



### Privacy Statement - Van Hecke Houben Notarissen (8-2024)

This privacy statement provides information about how our firm handles personal data which we process for the purposes of our work and service provision.

#### Our contact details

Firm's name: Van Hecke Houben Notarissen

##### Roermond branch

Address: Steegstraat 1  
Postcode / Town: 6041 EA Roermond, the Netherlands  
Contact: Mr M.C.H. Rijk LL.M.  
Email address: m.rijk@vhnotarissen.nl

##### Heythuysen branch

Address: Dorpstraat 18  
Postcode / Town: 6093 EC Heythuysen, the Netherlands  
Contact: Ms V.J.M. Kerkhofs LL.M.  
Email address: v.kerkhofs@vhnotarissen.nl

#### Our services

Our firm will only ask for your personal data for the following purposes:

- in order to give you advice or provide other services;
- to comply with statutory tasks and obligations; or
- for the purposes for which you have specifically given your consent.

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

Personal data is retrieved for preparing notarial deeds or for performing other assignments.

#### Rules on personal data in connection with notarial deeds

If our firm prepares a notarial deed that contains your personal data, the notary is under an obligation to comply with statutory rules. These rules affect the processing of personal data:

1. The notary is under the obligation to include certain personal and other data in the deed. They are your full name and address, your date of birth, place of birth and marital status. This means that there is a legal basis (sections 58 and 59 of the Dutch Notaries Act (*Wet op het Notarisambt*)) for processing your data.
2. The notary is required to keep the signed deed containing your personal data forever.
3. As soon as the deed has been signed by the notary, it becomes official evidence. No changes may be made after it has been signed, even if the personal data is not correct. If changes are necessary, the notary will have to produce a new deed containing the change.
4. The notary is under an obligation to check some personal and other data in the Dutch personal records database (*Basisregistratie Personen (BRP)*), business register (*Handelsregister*) and the Cadastre, Land Registry and Mapping Agency (Kadaster for short).
5. The notary is under an obligation to check your identity. He/She will have to ask you for a valid identity document for this purpose and is required to check authenticity with a WID-Scanner (*Wet Identificatie bij Dienstverlening*) at the office or with a DCI (Digitale Cliënt Identificatie) prior to the service. The notary is one of the few parties who is allowed to do this.
6. Your personal data is covered by the notary's obligation of professional secrecy. Unauthorised parties have no access to the data.



### Advice and other services

Other processing of personal data by our firm for the purpose of rendering advisory and other services only concerns that personal data which is necessary in order to provide the services agreed with you. Examples include authenticating your signature, advising you on how to wind up an estate or on restructuring your company.

We retrieve the data needed for providing these services with your consent. Which data this is depends on the service agreed.

Examples include: your name and address, where you were born and your date of birth, your marital status. There is sometimes also a statutory obligation to check your data, such as when authenticating your signature; in that case, several registers will be consulted as well.

If any personal data is processed that is not used for the purpose of preparing a notarial deed, this data will also be covered by the notary's obligation of professional secrecy. Unauthorised parties have no access to this data.

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

- the processing of name and address data, date of birth, place of birth, marital status, data from the identity document and the Dutch citizen's service number (BSN) when retrieving, collecting, consulting, using and storing personal data for the purpose of preparing and dealing with notarial deeds (file creation) has the following purposes and corresponding legal basis:
  - executing the notarial deed
  - implementing an agreement
- the processing of name and address data, date of birth, place of birth, marital status, financial data (completion statement) when providing personal data by forwarding drafts and file documents to third parties with the client's consent has the following purposes and corresponding legal basis:
  - informing third parties at the client's request
  - pursuant to the client's consent
- the processing of name and address data, date of birth, place of birth, data from the identity document when retrieving, collecting, consulting, using and storing personal data in order to provide services that do not involve an authentic deed, such as providing advice, private instruments and winding up estates has the following purposes and corresponding legal basis:
  - performing activities for the purpose of a client's assignment
  - implementing an agreement
- the processing of name and address data, date of birth, place of birth, data from the identity document when providing personal data by forwarding it for the purpose of registering data or deeds in a register (Royal Dutch Association of Civil-law Notaries (KNB), the Dutch Tax Administration, Kadaster) has the following purposes and corresponding legal basis:
  - recognisability
  - pursuant to a statutory obligation and in the event of the Central Register of Living Wills (*Centraal Levenstestamentenregister*) the client's consent
- the processing of name and address data, date of birth, place of birth, data from the identity document when recording and consulting personal data for authenticating signatures has the following purposes and corresponding legal basis:
  - to confirm the authenticity of a signature upon request
  - to perform an agreement
- the processing of contact data when collecting, recording and using personal data in order to create records for acquisition and/or newsletters, etc. has the following purposes and corresponding legal basis:
  - marketing and acquisition
  - pursuant to the data subject's consent
- the processing of names, contact data and capacities of contact persons, supply chain partners, advisers, etc. when collecting, recording and using data for account management and corporate contacts in the supply chain has the following purposes and corresponding legal basis:
  - providing information and facilitating collaboration in the chain
  - pursuant to the client's consent



- the processing of name and address data and bank account numbers (IBAN) when collecting, recording and using data for financial accounting has the following purposes and corresponding legal basis:
  - the recognisability of financial rights and obligations
  - pursuant to a statutory obligation
- the processing of data when collecting, recording and storing data of job applicants (application letters, curriculum vitae) has the following purposes and corresponding legal basis:
  - selecting staff
  - pursuant to the data subject's consent

### Source of processed personal data

If our firm processes personal data about you that we have not received from you personally, this will always be done for the purpose of the assignment given to us.

