

## PRIVACY STATEMENT

This privacy statement relates to the processing of personal data by Van Benthem & Keulen B.V. (VBK), located at Archimedeslaan 61 (3584 BA) in Utrecht, the Netherlands, registered in the register of the Dutch Chamber of Commerce under number 30241317 (hereinafter "**we**" or "**us**").

We collect and process personal data. Personal data is any information that can (directly or indirectly) identify a natural person. Personal data can be a name or telephone number, but also, for example, a date of birth or an e-mail address.

This privacy statement is intended to inform you about what personal data we collect, how we handle that personal data and what rights in connection with it belong to you.

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### 1. OUR PROCESSING ACTIVITIES

#### 1.1 Legal and notarial services

**What personal data do we collect and process, why and how long do we keep it?**

*Implementation of agreement*

To the extent necessary for our services, we collect personal data of clients and/or other persons that we receive from our clients, the other party or that is evidenced by public records. This includes name, contact details (telephone number, address, e-mail address and any other data necessary for communication), bank account number, name and powers of directors and other

data necessary for handling the case, such as civil status and any financial or health data. The provision of this personal data is not required by contract or law. If the personal data is not provided to us, we may not be able to provide the service, or may be less able to do so, depending on the specific case.

We use this data to execute the agreement with our client. Insofar as the client is a natural person and the data concerns the client himself, we process these personal data pursuant to Article 6 paragraph (1) General Data Protection Regulation ("**AVG**") for the performance of the agreement with the client. Insofar as the personal data concerns data subjects other than the client himself, we process these data pursuant to Article 6 subsection 1 (f) AVG and we have a legitimate interest, because without the data we cannot properly perform our legal services. If we process special personal data or criminal data, we may process such data because: (i) this is necessary for the establishment, exercise or substantiation of a legal claim or (ii) the data subject has expressly disclosed such data, or (iii) the data subject has given express consent.

We keep personal data as part of our services for no more than 20 years after the file is closed in connection with file retention obligations (in accordance with advice from the Bar Association). Notarial deeds are kept in perpetuity. After 75 years, these are transferred to the state archives repository.

#### *Legal obligation*

We are legally obliged under the Regulation on the Legal Profession, the Notary Act and the Prevention of Money Laundering and Financing of Terrorism Act ("**Wwft**") to identify clients and, in some cases, required to conduct a client due diligence. To this end, we collect personal data such as the country of residence or establishment of the client, the copy identity document, nationality, Citizen Service Number, names of the beneficial owner and whether that person or a close person is a politically exposed person. In addition, sanctions laws and regulations require us to check whether our client or - in short - persons who own or control a client appear on national, international or European sanctions lists. For this purpose, we also collect personal data, such as the names of the aforementioned persons, their date of birth and their country of residence. We collect and process this personal data only if and to the extent we are required to do so by law. Clients are obliged to provide us with these personal data. If the client does not provide us with the personal data, we cannot and should not provide our services.

We retain the copy identity document and Citizen Service Number for 5 years after the end of the client's engagement. Personal data that we process as part of our obligations under the Wwft are retained for 5 years after the business relationship has ended, the transaction has been executed or a transaction has been reported.

### **With whom do we share personal data?**

We may provide your personal data to third parties insofar as we are legally obliged to do so, or insofar as this is necessary for the performance of our services. These third parties may include: judicial authorities, the (lawyer) opponent, a bailiff, an expert, the UWV, an accountant, a tax expert or other lawyers or notaries. These third parties are controllers and the processing of personal data by them is subject to the privacy statement of the relevant controller.

We may further share personal data with third parties who process such personal data on our behalf, for example for the storage of files or the maintenance and security of our IT systems. These third parties are processors of ours and process the data only for our benefit and for no other purpose.

In principle, we will not process these personal data (or have them processed) outside the European Economic Area, unless this is necessary in connection with the specific legal services or because of a legal obligation. In the latter case, we will ensure appropriate safeguards to ensure that the transfer takes place in accordance with applicable privacy legislation.

