

PRIVACY STATEMENT MAASSEN LAW

(version 18-09-2018)

In this privacy statement we set out the types of personal data we collect and use and for what purpose. We also provide information with respect to your privacy-rights. We suggest that you read this statement carefully. Please, do not hesitate to contact us, if you have any questions.

Contact details

Maassen Law is a data controller as defined in the Algemene Verordening Gegevensbescherming (General Data Protection Regulation) (AVG). Our contact details are:

Maassen Law
Velperweg 89
6824 HH Arnhem (The Netherlands)
Tel. 00 31 88 40 50 900
Email: info@maassenlaw.com
Contact: Mrs A.A.E. Steenbeeke

Applicability

This privacy statement applies to any person about whom Maassen Law processes personal data, except for persons working for us. This statement, therefore, applies to:

- clients and other relations of Maassen Law;
- visitors of our website (www.maassenlaw.com);
- recipients of our newsletters and e-mails;
- participants to our meetings; and
- any other person contacting us or about whom we process personal data.

16 or Under

Our website is not intended for children aged 16 or under. If you are aged 16 or under, you may only use our website under your parents or /guardian's supervision.

Third-party links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control this and are not responsible. When you leave our website, we encourage you to read the privacy notice of every website you visit.

Data we collect about you

Depending on the services and functionalities used we collect the following data:

Personal data provided by you:

- for the intake and performance of our engagement;
- on contact forms or other web forms;
- in written correspondence (including e-mails or other forms of electronic communication);
- by telephone or similar forms of communication; and
- during (intake-) meetings or seminars, etc..

*Personal data obtained or generated through our website, electronic newsletters, e-mails, telephone system or similar methods**Personal data obtained from other sources, such as*

- public commercial social media platforms;
- the Business Register ("Handelsregister") of the Chamber of Commerce ("Kamer van Koophandel"), the Land Registry ("Kadaster"), the Municipal Population Register ("Gemeentelijke Basisadministratie") and similar foreign organisations; and
- public commercial websites.

This may involve the following personal data:

Identity Data: first name, maiden name, last name, marital status, title, date of birth and gender.

Contact Data: address, email address and telephone numbers.

Financial Data: bank account and payment card details.

Transaction Data: details about payments to and from you and other details of services you have purchased from us or cost we incurred on your behalf.

Technical Data: internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.

Profile Data: your interests, preferences, feedback and survey responses.

Usage Data: information about how you use our website and services.

Marketing and Communications Data: your preferences in receiving marketing from us and your communication preferences.

Case Data: any relevant information for the handling of your matter (your case file), including possible data to determine your eligibility for legal aid or entitlement to (legal) insurance cover.

Client Background information: any data required to assess whether we can accept you as a client, to identify the background of and those related to a transaction in light of the relevant laws and regulations and to demonstrate our compliance with these laws and regulations. This includes, for example, rules relating to identification set by the Dutch Bar Association (“Nederlandse Orde van Advocaten”) and the Solicitors Regulation Authority and our obligations under legislation for the prevention of money laundering, proceeds of crime and finance of terrorism (Wet ter voorkoming van witwassen en financieren van terrorisme) and similar foreign laws and regulations.

CCTV surveillance: when visiting our office.

We do not collect any special categories of personal data about you, as set out in the AVG, unless necessary for the handling of your case. This includes data about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data. Nor do we collect any information about criminal convictions and offences and your Citizen Service Number (Burgerservicenummer).

Legal grounds for processing of data

We will only use your personal data based on one or more of the following legal grounds (subject to our duty of confidentiality and other specific rules and regulations applicable to a Dutch advocaat and solicitor of England and Wales): when it is necessary

- a) for entering into or performing a contract with you;
- b) for compliance with a legal obligation to which we are subject (e.g. tax reporting obligations and our obligations under legislation for the prevention of money laundering, proceeds of crime and finance of terrorism);
- c) to protect your vital interests or those of another person;
- d) for the performance of a task carried out in the public interest or in exercise of official authority;
- d) for the purposes of legitimate interests pursued by us or by a third party, except where these interests are overridden by your interests or fundamental rights and freedoms. We have a legitimate interest when processing personal data is necessary to perform our business activities.

We may also process personal data after obtaining your permission, but we will only do so if we cannot rely on any of the other legal grounds mentioned above. You have the right to withdraw consent to marketing at any time by contacting us.

