

## DZ BANK - General Privacy Policy

This privacy policy provides information about how your personal data is processed by DZ BANK and your rights as a data subject as per data protection legislation. The specific data and the manner in which it is processed is selected according to the services which have been agreed upon or requested.

This privacy policy also applies to current and future authorised representatives, beneficial owners and other parties which may also have obligations under a loan agreement, etc., as well as the contractually agreed contact partners of legal persons. Please ensure that this policy is passed on to these individuals.

### 1 Who is responsible for processing my personal data and whom can I contact about it?

The legal controller is DZ BANK AG, Platz der Republik, 60325 Frankfurt am Main, Telephone: +49 (0)69 7447-01, email: [mail@dzbank.de](mailto:mail@dzbank.de), represented by the Board of Managing Directors. If you have any questions regarding the processing procedures used within DZ BANK or wish to exercise any of your rights as a data subject, please contact the controller.

The contact information of the data protection officer of DZ BANK AG is as follows: Phone: +49 (0)69 7447-94101, Fax: +49 (0)69-427267-0539, Email: [datenschutz@dzbank.de](mailto:datenschutz@dzbank.de)

### 2 What kind of data do we use, and where do we get it from?

We process personal data which we receive from our customers in the context of our business relationship. Whenever it is required in order for us to provide our services, we also process personal data provided to us by other companies of the Volksbanken Raiffeisenbanken cooperative financial network as well as other partner banks or third parties (e.g. SCHUFA) whenever we are permitted to do so (e.g. in order to execute orders, perform contracts or on the basis of your consent). We also process personal data which we are permitted to acquire from publicly accessible sources (e.g. debtor's reports, title registers, trading and association registers, the press, the media, internet, etc.), our subsidiaries, partner banks or other third parties.

DZ BANK processes relevant personal data from potential customers, customers and all other natural persons who come into contact or are in contact with DZ BANK, e.g. guarantors, authorised representatives, legal guardians, messengers, representatives or employees of legal persons, visitors to our websites and apps, and users and applicants who use our websites and apps to create a user account.

Relevant personal data includes: name, address and other contact information, date and place of birth and nationality, legitimisation information (e.g. ID information) and authentication information (e.g. sample of signature). It also includes order data (e.g. payment order, securities order), data related to the fulfilment of our contractual obligations (e.g. revenue data from payments processing, credit limits, product data (e.g. deposits, loans and custody account business), information about your financial situation (e.g. credit rating, the source of your assets), documentation data (e.g. records of advice which has been given), register data, data about how you use our telemedia offerings (websites, apps and newsletters) and other similar data.

Processing means collecting, storing, using, supplying or deleting data.

### **3 For what purpose does DZ BANK process your data, and on what legal basis?**

DZ BANK processes personal data in accordance with the provisions of the General Data Protection Regulation (GDPR) and the Federal Data Protection Act (BDSG):

#### **3.1 in order to fulfil contractual obligations (Article 6(1b) of the GDPR)**

We process your personal data in order to provide banking transactions and financial services in the context of our contracts with our customers as well as the local cooperative banks and partner banks, or to take steps prior to entering into a contract based on your requests.

The precise purpose for which your personal data is processed is dependent on the specific product in question (e.g. account, credit card, securities, deposits, brokerage). These purposes can include needs assessments, advice, asset management and performing transactions. Additional details regarding the purpose for which your personal data is processed are provided in the relevant contract documents, terms and conditions of use.

#### **3.2 For the purpose of legitimate interests (Article 6(1f) of the GDPR)**

DZ BANK processes your data beyond the scope of simply performing the contract for the purpose of legitimate interests pursued by us or a third party, except when overridden by your interests in protecting your personal data.