## **1.2 Mediation**

### **What personal data do we collect and process, why and how long do we keep it?**

We offer mediation as a service.

#### *Performing services*

To the extent necessary for the mediation, we collect personal data that we obtain from the participants and/or that is evidenced by public records. Personal data we collect and process include participants' name, telephone number, address details and e-mail address. In addition, it may also be necessary to process civil status and financial data for the mediation. We process this personal data on the basis of Article 6(1) (b) of the GDPR for the performance of the mediation agreement with the parties. Insofar as the personal data concerns other data subjects than the participant himself, we process these data pursuant to Article 6 (1) (f) of the GDPR and have a legitimate interest, because without the data we cannot properly perform our role as mediator. If we process special personal data or criminal data, we may process such data because: (i) the data subject has explicitly disclosed this data, or (ii) the data subject has given explicit consent. Providing this personal data is not required by law or contract. However, if you do not provide these personal data, we may not be able to carry out the mediation, or may be less able to do so.

We keep your file for 20 years after the mediation process has ended.

#### *Legal obligation*

We process your identity document because the mediator is required by law to establish the identity of participants. Thereby, in case of legal proceedings at joint request, address data and Citizen Service Number are also required to be provided to the court, otherwise the court cannot render a judgment. We process this personal data only if and to the extent that there is a legal obligation. Providing these personal data is required by law. If you do not provide these personal data, we will not be able to provide services and/or the court will not be able to render a judgment.

We keep the copy of your identity document and Citizen Service Number for up to 5 years after receipt.

#### **With whom do we share personal data?**

We will provide your Personal Data to the other participant(s) in the mediation and, to the extent necessary for the mediation, to a municipality (for registration in the registers), judicial authority, accountant or tax specialist.

We may further share personal data with third parties who process such personal data on our behalf, e.g. for file storage, maintenance and availability of our IT systems. These third parties are processors of ours and process the data only for our benefit and for no other purpose.

We will not process this personal data (or have it processed) outside the European Economic Area.

### **1.3 Applications**

#### **What personal data do we collect and process, why and how long do we keep it?**

In order to contact and maintain contact with you as part of the application process and to assess your suitability for the position you are applying for, we collect the personal data you provide to us, including: name, address, place of residence, telephone number, e-mail address, CV, grade list, education, copy of diplomas, certificates, internship assessments. We process this data under Article 6(1)(f) of the GDPR and we have a legitimate interest, because without this data we cannot assess your suitability for the position and/or notify you of the progress of the application process.

Providing your personal data is neither a legal obligation nor a necessary condition for entering into a contract. However, if you do not provide us with the personal data, we may not be able to process your application.

In any case, your personal data will be deleted within four weeks after the application procedure is completed. If we wish to keep your data in portfolio for longer, we will ask you for permission to do so. In such a case, we will retain your personal data for a maximum period of one year after the completion of the application procedure. You can withdraw your consent at any time. This

does not affect the lawfulness of the processing of your personal data prior to withdrawal of consent.

#### **With whom do we share personal data?**

We may share personal data with third parties who process such personal data on our behalf, for example for the maintenance and availability of our IT systems. These third parties are processors of ours and process the data only for our benefit and for no other purpose.

We will not process this personal data (or have it processed) outside the European Economic Area.

### **1.4 Students**

#### **What personal data do we collect and process, why and how long do we keep it?**

##### *Student activities*

Through the Website, you can sign up for student activities such as an office visit, Legal Lunch and the Master Days. To sign up for these activities, we ask you to provide, among other things, your name, contact details, CV, motivation letter, grade list, any internship assessments and the practice group you are interested in. We process this data under Article 6(1)(f) of the GDPR and we have a legitimate interest, because without this data we cannot contact you and/or assess your eligibility for the office visit, Legal Lunch and Master of Law Days.

If you are selected to participate in the Master Days, we may ask you for additional information to organise the trip. We will then inform you separately about this.

The provision of your personal data is not based on any contractual or legal obligation, nor is it a necessary condition for entering into a contract. However, if you do not provide us with the personal data, you will not be able to participate in the events.