In such cases, the source of such data will be one of the following:

- Public records, including the Kadaster, the Chamber of Commerce, the Dutch matrimonial property register (*huwelijksgoederenregister*) and the Dutch Register for Adult Guardianships and Fiduciary Administrations (*curatele- en bewindregister*);
- Dutch personal records database (*basisregistratie personen (BRP)*);
- real estate agent, mortgage adviser, accountant, tax adviser, lawyer, bookkeeper, or any other adviser hired by you in connection with the assignment placed with our firm;
- donor/donee;
- testator/heir/executor, and
- holder of a power of attorney.

### Transferring your personal data

Our firm will only transfer your personal data to third parties if we are under a statutory obligation to do so or if this is really necessary in order to carry out the work.

Our firm supplies personal data to the following recipients:

- real estate agent, mortgage adviser, accountant, tax adviser, lawyer, bookkeeper, or any other adviser hired by you in connection with the assignment placed with our firm;
- the other parties involved in the deed and their advisers;
- public records, such as Kadaster or the Chamber of Commerce, and
- the Dutch Tax Administration.

Our firm does not transfer personal data beyond the EU or to international organisations.

### Retaining your personal data

Your personal data is not retained by our firm any longer than is necessary for the purpose for which it has been collected, in order to perform statutory tasks and to comply with statutory obligations or to perform contracts (please note that statutory limitation periods may apply). Retention periods in statutory provisions such as the Dutch Notaries Act (*Wet op het notarisambt*) and the Dutch Public Records Act apply. Notarial deeds are kept forever.

### Your rights regarding personal data we have processed

If your personal data is processed by our firm pursuant to the General Data Protection Regulation, you may exercise the following rights.

You can do so by filing a request - preferably in writing - using the contact data in this privacy notice. Before granting your request, we will first identify you, using valid proof of identity.

#### *The data subject's right to access personal data*

You can always ask us which personal data our firm is processing, which purpose this serves and for how long it is kept. There may be a legal basis which prevents us from complying with your request; we will assess this and inform you accordingly.

#### *Right to have data rectified*

If you think that certain data has not been processed correctly, you have the right to request that this data be rectified. If this concerns data in a notarial deed, rectifying it will not be possible and a new deed will have to be prepared to supplement the incorrect deed.



### *Right to have data deleted (right to be forgotten)*

If you wish your personal data to be removed, you can file a request to such effect. If the data is in a notarial deed, the notary is not permitted to remove it.

### *Right to restrict the processing*

If you wish to limit the processing of personal data by our firm (pending rectification of your personal data on your request, or because you have lodged an objection to processing or because you actually do not wish data to be removed although the processing is unlawful), you can file a request to such effect.

### *Right to data transferability*

If your personal data is not processed for a notarial deed and you wish to transfer the personal data to another service provider, you can file a request to such effect. Incidentally, such transfer is not always possible, as there may be statutory notarial duties that are in conflict with this.

### **Possible restrictions to your exercising your rights pursuant to the General Data Protection Regulation**

Our firm will do its utmost to comply with your rights pursuant to the General Data Protection Regulation. However, these rights may conflict with other statutory provisions, for example those in the Dutch Notaries Act. If this precludes the notary from granting one of the requests referred to above, you will be notified 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 communicate this to our contacts, Mr M.C.H. Rijk LL.M. (m.rijk@vhhnotarissen.nl) or Ms V.J.M. Kerkhofs LL.M. (v.kerkhofs@vhhnotarissen.nl). You also have a right to file a complaint with the supervisory authority, i.e. the Dutch Data Protection Authority (*Autoriteit Persoonsgegevens*). You can find further information about this on [www.autoriteitpersoonsgegevens.nl](http://www.autoriteitpersoonsgegevens.nl).

### **Changes to this Privacy Notice**

Van Hecke Houben Notarissen reserves the right to make changes to this Privacy Notice. New versions are published on the website.

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[www.vanheckehouben.nl](http://www.vanheckehouben.nl)

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Derdengelden Rekeningen van Van Hecke Houben Notarissen

NL85 RABO 0144 1025 01 | NL16 INGB 0682 7648 84 | NL59 ABNA 0478 8811 26

BTW nr.: NL8195.18.967.B.01