Purposes for which we will use personal data:

We have set out below a description of the ways we plan to use your personal data, and which of the legal bases we rely on to do so.

<u>Purpose</u>	<u>Type of personal data</u>	<u>Lawful basis for processing including basis of legitimate interest</u>
To register as a client, acceptance of the case or intake (meeting)	a) Identity b) Contact c) Case d) Client Background	a) Performance of a contract b) Compliance with a legal obligation
To register you as a participant or your interest in a seminar, etc.	a) Identity b) Contact	a) Performance of a contract b) Compliance with a legal obligation
To process and deliver goods and services, including: - bookkeeping - Collect and recover money owed to us	a) Identity b) Contact c) Financial d) Transaction e) Marketing and Communications f) Case g) Client Background	a) Performance of a contract with you b) Necessary for our legitimate interests (to recover debts due to us) c) Compliance with a legal obligation
To manage our relationship with you which will include: - Notifying you about changes to our terms or privacy policy - feedback	a) Identity b) Contact c) Profile d) Marketing and Communications	a) Performance of a contract b) Necessary to comply with a legal obligation c) Necessary for our legitimate interests (to keep our records updated and study how our services are used)
Client survey	a) Identity b) Contact c) Profile d) Usage e) marketing and communications	a) Performance of a contract b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)
To administer and protect our business, activities and websites and the privacy of our customers (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data and camera surveillance)	a) Identity b) Contact c) Technical d) Case e) Client Background f) CCTV Surveillance	a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and internal organisation) b) Necessary to comply with a legal obligation c))to protect your vital interests or those of another person;
To deliver relevant information to you and measure the effectiveness of this	a) Identity b) Contact c) Profile d) Usage e) Marketing and Communications f) Technical g) Case	a) performance of a contract b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	a) Technical b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile	a) performance of a contract b) Necessary for our legitimate interests (to develop our products/services and grow our business)
Performance of your instructions to provide legal services, provision of information or advice and measure the effectiveness of this	a) Identity b) Contact c) Profile d) Usage e) Financial f) Transaction g) Marketing and Communications h) Technical i) Case j) Client Background	a) performance of a contract b) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and internal organisation) c) Necessary to comply with a legal obligation d))to protect your vital interests or those of another person;

Marketing and “opting out”

We may use your personal data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (marketing). You may receive marketing communications from us (without your prior permission), unless you have indicated to us that you do not wish to receive this. We will get your express opt-in consent before we share your personal data for marketing purposes with any third party (however we usually do not do this). You can ask us to stop sending you marketing messages by contacting us at any time. We do not process special categories of personal data and confidential information protected by our duty of confidentiality as a advocaat or solicitor. We will obtain your prior permission when we decide to collect a personal, individual marketing profile about you. You can withdraw your permission at any time by contacting us.

Change of Purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Cookies

A cookie is a small text file that during your first visit to our website is stored on your computer, tablet or smartphone. This text file contains information that can be used next time you visit our website.

Maassen Law only uses cookies in order to analyse the use of the website (analytical cookies) and to optimise the websites functioning (functional cookies).

Maassen Law does NOT use tracking cookies so we do not keep track of individual surf behaviour (for which your prior consent is needed).

International transfer of personal data

We commonly do not transfer your personal data outside the European Economic Area (EEA). We may, however, at times share your personal data with third parties established outside the EER, for example when this is necessary to deal with your matter or because a data centre or our provider / contractor is established outside the EER. We will transfer data to third parties outside the EER in compliance with the relevant laws and regulations on data protection. Under the AVG the transfer of personal data to parties outside the EER is only allowed when a special exception is applicable or an adequate level of protection is in place. This for example the case when we transfer personal data to countries that are deemed by the European Commission to have an adequate protection level, we enter into a contract with a third party which applies the EU Model Clauses or we transfer data to providers in the USA that are part of the Privacy Shield. The Privacy Shield requires similar protection to personal data shared between the Europe and the USA. Please contact us, if you need more information about the international transfer of personal data and the third parties involved.

Data security

We have put in place appropriate security measures to prevent your personal data from being misused, lost or accessed in an unauthorised way or against other undesirable use. We ensure, for example, to limit access to your personal data to persons on a need to know basis and to ring-fence your personal data. We also check our security measures on a regular basis. We will inform you and the applicable regulator where we are legally required to do so of any personal data breach which affects your privacy and the measures we have taken to limit the consequences and to prevent the incident from reoccurring.

