DutchProbate.com
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DutchProbate.com
Dutch Probate Lawyer — Protecting Your Inheritance

PRIVACY STATEMENT

Luminis Executele & Vereffening B.V. trading as DutchProbate.com,
established in Alphen aan den Rijn, P.O. Box 506, 2400 AM Alphen aan den Rijn, Netherlands,
is responsible for the processing of personal data as set out in this Privacy Statement.

Contact details:
DutchProbate.com
Klaas Zondervan
P.O. Box 506, 2400 AM Alphen aan den Rijn
Netherlands
+31 (0)85 060 4243

What personal data do we collect and why?

DutchProbate.com processes your personal data for the purposes described in this Privacy Statement. This personal data may originate from notaries, lawyers, accountants, estate agents, courts and/or government authorities, may be obtained from public and/or non-public sources, or may have been provided to us by you, a family member and/or another (un)known third party.

The processing of this data takes place on the basis of a legal obligation, a legitimate interest, or the performance of a contract or (living) will. If the processing does not directly follow from statutory requirements or regulations, we base such processing on the legitimate interest of our client or the party concerned in the careful and efficient administration of an estate.

Below is an overview of the personal data we process:

- first and last name;
- gender;
- date of birth;
- place of birth;
- address details;
- telephone number;
- email address;
- IP address (when you visit our website);
- other personal data you actively provide within the scope of our services, for example in correspondence or by telephone;;
- data about your activities on our website, for example which sections you visit (when you have consented to this);
- internet browser and device type (when you have accepted our cookie policy);
- banking details (when provided to us).

Special and/or sensitive personal data we process

DutchProbate.com may process the following special and/or sensitive personal data about you:

- information regarding family relationships;
- details of estates to which you, as heir, legatee or person entitled to a statutory share, have rights;

- information concerning marriages, divorces, registered partnership or other forms of cohabitation;
- payment details and bank account numbers;
- location data (when you visit our website).

For what purposes and on what legal basis do we process personal data

DutchProbate.com processes your personal data for the following purposes, among others:

- administering estates as (living) executor, liquidator or estate attorney-in-fact;
- providing legal assistance and representation in legal proceedings;
- drafting agreements, general terms and conditions, powers of attorney and other documents;
- providing tax advice and estate planning;
- conducting mediation in conflict situations.

The personal data that we process regarding heirs, persons entitled to a statutory share, legatees, debtors and creditors of an estate within the scope of these activities is necessary for the performance of the contract with our clients, or results from (living) wills or court orders. We always ensure that this does not involve a disproportionate infringement of your privacy. Upon request, you may receive information about the balancing of interests we have carried out — via the contact details listed at the beginning of this Privacy Statement.

In addition, the processing of personal data is necessary for:

- maintaining our financial administration. We process personal data of everyone who uses our services in order to issue invoices for work performed and expenses incurred. We also process personal data to pay invoices issued to us by third parties. This processing is necessary for the performance of the agreement, as we would otherwise not be able to properly maintain our administration;

- improving and personalising our website. On each visit to our website, we collect personal data to ensure proper website functionality and to display information in the manner you expect. This processing is therefore necessary for the protection of the legitimate interests of DutchProbate.com. We also process your personal data to tailor our service offerings to your preferences (only with your consent);

- handling your enquiry or request. When you contact us, we process the personal data you provide to handle your question or request. Because we process your personal data to ensure that questions, needs and requests are handled carefully, we have a legitimate interest in this processing;

- complying with legal obligations, such as maintaining administration for tax purposes and meeting professional regulatory requirements.

The processing of this personal data is most often based on the performance of a contract, although there may also be situations where the processing is based on your consent or our legitimate interest. Finally, processing may take place to comply with a legal obligation or in the public interest.

Automated decision-making

DutchProbate.com does not make decisions that are solely based on automated processing and that produce legal effects for you or otherwise significantly affect you. However, we do use software and digital systems to support our activities, such as automatically generating documents or structuring client files. In all cases, human involvement is ensured in making substantive decisions.

We do not retain your personal data longer than necessary for the purposes for which we process it, unless we are legally required to retain the personal data for a longer period. We determine the retention period for your personal data on the basis of the following guidelines.

Depending on the capacity of our client and the nature of our services, different retention periods may apply.

I. For our financial administration, we are required under Article 52 of the Dutch General Tax Act (Algemene wet inzake rijksbelastingen — AWR) to apply a retention period of 7 years;

II. Pursuant to Article 5(1)(e) of the GDPR, personal data may not be retained in an identifiable form for longer than is necessary for the purposes for which it is processed; the same article, however, allows retention for longer periods for historical (archival) purposes.

