

# VAN BENTHEM & KEULEN

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## PRIVACY STATEMENT

This privacy statement relates to the processing of personal data by Van Benthem & Keulen B.V., having its office at Archimedeslaan 61 (3584 BA) in Utrecht, registered in the register of the Dutch Chamber of Commerce under number 30241317 (hereinafter referred to as “**we**” or “**us**”).

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

This privacy statement is designed to inform you about which personal data we collect, how we handle this personal data and what rights you have in this context.

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## 1. OUR PROCESSING ACTIVITIES

### 1.1 Legal and Notarial Services

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

##### *Performance of the agreement*

Insofar as necessary for our services, we collect personal data from clients and/or other persons that we receive from our clients, the other party or that appear from public registers. This includes name, contact details (telephone number, address, email address and any other data necessary for communication), bank account number, name and powers of directors and other data

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necessary for the handling of the case, such as marital status and any financial or health information. The provision of this personal data is not required by law or contract. Depending on the specific case, if the personal data is not provided to us, we may not be able to perform the service or at least not optimally.

We use this data to perform the agreement with our client. Insofar as the customer is a natural person and the data relates to the customer themselves, we will process this personal data on the basis of Article 6(1) of the General Data Protection Regulation ("**GDPR**") for the performance of the agreement with the customer. Insofar as the personal data concerns data subjects other than the client itself, we process this data on the basis of Article 6(1) (f) of the GDPR and we have a legitimate interest, because without the data we will not be able to perform our legal services properly. If we process special personal or criminal data, we are permitted to process this data because: (i) it is necessary for instituting, asserting or substantiating a legal claim or (ii) because the data subject has expressly disclosed such information, or (iii) because the data subject has given their express consent.

In the context of our services, we store personal data for a maximum of 20 years after the closure of the file under the obligation to retain files (in accordance with the advice of the Bar Association). Notarial deeds are retained forever. After 75 years, they are moved to the depository belonging to the State Archives.

## *Statutory obligation*

We have a statutory obligation to identify clients and, in some cases, to carry out a client due diligence, under the Regulation on the Legal Profession, the Notaries Act and the Money Laundering and Terrorist Financing (Prevention) Act ("**Wwft**"). For this purpose, we collect personal data, such as the country where the client resides or is established, a copy of the identity document, nationality, Citizen Service Number, the names of the ultimate stakeholder and whether that person or a close relative is a politically prominent 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 only collect and process this personal data if and insofar as we are obliged by law to do so. Clients are obliged to provide us with this personal data. If the client does not provide us with the personal data, we will not be able and not be allowed to provide our services.

We keep a copy of the identity document and Citizen Service Number for 5 years after completing our services for the client. Personal data that we process in the context of our obligations under the Wwft will be kept for a period of 5 years after the end of the business relationship, the conduct of the transaction or a notification of a transaction.

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

We may provide your personal data to third parties insofar as we are obliged by law to do so or insofar as this is necessary for the performance of our services. These third parties may be: judicial authorities, the other party or the other party's lawyer, a bailiff, an expert, the UWV, an accountant, a tax consultant or other lawyers or civil-law notaries. These third parties are data controllers and the privacy statement of the relevant data controller applies to the processing of personal data by them.

We may also share personal data with third parties who process 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 on our behalf and not for any other purpose.

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

## **1.2 Mediation**

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

We offer mediation as a service, including mediation specifically for family law. Family law mediations concern family law conflicts, such as divorces, maintenance disputes and matrimonial property disputes.

#### *Performance of services*

Insofar as this is necessary for the mediation, we collect personal data that we receive from the participants and/or that appear from public registers, such as the registers of the registry office, the matrimonial property register or the custody register. Personal data that we collect and process includes name, telephone number, address and email address of the participants. In addition, it may also be necessary to process marital status, family situation and financial data for the mediation. This may be relevant, for example, in relation to law of descent and family-law implications, including maintenance obligations. As part of the mediation process, we may also ask the participants in the mediation to provide personal data of children, such as name and date of birth. 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 data subjects other than the participant themselves, we process this data on the basis of Article 6(1) (f) of the GDPR and have a legitimate interest, because without the data we will not be able

to perform our role as mediator properly. If we process special personal or criminal data, we are permitted to process this data because: (i) the data subject has expressly disclosed such information or (ii) the data subject has given their express consent. The provision of this personal data is not required by law or contract. However, if you do not provide this personal data, we may not be able to mediate or at least not optimally.

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

### *Statutory obligation*

We process your identity document because the mediator is obliged by law to establish the identity of the participants. In the event of legal proceedings upon joint request, it is also necessary to provide the address details and Citizen Service Number to the court, otherwise the court will not be able to give its decision. We only process this personal data if and insofar as there is a statutory obligation to do so. Clients are legally obliged to provide us with this personal data. If you do not provide this personal data, we cannot provide services and/or the court cannot give a ruling.

