

# Data protection information

Our handling of your data and your rights  
Information in accordance with Articles 13, 14 and 21  
of the General Data Protection Regulation – GDPR



<p>This document tells you how we process your personal data and your claims and rights under data protection regulations. The specific data that can be processed and the manner in which it is used depends on the services you applied for or that were agreed with you.</p>	
<p><b>1. Who is responsible for data processing and who can I contact?</b></p>	<p>Responsible office: Landesbank Baden-Württemberg Am Hauptbahnhof 2 70173 Stuttgart + 49 (0) 711 127-0 + 49 (0) 711 127-43544 kontakt@lbbw.de</p> <p>You can contact our <b>data protection officer</b> at: Landesbank Baden-Württemberg Data Protection Officer Am Hauptbahnhof 2 70173 Stuttgart datenschutz@lbbw.de</p>
<p><b>2. What sources and data do we use?</b></p>	<p>We process personal data we receive from you within our business relationship. In addition, we process – to the extent necessary for the provision of our services – personal information from other companies in the Sparkasse Financial Group (SFG)1 or other third parties (e.g. SCHUFA) that we are authorized to receive (e.g. to execute orders, fulfill contracts or on the basis of consent you granted in a specific instance). We also process personal data that we are authorized to collect from public sources and allowed to process (e.g. debtor records, land register, commercial and association registers, press, media).</p> <p>Relevant personal data includes personal details (e.g. name, address and other contact details, date and place of birth and nationality), legitimization data (e.g. identification data) and authentication data (e.g. sample signature). This can also be order data (e.g. a payment order or securities order), data from the fulfillment of our contractual obligations (e.g. sales data in payments), credit lines, product data (e.g. deposits, credit and custody business), information about your financial situation (credit rating, scoring/rating data, origin of assets), advertising and marketing data (including advertising scores), documentation data (e.g. minutes of consultations), registration data, data about your use of our telemedia (e.g. time you uploaded our websites, apps, or newsletter, clicked pages of ours or entries), as well as other data comparable with the above-mentioned categories.</p> <p>1 You can find our partners on our website: <a href="http://www.lbbw.de/rechtlichehinweise">www.lbbw.de/rechtlichehinweise</a></p>
<p><b>3. Why do we process your data (purpose of the processing) and on what legal basis?</b></p>	<p>We process personal data in accordance with the provisions of the General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG).</p>
<p><b>3.1 Complying with contractual obligations (Art. 6 Para. 1b GDPR)</b></p>	<p>Personal data is processed (Art. 4 No. 2 GDPR) to provide and refer banking, financial, insurance and real estate services, in particular for the purpose of carrying out our contracts or pre-contractual measures with you and to execute our orders, as well as all activities required to operate and manage a credit and financial services institution.</p> <p>The purpose of data processing depends primarily on the actual product (e.g. account, loan, home loan savings, securities, deposits, transfers) and can include needs analyses, advice, asset management and the execution of transactions.</p> <p>You can find out more about the purpose of data processing from the respective contractual documents and terms and conditions.</p>
<p><b>3.2 Balancing interests (Art. 6 Para. 1f GDPR)</b></p>	<p>Where necessary we process your data on the actual performance of the contract in order to safeguard our or a third party's legitimate interests.</p> <p>Examples:</p> <ul style="list-style-type: none"> <li>– Consulting and exchanging data with credit reference agencies (e.g. SCHUFA) in order to assess credit rating or default risks and, where necessary, a garnishment exempted account or underlying account;</li> <li>– Testing and improving methods for needs analyses and directly addressing customers;</li> <li>– Advertising or market and opinion research, insofar as you have not objected to the use of your data;</li> <li>– Asserting legal claims and defenses in legal disputes;</li> <li>– Safeguarding IT security and IT operations at the Bank;</li> <li>– Preventing and investigating criminal offenses;</li> <li>– Video surveillance systems are used to collect evidence of a criminal offense or as proof of disposals and deposits, e.g. at ATMs. They therefore serve to protect customers and employees as well as safeguarding the Bank's domiciliary rights;</li> <li>– Measures to safeguard buildings and facilities (e.g. entry controls);</li> <li>– Measures to safeguard Bank domiciliary rights;</li> <li>– Measures to manage business and refine services and products.</li> </ul>
<p><b>3.3 Based on the consent you have given (Art. 6 Para. 1a GDPR)</b></p>	<p>If you provide us with a consent to process your personal data for specific purposes (e.g. pass on information in the association<sup>2</sup>, evaluate payment traffic data for marketing purposes), your consent provides the legal basis for processing to take place. You may withdraw your consent at any time. This also applies to withdrawal from declarations of consent (such as the SCHUFA clause) which you granted to us before GDPR came into effect, i.e. before 25 May 2018.</p> <p>Please note that a withdrawal only applies for the future. Processing carried out before the withdrawal is made is not affected.</p> <p>2 You can find our partners on our website: <a href="http://www.lbbw.de/rechtlichehinweise">www.lbbw.de/rechtlichehinweise</a></p>

