

Privacy statement <Notaris Houtepen>

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

Our contact details

Company name: <Notaris Houtepen>
Address: <Stratumsewijk 99>
Postal code and city: <5614 HP Eindhoven>
Contact person: <H.J.M. Houtepen, LL.M.>
Email address: <info@notarishoutepen.nl>

Our services

We request your personal data for the following purposes only:

- to perform services or provide consultancy requested by you;
- to comply with statutory duties and obligations; or
- for the purposes for which you have specifically granted permission.

Your personal data will not be processed for any other purpose without your permission.

Your personal data will be requested for the purpose of drawing up a notarial deed or for the execution of another commission.

Rules applicable to the use of personal data in notarial deeds

If we draw up a notarial deed including 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 data, personal or otherwise, in the deed. Your personal data are, therefore, processed on a legal basis.
2. It is mandatory for the civil-law notary to keep the signed deed containing your personal data in perpetuity.
3. As soon as the civil-law notary signs the deed, it becomes an official document. This means that no changes may be made to it, not even if the personal data are incorrect. If changes do need to be made, the civil-law notary must draw up a new deed in which the change is incorporated.
4. The civil-law notary must perform a mandatory check of certain data, personal or otherwise, in the Personal Records Database (Basisregistratie Personen, BRP), the Commercial Register (Handelsregister) and The Netherlands' Cadastre, Land Registry and Mapping Agency (Kadaster).
5. The civil-law notary must verify your identity and will request you to present a valid identity document for this purpose. The civil-law notary is one of the few persons and bodies 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 will not have access to your data.

Consultancy and other services

The following applies to the processing of personal data that we process for other purposes than drawing up a notarial deed, but that are required for work we carry out in the context of a service you have commissioned.

These services include sending documents, including letters, e-mails, bills, completion statements, etc., to relevant third parties.

For the purpose of these services we request the required data, with the consent of the client.

Which data are required depends on the service to be provided.

These personal data may include your name, address and place of residence, gender, Citizen Service Number (BSN) and other details listed on the identity document, date of birth and place of birth, civil status and the personal data of family members or relatives.

In order to provide these services, we are obliged by law to verify the details provided. This may include certification/validation of signatures.

Source of personal data processed

If we process personal data relating to you, which data we did not receive from you, we will do this solely in the context of the service you commissioned us to perform. The source of those data will be one of the following:

- public registries, including The Netherlands' Cadastre, Land Registry and Mapping Agency, the Chamber of Commerce and/or the court;
- your real estate agent or other adviser in connection with a purchase agreement or other contract, to which you are one of the parties;
- your mortgage adviser or your lender in connection with an agreement, to which agreement you are one of the parties;
- the accountant or trust office concerned;
- a bank or other financial institution;
- the Personal Records Database (BPR).

Forwarding your personal data

We will forward your personal data to third parties only if this is required by law or if this is actually necessary for the execution of our activities.

Documents which contain your personal data will be provided to another party that is a party to the deed in question, or to this party's representative.

We provide personal data to the following recipients, if required:

- The Netherlands Tax and Customs Administration;
- Custodians//Holders of registers, such as the Chamber of Commerce, the Land Registry and the court;
- The Royal Dutch Association of Civil-law Notaries (KNB);
- The Central Digital Repertorium (CDR), the Central Register of Wills (CTR) and the Central Register of Living Wills (CLTR).

Only after your consent will we forward documents which contain your details to third parties, such as your estate agent and/or your financial adviser and/or your accountant and/or your trust office. We do not forward personal data to non-EU countries nor to international organisations.

Retention of your personal data

We will not retain your personal data any longer than required for the purpose for which they were collected, for the execution of statutory duties and for compliance with statutory obligations or for the performance of agreements, for instance in respect of time limits, and the liabilities related to this. The retention periods stipulated in statutory provisions, such as the Dutch Civil-Law Notaries Act (Wet op het notarisambt) and the Archives Act apply. Notarial deeds are retained in perpetuity.

Your rights relating to personal data that we process

If we process your personal data, you may exercise the rights stated below, pursuant to the General Data Protection Regulation (GDPR) (EU) 2016/679.

To this end, you must submit a request, preferably in writing, to the contact address stated at the top of this privacy statement.

Before we can grant your request, we will first verify your identity on the basis of a valid identity document.

1. Right of access by the data subject

You can enquire which personal data we process any time, as well as the purpose for which these are used and for how long the data will be retained. In the event that there is a legal basis that precludes us from complying with your request, we will assess this and inform you accordingly.

2. Right to rectification

If you are of the opinion that certain data have been processed incorrectly, you have the right to request rectification of these data. This is not possible, however, if this pertains to data included in a notarial deed, in which case a new deed must be drawn up as an addendum to the inaccurate deed.

3. Right to erasure (right to be 'forgotten')

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

4. Right to restriction of processing

If you wish to restrict the processing of personal data by our firm, for instance pending rectification of your personal data at your request, an objection lodged against processing of data, or because you specifically do not wish to have data erased even though processing of the data in question is unlawful, you may submit a request to this effect.

5. Right to data portability

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

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

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

Complaints concerning the processing of your personal data

If you have any complaints concerning the processing of personal data by our firm, please contact Mr Houtepen, the civil-law notary. You may also submit a complaint to the regulator, the Dutch Data Protection Authority (*Autoriteit Persoonsgegevens*), on its website www.autoriteitpersoonsgegevens.nl.
