

# Information on the implementation of the EU General Data Protection Regulation

The EU General Data Protection Regulation (DSGVO) **has been in force** in all Member States of the European Union **since May 25, 2018**.

The DSGVO harmonises the rules for processing personal data. This will ensure the overall protection of personal data and guarantee the free movement of data within the European Union.

The new regulations of the DSGVO, especially provide for a high degree of transparency in data processing and comprehensive rights for data subjects.

Information on data protection can also be found on our website at: [www.hallesche.de/datenschutz](http://www.hallesche.de/datenschutz)

With this information we inform you about the processing of your personal data by HALLESCHE and the rights you are entitled to according to the data protection law.

## 1. Responsible person for data processing

HALLESCHE Health Insurance a. G.  
Reinsburgstraße 10  
70178 Stuttgart  
Phone: 07 11/66 03-0  
Fax: 07 11/66 03-3 33  
e-mail: [service@hallesche.de](mailto:service@hallesche.de)

You can contact our **data protection officer** by post at the above address with the addition - data protection officer - or by e-mail at: [datenschutz@hallesche.de](mailto:datenschutz@hallesche.de)

## 2. Purposes and legal bases of data processing

We process your personal data under consideration with the EU General Data Protection Regulation (DSGVO), the Federal Data Protection Act (BDSG), the data protection relevant regulations of the Insurance Contract Act (VVG) and all other relevant laws. In addition, our company has committed itself to the "Rules of Conduct for Handling Personal Data by the German Insurance Industry", which specify the above-mentioned laws for the insurance industry. These can be accessed on the Internet at [www.hallesche.de/code-of-conduct](http://www.hallesche.de/code-of-conduct).

If you submit an application for insurance cover, we need the information you provide for the conclusion of the contract and for the assessment of the risk to be assumed by us. If the insurance contract is concluded, we will process this data for the purpose of implementing the contractual relationship, e.g. for policy issuing or invoicing. We need information on the benefit claim, for example, in order to be able to check whether an insured event has occurred and how much the reimbursement is.

**The conclusion and/or the implementation of the insurance contract is not possible without the processing of your personal data.**

In addition, we need your personal data for the preparation of insurance-specific statistics, e.g. for the development of new tariffs or to meet regulatory requirements.

We use the data of all existing contracts with us to examine the entire customer relationship, for example, to advise on contract adjustment or amendments, for decisions of goodwill or for comprehensive information.

The legal basis for these processing operations of personal data for pre-contractual and contractual purposes is Art. 6 para. 1 b) DSGVO. If special categories of personal data are required for this purpose (e.g. your health data when concluding a life insurance contract), we will obtain your consent in accordance with Art. 9 Para. 2a) in conjunction with Art. 7 DSGVO. If we create statistics using these data categories, this is done based on Art. 9 Para. 2 j) DSGVO in conjunction with Art. 27 BDSG.

We also process your data in order to protect the legitimate interests of ourselves or third parties (Art. 6 para. 1 f) DSGVO). This may in particular be necessary:

- to ensure IT security and IT operation,
- to promote our own insurance products and other products of the companies of the ALTE LEIPZIGER - HALLESCHE Group as well as market and opinion polls,
- for the prevention and clarification of criminal offences, in particular we use data analyses to identify indications that may point to insurance abuse.

In addition, we process your personal data to fulfil legal obligations such as regulatory requirements, commercial and tax law storage obligations or our obligation to provide advice. In this case, the respective legal regulations in conjunction with Art. 6 para. 1 c) DSGVO serve as the legal basis for processing.

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

### 3. Categories of recipients of personal data

#### Reinsurer:

We insure risks assumed by us with special insurance companies (reinsurers). For this purpose it may be necessary to transfer your contract and, if applicable, damage data to a reinsurer so that the reinsurer can form its own opinion about the risk or the insurance claim.

You will be informed about the transmission of your health data to reinsurance companies by

HALLESCHE Health Insurance and asked for consent.

#### Intermediary:

Insofar as you are advised by an intermediary with regard to your insurance contracts, your intermediary will process the application, contract and benefit data required for the conclusion and implementation of the contract. Our company also transmits this data to the agents who is in charge of you, insofar as they require the information for your support and advice in your insurance and financial services matters.

#### Data processing in the ALTE LEIPZIGER - HALLESCHE Group:

Specialised companies or divisions of our Group perform certain data processing tasks centrally for the companies affiliated in the Group. If an insurance contract exists between you and one or more companies of the Group, your data may be processed centrally by a company of the Group, for example, for the central administration of address data, for telephone customer service, for contract and service processing, for collections and disbursements or for joint mail processing. In our list of services you will find the companies that participate in centralised data processing.

#### External service providers:

To fulfil our contractual and legal obligations, we sometimes use external service providers.

You can find a list of the contractors and service providers we use, with whom we have not only temporary business relationships, in the current version

on our website at  
[www.hallesche.de/dienstleisterliste](http://www.hallesche.de/dienstleisterliste).

