

Data protection information for “natural persons” as customers and interested parties and other persons¹

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| <p>Pursuant to Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR), we hereby provide you with information on how we process your personal data and on your claims and rights under the data protection legislation.</p> <p>Which data specifically are processed and the way they are used is guided primarily by the services you have applied for or which have been agreed with you.</p> | |
| <p>Who is responsible for data processing and who can I contact?</p> | <p>Name and contact details of the controller:</p> <p>Landesbank Hessen-Thüringen Girozentrale Public-Law Institution (Anstalt des Öffentlichen Rechts) Neue Mainzer Strasse 52-58 60311 Frankfurt am Main Phone: +49-69-9132-01</p> |
| | <p>You can contact our bank Data Protection Officer at:</p> <p>Landesbank Hessen-Thüringen Girozentrale Public-Law Institution (Anstalt des Öffentlichen Rechts) Data protection officer Kaiserleistrasse 29 - 35 63067 Offenbach Phone: +49-69-9132-01 Email: datenschutz@helaba.de</p> |
| <p>Categories of personal data being processed and sources from which these data originate:</p> | <p>We process your personal data which we receive from you in the course of our business relationship. Furthermore, we process your personal data which we have received from a legal entity (interested party and/or customer and/or other contracting party) in your role as their representative/authorised person. In addition, we process – provided that it is necessary for the provision of our services – personal data which</p> <ul style="list-style-type: none"> • we have reliably received from other companies of the Savings Bank Finance Group or other third parties (e.g. SCHUFA), for example in order to execute orders or to perform contracts; • we have reliably obtained from publicly available sources (e.g. debtors’ registers, land registers, commercial registers and registers of associations, the media, internet) and are allowed to process. <p>Relevant personal data in the prospecting process, when opening master data, in the context of authorisations to represent/powers of attorney may include:</p> <p>Name, address and other contact details (phone, email address), date/place of birth, gender, nationality, legitimation data (e.g. ID document data), authentication data (e.g. specimen signature), tax ID, FATCA status.</p> <p>Upon the completion and use of products/services, in addition to the above-mentioned data other personal data may be collected, processed and stored. They essentially include the following: order data (e.g. payment/securities orders), data from the performance of our contractual obligations (e.g. payment transaction data), credit limit, product data (e.g. deposit, lending and safe custody business), information about your financial situation (creditworthiness data, scoring/rating data, origin of assets, if applicable influence of, and control over, legal enti-</p> |

¹ Persons with the role of representative or authorised person of a legal entity or private company (interested party, customer and other contract partner)

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| | ties), advertising and sales data (including advertising scores), information on knowledge and experience of securities (MiFID status), investment behaviour/strategy (scope, frequency, risk profile), documentation data (e.g. 'Beratungsprotokoll', i.e. record of advice). |
| Purposes for which the personal data are processed and the legal basis for this: | We process your personal data in accordance with the provisions of the EU General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG), the Thuringian Data Protection Act (ThürDSG) and the Hesse Data Protection and Freedom of Information Act (HDSIG). |
| a. in order to fulfil contractual obligations (Art. 6(1)(b) GDPR) | Your personal data are processed in order to provide and broker banking transactions, financial services and insurance and property business, in the course of the performance of our contracts with our customers, including from assigned rights (e.g. receivables assigned by way of security) or in order to take steps prior to entering into a contract. The data processing purposes are guided primarily by the product in question (e.g. account, deposits, loans and promissory notes, building society savings, securities (accounts and trading), issue of bonds and certificates, structured financing, leasing, debt purchasing and securitisation of receivables, brokerage and may include, among others, needs analyses, consulting, asset management and the implementation of complex financial transactions in a syndicate). Further details for data processing purposes are set out in the relevant contract documents and terms and conditions. |
| b. for compliance with legal obligations (Art. 6(1)(c) GDPR or in the public interest (Art. 6(1)(e) GDPR) | Furthermore, we as a bank are subject to various legal obligations, that is, statutory requirements (e.g. German Banking Act, German Anti-Money Laundering Act, German Securities Trading Act, tax laws) and bank supervisory stipulations (e.g. from the European Central Bank, the European Banking Authority, Deutsche Bundesbank and the German Federal Financial Supervisory Authority). The purposes of processing include, among other things, credit checks, identity and age checks, fraud and money laundering prevention, the fulfilment of monitoring and reporting obligations under tax law and the assessment and management of risks within the Bank and the Group. |
| c. to weigh up interests (Art. 6(1)(f) GDPR) | Where necessary, we will process your data beyond the actual fulfilment of the contract in order to protect our legitimate interests or those of third parties. Examples: <ul style="list-style-type: none"> • Consultation of, and data exchange with, credit agencies (e.g. SCHUFA) to determine creditworthiness and default risks in the lending business and the requirements in attachment protection, • Examination and optimisation of needs analysis processes for the purposes of direct approach to customer, • Advertising or market research and opinion polling provided that you have not objected to the use of your data, • Assertion of legal claims and defence in legal disputes, • Ensuring the IT security and maintaining and developing the Bank's IT operations, • Preventing and detecting criminal offences, • Video surveillance to uphold the right of allowing/denying access to the premises, to collect evidence in robbery and fraud or to supply proof of dispositions and payments e.g. at ATMs (see also Section 4 BDSG), • Building and plant security measures (e.g. physical access control), • Measures to uphold the right of allowing/denying access to the premises, |