We will keep a copy of your identity document and Citizen Service Number for a maximum of 5 years after receipt.

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

We provide your personal data to the other participant(s) in the mediation and, insofar as necessary for the mediation, to a municipality (for registration in the registers), judicial authority, accountant or tax consultant.

We may also share personal data with third parties who process personal data on our behalf, for example for the storage of files and the maintenance and availability of our IT systems. These third parties are processors of ours and process the data only on our behalf and not for any other purpose.

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

## **1.3 Job Applications**

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

In order to establish and maintain contact with you as part of the application procedure and to assess your suitability for the position you are applying for, we collect the personal data that you provide to us, including: name, address, telephone number, email address, CV, list of marks, education, copies of diplomas, certificates, internship assessments. We process this data on the

basis of Article 6(1) (f) of the GDPR and have a legitimate interest, because without this data we will not be able to assess whether you are suitable for the position and/or to inform you about the progress of the application procedure.

The provision of your personal data is neither required by law nor a prerequisite for entering into a contract. However, if you do not provide us with your 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 has been completed. If we wish to keep your data in our portfolio for a longer period of time, we will ask your permission for this. In such a case, we will retain your personal data for a maximum period of one year after the end of the application procedure. You can withdraw your consent at any time. This does not affect the legitimacy of the processing of your personal data prior to the withdrawal of your consent.

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

We may share personal data with third parties who process 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 on our behalf and not for any 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 for how long do we retain it?**

#### *Student activities*

Through the Website you can register for student activities such as an office visit, Legal Lunch and the Master of Law Days. In order to register for these activities, we ask you to provide your name, contact details, CV, motivation letter, list of marks, any internship assessments and the practice group in which you are interested. We process this data on the basis of Article 6(1) (f) of the GDPR and we have a legitimate interest, because without this data we will not be able to contact you and/or assess whether you are eligible for the office visit, Legal Lunch and Master of Law Days.

If you are selected to take part in the Master of Law Days, we may ask you for additional information for the organisation of the trip. We will inform you about this separately.

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

We will retain your data for as long as it is necessary for the organisation of the relevant student activity or internship. Afterwards, if you consent, we may keep the personal data on file for the duration of your law studies in order to invite you to other student activities or to contact you in order to apply for a student internship or other vacancy. You can withdraw your consent at any time. This does not affect the legitimacy of the processing of your personal data prior to the withdrawal of your consent.

## *Student internship*

Through the website you can register for a student internship at our office. For this we would like to receive your name, contact details, CV, motivation letter, list of marks and possible interest in a focus internship in a particular practice group. We process this data on the basis of Article 6(1) (f) of the GDPR and we have a legitimate interest, because without this data we will not be able to assess whether you are suitable for the internship and/or to inform you about the course of the application procedure. The provision of your personal data is neither required by law nor a prerequisite for entering into a contract. However, if you do not provide us with your 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 has been completed. If we wish to keep your data in our portfolio for a longer period of time, we will ask your permission for this. In such a case, we will retain your personal data for a maximum period of one year after the end of the application procedure. You can withdraw your consent at any time. This does not affect the legitimacy of the processing of your personal data prior to the withdrawal of your consent.

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

We may share personal data with third parties who process 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 on our behalf and not for any other purpose.

In addition, we may provide your details to service providers that we use insofar as necessary for the organisation of student activities, such as a caterer or travel agency.

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 for how long do we retain it?**

We collect contact details (name, telephone number, address, email address, signature and any other data necessary for communication) from persons employed by a supplier or the supplier itself in order to be able to maintain contact in the context of the performance of and invoicing for products or services of our suppliers. We process this personal data on the basis of Article 6(1) (b) or (f) GDPR, because it is necessary to process this personal data for the performance of the agreement with our suppliers. The provision of personal data is not required by law. However, the provision of personal data is a prerequisite for the conclusion of a contract and/or its performance. We do not store the personal data for longer than necessary. We do not store the personal data in an agreement for longer 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 details and the country in which a supplier is based. We only process this personal data if and 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 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 on our behalf and not for any 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 for how long do we retain it?**

#### *News items and events*

You can sign up to receive news from us, such as Legal Updates, at [www.vbk.nl](http://www.vbk.nl) (hereinafter referred to as "**the Website**") or you can sign up for any of the events and seminars we organise. To send Legal Update and invitations to events, we use your name and email address. If necessary, you can also provide additional information, for example about the company and the position in which you work. However, this is not required for receiving the Legal Update, but it is for IURA ACTUA. We process this personal data on the basis of your consent as laid down in Section 6(1) (a) GDPR. You can withdraw your consent at any time, via the link in the Legal Update or by contacting us using the contact details below.