#### Other recipients:

In addition, we may also transfer your personal data to other recipients, such as authorities to fulfil statutory notification obligations (e.g. social insurance carriers, tax authorities or law enforcement agencies).

### 4. Duration of data storage

We delete your personal data as soon as they are no longer required for the above-mentioned purposes. It may happen that personal data is retained for the time during which claims can be made against our company (statutory limitation period of three or up to thirty years). We also store your personal data insofar as we are legally obliged to do so. Corresponding obligations of proof and storage result from the German Commercial Code, the German Fiscal Code and the Money Laundering Act, among others. The storage periods are up to ten years after termination of the contract.

### 5. Affected parties rights

You can request information about your personal data stored at the above address. In addition, under certain circumstances you can request the correction or deletion of your data. You may also have a right to restrict the processing of your data and a right to have the data provided by you released in a structured, common and machine-readable format.

#### Right of objection

**You have the right to object to the processing of your personal data for direct marketing purposes.**

**If we process your data to protect legitimate interests, you can object to this processing if reasons arise from your particular situation that speak against data processing.**

### 6. Right of appeal

You have the possibility to address a complain to the above-mentioned data protection officer or to a data protection supervisory authority. The data protection supervisory authority responsible for us is

The State Commissioner for Data  
Protection and Freedom of Information  
Königstraße 10 a  
70173 Stuttgart

### 7. Credit reports

Insofar as it is necessary to protect our legitimate interests, we request information from SCHUFA to assess your general payment behaviour.

Information on SCHUFA can be found on the following page.

## 8. Transfer of data to a third country

If we transfer personal data to service providers outside the European Economic Area (EEA), the transfer will only take place if the third country has been confirmed by the EU Commission as having an adequate level of data protection or if other appropriate data protection guarantees are in place (e.g. binding internal company data protection rules or EU standard contractual clauses).

## 9. Automated individual case decisions

Based on your data on the insured event, the data stored on the insurance policy and any information received from third parties in this regard, we decide partially fully automatically on the obligation to pay benefits. In this way we want to reduce processing times. The automated check is carried out in a standardised way in the form of rule-based processing steps. The decisions are based, for example, on the application of binding tariff regulations and generally applicable regulations on fees.

If the audit results in a negative benefit decision, we inform you of the reasons in our cash flow statement. In accordance with the legal provisions of the EU General Data Protection Regulation, there is then the right to object to the audit result. The position relevant for the objection is submitted to a manual review and decision.

## SCHUFA Information

### 1. Name and contact details of the responsible authority and the company data protection officer

SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden, Phone: +49 (0) 6 11-92 78 0;

The SCHUFA's company data protection officer can be contacted at the above address, at the data protection department, or by e-mail at [datenschutz@schufa.de](mailto:datenschutz@schufa.de).

### 2. Data processing by the SCHUFA

#### 2.1 Data processing purposes and legitimate interests pursued by SCHUFA or a third party

SCHUFA processes personal data in order to provide authorised recipients with information for assessing the creditworthiness of natural and legal persons. Score values are also calculated and transmitted for this purpose. It only makes the information available if a justified interest in this has been credibly demonstrated in individual cases and processing is permissible after weighing up all interests. The legitimate interest is given in particular before entering into transactions with financial default risk. The creditworthiness check serves to protect the recipient from losses in the credit business and at the same time opens up the possibility of protecting borrowers from excessive indebtedness by providing advice. The processing of the data is also used for fraud prevention, reliability checks, money laundering prevention, identity and age checks, address identification, customer service or risk management as well as pricing or conditions. SCHUFA will inform about any changes in the purposes of data processing in accordance with Art. 14 Para. 4 DSGVO.

#### 2.2 Legal basis for data processing

SCHUFA processes personal data on the basis of the provisions of the basic data protection regulation. Processing is carried out on the basis of consent as well as on the basis of Art. 6 para. 1 letter f DSGVO, insofar as processing is necessary to safeguard the legitimate interests of the person responsible or of a third party and does not outweigh the interests or fundamental rights and freedoms of the person concerned, which require the protection of personal data. Consent can be revoked at any time by the contractual partner concerned. This also applies to consents that were already granted before the DSGVO came into force. The revocation of consent does not affect the legality of the personal data processed up to the time of revocation.

#### 2.3 Origin of the data

The SCHUFA receives its data from its contractual partners. These are institutions based in the European Economic Area and in Switzerland as well as possibly other third countries (provided that a corresponding appropriateness decision of the European Commission exists for these), resident institutes, financial institutions,

and payment service providers that bear a financial default risk (e.g. banks, savings banks, cooperative banks, credit card, factoring and leasing companies) as well as other contractual partners who use SCHUFA products for the purposes stated in Section 2.1, in particular from the (shipping) commerce, e-commerce, services, rentals, energy supply, telecommunications, insurance or debt collection. In addition, SCHUFA processes information from generally accessible sources such as public registers and official notices (debtor registers, insolvency notices).