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| | <ul style="list-style-type: none"> • Measures for managing business and developing services and products, • Risk management within the Bank. • Syndicated financing (in the case of a silent assignment or silent purchase of receivables, we receive/transmit personal data from/to the guarantor or seller/buyer of receivables, and in the case of a silent sub-participation, from/to the syndicate leader. |
| <p>d. on account of your consent (Art. 6(1)(a) GDPR)</p> | <p>If you have granted your consent to the processing of personal data for specific purposes (e.g. evaluation of payment transaction data for marketing purposes, photographs in the context of events, newsletter dispatch), the lawfulness of such processing is given on the basis of your consent.</p> |
| <p>Recipients or categories of recipients of the personal data:</p> | <p>Within the Bank, those entities will be given access to your data which need them to fulfil our contractual and statutory obligations. Service providers and vicarious agents deployed by us may also receive data for these purposes.</p> <p>With regard to the transmission of data to recipients outside the Bank it is worth mentioning first of all that we as a bank are sworn to secrecy regarding all customer-related facts and evaluations of which we gain knowledge. We may, in principle, only transmit information about you if there is a legal basis for this pursuant to Art. 6(1) GDPR, if we are authorised to issue bank information and/or if processors commissioned by us guarantee the GDPR's stipulations. Subject to this requirement, additional recipients of personal data may include, for example:</p> <ul style="list-style-type: none"> • Other companies within the Group for risk management, • Public entities and institutions (e.g. European Central Bank, European Banking Authority, Deutsche Bundesbank, German Federal Financial Supervisory Authority, financial authorities, criminal prosecution authorities, family courts, land registries), • Other credit and financial services institutes or similar institutions and processors to which we transmit personal data in order to realise the business relationship with you. <p>Specifically: Settlement of bank information, support/maintenance of EDP/IT applications, archiving, voucher processing, compliance services, controlling, data screening for anti-money laundering purposes, destruction of data, purchasing/procurement, area management, property appraisals, loan processing service, letter shops, marketing, media technology, reporting, research, risk controlling, expense claims, telephony, video legitimation, website management, securities services, auditing services, payment transactions.</p> |
| <p>Data transfer to a third country:</p> | <p>Data are transmitted to entities in countries outside the EU and the EEA (so-called third countries) only if this is necessary in order to execute your orders (e.g. payment and securities orders), if it is required by law (e.g. reporting obligations under tax law), if you have granted your consent to this or in the context of order processing. If service providers in a third country are used, they shall be bound to comply with written instructions and, through the agreement of the EU standard contractual clauses, with the data protection level in Europe.</p> |
| <p>Period for which the personal data will be stored:</p> | <p>We process and store your personal data as long as is necessary in order to fulfil our contractual and statutory duties. It is worth noting that our business relationship is a continuing obligation extending over a period of years.</p> <p>If the data are no longer required in order to fulfil contractual or statutory obligations, their further processing – for a limited period of time – may be necessary for the following purposes:</p> |

