our legitimate interests with regards to the assessment of your application.

The collection, recording, use and deletion of personal data is done for the purpose of creating and managing a personnel file, identifying an employee, and storing the income tax statement, keeping and is based on a legal obligation.

Other business relations

We also process personal data from other business relations, including fellow notaries, solicitors, lawyers, consultants, suppliers or other partners of our firm. We process this data in order, for example, to keep the relations informed about developments within our firm, our activities and meetings or to send a (digital) newsletter.

The legal basis for this processing of 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 processed for other purposes without your consent and will not be shared with third parties other than as necessary for our services. If we use third parties to process your personal data, we will ensure that a processing agreement is in place. Personal data may be requested from third parties for purposes such as drawing up a notarial deed, carrying out another assignment or, for example, conducting the legally required client screening.

Rules governing personal data in notarial deeds

When our firm draws up a notarial deed containing your personal data, the notary and all KAeP employees and associates must comply with legal regulations. These regulations affect the processing of personal data:

1. The notary is required to put certain (personal) data in the notarial deed. Your data will be processed on a legal basis.
2. The notary is required to keep the signed deed containing your personal data in perpetuity in a general repository designated by the Minister. In principle, original deeds will not remain at the firm for longer than twenty years.
3. Once the deed has been signed by the notary, it becomes an official document. No further changes may be made to it. If changes are necessary, the notary must draw up a new deed stating the apparent error or change.
4. The notary is legally obliged to check certain (personal) data that is included in external official registers, such as the Personal Records Database (*Basisregistratie Personen - BRP*), Verification Identification System (*VIS*), Central Register of Wills (*Centraal Testamenten Register - CTR*), Central Register of Living Wills (*Centraal Levenstestamenten Register - CLTR*), Central Guardianship and Administration Register (*Centraal Curatele- en bewindregister - CCB*), Matrimonial Property Register (*Huwelijksgoederenregister*), registers of the Chamber of Commerce (*Handelsregister, UBO-register*) and Land Registry (*Kadaster*).
5. The notary is legally obliged to check and verify your identity. This is done, among other things, by checking your valid identity document. The notary may make a copy of this with all the details stated on it and store and process it.
6. Your personal data is subject to the notary's professional secrecy.
7. Unauthorised persons will not be given access to this data.

Advice and other services

The following applies to other processing of personal data by our firm:

- the requesting, collecting, consulting, using, storing and deleting of personal data for the purpose of our services will be done as specified in the assignment or agreement concluded with you or on the basis of a legal basis or legitimate interest;
- the transmission of personal data for the purpose of registering data or deeds in registers (such as the Land Registry, the register of the Royal Dutch Association of Civil-law Notaries (*Koninklijke Notariële Beroepsorganisatie - KNB*), the Tax and Customs Administration (*Belastingdienst*), Central Register of Wills (*CTR*) and the Chamber of Commerce) will be carried out in accordance with the legal basis. Personal data will only be sent to the CLTR with your express consent. In certain cases, (suspected) unusual transactions may also be reported to the Financial Intelligence Unit Netherlands (*FIU-NL*);
- the right to request, collect, consult, use, store and delete financial data for our financial administration arises from a legal financial basis; and
- other legal obligations in accordance with a legal basis will be carried out.

Source of processed personal data

If our firm processes personal data about you that we have not obtained from you, this will always be done within the framework of the assignment given to us. The source of those data may then be one of the following, for example:

- public registers, including the Land Registry, BRP and registers of the Chamber of Commerce;
- estate agent or other adviser in connection with a purchase agreement to which you (or a legal entity controlled by you) are a party;
- (financial) adviser;
- accountant;

- banking institution;
- solicitor.

Transfer of your personal data

Our firm will only disclose your personal data to others (third parties) if this is required by law or if it is truly necessary to perform our work.

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

- Land Registry
- KNB
- Chamber of Commerce registers
- Tax Office
- FIU-NL
- CTR
- CLTR

Personal data will only be sent to the CLTR with your 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 processing agreement with these third parties. In this processing agreement, the processor and its sub-processors are obliged to comply with all obligations under the GDPR and this Privacy statement.

Examples of processors include our hosting provider, suppliers of (financial) administration, software suppliers, document management systems and e-marketing solutions, translation agencies, debt collection agencies, etc.

If you have any questions about how these third parties process your personal data on behalf of KAeP NOTARIS, please send an email to info@kaepnotaris.nl.

In principle, our firm does not transfer personal data outside the European Economic Area (*Europese Economische Ruimte - EER*) or to international organisations that are not based in the Netherlands.

It may be that one of our suppliers is located outside the European Economic Area, including the United States of America. In such cases, we will comply as much as possible with the guidelines set out in the GDPR.

Retention of your personal data

Our office will not retain your personal data for longer than is necessary for the purpose for which it was collected, for the performance of statutory tasks and the fulfilment of statutory obligations or the performance of contracts (such as 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 for your data to be retained longer. Notarial deeds are, in principle, retained indefinitely.

Our firm takes the protection of your data seriously. We therefore do our utmost to take appropriate measures to prevent misuse, 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 our contact person.

Your rights regarding personal data processed by us

Where your personal data is processed by our firm, you can exercise the following rights under the GDPR. You can do this by submitting a written request using the contact details provided in this privacy statement. Before we can process your request, we will first identify and verify you using your valid identity document.

Right of access by the data subject

You may request information at any time about which personal data is processed by our office, for what purpose and for how long it is retained. There may be a legal that prevents us from complying with your request. In that case, we will inform you accordingly.

Right of rectification

If you believe that certain data has been processed incorrectly, you have the right to request rectification of this data. If this data in a notarial deed, the notary will have to draw up a new (additional) deed stating the apparent error or change. This change will then be reflected in a new copy of the initial deed.

Right to erasure (right to be forgotten)

If you wish to have your personal data erased, you can submit a written request to this effect. There may be legal grounds that prevent us from complying with your request. We will assess this and inform you accordingly. Is the data contained in a notarial deed? If so, the notary is not permitted to erase it. However, it is often possible to issue an extract from the notarial deed in which certain data are not disclosed to third parties. We will assess this on a case-by-case basis.

Right to restriction of processing

If you wish to restrict the processing of personal data by our firm (pending the rectification of your personal data requested by you, an objection to processing, or because you do not want data to be deleted despite the processing being unlawful), you can submit a written request to this effect.

Right to data portability

If your personal data is not being processed for a notarial deed and you wish to transfer the personal data to another service provider, you can submit a request to do so. However, such a transfer is not always possible, as legal (notarial) obligations may prevent this. We will inform you if this is the case.

Possible restrictions in exercising your rights under the GDPR

Our firm makes every effort to comply with your rights under the GDPR. However, these rights may conflict with other legal provisions, such as the Notarial Act or the Anti-Money Laundering and Anti-Terrorist Financing Act (*Wet ter voorkoming van witwassen en financieren van terrorisme - Wwft*). If our firm is unable to comply with your request for any reason, we will inform you accordingly.

Complaints / objections

If you have any complaints about the processing of your personal data by our firm, or if you no longer wish us to process your personal data, please let us know by email at info@kaepnotaris.nl.

You also have the right to lodge a complaint with the supervisory authority, the Dutch Data Protection Authority (*Autoriteit Persoonsgegevens*). To do so, please visit the website www.autoriteitpersoonsgegevens.nl.