

## Data Processing Information Sheet

### 1. What is the purpose of this information sheet?

This notice serves to inform you and any other persons concerned in detail about the processing of your personal data. We only use this data insofar as we are legally entitled or obliged to do so.

### 2. Responsible body and contact details of our company data protection officer

Responsible body for the collection, processing and use of your personal data in accordance with Art. 13 sec. 1 lit a) within the meaning of the GDPR:

FIDESSecur Versicherungs- und Wirtschaftsdienst  
Versicherungsmakler GmbH  
Carl-Wery-Straße 18  
81739 München  
E-Mail: datenschutz@fidessecur.de

Responsible Data Protection Officer:

IfDuS – Institut für Datenschutz und –Sicherheit GmbH  
Lars Beitlich  
Landsberger Straße 396  
81241 Munich  
Telephone: +49 89 219952-777  
Email: DSB-FidesSecur@ifdus.de

### 3. How and when do we use your personal data?

We require your personal data in order to be able to assess the risk to be insured before a contract is concluded and to carry out the contractual relationship, e.g. in the event of a claim.

We process your data in accordance with data protection regulations, including for purposes that are not directly related to your contract if required. This may be the case, for example, to

- meet regulatory or supervisory requirements. Thus, our principal activity is subject to a number of special legal regulations in accordance with which your personal data is processed: e.g. combating money laundering, legal reporting obligations to state authorities, Solvency II, etc.
- examine and optimise electronic data processing methods
- compile data used within the company and used legally permissibly across companies
- carry out internal controlling
- assert legal claims and defence in legal disputes.

Please only provide us with the data that is necessary for the respective purpose (e.g. conclusion of a contract, processing of claims) or that is legally required (e.g. due to requirements from the Money Laundering Act, requirements from tax law). If we ask you to provide us with data voluntarily, we will draw your attention to this. If there is a contractual or legal obligation to provide the data and you refuse to do so, this may mean that we are unable to conclude the contract or are obliged to not perform the service.

### 4. Legal basis

We process your personal data in compliance with the EU General Data Protection Regulation (GDPR), the German Federal Data Protection Act (BDSG), the provisions of the German Insurance Contract Act (VVG) that are relevant to data protection and all other relevant laws.

The legal basis for such processing of personal data for pre-contractual and contractual purposes is Article 6 (1) (b) of the GDPR. Insofar as special categories of personal data are required for this (e.g. your health data when concluding a life insurance contract), we will obtain your consent in accordance with Article 9 (2) (a) in conjunction with Article 7 of the GDPR. If we compile statistics with these data categories, this is done on the basis of Article 9 (2) (j) of the GDPR in conjunction with Article 27 of the BDSG.

We also process your data in order to protect the legitimate interests of ourselves or third parties (Article 6 (1) (f) of the GDPR). In particular, this may be necessary to:

- ensure IT security and IT operation,
- prevent and clarify criminal offences, in particular we use data analyses to identify indications that may point to insurance fraud.

In addition, we process your personal data to fulfil legal obligations such as regulatory requirements, commercial and tax retention requirements or our advisory duties. In this case, the respective legal regulations in conjunction with Article 6 (1) (c) of the GDPR serve as the legal basis for the processing.

Should we wish to process your personal data for a purpose not mentioned above, we will inform you in advance in accordance with the statutory provisions.

### 5. Origin of the data

We process personal data that we receive from you in the course of our business relationship. In addition, we process – insofar as necessary for the provision of our services – personal data which we have received from partners responsible for you or from other third parties (e.g. a previous insurer) in accordance with legal provisions (e.g. for the execution of contracts, for the fulfilment of contracts or on the basis of a consent given by you). Furthermore, we process personal data which we have obtained and are permitted to process from publicly accessible sources (e.g. debtor lists, commercial and association registers, press, media).

Personal details (name, address and other contact details, date/place of birth and nationality) and legitimization data (e.g. identity card details) are relevant personal data. In addition, this can also be documentation data (e.g. consultation records) as well as other data comparable to the categories mentioned.

### 6. Categories of recipients of the personal data

#### Business partners

For mediation, we need the information you have given us to prepare an offer or conclude an insurance contract. As part of this processing, your data may also be passed on to insurers, reinsurers, other insurance intermediaries, medical service providers, fraud investigation agencies and lawyers for the purpose of fulfilling and executing the contract.

#### Data exchange with your previous insurer

In order to be able to check and, if necessary, supplement your details when the insurance contract is concluded (e.g. to take advantage of a no-claims bonus in motor vehicle liability insurance) or when the insured event occurs, an exchange of personal data with the previous insurer named by you in the application may take place to the extent necessary for this purpose.