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| | <ul style="list-style-type: none"> • Fulfilment of retention periods in commercial and tax law resulting among other things from the German Commercial Code (HGB), the German Fiscal Code (AO), the German Banking Act (KWG), the German Anti-Money Laundering Act (GwG) and the German Securities Trading Act (WpHG). The retention and documentation periods stipulated therein range between two and ten years. • Preservation of evidence in the context of the statute of limitation provisions. For example, pursuant to Sections 195 ff. of the German Civil Code (BGB), the statute of limitations is usually three years but in some cases it may total up to thirty years. |
| <p>Data subject rights:</p> | <p>You have the right of access pursuant to Article 15 GDPR, the right to rectification pursuant to 16 GDPR, the right to erasure pursuant to Article 17 GDPR, the right to restriction of processing pursuant to Article 18 GDPR, the right to object arising from Article 21 GDPR and the right to data portability arising from Article 20 GDPR. With regard to the right of access and the right to erasure, the restrictions pursuant to Sections 34 and 35 of the German Federal Data Protection Act (BDSG) apply. In addition, you have the right to lodge a complaint with a competent data protection supervisory authority (Article 77 GDPR in conjunction with Section 19 BDSG).</p> <p>Since 1 October 2020, the competent supervisory authority for Helaba has been as follows: The State Commissioner for Data Protection and Information Security of the State of Thuringia Hässlerstrasse 8 99096 Erfurt Phone: +49-0361-57-3112900 Email: poststelle@datenschutz.thueringen.de</p> <p>Pursuant to Section 2 (1) of the Treaty on the Formation of a Joint Savings Bank Organization Hesse-Thuringia, the responsibility of the supervisory authority shall alternate between Hesse and Thuringia every four years.</p> <p>1 January 2024 onwards: The Hesse Commissioner for Data Protection and Freedom of Information Gustav-Stresemann-Ring 1 65189 Wiesbaden Credit Institutions Department Phone: +49-0611-1408-0 Fax: +49-0611-1408-900-901 Email: poststelle@datenschutz.hessen.de</p> <p>You may withdraw your consent to the processing of your personal data at any time. The same applies to the withdrawal of declarations of consent issued to us before the EU General Data Protection Regulation came into force, i.e. before 25 May 2018. Please note that the withdrawal applies with future effect and does not affect processing undertaken before the withdrawal.</p> |

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| <p>Am I obliged to provide data?</p> | <p>In the course of our business relationship with you and/or with a legal entity representing you in relation to us, you need to provide the personal data required for the initiation, implementation and termination of a business relationship and the fulfilment of the associated contractual obligations and the data which we are legally obliged to collect. Without these data we will usually have to refuse concluding the contract or executing the order or we will no longer be able to implement an existing contract and may have to terminate it.</p> <p>In particular, pursuant to the anti-money laundering provisions and to the German Fiscal Code we are obliged to verify your identity using an ID document before establishing the business relationship or creating the authorisation to represent/power of attorney; in this process we are obliged to collect and record the names, place of birth, date of birth, nationality, address and ID data. To enable us to comply with this statutory obligation you must, pursuant to the Anti-Money Laundering Act, make all the necessary information and documents available to us and notify us immediately of any changes occurring in the course of the business relationship. If you fail to provide us with the necessary information and documents, we will be unable to initiate or continue the business relationship desired by you.</p> |
| <p>To what extent are my data used for profiling (scoring)?</p> | <p>We partly process your data on an automated basis to assess certain personal aspects (profiling). For example, we use profiling in the following cases:</p> <ul style="list-style-type: none"> • In accordance with statutory and regulatory requirements, we are obliged to combat money laundering, terrorist financing and criminal acts posing a risk to assets. In this process, data evaluations (including in payment transactions) are performed. These measures are at the same time designed to protect you. • We use evaluation tools in order to enable us to inform and advise you on products in a targeted manner. These tools allow appropriate communication and advertising, including market research and opinion polling. |
| <p>To what extent does automated decision-making take place?</p> | <p>We do not, in principle, use fully automated decision-making pursuant to Article 22 GDPR in order to establish and implement the business relationship. Where we use this procedure in individual cases we will provide you with information regarding the procedure and your rights separately, provided that this is prescribed by law.</p> |

Information on your right to object pursuant to Article 21 GDPR

Right to object in individual cases

You have the right at any time, for reasons resulting from your particular situation, to object to the processing of personal data relating to you on account of Article 6(1)(e) GDPR (data processing in the public interest) and Article 6(1)(f) GDPR (data processing for the purposes of weighing up interests); this also applies to profiling within the meaning of Article 4(4) GDPR that is based on this provision.

If you withdraw your consent, we will no longer process your personal data unless we are able to provide evidence of binding justified reasons for such processing which prevail over your interests, rights and freedoms, or if the processing serves to assert, exercise or defend legal claims.

Right to object to the processing of data for direct marketing purposes

In individual cases we will process your personal data for direct marketing purposes. You have the right to object to the processing of personal data relating to you for such marketing purposes; the same applies to profiling if it is connected with such direct marketing. If you object to processing for direct marketing purposes, we will stop processing your personal data for these purposes.

Recipient of an objection

The objection may be submitted informally, quoting the reference “Objection” and stating your name, address and date of birth. It should be addressed to:

Landesbank Hessen-Thüringen Girozentrale
Public-Law Institution (Anstalt des Öffentlichen Rechts)
Helaba Data Protection Officer
Kaiserleistrasse 29– 35
63067 Offenbach
Email: datenschutz@helaba.de