We will keep your data for as long as it is necessary in the context of organising the relevant student activity or internship. After completion, if you consent, we may keep the personal data on file for the duration of your law studies to invite you to other student activities or to approach you to apply for a student internship or other vacancy. You may withdraw your consent at any time. This maintains the lawfulness of the processing of your personal data prior to the withdrawal of consent.

##### *Student internship*

Through the website, you can apply for a student internship with our firm. For this, we would like to receive your name, contact details, CV, motivation letter, grade list and any interest in a focus internship at a particular practice group. We process this data under Article 6(1)(f) of the GDPR

and we have a legitimate interest, because without this data we cannot assess your suitability for the internship and/or inform you about the course of the application procedure. Providing your personal data is neither a legal obligation nor a necessary condition for entering into a contract. However, if you do not provide us with the personal data, we may not be able to process your application.

In any case, your personal data will be deleted within four weeks of the application process being completed. If we wish to keep your data in its portfolio for longer, we will ask you for permission to do so. In such a case, we will retain your personal data for a maximum period of one year after the completion of the application procedure. You can withdraw your consent at any time. This does not affect the lawfulness of the processing of your personal data prior to the withdrawal of consent.

#### **With whom do we share personal data?**

We may share personal data with third parties who process such personal data on our behalf, for example for the maintenance and availability of our IT systems. These third parties are processors of ours and process the data only for our benefit and for no other purpose.

We may also provide your data to service providers we use to the extent necessary for the organisation of student activities, such as a caterer or tour operator.

We will not process this personal data (or have it processed) outside the European Economic Area.

### **1.5 Suppliers**

#### **What personal data do we collect and process, why and how long do we keep it?**

From persons employed by a supplier or the supplier itself, we collect contact data (name, telephone number, address, e-mail address, signature and any other data necessary for communication) in order to maintain contact in connection with the performance and billing of products or services of our suppliers. We process this personal data pursuant to Article 6(1) (b) or (f) of the GDPR because it is necessary to process this personal data for the performance of the agreement with our suppliers. There is no legal obligation to provide personal data. However, provision of personal data is a necessary condition for entering into a contract and/or the performance thereof. We do not retain personal data longer than necessary, processing personal data in an agreement for up to 7 years after the end of the business relationship.

We may be required by law to collect and retain personal data from suppliers such as bank details, financial data and the country where a supplier is based. We process this personal data only if and for as long as there is a legal obligation.

### **With whom do we share personal data?**

We may share personal data with third parties who process such personal data on our behalf, for example for the maintenance and security of our IT systems. These third parties are processors of ours and process the data only for our benefit and for no other purpose.

We will not process this personal data (or have it processed) outside the European Economic Area.

## **1.6 Website, events and marketing**

### **What personal data do we collect and process, why and how long do we keep it?**

#### *News items and events*

You can register at [www.vbk.nl](http://www.vbk.nl) (hereinafter "**the Website**") to receive news from us, such as Legal Updates or you can register for a variety of events and seminars we organise. To send Legal Updates and invitations to events, we use your name and e-mail address. Optionally, you can also provide additional information, for example about the company and position you work in. However, this is not obligatory for receiving the Legal Updates, but is required for the IURA ACTUA. We process this personal data on the basis of your consent as set out in Article 6(1) (a) of the GDPR. You may withdraw your consent at any time. This can be done via the link in the Legal Updates or by contacting us using the contact details below.

To clients, we may send news or invitations to events or seminars without requiring consent. We process this data pursuant to Article 6(1)(f) of the GDPR and have a legitimate interest to process personal data, as it is necessary for our business operations and in the context of the client relationship. We offer you the opportunity to object to the processing prior to collection and with every communication.

Giving us your personal data is not based on any contractual or legal obligation. However, if you do not provide us with the personal data, we will not be able to send you a newsletter or event invitation.