Sharing personal data with third parties

Under no circumstances will your personal data be sold or otherwise transferred to third parties for commercial purposes. DutchProbate.com does share your personal data with various third parties when this is necessary for one of the purposes described above. These may include the following parties:

- Clients. We perform services on behalf of or at the request of, among others, notaries, lawyers, executors, liquidators, persons entitled to a statutory share, legatees and heirs, and may share your personal data with them in that context. These parties are (partially) considered controllers and must therefore inform you themselves about the processing of your personal data;

- Processors. We may engage third parties that process your personal data on our behalf, for example for the storage and management of your personal data and for hosting our website. DutchProbate.com uses, among others, Google Drive (encrypted) and Microsoft Office. We enter into a data processing agreement to ensure an equivalent level of security and confidentiality of your data;

- Authorities. We may share your personal data with supervisory authorities, tax authorities and law enforcement authorities. We will only do so when legally required or when necessary to protect our rights (for example through legal proceedings).

Depending on the nature of the services, the recipient may be located outside the Netherlands as well as outside the European Economic Area (EEA). This may be the case, for example, where we are instructed by a foreign lawyer, notary or local authority to carry out work in the Netherlands. In addition, DutchProbate.com may have personal data processed outside the EEA by its processors. This may occur, for instance, when we must (sub)contract work abroad at the request of a Dutch lawyer, notary or public authority.

With third parties that process your data on our behalf, we enter into a data processing agreement to ensure an equivalent level of protection and confidentiality of your data. DutchProbate.com remains responsible for these processing activities.

Cookies or similar technologies we use

- Functional cookies. DutchProbate.com uses cookies with a purely technical functionality. These ensure that the website operates properly and, for example, that your preferred settings are remembered. These cookies are also used to optimise the functioning of the website;

- Analytical cookies. Analytical cookies record how visitors use the website. This information enables us to create anonymous reports so that we can improve our website and make the information on it easier to find;

- Tracking cookies. We also place cookies that track your browsing behaviour so that we can offer tailored content and advertisements. For this, explicit prior consent is obtained via the cookie banner on our website.

  During your first visit to our website, we informed you about these cookies and requested your consent for the placement of tracking cookies.

You can disable cookies by configuring your internet browser so that it no longer stores cookies. In addition, you can delete all information that was previously stored via your browser settings.

For an explanation, please refer to:

https://veiliginternetten.nl/themes/situatie/cookies-wat-zijn-het-en-wat-doe-ik-ermee

Your rights with regard to your personal data

You have the right to access, rectify (if incorrect or incomplete) and erase your personal data. In addition, you have the right to withdraw any consent you may have previously given for the processing of your personal data and to object to the processing of your personal data. You also have the right to data portability; this means that you may submit a request to us to send the personal data we hold about you in a computer file to you or to a third party designated by you. In certain cases, you also have the right to request that DutchProbate.com restrict the processing of your personal data.

You may send a request for access, correction or erasure of your personal data to info@dutchprobate.com.
A request for data portability or notification of the withdrawal of your consent may also be sent to this address. Objections to the processing of your personal data may be submitted in the same way.

To ensure that a request for access has been made by you, we ask that you include a copy of your proof of identity with your request. Please black out your photograph, identity number and citizen service number (BSN) on this copy. This is to protect your privacy.

DutchProbate.com has not appointed a Data Protection Officer, as this is not required for its activities under the GDPR. If you have any questions about the processing of your personal data, you may contact us at info@dutchprobate.com. DutchProbate.com would also like to point out that you have the right to lodge a complaint with the national supervisory authority, the Dutch Data Protection Authority (Autoriteit Persoonsgegevens).

This can be done via the following link:
https://autoriteitpersoonsgegevens.nl/nl/contact-met-de-autoriteit-persoonsgegevens/tip-ons

How we secure personal data

DutchProbate.com takes the protection of your data seriously and implements appropriate measures to prevent misuse, loss, unauthorized access, unwanted disclosure and unlawful alteration. If you have the impression that your data is not properly secured or if there are indications of misuse, please contact us via info@executeur.nl.

Changes to this Privacy Statement

DutchProbate.com may amend this Privacy Statement from time to time. The amended text will be published on our website, indicating the date on which the changes take effect. In the event of substantial or material changes that could reasonably affect one or more data subjects, we will also endeavour to inform those data subjects directly.

Other trade names of Luminis Executele & Vereffening B.V. include, among others:

Zondervan Rechtskundig Advies
Zondervan Probate Lawyers
Zondervan Legal
Executeur.nl