<p><b>3.4 On the basis of statutory provisions (Art. 6 Para. 1c GDPR)</b></p>	<p>In addition, we are subject to various legal obligations as a bank, i.e. legal requirements (e.g. German Banking Act, German Money Laundering Act, German Securities Trading Act, various tax laws) and regulatory requirements on banks (e.g. European Central Bank, European Banking Authority, Deutsche Bundesbank and the German Financial Services Supervisory Authority). Processing includes credit rating checks, identity and age verification, fraud and money laundering prevention, compliance with legal tax monitoring and reporting obligations and the evaluation and control of risks.</p>
<p><b>4. Who receives my data?</b></p>	<p>Within the Bank, your data is received by employees who need it to fulfill our contractual and legal obligations. Processors we use for orders (Art. 28 GDPR) can also receive data for these purposes. These are companies in the categories of lending services, IT services, logistics, printing services, telecommunications, collections, advisory and consulting, and sales and marketing.</p> <p>With regard to the forwarding of data to recipients outside the Bank, please be advised first of all that under the general terms and conditions agreed between you and us we are required to maintain secrecy about any customer-related facts and evaluations we become aware of (banking secrecy). We are only allowed to pass on information about you if the law permits it, you have given your consent, or we are authorized to disclose banking data. Under these requirements, recipients of personal data may include:</p> <ul style="list-style-type: none"> <li>– Public authorities and institutions (e.g. Deutsche Bundesbank, German Agency for Financial Services Supervision, European Banking Authority, the European Central Bank, various financial authorities) in the event of a statutory or regulatory obligation.</li> <li>– Other credit and financial services institutions or similar entities which we pass on your personal information to in order to perform the business relationship (e.g. depending on the contract - correspondent banks, custodian banks, stock exchanges, credit agencies).</li> </ul> <p>Other data recipients can include entities which you have allowed us to transfer your data to or in respect of which you have waived your rights to banking secrecy in accordance with a contract or consent.</p>
<p><b>5. How long will my data be stored?</b></p>	<p>Where necessary, we process and store your personal data for the duration of our business relationship, which, for example, also includes the initiation and execution of a contract. It should also be noted that our business relationship is a long-standing relationship that is set to last for years.</p> <p>We are also subject to various storage and documentation obligations arising from, e.g. the German Commercial Code (HGB), the German Tax Code (AO), the German Banking Act (KWG), the German Money Laundering Act (GwG) and the German Securities Trading Act (WpHG). The specified time limits for storage and documentation range from two to ten years.</p> <p>Lastly, the storage period is also evaluated in accordance with statutory limitation periods, which, for example, in the case of Sections 195 et seq. of the German Civil Code (BGB) are three years but, in some cases, can be up to 30 years.</p>
<p><b>6. Will data be passed on to a third country or an international organization?</b></p>	<p>Data is transferred to third countries (countries outside the European Economic Area (EEA)) only if it is necessary to execute your orders (e.g. payment and securities orders), the law prescribes this or if you have given your consent. We will provide further details separately if required by law.</p>
<p><b>7. What are my data protection rights?</b></p>	<p>Everyone has the right to <b>access of data</b> under Art. 15 GDPR, the right to <b>rectification</b> under Art. 16 GDPR, the right to <b>erasure</b> under Art. 17 GDPR, the right to <b>restriction of processing</b> under Art. 18 GDPR, and the right to <b>data portability</b> under Art. 20 GDPR. In the case of the right to access of data and the right to erasure, the limitations set out in Sections 34 and 35 of the German Data Protection Act apply. In addition, there is a right to lodge a complaint with a data protection supervisory authority (Art. 77 GDPR in conjunction with Section 19 of the German Data Protection Act).</p>
