

# > PRIVACY STATEMENT <

## **PRIVACYVERKLARING STATEMENT LEXENCE**

Personal data is processed in the context of the services provided by Lexence N.V. ("Lexence"). The concept of 'personal data' includes all information about an identified or identifiable natural person. With regard to such processing of your personal data, Lexence qualifies as the 'data controller' in the meaning of the [General Data Protection Regulation \(EU\) 2016/679](#) ("GDPR").

You will find Lexence's contact details below:

Lexence N.V.  
Amstelveenseweg 500  
1081 KL Amsterdam  
T: +31 20 5736 736  
The Netherlands  
[privacy@lexence.com](mailto:privacy@lexence.com)

Lexence respects your privacy and wishes to inform you via this Privacy Statement about our use of your personal data. Please feel free to contact us at any time should you have any questions. You can reach our Compliance Officer using the abovementioned information.

## **WHICH PERSONAL DATA DOES LEXENCE PROCESS?**

### **Clients:**

Lexence may process the following (categories of) personal data of (contact persons of) clients:

- Name and address details (name, first names, initials, titles, gender, address, postal code, residence) as provided by the client;
- Other contact details (telephone number, e-mail address and similar data required for communication) as provided by the client;
- Data relating to the handling of a case or the settlement of a dispute, including data concerning the counterparty and third parties, as provided by the client, a counterparty and/or a third party or obtained from a public source (such as the Commercial Register, the Chamber of Commerce and the Land Register), see also below under "Third parties";
- The license plate number if the client visits our office and wishes to use a parking space in the parking garage, as provided by the client;

- Data for the purpose of calculating and recording fees and expenses, making payments and recovering claims, including the bank account number provided by the client;
- Other data of clients of which the processing is required by or necessary to comply with applicable laws or regulations, the Legal Profession Bye-law and the Code of Conduct for Lawyers, such as, under certain circumstances, the processing of certain data relating to proof of identity and the maintenance of a former client list.

### **Suppliers:**

Lexence may process the following (categories of) personal data of persons from whom Lexence purchases products or services or who work for these **suppliers**:

- Name and address details (name, first names, initials, titles, gender, address, postal code, residence) as provided by the supplier;
- Other contact details (telephone number, e-mail address and similar data required for communication) as provided by the supplier;
- The license plate number if the supplier visits our office and wishes to use a parking space in the parking garage, as provided by the supplier;
- Data for the purpose of placing orders or purchasing services; calculating and recording fees and expenses and making payments, including the bank account number as provided by the supplier;
- Other data of suppliers of which the processing is required by or necessary to comply with applicable laws or regulations.

### **Job Applicants:**

Lexence may process the following (categories of) personal data of **job applicants**:

- Name and address details (name, given names, initials, titles, gender, address, postal code, place of residence) as provided by the applicant;
- Other contact details (telephone number, e-mail address and similar details necessary for communication) as provided by the applicant;

- Bank account number and details for travel expenses (commuting distance) as provided by the applicant;
- Nationality, date of birth as provided by the applicant;
- Availability, CV and employment history, education history (copy of diplomas, certificates, letters of reference), motivation letter as provided by the applicant;
- References as provided by the applicant and/or reference, data regarding the position applied for, notes of interviews and written communication with the applicant;
- The license plate number if the job applicant visits our office and wishes to use a parking space in the parking garage, as provided by the job applicant.

### **Third parties:**

Lexence processes (categories of) personal data of **third parties** (such as persons who are not clients and of whom personal data can be found in our records, lawyers and other advisors with whom Lexence is in contact):

- Name and address details (name, first names, initials, titles, gender, address, postal code, residence), as far as known to Lexence;
- Other contact details (telephone number, e-mail address and similar data necessary for communication), as far as known to Lexence;
- The license plate number if the third party visits our office and wishes to use a parking space in the parking garage, as provided by the third party.
- Data relating to electronic messages originating from or intended for third parties and data required to maintain contact with these third parties;
- Data related to visiting the website <https://www.lexence.com/en/>, including your IP address, more information can also be found in our [Cookie Statement](#);
- Other data from third parties obtained from public sources or provided to Lexence by clients, counterparties or third parties in connection with the handling of a case or the settlement of a dispute.

## MISCELLANEOUS

### **Newsletters and events:**

We may process the following (categories of) personal data when you register for one of our newsletters or events:

- Company name;
- First name;
- Suffix;
- Last name;
- E-mail address;
- Whether you have opened the newsletter or invitation and your 'activity' within the newsletter or invitation (open and click ratio);
- Additional information where relevant for the specific event, such as dress size, dietary requirements etc.