Examples:

- consulting and exchanging information with information providers (e.g. SCHUFA) in order to identify credit and default risks and the need for a non-seizable account or base account;
- reviewing and optimising the processes we use to analyse your needs and make contact with customers directly, including customer segmentation and calculating the probability of closing;
- marketing or market and opinion research, unless you have stated that your data may not be used for these purposes;
- asserting legal claims and defending against legal disputes;
- guaranteeing the security and functionality of DZ BANK's IT system;
- preventing and resolving criminal offences;
- video surveillance to ensure that only authorised parties are granted access to data, to secure emergency exits and fire brigade access routes, to collect evidence related to fraud and break-ins (see also Section 4 of the BDSG),
- building and facility security measures (e.g. access control),
- measures for ensuring that only authorised parties are granted access to data,
- measures related to management and the improvement of services and products,
- risk management within the DZ BANK Group and the cooperative financial network.

#### **3.3 On the basis of your consent (Article 6(1a) of the GDPR)**

If you give DZ BANK your consent to process your personal data for specific purposes (e.g. passing on your data within the Group/cooperative financial network, evaluating payment data for marketing purposes), then this processing is considered lawful on the basis of your consent.

You can withdraw your consent at any time. You can also withdraw any consent which you gave us before the GDPR came into effect (that is before 25 May 2018). The withdrawal of consent does not affect the lawfulness of processing performed by DZ BANK based on consent before its withdrawal.

### **3.4 On the basis of statutory requirements (Article 6(1c) of the GDPR) or in the public interest (Article 6(1e) of the GDPR)**

DZ BANK is subject to a number of legal requirements (e.g. the German Banking Act (KWG), Anti-Money Laundering Act (GwG), German Securities Trading Act (WpHG), tax legislation) and requirements imposed by regulators (e.g. the European Central Bank, the European Banking Authority, the German Central Bank and the Federal Financial Supervisory Authority – BaFin). The purposes for which we process your personal data include credit checks, checking your identity and age, preventing fraud and money laundering, complying with control and reporting obligations under tax law and evaluating and managing risks within DZ BANK and the DZ BANK Group.

## **4 Who receives your data?**

Your data is only made available within DZ BANK, the DZ BANK Group, local cooperative banks and partner banks to the extent required in order for us to comply with our contractual and statutory obligations. Service providers and agents commissioned by DZ BANK may also receive data for these purposes if they comply with the banking secrecy requirements and data protection instructions issued by DZ BANK.

Recipients can be divided into the following categories:

- public bodies and institutions (e.g. German Central Bank, Federal Financial Supervisory Authority, European Banking Authority, European Central Bank, financial authorities), on the basis of a legal obligation or official order;
- Other credit or financial services institutions or similar institutions to which we provide your personal data for the purpose of the business relationship with you (depending on the contract, these can include correspondent banks, custodian banks, exchanges and information providers).
- Other companies within the DZ BANK Group or cooperative financial network on the basis of statutory or official obligations for risk management purposes.
- Service providers which process data on our behalf in the categories of credit services, IT services, logistics, purchasing and procurement, building and real estate management, print services, telecommunications, consulting agencies and sales and marketing companies.

Your personal data may also be provided to other recipients if you have given DZ BANK your consent, or have agreed that we are not subject to banking secrecy obligations on the basis of an agreement or a declaration of consent. Under certain circumstances, your data may be provided to additional recipients due to the nature of the contract. These circumstances will be specified in the contract documents and the terms for the transaction in question.

## **5 Do you transfer personal data to a third country or an international organisation?**

Your data will only be transferred to countries outside of the European Union (third countries) if this is required in order to execute your orders (e.g. payment and securities orders), you have given DZ BANK your consent or when the processing of your data is commissioned to a third party on the basis of a legitimate interest pursued by DZ BANK.

DZ BANK uses EU model clauses to ensure that any service provider which it uses in a third country maintain a European level of data protection.

## 6 How long will you keep my data for?

DZ BANK processes and stores all necessary personal data for the duration of our business relationship. This includes the periods required to prepare and wind up a contract. Please note that our business relationship is likely to last for a number of years.

DZ BANK is also required to comply with a number of retention and documentation obligations on the basis of 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), as well as other legislation. The retention and documentation periods specified in these acts last between 2 and 10 years.

