

Data protection statement according to EU General Data Protection Regulation (GDPR)

This data protection statement informs about the processing of personal data within the framework of the initiation, provision, management or processing of subsidy-related services, such as subsidy programmes, subsidy products as well as consultations and are guided also by potential and actual users of a subsidy-related service as well as to third parties involved in the subsidy-relevant service, such as collateral providers, authorised representatives, or officers.

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

2 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 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 objection that is explained at the end of this document.

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

We process personal data in harmony with the relevant regulations for data protection for various purposes. As a rule, the following is feasible 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 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).

We process personal data above all to fulfil contractual obligations (Article 6(1)(b) GDPR) for the purposes of initiating, providing, managing or processing subsidy-relevant services, for instance subsidy programmes, subsidy products, consultations.

Furthermore, where necessary, we process personal data for the fulfilment of legal requirements (Article 6(1)(c) GDPR) for the following purposes:

- Legally prescribed legitimisation verification to determine the identity of the account holder, other persons without powers of disposal and beneficial owner
- Legally prescribed credit rating assessment within the framework of the 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
- Legally prescribed verification and transmission of data to supervisory and investigating authorities, other banks, tax authorities, auditors or other authorities
- Fulfilment of data protection law requirements: Management of data protection law declarations (e.g. approval, revocation, objection declarations) and affected persons rights management (processing of enquiries for information, correction, deletion, restriction of processing personal data and data transferability)
- Consultation of information offices for the investigation of credit rating or default risks
- Prevention and investigation of crimes

In addition, we process personal data to protect the below legitimate interests (Article 6(1) (f) GDPR).

- Guarantee of IT security, IT operation of the bank as well as building and systems security (e.g. access controls), ensuring domestic rights
- Assertion of legal claims and defence in the event of legal disputes
- Measures for business control and enhancing services and products
- Mailing of information on the subsidy-relevant services

We also process personal data for whose processing you have given us your approval (Article 6(1) (a) GDPR).

4 What sources and data do we use?

We process personal data for the above purposes, which we receive from you. This involves the following categories of data:

- Master data, such as name, address, date of birth, sex, telephone numbers, account information, tax ID number
- Legitimisation and authentication data, such as ID copy, sample signature, PostIdent procedure
- Application and contract data such as loan agreement, data on the loan, agreement ID, agreement history
- Documents that you provide us with as evidence of your information, e.g. proof of income, employment contracts, ID documents, account statements.
- Register data e.g. commercial register extracts, association and reporting register
- Data on wealth circumstances, such as credit rating data (income, prior and instalment obligations, accepted guaranteed, origin of assets, own and third-party collaterals), scoring/rating data
- Communication data such as contents of personal, telephone or written communication, consultation minutes

We process personal data for the above purposes that we receive from third parties as permitted, which we create ourselves on the basis of the data made available to us or which we gained as permitted from publicly accessible sources and may process. This involves the following categories of data:

- Master data such as updated addresses, telephone numbers, email addresses and/or other master data that we have received from reporting authorities.
- Credit rating data, such as credit-relevant data from information offices (e.g. Creditreform), credit rating-relevant banking details, credit rating-relevant tax adviser information, information according to enforcement portal, financing property-related information
- Data from information and statements such as commercial chambers, crafts chambers, house banks, insurers, architects
- Tax data, such as tax ID number, business identification number
- Publicly accessible information from the press and media

5 Who gets my data?

Within the bank, those units get access to your data that need them to fulfil the above purposes of processing.

Service providers involved by us and active on our behalf (contract processors) may be given data for these purposes. This includes companies in the following categories:

- Banking services, IT services, logistics, printing services, archiving services, telecommunication, as well as advice and consulting.

If required for the fulfilment of the specified purposes of processing or if we are required to do so under a statutory or official obligation, we will pass on your data to external recipients too. Under the conditions, the following recipients or categories of recipients may receive your personal data:

- Public units and institutions (e.g. Deutsche Bundesbank, Federal Financial Supervisory Authority, European Banking Supervisory Authority, European Central Bank, tax authorities, ministries, State Audit Office, NRW Treasury) 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. (Depending on the loan agreement: e.g. house bank, Credit Institution for Reconstruction, Agricultural Pension Bank, European Investment Bank, CEB Bank of the European Council, European Investment Fund, Guarantee Bank NRW)
- Information offices for the obtaining of credit rating information

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 maintain banking secrecy and therefore only pass on personal data protected by banking secrecy if statutory provisions prescribe, you have given your consent or we are authorised to provide banking details.

6 For how long are my data archived?

We process and save your personal data for as long as required to fulfil the above purposes of processing. It must be noted in this context that our business relationship may be 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) or the Anti-Money Laundering Act (GwG). The deadlines specified there for archiving or documentation are three to thirteen 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.

7 Am I under an obligation to provide data?

You need to provide only such personal data that are required for the fulfilment of the above purposes of processing or to the processing of which we are legally obligated. Without these personal data, we will have to reject a business relationship as a rule or will no longer be able to carry out and end an existing business relationship.

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

Decision-making that is based solely on automatic processing under Article 22 GDPR does not exist within this framework.

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:

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