### **Camera surveillance:**

At our office location we use camera surveillance whereby video recordings are made. The moment of your visit (date and time) is also recorded.

## **ON THE BASIS OF WHICH LEGAL PROCESSING GROUNDS AND FOR WHICH PURPOSES DOES LEXENCE PROCESS YOUR PERSONAL DATA?**

Lexence processes your personal data on the basis of one or more of the following legal processing grounds:

- a) If this is necessary for the performance of an agreement to which you are a party or to perform precontractual acts at your request;
- b) If this is necessary to comply with statutory obligations;
- c) If this is necessary to justify our legitimate interests or the interests of a third party;
- d) Your consent.

If Lexence processes your personal data on the basis of your consent, Lexence will ask you for it separately. You may withdraw your consent at any time. Lexence draws your attention to the fact that the withdrawal of your consent does not affect the lawfulness of the processing of your personal data prior to the withdrawal of your consent.

Lexence uses the above personal data for the purposes stated below, in respect of which we have indicated for each purpose on the basis of which of the abovementioned legal processing grounds (a through d) Lexence does so. If the processing is based on the principle of 'legitimate interest', we briefly explain this interest. If you have any specific questions in this respect, please do not hesitate to contact us.

*Purposes with corresponding processing grounds:*

- to provide the requested legal services, including identifying the client and performing a conflict check to avoid a conflict of interest (*a, b and c: being able to offer and improve our services, compliance with the Legal Profession Bye-law and the Code of Conduct for Lawyers*);
- for the administration of Lexence, including the calculation or recording of fees or benefits, income and expenses, the payment and collection of claims (including the use of collection agencies or bailiffs) (*a, b and c: the importance of keeping proper records*);
- to be able to deal with any complaints and disputes about our services (*a, b and c: to defend rights, to maintain and improve existing relationships by means of proper handling of complaints, to improve the quality of our services and to comply with the Legal Profession Bye-law*);
- to maintain contact and communicate with you including communication for marketing, relationship management and business development activities such as invitations to events and event registration, as well as sending newsletters and other marketing communications that may be relevant to you (*a, b, c: the interest in bringing Lexence's services to the attention of existing clients*), *d: consent if we do not have a customer relationship with you yet but you e.g. choose to subscribe to one of our newsletters*);
- to handle your job application (*a, b, c: our legitimate interest in assessing whether you are suitable for the job opening and d: consent if you wish to remain in our portfolio, see the header: "How long does Lexence retain your personal data?"*);
- to provide you access to our office and where applicable: to reserve a parking spot for you and for the benefit of company security (*a, b and c: our interest our interest in being able to keep proper records and to protect our property, our staff members and the data we have at our disposal*);
- to provide you access to our website, to be able to offer the website in your chosen language, to be able to offer specific content such as videos, for the security of our websites and to generate statistics regarding the use of our website (*a, b and c: our interest to offer a properly functioning website, d*);

- for placing orders or purchasing services (*a, b and c: our interest in being able to keep proper records*);
- for conducting audits and other internal controls (*a, b and c: our interest in being able to keep proper records*);
- to comply with our legal and statutory obligations including the Legal Profession Bye-law and the Code of Conduct for Lawyers (*b, c: the interest of being able to meet these obligations*).

## **TO WHOM DOES LEXENCE PROVIDE YOUR PERSONAL DATA?**

Lexence does not provide your personal data to third parties ('recipients' within the meaning of the applicable privacy legislation), unless this is necessary for the proper performance of the purposes set out in this Privacy Statement, if the law requires us to do so or if you have provided your consent to this end. The third parties to whom the personal data are made available are obliged to handle your personal data confidentially. If these parties qualify as a 'data processor' within the meaning of the applicable privacy legislation, Lexence will ensure that a data processing agreement is concluded with these parties, which complies with the requirements included in the GDPR. Third parties which offer services to Lexence as an independent data controller, such as accountants, civil law notaries experts engaged to provide an opinion or export report, are themselves responsible for the (further) processing of your personal data in accordance with the applicable privacy legislation.

Lexence can share personal data of **clients, suppliers, job applicants and third parties** with:

- Suppliers (for example software suppliers, bailiffs, courier services, translation agencies, accountants, etc);
- Counterparties, other lawyers or advisors in the context of the provision of our services;
- Courts and government institutions;
- With Lexence's legal successors if Lexence is acquired by or merged with another company, for example through bankruptcy and also with third parties involved in such proposed or actual business transaction;
- Other parties, such as regulators and other authorities where required by law or with your consent.

