

Data protection statement

Our handling of your data and your rights - information in accordance with articles 13, 14 and 21 of the General Data Protection Regulation (GDPR)

With the following information, we wish to provide you in part I. with an overview of processing your personal data by us and an overview of your rights under data protection laws. What data are processed individually and in way is guided predominantly by the requested support programmes and is set out in part II.

I. General information

1 Who is responsible for the data processing and whom can I contact?

The unit in charge is:

NRW.BANK
Kavalleriestrasse 22
40213 Düsseldorf
Tel.: + 49 (0) 211 91741 - 0
Fax: + 49 (0) 211 91741 - 1800
E-mail: info@nrwbank.de

You can contact our data protection officer at:

NRW.BANK
Data Protection Officer
Kavalleriestrasse 22
40213 Düsseldorf
Tel.: + 49 (0) 211 91741 - 0
E-mail: datenschutz@nrwbank.de

We point out that within the framework of awarding subsidies we act on behalf of the State of NRW and in compliance with the Act on Subsidising and Using Residential Area for the State of North Rhine-Westphalia (WFNG NRW) within the framework of the application processing, ongoing management and processing of promotion loans data are exchanged between the approving authority in charge, the ministry in charge of residential matters and the unit in charge under WFNG NRW.

2 What sources and data do we use?

We process personal data that we receive from you directly within the framework of our business relationship, via parties involved in the promotion procedure (e.g. the approving authority/unit in charge) or persons instructed by you. Insofar as required for granting, managing and processing loans, we process personal data that we have received from other third parties, as permitted. We also process personal data that we have generated independently on the basis of our data provided. We also process personal data that we have gained from publicly available sources and may process.

3 What do we process your data for (purpose of processing) and on what legal basis?

We process your personal data in harmony with the relevant regulations for data protection for various purposes. As a rule, the following is possible for the purposes of processing: Processing for the fulfilment of contractual obligations (Article 6(1) (b) GDPR), in the public interest (Article 6(1) (e) GDPR, on the basis of your consent (Article 6(1) (a) GDPR), under legal requirements (Article 6(1) (c) GDPR), and/or to protect legitimate interests (Article 6(1) (f) GDPR).

4 Who gets my data?

Within the bank, those units get access to your data that need them to fulfil our contractual and statutory obligations. Service providers involved by us and active on our behalf (so-called contract processors, see Article 28 GDPR) may be given data for these purposes.

In addition, we also pass your data to external recipients insofar as required to carry out the business relationship with you or if we are required to do so on the basis of a statutory or official obligation. Further data recipients can be those units for which you have your consent to data transmission. As regards the passing on of data to external recipients, it must also be noted that we are obligated to maintain secrecy in relation to all customer-related facts and assessments of which we learn (banking secrecy) under the general terms and conditions (AB WRF) agreed by you and us. Information on you may only be passed on if statutory provisions require, you have consented to this or we are authorised to grant a banking supervision.

5 For how long are my data archived?

Insofar as necessary, we process and archive your personal data for the duration of our business relationship, which also includes the initiation and management of a loan agreement. It must be noted in this context that our business relationship is a permanent obligation, which is designed for years.

In addition, we are subject to retention and documentation obligations, which arise, among other things, under the German Commercial Code (HGB), the Duties Regulation (AO), the German Banking Act (KWG), the Anti-Money Laundering Act (GwG) and the Securities Trading Act (WpHG). The deadlines specified there for archiving or documentation are three to eighteen years.

Finally, the archiving duration is also assessed in accordance with the legal statutes of limitation, which can, for instance, be up to thirty years under sections 195 et seqq. of the German Commercial Code (BGB), whereas the regular statute of limitations is three years.

6 What are my data protection laws?

Each affected person has the right to information under Article 15 GDPR, the right to correction under Article 16 GDPR, the right to deletion under Article 17 GDPR, the right to limitation of processing under Article 18 GDPR and the right to data transmission under Article 20 GDPR. To exercise the above rights, you may contact the units specified in the section General information under Item 1.

In addition, there is a right to complain to a data protection supervisory office (Article 77 GDSG). The supervisory authority responsible for NRW.BANK is:

The State Officer for Data Protection and Information Freedom North Rhine-Westphalia (LDI NRW)

In addition, you have a right of refusal that is explained at the end of this data protection statement.

