

## Privacy and Cookie Statement

STAUNCH B.V. (“STAUNCH” or “we”) values the protection of your personal data. We qualify as a data controller in the meaning of the Data Protection Regulation (EU) 2016/679 (“GDPR”) with regard to the processing of your personal data. Personal data is all information which can directly or indirectly be used to identify you. In this Privacy and Cookie Statement we inform you about the processing of your personal data by STAUNCH.

### Which personal data do we process?

STAUNCH may process the following (categories of) personal data:

#### Clients:

- name and address details (name, first names, initials, titles, gender, address, postal code, residence) as provided by the client;
- other contact details required for communication;
- data relating to the handling of a case or the settlement of a dispute, including data concerning the counterparty and third parties, see also below under “Third parties”;
- 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 obtained from public sources (such as the Chamber of Commerce) or data provided to us by third parties in the context of the handling of a case or the settlement of a dispute;
- other data of clients of which the processing is required by or necessary to comply with applicable laws or regulations, such as the processing of certain data relating to proof of identity and the maintenance of a former client list.

#### Suppliers:

- name and address details (name, first names, initials, titles, gender, address, postal code, residence) as provided by the supplier;
- other contact details;
- 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:

- name and address details (name, first names, initials, titles, gender, address, postal code, residence) as provided by the job applicant;
- other contact details necessary for communication;
- nationality, date of birth as provided by the job applicant;
- availability, CV and employment history, training history (copies of diplomas, grade lists, certificates, testimonials), motivation letter, as provided by the job applicant;

- references as provided by the job applicant and/or referent, data of the position applied for, notes of job interviews and written communication with the job applicant.

Third parties (such as counterparties):

- name and address details (name, first names, initials, titles, gender, address, postal code, residence), as far as known to STAUNCH;
- other contact details necessary for communication as far as known to STAUNCH;
- data relating to electronic messages originating from or intended for third parties and data required to maintain contact with these third parties;
- other data from third parties obtained from public sources or provided to STAUNCH by clients, counterparties or third parties in connection with the handling of a case or the settlement of a dispute.

#### **What is the legal basis for processing your personal data?**

STAUNCH processes your personal data on the basis of one or more of the following legal processing grounds: **a)** if this is necessary for the proper execution of our contractual engagement with you or to perform precontractual acts at your request; **b)** if this is necessary to comply with legal obligations we are subject to; **c)** if this is necessary to justify our legitimate interests or the interests of a third party; **d)** your consent.

When STAUNCH processes your personal data on the basis of your consent, we will ask you for it separately. You may withdraw your consent at any time.

#### **For which purposes do we process personal data?**

STAUNCH uses the abovementioned personal data for the purposes stated below, in respect of which we have indicated for each purpose on the basis of which legal processing grounds (a through d above) STAUNCH does so. If the processing is based on the processing ground 'legitimate interest', this interest is briefly explained. 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, to perform our obligations under the agreement of instruction and to conduct (legal or other) proceedings, to advise, to mediate and to refer our clients (a, b and c: being able to offer and improve our services, compliance with the Code of Conduct for Lawyers);
- for the administration of STAUNCH, 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 the service and to comply with the Legal Profession Bye-law);

- for marketing purposes and to maintain contact and communicate with you (a, b, c: the interest in bringing our services to the attention of existing clients, d);
- 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);
- for placing orders or purchasing services (a, b and c: our interest in being able to keep proper records);
- to comply with our legal and statutory obligations including the Code of Conduct for Lawyers (b, c: the interest of being able to meet these obligations);
- in case of a reorganization, merger, acquisition or sale of our assets (a, b, c: our interest in entering into business transactions and, where possible, in guaranteeing the continuation of the agreement with you, if required: d).

#### **Who do we share your personal data with?**

STAUNCH 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 and Cookie Statement, if the law requires us to do so or if you have provided your consent to this end. For example, we may share your personal data with another lawyer engaged to handle your matter during absence or leave, with an expert in order to obtain an expert opinion, or if we engage a third party to provide services to STAUNCH, such as an IT-provider. We may also (be required to) provide your personal data in the context of any (judicial or other) proceedings or in relation to correspondence with the counterparty.

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, STAUNCH 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 STAUNCH as an independent data controller, such as accountants, civil law notaries or an expert engaged to provide an opinion, are themselves responsible for the (further) processing of your personal data in accordance with the applicable privacy legislation.

STAUNCH may share personal data of clients, suppliers, job applicants and third parties with:

- STAUNCH's staff;
- suppliers (for example software suppliers, bailiffs, courier services, translation agencies, accountants etc);
- counterparties, other lawyers or advisors in the context of the provision of services;
- with all of our legal successors;
- courts and government institutions;

- other parties, such as regulators and other authorities where required by law or with your consent.

#### **How long do we retain your personal data?**

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

- the files of the cases handled by STAUNCH will be kept in accordance with the Archiving Manual of the Netherlands Bar Association for at least five and at most twenty years after our involvement in the case has ended;
- The personal data that you provide us with in the context of your job application will be retained up to four weeks after the end of the application process. With your consent, we will retain your personal data in our portfolio up to one year after termination of the application process;
- personal data that must be kept on the basis of Article 52 of the Dutch General Tax 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 STAUNCH pursuant to Article 52(4) of the Dutch General Tax Act

The abovementioned specific retention periods can be extended if statutory retention obligations apply or will become applicable. STAUNCH may also retain the personal data for a longer period of time if this is necessary for the handling of incidents or legal disputes.

#### **How are your personal data secured?**

As STAUNCH considers your privacy to be important, we have taken appropriate technical and organisational measures to protect your personal data against unauthorised use, unauthorised access and wrongful modifications, loss or destruction.

#### **Cookies**

STAUNCH may use necessary cookies and similar techniques (functional cookies) for the functioning of our website. STAUNCH does not use social media or targeting cookies (tracking cookies).

#### **Contact**

If you have any questions about this Privacy and Cookie Statement or the use of your personal data by STAUNCH, please feel free to contact our privacy officer at [info@staunchlaw.com](mailto:info@staunchlaw.com).