### Data processing within the group of companies

Specialised companies or divisions of our group of companies perform certain data processing tasks centrally for the companies affiliated in the FIDESSecur group. If an insurance contract exists between you and one or more companies in our group, your data may be processed centrally by a company in the group, for example for the central administration of address data, for telephone customer service, for contract and claim processing, for debt collection and compensation pay-outs or for joint mail processing.

The following companies of the FIDESSecur group are connected to the centralised data processing:

- AGROSecur Versicherungsmakler GmbH
- BVB Beratungsdienst- und Versicherungsmakler GmbH
- FIDESConsult Versicherungsvermittlungs-und Dienstleistungsgesellschaft mbH
- MVD MARKANT-Versicherungsdienst GmbH

### External service providers

In order to fulfil our contractual and legal obligations, we sometimes use external service providers with whom we have concluded agreements on commissioned data processing:

- processing of payment transactions
- archiving
- authentication procedures and electronic data exchange with sales partners
- data disposal
- electronic data exchange with sales partners
- financial accounting
- hosting
- incoming/outgoing mail incl. logistics of digital incoming mail incl. scanning of incoming mail
- dispatch of our newsletter

### Other recipients

In addition, we may also transfer your personal data to other recipients, such as co-insured persons, authorities for the fulfilment of statutory reporting obligations (e.g. social insurance bodies, tax or law enforcement authorities, German Federal Financial Supervisory Authority [BaFin]).

Insofar as your consent is necessary, we will obtain this separately.

## **7. Duration of data storage**

We process your personal data for the duration of our business relationship. This can also be the initiation or processing of a contract. We also store your personal data insofar as we are legally obliged to do so. We delete your personal data as soon as it is no longer required for the above-mentioned purposes. Personal data may be kept for the time during which claims can be made against our company.

The various storage and documentation obligations result from the German Commercial Code (HGB), the German Tax Code (AO) or the Money Laundering Act (GWG), among others. The specified periods of retention and documentation range from two to 30 years. The storage period is further governed by the statutory limitation periods, which can be up to 30 years, for example according to Articles 195 et. seq. of the German Civil Code (BGB), with the regular limitation period being three years.

## **8. Duty to inform if we receive data from third parties from you**

If we receive personal data from third parties from you as policyholder, you must pass on the data processing

informationsheet to them. These are e.g. co-insured persons, insured persons, beneficiaries, injured parties, witnesses, deviating contributors.

## **9. Rights of data subjects**

If you wish to exercise any of the following rights, please contact us at [datenschutz@fidessecur.de](mailto:datenschutz@fidessecur.de). You have the right to:

- obtain information about the data concerning you that we store and process (Article 15 GDPR),
- rectification of incorrect personal data (Article 16 GDPR),
- erasure of the data concerning you that we store (Article 17 GDPR),
- restriction of processing where we are not yet permitted to erase your data for legal reasons or where a more detailed review must be carried out beforehand (Article 18 GDPR),
- object to the processing of your data in accordance with Article 21 GDPR and the right to
- data portability, if you have consented to data processing or have concluded a contract with us (Article 20 GDPR).

We do not use automated decision-making, including profiling within the meaning of Article 13 (2) (f) GDPR in conjunction with Article 22 GDPR.

Where you have given us your consent, you have the right to withdraw that consent at any time with effect for the future. To do this, an informal notice of withdrawal by email will suffice. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

In respect of infringement of GDPR, you have the right to lodge a complaint with a supervisory authority, in particular, in the member state of your habitual residence, your place of work or the place of the alleged infringement. You have the right to lodge a complaint without prejudice to any other administrative or judicial remedy.

Click [here](#) for a list of data protection supervisory authorities for the private sector in Germany. The competent supervisory authority in Bavaria is:

Bavarian State Office for Data Protection Supervision  
Promenade 18  
91522 Ansbach  
Correspondence address:  
P.O. Box 1349, 91504 Ansbach  
Telephone: +49 981 180093-0  
Fax: +49 981 180093-800  
Email: [poststelle@lda.bayern.de](mailto:poststelle@lda.bayern.de)  
Website: <https://www.lda.bayern.de>

## **10. Data transmission to other geographical areas**

If we transfer personal data outside the European Economic Area (EEA), the transfer will take place in accordance with appropriate data protection standards, such as the standard EU contractual clauses or equivalent data transfer agreements, which ensure the protection and confidentiality of personal data.

## **11. Right of appeal**

You have the possibility of lodging a complaint with the above-mentioned data protection officer or with a data protection supervisory authority (Article 77 of the GDPR).