#### *Webinars*

If you participate in one of our Webinars broadcast via a live stream from Vimeo Inc, we process personal data (e-mail address and name) obtained from you and the personal data (e-mail address and name) of participants received from Vimeo Inc. This personal data is received and processed in the context of identifying Webinar participants and to answer questions asked by participants during or after Webinars. We receive and process participants' personal data pursuant to Article 6(1)(f) of the GDPR. We have a legitimate interest to receive and process the

personal data because it is necessary for our business operations in the context of conducting the Webinars. There is no legal obligation to provide this personal data. However, if you do not provide this data to us, you may not be able to participate in the Webinars. Personal data processed will not be retained for longer than 30 (thirty) days after the Webinar for the purposes for which the personal data was collected, unless otherwise required by law. We do not share participants' personal data with Vimeo Inc.

Vimeo Inc. is the data controller of the personal data of participants who use the services of Vimeo Inc. It is possible that personal data of participants may be processed for other purposes by Vimeo Inc. when using the services of Vimeo, Inc. for this purpose please refer to the privacy statement of Vimeo Inc.

#### *Free services*

Through our free VBK Service Concept (vanDienst), we offer you a number of services free of charge, such as the opportunity to use our library. To use our library, we ask you to provide your name, company name and business e-mail address. We process this personal data under Article 6(1)(b) or (f) GDPR, as it is necessary to process this personal data for the performance of the agreement for the free service. There is no legal obligation to provide these personal data. However, if you do not provide these data to us, we may not be able to conclude an agreement with you.

We will not retain your personal data for longer than necessary for the purposes for which your personal data was collected, unless otherwise required by law. When you have unsubscribed from the newsletter or other communications, we will delete your personal data unless we need to keep it for other purposes (e.g. because you also use our legal services).

#### **With whom do we share personal data?**

We may share personal data with third parties who process such personal data on our behalf, for example for the maintenance and availability of our IT systems, including the website. These third parties are processors of ours and process the data only for our benefit and for no other purpose.

We will not process this personal data (or have it processed) outside the European Economic Area.

### **1.7 Cookies**

Our Website uses techniques that enhance ease of use and make the site as interesting as possible for each visitor, for example by remembering language settings or other preferences. The best-known examples of this type of technology are cookies, but we may also use other

technologies that allow information to be stored in peripherals or access to information, such as: tags, beacons and JavaScripts (hereinafter collectively referred to as "**cookies**").

We and others (such as Google, Hotjar, LinkedIn, Piwik PRO, Vimeo and Youtube) use cookies to collect information about your (mobile) device, browser and browsing behaviour. These cookies are used to make the Website function optimally, to analyse and improve the use of the website and to ensure that all relevant content can be displayed. We process your personal data through these cookies in accordance with our cookie statement. Some cookies may also be placed on your device by other parties, such as our advertisers or parties who place cookies to display certain content on our Websites (e.g. videos). These cookies are called 'third party' cookies. For more information on how these third parties handle your (personal) data, please refer to the privacy policies of these third parties. Which third parties place third party cookies on your device can be found in our [cookie statement](#).

## **2. SECURITY OF PERSONAL DATA**

We have taken appropriate technical and organisational measures to secure your personal data against loss or any other form of unlawful processing. In addition, those working for us are bound by confidentiality.

## **3. YOUR RIGHTS**

You have the right to request us to:

- Provide access to your personal data;
- To have your personal data completed, corrected or deleted;
- Object to the processing of your personal data;
- Restrict your personal data; and/or
- Transferring your personal data to you or a third party.

These rights are not absolute. We will assess your request in accordance with the GDPR. We will provide you with information on the actions we have taken in response to your request as soon as possible, but in any case within one month of receiving your request. We may extend this period by two months due to the complexity of your request or the number of requests we receive. We will inform you in that case.

Finally, you have the right to file a complaint with the Personal Data Authority at any time.

#### **4. CHANGES TO OUR PRIVACY STATEMENT(S)**

This privacy statement was last amended on 17 September 2024. We may amend our privacy statement from time to time by publishing the amended version on [this page](#). You are therefore advised to consult this page regularly.

#### **5. CONTACT**

Do you have any questions about this privacy statement? If so, please contact us at:

VBK

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