Access to your personal data

We only share your data with persons and other parties on a need to know basis. The following persons within Maassen Law will usually have access to your personal data: Mr D.J. Maassen, advocaat and solicitor of England and Wales, and our staff member, Mrs A.A.E. Steenbeeke.

Third-party access

We may share your personal data for the implementation of the purposes mentioned above with third parties, for example IT and network providers, professional advisors (e.g. advocaten, solicitors, tax advisors, banks, accountants and insurance companies) and the tax authorities.

Whenever we share data with third parties, we require them to respect the security of your personal data and to treat your data in accordance with the law. We do not allow our third-party providers to use your personal data for their own purposes. We will enter into a data processing agreement – where necessary - with third parties to ensure this. This may not be necessary, for example, where a third party is subject to a professional duty of confidentiality and /or provides for sufficient safeguards in its own privacy statement. We will not provide your personal details in other situations, unless we are legally obliged or permitted to do so. You can always contact us for further information.

Data retention

We will only retain your personal data for as long as

- necessary to fulfil the purposes we collected it for; and
 - the applicable professional conduct rules and recommendations require us to do so or (in the absence of these) no longer than two years starting from the end of our engagement,
- unless we are required by law to keep your personal data longer. We are, for example, required to keep certain information about you under relevant tax laws and regulations: in The Netherlands usually until seven years after our engagement.

Following the completion of an engagement we will retain a digital softcopy of the file that has been built on the matter for archival purposes. We are entitled to destroy any hardcopies or original documents. The digital softcopy of the file will be kept for seven years to twenty years from the completion of the relevant engagement, after which we may destroy the digital softcopy of the file. You can always contact us for more specific information about our data retention periods.

Your legal rights

You have the following legal rights with respect to the processing of your personal data:

Access to your personal data: you can check with us what personal data we hold about you and for what purpose.

Correction and amendment of your personal data: we are required to correct and amend inaccurate or incomplete personal data.

Erasure of your personal data: This enables you to ask us to delete personal data in the following scenario's: (a) we do not need to keep your personal data any longer, (b) you withdraw a permission to use your personal data, (c) you have successfully objected against the processing of your data, (d) the processing of your data is unlawful, (e) the data retention periods have lapsed or (f) the data subject is under 16 and his /her personal data was collected through an app or a website.

Transfer of your personal data: we are required to transfer your personal data upon your request in a way that your data can be used in another environment.

Restriction of processing: You can ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy, (b) where our use of the data is unlawful but you do not want us to erase it, (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims or (d) you have objected to use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Object to processing of your personal data: You can object against the use of your personal details for the purpose of the performance of a task carried out in the public interest or a legitimate interest and ask us to stop processing your data, unless we have legitimate grounds that override your interests or fundamental rights and freedoms or we have an interest to establish, exercise or defend legal claims.

Withdraw of your consent: Where we rely on your permission, you have the right to withdraw your consent. This will not affect previous use of your personal data.

Rights with respect to automated decision-making and profiling: You have the right to ask us to have a human person reconsider decision-making based on automatic processing of your personal data.

How we process your request

We will comply with your request, unless we have an overriding legitimate interest or legal obligation not to do so. This may, for example, be the case when your request relates to data falling under our duty of confidentiality, is unclear (please, let us know clearly which right(s) you invoke and the reasons for it), clearly repetitive, impossible to implement, weighs excessively on our organisation or systems or involves the privacy of others.

We try to respond to your request(s) within one month. Occasionally, it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

You will not have to pay a fee for your request. However, we may charge a reasonable fee, if your request is clearly unfounded, repetitive or excessive.

We may need specific information from you to help us confirm your identity to exercise any of your other rights, for example by sending us a copy of your identity card (please ensure that the Citizen Service Number (Burgerservicenummer) is illegible). This is a security measure to ensure that personal data is not disclosed to any unauthorised person.

Complaints and Data Protection Authority

Please contact us, if you are unhappy about the processing of your personal data, so we can try to resolve this with you. You have the right at any time to file a complaint with the Dutch Data Protection Authority (Autoriteit Persoonsgegevens): <https://autoriteitpersoonsgegevens.nl/en>.

Amendments to our privacy statement

There may be changes in the personal data that we keep about you and the processing of your data or with respect to the relevant laws and regulations. Consequently, we may alter our privacy statement. Amendments will be published on our website. We advise you to regularly check our privacy statement to stay informed.

Commencement date

This privacy statement will come into force on 22 May 2018.