The retention period is ultimately determined on the basis of statutory limitation periods. Sections 195 et seq. of the German Civil Code (BGB), for example, specify a limitation period of usually three years, and of up to 30 years in certain circumstances.

## 7 What rights do I have as a data subject?

Every data subject has a right of access in accordance with Article 15 of the GDPR, a right to rectification in accordance with Article 16 of the GDPR, a right to erasure ("right to be forgotten") in accordance with Article 17 of the GDPR, a right to restriction of processing in accordance with Article 18 of the GDPR, a right to object in accordance with Article 21 of the GDPR (please refer to the end of this privacy policy for more information) and a right to data portability in accordance with Article 20 of the GDPR. Your right of access and your right to erasure are subject to the restrictions of Sections 34 and 35 of the BDSG. You also have a right to lodge a complaint with the supervisory authority in accordance with Article 77 of the GDPR in conjunction with Section 19 of the BDSG.

If you give DZ Bank your consent to process your personal data for specific purposes, you can withdraw your consent for the future at any time. You can also withdraw any consent which you gave us before the GDPR came into effect (that is before 25 May 2018). The withdrawal of consent does not affect the lawfulness of processing performed by DZ BANK based on consent before its withdrawal.

Local cooperative banks and partner banks are frequently parties to the account management agreements which you agreed to. If you wish to exercise your data protection rights in relation to such an agreement, please contact the relevant banking institutions directly.

## 8 Am I obliged to provide my data?

You are only required to provide the personal data which is necessary in order to establish, implement and terminate a business relationship. You are also required to provide the personal data which we are legally obliged to collect. Without this data, we will not normally be able to conclude the contract or execute the order. We may also be required to terminate an existing contract which we are unable to perform.

DZ BANK is obliged, particularly under anti-money laundering legislation, to identify you using your ID before establishing a business relationship with you. This involves collecting your name, date of birth, place of birth, nationality, residential address and information about the ID itself. It also requires you to inform DZ BANK without delay of any changes to this information and documentation during the course of the business relationship so that DZ BANK can comply with its legal obligations. If you do not provide DZ BANK with the information and documents, we will not be permitted to continue or establish the business relationship requested by you.

## 9 To what extent is my personal data used for automated decision-making?

We do not use any fully automated decision-making processes in order to establish and implement the business relationship in accordance with Article 22 of the GDPR. Should DZ BANK be legally required to do so, we will inform you if we use these processes in your individual case.

## 10 Is my data used for profiling?

Some of your data is processed automatically by DZ BANK in order to evaluate specific personal aspects (profiling). Profiling is used in the following cases:

- DZ BANK is required to combat money laundering and fraud in accordance with statutory requirements. Data (including payments processing data) is analysed for this purpose. These measures also help to keep you safe.
- We use analysis tools so that we can provide you with relevant information about DZ BANK products and advice. These tools enable us to communicate with you in a manner which is appropriate to your needs and engage in marketing, including market and opinion research.
- We use scoring for the purpose of credit checks. It is used to calculate the probability of a customer meeting their contractual payment obligations. The calculation is based on a number of factors, including your income, expenses, liabilities, occupation, how long you have been employed, prior experience from the business relationship, whether or not previous loans were repaid on time and information from credit agencies. We use an established statistical process for scoring purposes. Scores help us to make decisions and are incorporated into ongoing risk management.

## 11 Information regarding your right to object under Article 21 of the GDPR

### 11.1 Right to object on a case-by-case basis

You have the right at any time to object on grounds relating to your particular situation to the processing of your personal data according to points (e) (in the interest of the public) or (f) (due to a justified interest of DZ BANK) of Article 6(1) of the GDPR, including profiling based on those provisions in the sense of Article 4(4) of the GDPR.

### 11.2 Right to object to the processing of data for marketing purposes

DZ BANK will occasionally process your personal data for the purposes of direct marketing. You have the right to object at any time to such processing. This also includes profiling to the extent that is related to such direct marketing.

There are no formal requirements for objections of this kind. Objections should be submitted by phone to +49 (0)69 7447-01 or by email to [mail@dzbank.de](mailto:mail@dzbank.de).