In order to provide our services, Lexence might need to transfer your personal data to a recipient in a country outside the European Economic Area with a lower degree of protection of

personal data than the European law offers. In that case, Lexence will ensure that such a transfer of personal data is in accordance with the applicable laws and regulations, for example by concluding a model contract prepared and approved for that purpose by the European Commission and will assess whether any additional measures are necessary to guarantee an appropriate level of protection of your personal data. Please do not hesitate to reach out to Lexence if you wish to receive more information about the appropriate or suitable safeguards in place for data transfers outside of the European Economic Area or if you would like to obtain a copy of them.



### **HOW LONG DOES LEXENCE RETAIN YOUR PERSONAL DATA?**

Lexence does not retain your personal data in an identifiable form for longer than is necessary to achieve the purposes included in this Privacy Statement. More specifically, Lexence applies the following retention periods:

- The files of the cases handled by Lexence will be kept in accordance with the Archiving Manual of the Netherlands Bar Association for at least five years (and longer if required by law).
- The personal data you provide to Lexence for your application will be retained for up to four weeks after the end of the application procedure. With your consent, we will retain your personal data in our portfolio up to one year after termination of the application process. This will give us the possibility to contact you for possible future job openings at Lexence. Personal data that you have provided in the context of your application will become part of your personnel file when you start working for Lexence.
- The personal data that are processed in the context of the Office Complaints Procedure will be removed no later than two years after the complaint and/or the legal proceedings arising from it have been dealt with.
- Personal data that must be kept on the basis of Article 52 of the Dutch State Taxes Act will be kept for 7 years (from the end of the year in which the data in question have lost their current value for the (tax-) related business operations) in connection with the tax retention obligation incumbent on Lexence pursuant to Article 52(4) of the Dutch State Taxes Act.
- Camera images are deleted after 72 hours, unless in case of an incident (see below).



- The abovementioned specific retention periods can be extended if statutory retention obligations apply or will become applicable. Lexence may also retain the personal data for a longer period of time if this is necessary to protect our legitimate interests, such as the handling of incidents and/or legal disputes. For more information regarding the retention periods related to the use of cookies, we kindly refer you to our [Cookie Statement](#).

## **SECURITY**

- Lexence heeft passende technische en organisatorische maatregelen genomen om uw persoonsgegevens te beveiligen tegen ongeoorloofde of onrechtmatige verwerking en tegen verlies, vernietiging, schade, aanpassing of bekendmaking. Voor vragen over de beveiliging van uw persoonsgegevens, of als u het vermoeden of aanwijzingen van misbruik hebt, kunt u contact opnemen via [privacy@lexence.com](mailto:privacy@lexence.com).

## **YOUR PRIVACY RIGHTS**

You have the following rights in respect of the processing of your personal data by Lexence:

- the right to request whether Lexence processes your personal data and if so, the right to access your personal data and to receive information about the processing of your personal data;
- the right to rectification of your personal data if these are incorrect or incomplete;
- the right to have your personal data deleted ('right to be forgotten');
- the right to object to the processing of your personal data or to limit the processing of your personal data;
- the right to withdraw your consent for the processing of your personal data, if the processing is based on your consent;
- the right to receive or surrender your personal data to a third party appointed by you in a structured, customary and machine-readable form ('right to data portability').

Lexence does not use automated decision-making within the meaning of Article 22 GDPR.

To exercise your rights, please contact Lexence at [privacy@lexence.com](mailto:privacy@lexence.com) or by post using the contact details provided at the beginning of this Privacy Statement.

In order to prevent that Lexence discloses information to the wrong person, Lexence can ask you for additional information to verify your identity. In principle, Lexence will inform you of whether Lexence can comply with your request, within one month after receipt. In specific cases, for example when it concerns a complex request, this term may be extended by two months. Lexence will inform you of such an extension within one month after receiving your

request. On the basis of the applicable privacy legislation, Lexence can refuse your request under certain circumstances. If this is the case, Lexence will explain to you why. You can find more information about your privacy rights on the website of the [Dutch Data Protection Authority](#).

## **COMPLAINTS**

If you have a complaint about the processing of your personal data by Lexence, we will be happy to work together to find a solution. If this does not lead to the desired result, you will have the right to file a complaint with the competent supervisory authority. In the Netherlands, this is the [Dutch Data Protection Authority](#). If you live or work in another country of the European Union, you can file a complaint with the supervisory authority of that country.

## **AMENDMENTS**

Lexence reserves the right to amend this Privacy Statement. The most recent version of this Privacy Statement will always be posted on the website [www.lexence.com/en/](http://www.lexence.com/en/). If substantial amendments are made that could have a significant impact on one or more of the data subjects involved, Lexence will try to inform these data subjects of this directly. This Privacy Statement was last amended on **23 December 2021**.



# Lexence

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