#### 2.4 Categories of personal data processed (personal data, payment history and contract compliance)

- Personal data, e.g. surname (if necessary also previous names, which will be provided on separate request), first name, date of birth, place of birth, address, previous addresses
- Information on the commencement and contractual execution of a transaction (e.g. current accounts, instalment loans, credit cards, seizure protection accounts, basic accounts)
- Information on undisputed, due and repeatedly reminded or titled claims and their settlement
- information on abusive or other fraudulent behaviour such as identity or bonus deception
- Information from public registers and official announcement
- Score values

#### 2.5 Categories of recipients of personal data

Recipients are contractual partners resident in the European Economic Area, in Switzerland and possibly in other third countries (provided a corresponding appropriateness decision of the European Commission exists for these) in accordance with point 2.3. Further recipients can be external contractors of the SCHUFA in accordance with Art. 28 DSGVO as well as external and internal SCHUFA offices. The SCHUFA is also subject to the legal powers of intervention of state agencies.

#### 2.6 Duration of data storage

SCHUFA stores information about individuals only for a certain period of time. The decisive criterion for determining this time is necessity. The SCHUFA has established standard time limits for examining the necessity of further storage or deletion of personal data. According to these rules, the basic storage period of personal data is three years to the day after completion of the data. Deviating from this, data is deleted, for example:

- Information on requests after twelve months to the day.
- Information on trouble-free contract data on accounts which are documented without the claim justified by this (e.g. current accounts, credit cards, telecommunication accounts or energy accounts), information on contracts for which the verification of evidence is provided by law (e.g. seizure protection accounts, basic accounts) as well as guarantees and trading accounts which are managed by creditors, immediately after the announcement of the termination.
- Data from the debtors' registers of the central enforcement courts after three years to the day, but before the end of the year if SCHUFA is provided with evidence of deletion by the central enforcement court.
- Information on consumer/insolvency proceedings or residual debt discharge proceedings three years to the day after the end of the insolvency proceedings or the granting of residual debt discharge. In special individual cases an earlier deletion can also be carried out.
- Information on the rejection of an application for insolvency due to lack of assets, the cancellation of security measures or the refusal of residual debt discharge after three years to the day.
- Personal pre-addresses will be stored for three years to the day, after which the need for continued storage will be reviewed for a further three years. After that period, they will be erased to the day, unless longer storage is necessary for identification purposes.

### 3. Rights of data subjects

Every person concerned has the right of information from SCHUFA in accordance with Art. 15 DSGVO, the right of correction in accordance with Art. 16 DSGVO, the right of deletion in accordance with Art. 17 DSGVO and the right to restrict processing in accordance with Art. 18 DSGVO. The SCHUFA has set up a service centre for private customers to deal with the concerns of affected persons which can be reached in writing under

SCHUFA Holding AG, Private Clients  
ServiceCenter, Postfach 10 34 41, 50474 Cologne,

and can be contacted by phone at +49 (0) 6 11-92 78 0 and via an internet form at [www.schufa.de](http://www.schufa.de). In addition, it is also possible to contact the supervisory authority responsible for SCHUFA, the Hessian data protection officer. Consent may be revoked at any time by the contractual partner concerned.

**According to Art. 21 para. 1 DSGVO, data processing may be objected for reasons arising from the particular situation of the person concerned. The objection can be made without formality and should be addressed to SCHUFA Holding AG, Private Clients ServiceCenter, Postfach 10 34 41, 50474 Cologne.**

### 4. Profile building (scoring)

The SCHUFA information can be supplemented by so-called score values. Scoring is used to create a forecast of future events on the basis of collected information and past experience. SCHUFA calculates all score values on the basis of the information stored by SCHUFA on the person concerned, which is also shown in the information pursuant to Art. 15 DSGVO. In addition, SCHUFA takes into account the provisions of § 31 BDSG in scoring. On the basis of the entries stored for a person, an allocation to statistical groups of persons who have had similar entries in the past takes place. The procedure used is known as "logistic regression" and is a well-founded mathematical-statistical method for forecasting risk probabilities that has been tried and tested in practice for a long time.

The following types of data are used by SCHUFA to calculate scores, although not every type of data is included in each individual score calculation: general data (e.g. date of birth, gender or number of addresses used in business transactions), previous payment problems, credit activity last year, credit usage, length of credit history and address data (only if little personal credit-relevant information is available). Certain information is neither stored nor considered when calculating score values, e.g.: information on nationality or special categories of personal data such as ethnic origin or information on political or religious attitudes according to Art. 9 DSGVO. The assertion of rights according to the DSGVO, e.g. the inclusion in the information stored at SCHUFA according to Art. 15 DSGVO, has no influence on the score calculation.

The transmitted score values support the contractual partners in their decision making and are incorporated into the risk management. The risk assessment and evaluation of the creditworthiness is carried out solely by the direct business partner, as only he has access to a large amount of additional information - for example from a credit application. This applies even if the business partner relies solely on the information and score values provided by SCHUFA. In any case, a SCHUFA score alone is not a sufficient reason to reject the conclusion of a contract.

Further information on credit scoring or the identification of conspicuous facts is available at [www.scoring-wissen.de](http://www.scoring-wissen.de).