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We may send news or invitations to events or seminars to clients without the need for permission. We process this data on the basis of Article 6(1) (f) of the GDPR and we have a legitimate interest in obtaining personal data, because this is necessary for our business operations and in the context of the customer relationship. We offer you the opportunity to object to the processing prior to the collection and with every communication.

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

## *Webinars*

If you participate in one of our Webinars broadcast via Vimeo Inc. live stream, we will process personal data (email address and name) we have obtained from you, as well as participants' personal data (email address and name) we receive from Vimeo Inc. We receive and process this personal data for the purposes of identifying Webinar participants and to answer questions posed by participants both during and after Webinars. We receive and process participants' personal data on the basis of Article 6(1)(f) GDPR. We have a legitimate interest in receiving and processing the personal data because this is required for our business operations in the context of broadcasting the Webinars. You are not statutorily required to disclose these personal data. However, if you do not disclose these data to us, you may not be able to participate in the Webinars. The personal data that are processed will not be retained for longer than 30 (thirty) days after the Webinar for the purposes for which they were collected, unless statutory provisions determine otherwise. We do not share participants' personal data with Vimeo Inc.

Vimeo Inc. is the controller with respect to the personal data of participants who use Vimeo Inc.'s services. If a participant uses Vimeo Inc.'s services, Vimeo Inc. may process that participant's personal data for other purposes. We refer to Vimeo Inc.'s privacy statement on this.

## *Cost-free service*

Through vanDienst we offer you a number of free services, such as a helpdesk for conferring by telephone and the option to use our library. If you wish to use our library, we ask to fill in your name, company name, job title and business email address. We process this personal data on the basis of Article 6(1) (b) or (f) GDPR, because it is necessary to process this personal data for the performance of the agreement for the free provision of services. The provision of personal data is not required by law. However, if you do not provide us with this information, 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 it was collected, unless otherwise provided by law. When you unsubscribe from the newsletter or other messages, we will remove your personal data, unless we have to keep it for other purposes (for example, because you also use our legal services).



## With whom do we share personal data?

We may share personal data with third parties who process 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 on our behalf and not for any other purpose.

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

## 1.7 Cookies

Our website uses technologies that enhance the ease of use and make the site as interesting as possible for every visitor, for example by remembering language settings or other preferences. The best-known examples of this type of technology are cookies, but may also use all other technologies which allow information to be stored in peripherals or information to be accessed, such as: tags, beacons and JavaScript (hereinafter collectively referred to as "**cookies**"). These are small files that are sent with pages of our Website and are stored on your computer, tablet or smartphone and are recognised by the Website upon your return.

### What cookies do we use on the Website?

On our Website, we use the following cookies with indications of which parties place these cookies (and with whom personal data is shared), for what purpose we use these cookies and for how long we store this data:

Type of Cookie	Party	Purpose & Explanation	Retention Period
Functional cookies	Microsoft	This cookie is used to have a unique identity and to distinguish the browser session from other visitors. We are allowed to process this data on the basis of Article 6(1) (f) GDPR and have a legitimate interest, because this cookie is necessary for the proper functioning of the website.	This cookie is deleted as soon as you close your browser.
Analytical cookies	Google	This is a privacy-friendly cookie that is used to keep statistics on the use of the website. We are allowed to process this data on the basis of	This cookie is deleted within 24 months.

		Article 6(1) (f) of the GDPR and have a legitimate interest, because the processing is necessary to be able to improve the Website.	
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More information about activating, deactivating and deleting cookies can be found in the help functionality of your web browser. For the most commonly used browsers, you will find an explanation of the provider on the pages below:

- [Google Chrome](#)
- [Internet Explorer](#)
- [Firefox](#)
- [Safari](#)

Please note that the Website may not function completely properly and some functionalities may not function properly or may not work without problems if you refuse all or certain cookies. In that case, you will have to manually enter or supplement (some) information or specify preferences again each time you visit the Website.

## 2. SECURING PERSONAL DATA

We have taken appropriate technical and organisational measures to protect your personal data against loss or any other form of unlawful processing. In addition, the persons working for us are bound to secrecy.

## 3. YOUR RIGHTS

You have the right to request us to:

- give access to your personal data;
- have your personal data supplemented, corrected or deleted;
- object to the processing of your personal data;
- limit your personal data; and/or
- pass on your personal data to you or to a third party.

These rights are not absolute. We will assess your request in accordance with the GDPR. We will inform you as soon as possible, but in any case within one month after receipt of your request, about the actions we have taken in response to your request. We can extend this period by two months due to the complexity of your request or the number of requests we receive, in which case we will let you know.

Finally, you have the right to submit a complaint to the Dutch Data Protection Authority at any time.

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

This privacy statement was last changed on 30 March 2023. We may change our privacy statement from time to time by publishing the revised version on [this](#) page. You are therefore advised to consult this page regularly.

## 5. CONTACT

Do you have any questions about this privacy statement? Please feel free to contact us:

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