7 Am I under an obligation to provide data?

Within the framework of our business relationship, you need to provide only such personal data that is required for initiating and managing a loan agreement or whose collection we are obligated to by law. Without these data, we will have to reject the conclusion of a loan agreement as a rule or will no longer be able to perform an existing loan agreement and may have to cancel it.

II. Special information

1 What sources and data do we use?

Based on the explanations in section General information (there Item 2), we process the following data or categories of data within the framework of the business relationship with you.

1.1 Data we have received within the framework of our business relationship

Categories of personal data	Explanations of the categories of personal data
Master data	e.g. Name, address, date and place of birth, telephone numbers, email address.
Legitimation data	e.g. ID information, for instance ID copy, ID number, date and place of issue, issuing authority as well as other data that you provide us with to determine the identity within the framework of our business relationship.
Authentication data	e.g. Sample signature.
Tax data	e.g. tax ID number including country code and other tax-relevant data.
Application data (according to promotion application and promise)	Information that you provide us with when applying for a loan via the approving authority. This includes, in addition to the above master data, also data about wealth circumstances, account data and all other information that you provide us with when applying for a loan.
Agreement data	e.g. loan agreement, data on the loan, agreement ID, agreement history, agreement start as well as other information on your agreements.
Data on wealth circumstances	e.g. credit rating data (income, guarantees provided, origin of the assets, own and third-party collaterals as well as other data on wealth circumstances that you provide us with within the framework of our business relationship) and scoring/rating data.
Land plot and property documents	e.g. land registry extracts and property valuations (expert reports).
Documentation data	e.g. advisory records.
Register data	e.g. commercial register extracts, association and reporting register.
Communication data	e.g. any content of personal, telephone or written communication within the framework of granting, managing and processing your loan.
Declaration of intent	Declarations on the statement of a legal succession intention, which you give to us within the framework of our business relationship, e.g. application and acceptance declarations, powers of attorney and letters of comfort, including the information you provide us within the framework of the relevant declarations.
Data protection law declarations	Declarations of consent to the processing of personal data; declarations on the withdrawal of consent given by you; declarations on the objection to the processing of personal data; declarations on the claiming of your rights to information, correction, deletion, restriction of processing, data transferability including the information that you provide us with when claiming your rights.
Declaration of release	Declarations on the release from banking secrecy, which you give us within the framework of our business relationship, including the information that you provide in the relevant declarations.
Account data	e.g. IBAN, account number, sort code.
Evidence data	Documents that you provide us with as evidence of the information already provided by you. This includes, for instance, proof of income, employment contracts, IDs, account statements.

1.2 Data that we have generated ourselves:

Categories of personal data	Explanations of the categories of personal data
Master data	e.g. application, agreement numbers.
Credit rating data	e.g. rating and scoring values that we generate from a scientifically known mathematical/statistical method, from credit-relevant information as well as credit rating-relevant past experience that we learn about you as a customer within the framework of our business

	relationship.
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1.3 Data we have received from third parties:

Categories of personal data	Explanations of the categories of personal data
Updated master data	e.g. updated addresses, telephone numbers, email addresses and/or other master data that we have received from reporting authorities.
Credit rating data	credit score values and other credit-relevant data from information offices such as Creditreform, credit rating-relevant bank information, credit-rating relevant tax adviser information, information in accordance with the enforcement portal as well as other credit rating-relevant data, such as financing property-related information, which we receive from third parties.
Tax data	Tax data whose collection we obligated to do under Section 154 AO; e.g. Tax ID number, business ID number,
Data from information and statements	e.g. other personal data from house banks, architects, insurers and other third parties involved in the procedure, which is required to grant, manage and process your loan.
Data from the press and media	Publicly accessible information from the press and media.

2 What do we process your data for (purpose of processing) and on what legal basis?

Based on the explanations in section General information (there Item 3), we process your personal data for the following purposes on the following legal bases:

