

# Privacy Policy

## Introduction

Welcome to [NAME OF NOTARY]'s Privacy Policy Notice.

[NAME OF NOTARY] respects your privacy and is committed to protecting your personal data. This Privacy Notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

## 1. Important information and who we are

### Controller and Processor

- a. [NAME OF NOTARY], and with our registered office at [ADDRESS] is the controller.
- b. If you have any questions about this Privacy Notice, including any requests to exercise your legal rights, please contact [INSERT EMAIL ADDRESS].
- c. You have the right to make a complaint at any time to the Office of the Data Protection Commission ("ODPC"), the Irish supervisory authority for data protection issues at info@dataprotection.ie. We would, however, appreciate the chance to deal with your concerns before you approach the ODPC so please contact us in the first instance.

## 2. The data we process about you

- a. Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).
- b. We may use, store and transfer different kinds of personal data about you; including the retention of your personal data in compliance with the relevant anti-money laundering legislation, the relevant tax legislation and the rules and regulations governing Notaries Public.

## 3. Acquisition of your personal data

**Direct interactions.** You may give us your personal data by filling in documents or by corresponding with us by post, phone, email, or otherwise. This includes personal data you provide when you:

- a. Contact us to obtain notary services;
- b. Submit a query to [INSERT EMAIL ADDRESS];
- c. Send us a document for notarisation;
- d. Provide us with formal proof of your identity and postal address.

## 4. How we use your personal data

**Lawful basis.** We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances where:

- a) we need to perform the notary services as requested by you;
- b) it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests;
- c) where we need to comply with a legal or regulatory obligation.

**Purposes for which we will use your personal data** are as follows;

- a. We will only use your personal data for the purposes for which you submitted it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us at [insert email address].
- b. 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.
- c. 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.

## Disclosures of your personal data

We may have to share your personal data with the parties set out below;

### a. Internal Third Parties

Employees of the Notary Public that provide IT and system administration services, bookkeeping and marketing services to us.

### b. External Third Parties

- A. service providers based in the EEA who provide IT, hosting, payment and digital marketing services, third party logistic providers, and system administration services;
- B. professional advisers acting as processors including lawyers, bankers, auditors and insurers based in the EEA who provide consultancy, banking, legal, insurance and accounting services; and
- C. the Revenue Commissioners in Ireland (or similar in other jurisdictions), supervisory authorities, regulators and other authorities acting as processors or joint controllers based in Ireland who require reporting of processing activities in certain circumstances.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 5. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable supervisory authority or other regulator of a breach where we are legally required to do so.

## 6. Data retention

- a) We will only retain your personal data for as long as necessary to fulfil the purposes you submitted it for, including for the purposes of satisfying any legal, accounting, or reporting requirements, or to defend legal proceedings connected to the data.
- b) To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.
- c) We have to keep basic information about you (including Contact and Identity Data) for 6 years.
- d) In some circumstances you can ask us to delete your data: see below for further information or email us at [INSERT EMAIL ADDRESS].
- e) In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

## 7. Your legal rights

Under certain circumstances, you have rights at law in relation to your personal data, to

- A. **Request access:** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it. Normally all this is provided to you at the time the professional service is being provided.

- B. **Request correction:** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- C. **Request erasure:** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- D. **Object to processing:** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have a compelling legitimate ground to process your information which overrides your rights and freedoms.
- E. **Request restriction of processing:** of your personal data. This enables you to 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 our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- F. **Request the transfer:** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- G. **Withdraw consent at any time:** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain offerings to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us at [INSERT EMAIL ADDRESS]

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may also charge a reasonable professional fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests 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.

[Name of Notary]

28<sup>th</sup> September 2018