

Privacy Policy

Schut | van Os Notarissen N.V. (hereinafter referred to as “Schut van Os”) respects your privacy and processes personal data as a data controller in accordance with the European General Data Protection Regulation (hereinafter referred to as “GDPR”).

In this Privacy Policy we explain:

- what personal data we collect and how;
- for what purposes and on what grounds we process your personal data;
- how long we keep your personal data;
- who we share your personal data with;
- how your personal data is protected;
- how you can contact us;
- the rights you have as data subject.

Personal Data

Personal data is any information relating to an identified or identifiable natural person. Personal data that we process may include:

- basic information such as your first and last name, prefix, title;
- contact details such as your e-mail address, postal address and phone number;
- any other personal data relating to you which you may provide us or that we may obtain in relation to the purposes and based on grounds set out below;
- where appropriate, legal familial ties to the extent necessary for executing notarial duties.

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 permission.

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

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.
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.
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.

Purposes and legal basis for the processing of personal data

Schut van Os may process your personal data for the following purposes:

- to provide our legal services;
- to comply with our legal and regulatory obligations.

We will process your personal data using one or more of the following legal grounds:

- performance of a contract;
- compliance with a legal obligation;
- legitimate interest;
- your consent.

Sharing with others

In some cases we may also share your personal data with third parties. This may include, but is not limited to:

- third parties that we engage with, such as supervisory authorities and other bodies, but only in order to comply with legal obligations;
- third party suppliers in connection with the processing of your personal data for the purposes described in this Privacy Policy, such as IT providers;
- third parties relevant to the legal services that we provide, such as regulatory authorities and governmental institutions.

We will only transfer your personal data to the above mentioned third parties for the purposes and on the legal grounds stated in this Privacy Policy.

Third parties to whom we transfer your personal data are themselves responsible for compliance with privacy legislation. Schut van Os is neither responsible nor liable for the processing of your personal data by these third parties. To the extent that a third party processes your personal data as a data processor of Schut van Os, our office will conclude a processor agreement with such party that meets the requirements set out in the GDPR.

To be able to provide our services, it may be necessary for us to transfer your personal data to a recipient in a country outside of the European Economic Area. In that case, Schut van Os will ensure that the data transfer is compliant with the applicable law. Security.

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.

Security

Schut van Os has taken technical and organisational measures to ensure an appropriate level of security to protect your personal data from unauthorised or unlawful processing and from loss, destruction, damage, alteration or disclosure. If you have any questions regarding the security of your personal data, or if there are indications of misuse, please contact info@schutvanos.nl.

Your rights

You, as a data subject, have a number of legal rights:

- Right of access. This means you can make a request to obtain access to the personal data concerning you.
- The right to rectification or correction of your personal data if it is inaccurate or incomplete. This is not possible, however, if the data are used in a notarial deed, in which case a new deed must be drawn up as an addendum to the incorrect deed;
- The right to erasure of the personal data that relates to you. Please note that there may be circumstances in which we are required to retain your data in order to meet our legal and regulatory obligations;
- The right to object to or to request restriction of the processing;
- The right to data portability;
- The right to lodge a complaint with a supervisory authority;
- The right to withdraw your consent.

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.