Purpose/legitimate interest	Legal basis(es)
Granting, managing and processing loans in accordance with the Act on Subsidising and Using Residential Space for the State of North Rhine-Westphalia (WFNG NRW) in addition to the corresponding subsidy guidelines, for the fulfilment of a loan agreement, or for carrying out pre-contractual measures, as well as all activities required for the operation and management of a credit and financial services institution.	Article 6(1)(b, c, e) GDPR
Legally prescribed legitimisation verification to determine the identity of the account holder, other persons without powers of disposal and beneficial owner.	Article 6(1)(c) GDPR
Legally prescribed credit rating assessment within the framework of the agreement initiation as well as the ongoing risk assessment on the basis of a risk classification of customers in accordance with credit rating aspects for the fulfilment of statutory (in particular banking supervision law) requirements, in particular for auditing and reporting, for correct company control, capital statement and for the calculation of any balance sheet value corrections required.	Article 6(1)(c) GDPR
Obtaining of bank information and tax adviser information on the credit rating risk assessment within the framework of the agreement initiation and ongoing risk assessment	Article 6(1)(c) GDPR
Legally prescribed audit and transmission of information on payer and payment recipient when conducting cash payments in particular for the prevention, uncovering and investigation of money laundering and terrorist financing, including the legally prescribed information granting on the identity of the payer and payment recipient to other banks and authorities in charge.	Article 6(1)(c) GDPR
Legally prescribed audits, reports and information granting to supervisory and investigating authorities for the prevention, uncovering and investigation of money laundering and terrorist financing.	Article 6(1)(c) GDPR
Legally prescribed reporting to the Central Federal Office for Taxes and other tax authorities.	Article 6(1)(c) GDPR
Legally prescribed reporting to other authorities or auditors.	Article 6(1)(c) GDPR
Legally prescribed provision of information to investigating authorities (e.g. police, prosecutor's office, tax authorities), in particular to prevent, uncover and investigate asset and tax crimes.	Article 6(1)(c) GDPR
Affected persons management, i.e. processing of enquiries of persons affected regarding information, correction, deletion, limitation of processing and data transferability for the fulfilment of data protection laws of the persons affected.	Article 6(1)(c) GDPR
Approvals management, i.e. management of data protection law approval and withdrawal declarations.	Article 6(1)(c) GDPR
Objection management, i.e. management of data protection law objection declarations.	Article 6(1)(c) GDPR
Consultation of information offices (e.g. Creditreform, Vollstreckungsportal) for the investigation of credit rating or default risks.	Article 6(1)(c, f) GDPR
Sending of information on your loan	Article 6(1)(f) GDPR
Assertion of legal claims and defence in the event of legal disputes	Article 6(1)(f) GDPR

Guarantee of IT security and IT operation of the bank	Article 6(1)(f) GDPR
Prevention and investigation of crimes	Article 6(1)(c, f) GDPR
Measures for building and systems security (e.g. access controls)	Article 6(1)(f) GDPR
Measures for ensuring the domestic authority	Article 6(1)(f) GDPR
Measures for business control and enhancing services and promotion products	Article 6(1)(f) GDPR

3 Who gets my data?

Based on the explanations in section General information (there Item 4), the following recipients/categories of recipients may receive your personal data:

3.1 Contract processor

We also use external service providers during the initiation and management of loan agreements, which process the personal data on our behalf. Specifically, this includes companies in the following categories:

- These are companies in the categories of banking services, IT services, logistics, printing services, archive service providers, telecommunication, as well as advice and consulting.

3.2 External recipients

If we are authorised under contractual or statutory provisions or due to your consent, we also pass on your personal data within the framework of the business relationship existing with you to other parties, which process your data as a matter of their responsibility. Under the conditions, the following recipients or categories of recipients may receive your personal data:

- Public authorities and institutions (e.g. Deutsche Bundesbank, Federal Financial Supervisory Authority, European Banking Supervisory Authority, European Central Bank, tax authorities, state auditor, approving authority in charge, the ministry of the state of NRW responsible for residential matters, units in charge in accordance with WFNG NRW) in the event of statutory or official obligation.
- Other credit and financial services institutions or comparable agencies to which we send personal data to carry out the business relationship with you (according to WFNG NRW in addition to subsidy guidelines or agreement).
- Information offices for the obtaining of credit rating information.

4 To what extent is there automatic decision-making on a case-by-case basis?

Our decision-making on the substantiation and carrying out of the business relationship is not based solely on automatic processing in accordance with Article 22 GDPR.

Information on your right of objection under Article 21 General Data Protection Regulation (GDPR)

For reasons that arise from your specific situation, you have the right to object to the processing of personal data relating to you at any time, which is conducted under Article 6(1) (e) GDPR and Article 6(1) (f) GDPR.

If you object, we will no longer process your personal data, unless we can prove reasons subject to mandatory protection for the processing, which outweigh your interests, rights and freedoms or the processing serves the claiming, exercising or defence of legal claims.

The objection can be made formlessly and should be sent as quickly as possible to:

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 40213 Düsseldorf
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