<p><b>8. Am I required to make data available?</b></p>	<p>Within the scope of our business relationship, you will need to make available personal data needed to open, perform and close a business relationship or if the law requires such data to be collected. Without such data, we will normally not be able to conclude a contract or execute an order or able to continue to perform an existing contract and will have to terminate it if necessary.</p> <p>In particular, under money laundering regulations we are obliged to identify you (e.g. using your identity document) before opening the business relationship and ascertain your name, your place of birth, your date of birth, your nationality and your residential address. To allow us to meet this legal obligation, the German Money Laundering Act requires you to provide us with the necessary information and documents and notify us of any changes immediately during the course of the business relationship. If you do not provide us with the necessary information and documents, we are prohibited from meeting your request to open a business relationship.</p>
<p><b>9. To what extent does automated individual decision-making take place?</b></p>	<p>We normally do not use automated individual decision-making under Art. 22 GDPR when opening and performing business relationships. If we do so in individual cases, we will inform you separately, provided that this legally permissible.</p>
<p><b>10. To what extent is my data used for profiling (scoring)?</b></p>	<p>In some cases, we process your data in an automated manner to evaluate certain personal aspects (profiling). We use profiling, for example, in the following cases:</p> <ul style="list-style-type: none"> <li>– Due to legal and regulatory requirements, we are obliged to combat money laundering, financing of terrorism, and criminal acts putting assets at risk. Data evaluations (including of payment transactions) are also required for this. These measures are also designed to protect you.</li> <li>– We use evaluation tools to be able to inform and advise you on our products. These tools allow for needs-based communication and marketing, including market and opinion research.</li> <li>– When assessing your credit rating, we use scores for private/retail customers and ratings for corporate customers. In doing so, we calculate the probability that customers will meet their payment obligations in accordance with their contracts. The calculation can include factors such as level of income, spending, existing liabilities, occupation, employer, employment duration, payment behavior (e.g. account turnover and balances), experiences from previous business relationships, contractual repayment of previous loans, and information from credit agencies. Additional data, such as sector, annual performance, and assets, is used for corporate customers. The score and rating are both based on mathematically and statistically recognized and proven practices. The calculated score values and rating levels help us to reach a decision when selling a product and are fed into ongoing risk management.</li> </ul>

Information about your right  
to object under Art. 21  
of the General Data Protection Regulation – GDPR



1. Individual case-related right of objection  
You have the right to object on grounds relating to your particular situation at any time to processing of personal data concerning you which is based on Article 6 Para. 1e GDPR and Article 6 Para. 1f GDPR, including profiling based on those provisions; this also applies to profiling within the meaning of Art. 4 No. 4 GDPR, which we use for credit assessment or for advertising purposes.  
If you object, we will no longer process your personal data, unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or the processing is used for the establishment, exercise or defence of legal claims
2. Right of objection against a data processing for direct marketing purposes.  
In individual cases, we may process your personal data in order to perform direct marketing. You have the right to object at any time to the processing of personal data concerning you for the purposes of such marketing; this also applies to profiling to the extent that it is related to such direct marketing  
If you object to processing for the purposes of direct marketing, we will no longer be able to process your personal data for these purposes.  
No specific formalities need to be followed when making an objection, which should be addressed to:  
Landesbank Baden-Württemberg  
Am Hauptbahnhof 2  
70173 Stuttgart  
+ 49 (0) 711 127-0  
+ 49 (0) 711 127-43544  
kontakt@lbbw.de