



Privacy Statement

THIS PRIVACY STATEMENT is provided by James Richard Stirk (referred to as “me”, “my” or “I”) practising and trading as James Richard Stirk Notary Public, for the information of prospective clients, clients, persons intervening in notarial acts, witnesses to notarised deeds and documents and persons to whom oaths are administered (referred to as “you” or “your”) and other visitors to my website.

I am committed to ensuring that your privacy is protected and to compliance with data protection legislation.

Data protection legislation confers rights upon data subjects in relation to the processing of personal data by data controllers and data processors. In this context, personal data means data by which a living individual can be identified, whether by such data alone, or by such data in combination with other data.

This privacy statement explains how I use the personal data and information which I collect about you and how you can instruct me if you prefer to limit the use of that information or require copies of it.

Record keeping including the processing of personal data and other information in computerised and/or structured manual form is a core function of a notary public and, consequently, of my notarial practice. By instructing me to prepare a notarial act, or intervening in a notarial act, or witnessing a notarised deed or document, or taking an oath which I administer, you necessarily accept that I will process your personal data in accordance with the Notaries Practice Rules from time to time made by the Master of the Faculties which require the preservation of records of acts “in private form” for not less than 12 years and the permanent preservation of copies or duplicates of acts “in public form”; and which (among other things) confer a right of access to my notarial records by interested parties and require the transfer of such records to approved third parties when I retire or die.

In addition I may create client files which contain personal data including correspondence with you or your lawyers or representatives, copies of identification documents (such as your passport and photocard driving licence or identity card) certificates of status (birth or marriage), the results of official searches, translations, and legal advice and opinions. Such files will be preserved for as long as I have a legitimate interest in their retention including for the provision of a prompt and proper service to you, and for the handling of any service complaints.

I may create and preserve copies of notarial acts which I create for you and copies of other documents and files created or copied in the course of providing notarial services to you in all or any of the forms specified in my terms and conditions set out elsewhere on my website including in and through any cloud service, hosting service or medium provided by a third party of a kind and on terms from time to time approved by the Master of the Faculties or recognised as safe, secure and suitable for such use by the Faculty Office of the Archbishop of Canterbury.

1. Who I am

I am James Richard Stirk, a notary public authorised to practise throughout England and Wales. As such, I am a legal professional and I maintain confidentiality in relation to my clients’ business and affairs.

My notarial practice is regulated through the Faculty Office of the Archbishop of Canterbury.

My website is controlled by me.

My contact details are:

Postal address of principal office:

The Clochfaen

Llangurig

Near Llanidloes

Powys

SY18 6RP United Kingdom

Telephone: +44 7702 632008 (international)

07702 632008 from the UK)

E-mail: james@jrstirknotarypublic.co.uk

Website: www.jrstirknotarypublic.co.uk

2. The General Data Protection Regulation and the Data Protection Act, 2018

- 2.1 I am registered with the Information Commissioner's Office under the organisation name "James Richard Stirk, Notary Public" under reference ZA559302.
- 2.2 I process your personal data in connection with the prospective formation, formation and performance of contracts for the provision of services which I have contracted to provide to you or third parties, and for all purposes in connection therewith, and also for the purposes of marketing, accounts, tax, property security, and the conduct and administration of my notarial and commissioner for oaths practice.

