



Van der Stap Notarissen

Privacy Statement of Van der Stap Notarissen

This Privacy Statement describes how our firm deals with personal data that are processed as part of our activities and services.

Our contact details

Firm name: Van der Stap Notarissen
Address: Weena 690
Postcode / City: 3012 CN Rotterdam
Contact: Meindert Krans
Email address: persoonsgegevens@vdstap.com

Our services

Our firm asks you to provide your personal data for the following purposes only:

- to perform engagements for the provision of consultancy or other services;
- to meet legal duties and obligations; or
- for the purposes for which you specifically have given your consent.

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

Personal data are requested to prepare notarial instruments or to perform other engagements.

Rules relating to personal data in notarial instruments

If our firm prepares a notarial instrument that includes your personal data, the civil law notary must comply with the statutory requirements. These affect the processing of personal data:

1. The civil law notary is required by law to include certain (personal) data in a notarial instrument. This means that there is a legal basis for the processing of your data.
2. The civil law notary is required by law to retain the signed notarial instrument including your personal data permanently.
3. As soon as a notarial instrument is signed by a civil law notary, it becomes an official record with evidential value. This record cannot be changed, not even if the personal data are incorrect. If changes are required, the civil law notary must draw up a new notarial instrument incorporating the change.
4. The civil law notary is required by law to verify your (personal) data with the Personal Records Database (*Basisregistraties Personen* or *BRP*), the Commercial Register (*Handelsregister*) and the Cadastre, Land Registry and Mapping Agency (*Kadaster*).
5. The civil law notary is also required to verify your identity. For that purpose, he or she must request you to present a valid identity document. The civil law notary is one of the few officials who are authorized to make photocopies of complete identity documents.
6. Your personal data are covered by the civil law notary's obligation of professional secrecy. Your data are inaccessible to unauthorized persons.



Consultancy and other services

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

- The purposes of and the associated legal basis for personal data processing consisting of the provision of documents containing personal data (name, address, town, date and place of birth, civil status, identity document details, telephone number and email address) are:
 - o purpose: to inform advisers and consultants (real estate agent, mortgage consultant, etc.)
 - o legal basis: your consent
- The purposes of and the associated legal basis for personal data processing consisting of the provision of documents containing personal data (name, address, town, date and place of birth, civil status and identity document details) to registration bodies (Cadastre, Land Registry and Mapping Agency (*Kadaster*), Royal Dutch Association of Civil Law Notaries (*KNB*), Tax and Customs Administration (*Belastingdienst*), Chamber of Commerce (*Kamer van Koophandel*) are:
 - o purpose: to meet the legal disclosure obligation
 - o legal basis: legal obligation
- The purposes of and the associated legal basis for personal data processing consisting of the retrieval, collection, use and storage of personal data (name, address, town and bank account number) are:
 - o purpose: knowledge of financial rights and obligations
 - o legal basis: legal obligation
- Only if you are a client of Van der Stap Notarissen and fail to pay our invoice in full and in a timely manner, despite a reminder: the purposes and the associated legal basis for personal data processing consisting of the provision of documents containing personal data (name, address, town, date and place of birth, telephone number and email address) to an attorney-at-law engaged by Van der Stap Notarissen for the collection of the outstanding invoice payment on the instructions of Van der Stap Notarissen are:
 - o purpose: to collect the outstanding invoice payment
 - o legal basis: consent pursuant to the General Terms and Conditions that apply to the services of Van der Stap Notarissen.

Source of personal data processed

If our firm processes personal data concerning you that you yourself did not provide to us, such processing will always be done in the context of the instructions given to us. Such data will then be obtained from one of the following sources:

- Public registers, including the Cadastre, Land Registry and Mapping Agency (*Kadaster*), the Commercial Register (*Handelsregister*), the guardianship register (*curateleregister*), the Central Insolvency Register (*insolventieregister*);
- real estate agent or other adviser in connection with a purchase agreement/contract of sale to which you are a party;
- mortgage consultant or other adviser in connection with a mortgage loan taken out by you.



Transfer of your personal data

Our firm will transfer your personal data to others (third parties) only if we are obliged by law to do so or if this is absolutely necessary to perform our services.

Our firm may transfer personal data to the following recipients:

- Cadastre, Land Registry and Mapping Agency (*Kadaster*)
- Commercial Register (*Handelsregister*) of the Chamber of Commerce (*Kamer van Koophandel*)
- Tax and Customs Administration (*Belastingdienst*)
- Royal Dutch Association of Civil Law Notaries (*KNB*)
- real estate agent or other adviser in connection with a purchase agreement/contract of sale to which you are a party;
- mortgage consultant or other adviser in connection with a mortgage loan taken out by you.
- attorney-at-law engaged by Van der Stap Notarissen to collect an outstanding invoice payment.

Our firm will not transfer personal data to recipients outside the EU or to international organizations.

Retention of your personal data

Our firm will not store your personal data for longer than necessary for the purpose for which they are collected, for carrying out legal duties and meeting statutory obligations or performing agreements (for example with a view to prescription periods). We must observe the statutory retention periods, such as those prescribed by the Dutch Civil Law Notaries Act (*Wet op het notarisambt*) and the Dutch Public Records Act (*Archiefwet*). Notarial instruments must be retained permanently.

Your rights in respect of personal data processed by us

Pursuant to the General Data Protection Regulation, you may exercise the rights mentioned below if your personal data are processed by our firm.

You can do so by submitting a request to us (preferably in writing) using the contact details provided in this Privacy Statement. Before we grant your request, we have to verify your identity on the basis of a valid identity document.

Right of access by the data subject

You may always ask us to specify what personal data are processed by our firm, the purpose of processing and for how long personal data are retained. If we cannot grant your request for legal reasons, we will assess this and inform you accordingly.



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 data in a notarial instrument are incorrect, they cannot be rectified. In that case, a new instrument will have to be prepared as a supplement to the incorrect instrument.

Right to erasure (right 'to be forgotten')

You have the right to request erasure of your personal data. Please note that a civil law notary is not permitted to erase your data from a notarial instrument.

Right to restriction of processing

If you want to restrict the processing of personal data by our firm (in anticipation of rectification of your personal data in response to a request from you or your objection to the processing or if you do not want data to be erased even though the processing is unlawful), you can submit a request to that effect to us.

Right to data portability

If your personal data are not being processed for a notarial instrument and you want to transfer the personal data to another service provider, you can submit a request to that effect to us. Please note that such a transfer is not always possible as it may be incompatible with certain statutory obligations by which civil law notaries are bound.

Potential restrictions on exercising your rights under the General Data Protection Regulation

Our firm makes every effort to honour your rights under the General Data Protection Regulation. However, these rights may conflict with other statutory provisions, such as the Dutch Civil Law Notaries Act (*Wet op het notarisambt*). If the civil law notary is unable to grant your request for this reason, you will be informed accordingly in writing.

Complaints about the processing of your personal data by our firm

If you have any complaints about the processing of personal data by our firm, please let us know on persoonsgegevens@vdstap.com You also have the right to lodge a complaint with the supervisory authority, the Dutch Data Protection Authority (*Autoriteit Persoonsgegevens*). For further information please visit www.autoriteitpersoonsgegevens.nl.