

## **Privacy statement *Albers en van Tienen notarissen***

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

### **Our contact details**

Office name: Albers en van Tienen notarissen  
Address: Wolbrantskerkweg 40  
Postal code and town/city: 1069 DA Amsterdam  
Contact person: Victor Badal  
Email address: info@avtn.nl

### **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 (*Basisregistratie Personen*, BRP), the Trade Register of the Chamber of Commerce 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.

### **Advisory and other services**

The following applies to the processing of personal data for other purposes by our office:

- The purposes and corresponding legal bases for the processing of personal data for advisory proceedings are as follows:
  - The client will be advised about an applied issue;
  - The processing will be based on permission or execution of the agreement;
- The purposes and corresponding legal bases for the processing of personal data for legalization proceedings are as follows:
  - To conform your identity and signature;
  - The processing will be based on permission or execution of the agreement;

### **Source of personal data processed**

If our office processes personal data relating to you, which we have not received from you, this will always take place in the context of the engagement assigned to us. The source of those data will be one of the following:

- The Netherlands' Cadastre, Land Registry and Mapping Agency
- The Municipal Personal Records Database
- The Trade Register of the Chamber of Commerce
- A real estate agent or other adviser in connection with a purchase agreement, to which you are one of the parties
- Your representative

### **Forwarding your personal data**

Our office will forward your personal data to other parties (third parties) only if this is required by law or if this is actually necessary for the execution of the activities.

Our office provides personal data to the following recipients:

- The Netherlands' Cadastre, Land Registry and Mapping Agency
- The courts
- The tax authorities
- The Trade Register of the Chamber of Commerce
- The organisation of the civil-law notary's (*de Koninklijke Beroepsorganisatie*) regulators, tax authorities and investigative authorities
- municipalities, provinces, the central government and regional water authorities
- owners' associations

Our office does not forward personal data to non-EU countries nor to international organisations.

### **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.

### **Your rights relating to personal data processed by our office**

If your personal data are processed by our office, pursuant to the General Data Protection Regulation (GDPR) (EU) 2016/679, you may exercise the rights stated below.

To that end, you must submit a request (preferably in writing) to the contact address stated in this privacy statement. Before granting your request, we will confirm your identity on the basis of a valid identity document first.

#### *Right of inspection by the data subject*

You can always enquire which personal data our office processes, for which purpose they are used and how long the data will be retained. In the event that there is any legal basis that precludes us from complying with your request, we will assess this and inform you accordingly.

#### *Right to rectification*

If you believe that certain data have been incorrectly processed, you have the right to request rectification of the data. 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.

#### *Right to erasure (right to be 'forgotten')*

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

#### *Right to restriction of processing*

If you wish to restrict the processing of personal data by our office (pending rectification of your personal data at your request, an objection lodged against processing or because you specifically do not wish to have data erased even though processing of the data is unlawful), you may submit a request to that effect.

#### *Right to data portability*

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

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

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.

**Complaints concerning the processing of your personal data by our office**

If you have any complaints concerning the processing of personal data by our office, please let us know by contacting: [info@avtn.nl](mailto:info@avtn.nl). You also have the right to submit a complaint to the supervisory authority, the Dutch Data Protection Authority (Autoriteit Persoonsgegevens). You can use the website [www.autoriteitpersoonsgegevens.nl](http://www.autoriteitpersoonsgegevens.nl).