3. Information gathered by me

- 3.1 When you request notarial services, intervene in a notarial act or act as a witness to a notarised document or deed, or take an oath administered by me, I will ask you to give your full name, and I will also request you to provide documentary evidence of your identity, residential address, occupation, and/or email address and/or telephone number. I may also ask for documentary evidence of your date and/or place of birth and civil status and copies of correspondence, instructions, translations and opinions sent to you by your lawyers or representatives. I gather this information to enable me to process your request for notarial or commissioner for oaths services and the relevant information is then used by me to communicate with you and/or others and/or in connection with the provision of notarial or commissioner for oaths services.
- 3.2 The personal data and information that you provide will be used by me to prepare notarial acts, oaths and documentation. Where it is necessary or conventional in England and Wales and/or in the receiving jurisdiction of the notarial act, oath or documentation in question, or where I consider it to be necessary for reasons of accuracy or precision, the notarial act, oath or documentation may be prepared by me so as to include any elements of your personal data that I consider appropriate.
- 3.3 I may when and to the extent reasonably necessary disclose your personal data to relevant third parties where such disclosure is required by law or the Notaries Practice Rules or is otherwise legitimate. The following are some examples of instances where there may be such disclosure:
 - 3.3.1 for the purposes of and in connection with the provision of notarial or commissioner for oaths services to you, and also in connection with data protection compliance and other legal compliance or risk management, disclosure may be made to my office staff;
 - 3.3.2 for the purposes of and in connection with the provision of notarial or commissioner for oaths services to you, disclosure may be made to your lawyers and other advisors in the UK and/or overseas (whether or not within the European Economic Area) and to Her Majesty's Foreign and Commonwealth Office, the embassies, consulates and diplomatic representations of overseas countries, and consular agents;
 - 3.3.3 for accounting and tax purposes in connection with my notarial or oaths practice, disclosure may be made to my book keeper, accountant and/or auditor;
 - 3.3.4 for any purposes in connection with my professional indemnity or fidelity insurance, or in connection with the defence or settlement of claims, or where required under the terms of any insurance policy, disclosure may be made to my insurers, insurance brokers, and to their professional advisors;
 - 3.3.5 as the regulatory authority to which my notarial and oaths practice is subject, disclosure may be made to the Master of the Faculties and/or the Faculty Office of the Archbishop of Canterbury; and
 - 3.3.6 for the purposes of ensuring compliance with anti-money laundering and/or anti-terrorist financing legislation, rules or regulations, and for the purpose of detecting or preventing crime, fraud, duress, or other wrongdoing, disclosure may be made to law enforcement officers and authorities.
- 3.4 I may also use aggregated information and statistics derived from personal data for the purposes of monitoring website usage in order to help me to develop and optimise my website and my notarial and oaths practice.
- 3.5 I will use means reasonably available to me (such as examination of documents under ultra violet light) to satisfy myself as to the genuineness of any documentation which you provide to me. If I suspect that such documentation is not genuine, I may refuse to act for you, and if I suspect fraud, duress or any other wrongdoing, I may share your personal data with the relevant law enforcement officers and authorities.
- 3.6 CCTV is used at The Clochfaen, Llangurig, near Llanidloes, Powys, SY18 6RP, and may be in use at any secondary office which I use, for maintaining the security of property and premises and for preventing and investigating crime. CCTV may also be used to monitor contractors and staff when carrying out work duties. For these reasons the information processed may include visual images, personal appearance, and behaviours. This information may be about clients, other visitors, contractors, staff, offenders and suspected offenders, members of the public and those inside, entering or in the immediate vicinity of the area under surveillance. Where necessary or required this information is shared with the data subjects themselves, employees and agents, services providers, police forces, law enforcement authorities, security organisations and persons making an enquiry.

4. Use of data

- 4.1 Any personal data and information that is gathered by me from you may be used by me for the purposes and in the manner mentioned in sections 2 and 3 above.
- 4.2 Subject to the Notaries Practice Rules from time to time, and any necessary regulatory approvals, if my notarial and/or oaths practice is sold or integrated with another notarial or legal practice, or made the subject of a partnership, your personal data and information may be disclosed to my advisers and any prospective purchasers or partners and their advisers and may be passed on to the new owners or partners of the notarial and/or oaths practice who may use such personal data and

information for the various purposes given in this privacy statement, with references to my notarial and/or oaths practice being deemed to refer also to the purchaser's or partners' notarial or legal practice.

5. Consent

5.1 By visiting my website or signing up to my terms and conditions of service, or accepting my services after you have been provided with a copy of this privacy statement, you consent to the use of your personal data and information as set out in this privacy statement, and acknowledge that such use and processing is fair and lawful.

I may change or add to my privacy statement at any time. If I change or add to my privacy statement, I will post the changes on my website so that you may at all times be aware of the information I collect and how I use it. I will also use reasonable endeavours to inform then existing (ie current) clients should I make any changes or additions so that they may have the opportunity to object to the changes or additions so far as they relate to the data and information of such then existing (ie current) clients.

5.2 Owing to the global nature of the internet infrastructure, and to the nature of notarial services where most notarial acts are required to be sent overseas, including in many cases to receiving jurisdictions outside the European Economic Area, there is a possibility and indeed occasionally the certainty that your personal data and information may be transferred by me to countries outside the European Economic Area which do not apply the same standards of legal protection and control to the processing of personal data as are applied either by the United Kingdom or by countries within the European Economic Area. By submitting your personal data and information to me, you hereby expressly consent to such transfers and acknowledge that such transfers are made by me on your express or implied instructions.

6. Telling you what personal data I hold about you

If you want me to tell you what personal data I hold about you, please get in touch with me using the contact details set out above. You have the right to know, and to receive copies, transcripts or relevant extracts of your personal data, redacted where redaction is necessary to protect the personal data of third parties, and subject to the terms of the relevant data protection legislation and guidance and rulings of the Information Commissioner and the courts.

7. Removing and correcting information

If you request me to remove your personal data from my database, or to amend your personal data, I will use all reasonable endeavours to remove or amend such information on your request, subject always to the preservation of information and records which I am required to retain and preserve in accordance with the Notaries Practice Rules from time to time. You can make your request by getting in touch with me using the contact details set out above.

8. Contact me

If you have any questions about this privacy statement, how I run my notarial and/or oaths practice website, or your dealings with my website, please get in touch with me using the contact details set out above.

9. Law and jurisdiction

The terms of this privacy statement are governed by and construed in accordance with the law of England and Wales, and you and I hereby submit to the non-exclusive jurisdiction of the courts of England and Wales.

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Please [CLICK HERE](#) to visit my website and accept the Privacy Statement.