

Data protection information

Berlin Hyp

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Unindependent institution of
Landesbank Baden-Württemberg*

Information on the processing of personal data by Landesbank Baden-Württemberg (LBBW) in accordance with Articles 13, 14, 21 of the General Data Protection Regulation (GDPR) for authorized representatives or agents of "legal entities" (within the meaning of the GDPR) and for persons of "legal entities" (within the meaning of the GDPR) who are authorized to perform other business transactions with LBBW and contact persons at companies, associations, etc.

Name and contact details of the controller and its representative:

Landesbank Baden-Württemberg, Am Hauptbahnhof 2, 70173 Stuttgart, Tel.: +49 (0)711 127-0, Fax: +49 (0)711 127-43544, kontakt@LBBW.de - hereinafter referred to as "LBBW" - represented by the Chairman of the Board of Managing Directors, Mr. Rainer Neske.

Contact details of the data protection officer:

Data Protection Officer of LBBW, Am Hauptbahnhof 2, 70173 Stuttgart, Tel.: +49 (0)711 127-0, Fax: +49 (0)711 127-6673495, datenschutz@LBBW.de

The purposes for which the personal data are to be processed and the legal basis for this:

LBBW processes your personal data for the provision of banking transactions, financial services and in relation to other contractual or business relationships as part of the execution of its contracts with its customers or contractual partners or for the implementation of pre-contractual measures. Further details on the purpose of data processing can be found in the individual contract documents in each case. The legal basis in this respect is Art. 6 (1) (b) GDPR.

As a bank, LBBW is also subject to various legal obligations, i.e. statutory requirements (e.g. German Banking Act, Money Laundering Act, German Securities Trading Act, etc.) and banking supervisory requirements (e.g. European Central Bank, European Banking Authority, Deutsche Bundesbank, German Federal Financial Supervisory Authority for Financial Services Supervision). The purposes of processing include identity and age verification as well as fraud and money laundering prevention. LBBW processes the personal data for the purpose of fulfilling legal requirements in accordance with Art. 6 (1) (c) GDPR or in the public interest in accordance with Art. 6 (1) (e) GDPR.

Beyond the actual fulfillment of the contract, we process personal data to protect our legitimate interests and those of third parties, e.g.

- Assertion of legal claims and processing in the event of legal disputes,
- Ensuring the bank's IT security and IT operations,
- Prevention of criminal offenses,
- Video surveillance to safeguard domiciliary rights, to collect evidence in the event of robberies and fraud or to provide evidence of transactions and deposits, e.g. at ATMs
- Ensuring domiciliary rights and building and plant security measures
- User management and optimization of LBBW IT applications (e.g. access frequency for individual IT applications),
- Processing of donation management,
- Processing, maintaining or establishing new customer, business or contractual relationships and for other business contacts.

The legal basis in this respect is the legitimate interest of LBBW pursuant to Art. 6 (1) (f) GDPR.

If consent has been given, the processing of your personal data is permitted for the purposes stated therein. The legal basis in this respect is Art. 6 (1) (a) GDPR.

Categories of personal data that are processed and the source from which they originate:

LBBW processes your personal data that it receives from you on the basis of your function as a representative/authorized representative of a legal entity (e.g. Interssors, target customers, customers, other contractual partners) or received as part of the association's work. On the other hand, LBBW processes personal data that it has obtained from public sources (e.g. commercial register, register of associations, press, media, internet) and may process them.

Relevant personal data of the authorized representative/authorized representative may be

Personal identification data (such as name, address, other contact data such as telephone, email address), personal characteristics (such as date and place of birth, gender, nationality), public legitimization data (e.g. identification data), data relevant for the execution of banking and financial transactions (such as specimen signatures, authorizations, etc.), electronic data (such as IP address, access usage, user IDs and login data for LBBW applications etc.) or data on education and profession (such as professional function, employer, authorizations). All activities (date, time, type of action) are logged in LBBW applications.

Recipients or categories of recipients of the personal data:

Within LBBW, those departments that require your data to fulfill our contractual and legal obligations will have access to it. Service providers and vicarious agents employed by us may also receive data for these purposes as part of order processing in accordance with Art. 28 GDPR. These are companies in the categories of credit services, IT services, logistics, printing services, telecommunications, debt collection, advisory and consulting as well as sales and marketing.

Information is only passed on to third parties who are not processors of LBBW in accordance with Art. 28 GDPR if LBBW is permitted to pass on the information. This is the case if it is required by law or if consent has been given.

No evaluations of the use of LBBW applications are transmitted to the employer of the data subject who initiated the registration.

the controller's intention to transfer the personal data to a third country or an international organization:

There is no such intention. Transmission to bodies in countries outside the EU or the EEA only takes place if it is necessary for the execution of orders (e.g. payment orders), if it is required by law or if consent has been given.

The duration for which the personal data will be stored or, if this is not possible, the criteria for determining the duration:

LBBW processes your personal data as long as you are authorized to represent us. Data for business and contact maintenance is only stored for the duration of the customer or business relationship.

If the data are no longer required for the fulfillment of contractual or legal obligations, they are regularly deleted, unless their temporary furtherprocessing is necessary for the following purposes:

- Fulfillment of commercial and tax law deadlines to which LBBW is subject: These arise from the German Commercial Code (HGB), the German Fiscal Code (AO), the German Banking Act (KWG), the German Money Laundering Act (GwG) and foreign trade regulations, among others. The retention and documentation periods specified there are two to ten years.
- Preservation of evidence within the framework of the statute of limitations. According to Sections 195 et seq. of the German Civil Code (BGB), these limitation periods can be up to 30 years, whereby the regular limitation period is 3 years.

If you have previously objected to the processing for contact maintenance or have revoked the processing, we will no longer store your data, unless the above statutory retention or documentation obligations take precedence.

Rights of data subjects:

Every data subject has the right of access under Art. 15 GDPR, the right to rectification under Art. 16 GDPR, the right to erasure under Art. 17 GDPR, the right to restriction of processing under Art. 18 GDPR and the right to data portability under Art. 20 GDPR. The restrictions according to §§ 34 and 35 BDSG apply to the right to information and the right to erasure. In addition, you have the right to lodge a complaint with a data protection supervisory authority in accordance with Art. 77 GDPR in conjunction with § 19 BDSG. The data protection supervisory authority responsible for LBBW is the Baden-Württemberg State Commissioner for Data Protection and Freedom of Information.

Information as to whether the provision of the personal data is required by law or contract or is necessary for the conclusion of a contract, whether the data subject is obliged to provide the personal data and the possible consequences of non-provision:

Within the scope of the business or contractual relationship, LBBW must be provided by represented legal entities with the personal data of the managing directors, shareholders and authorized agents that it requires for the commencement and execution of a representation or authorization and the fulfillment of the associated contractual obligations or that we are legally obliged to collect. Without this data, LBBW must generally refuse the right of representation or authorization or must revoke an existing right of representation/authorization.

Under money laundering regulations in particular, LBBW is obliged to identify the person on the basis of the identity card, for example, before establishing the power of representation or authorization. If the necessary information and documents are not provided, we may not set up or continue the right of representation or authorization requested by the respective legal entity.

Insofar as LBBW processes your personal data for the purpose of targeted communication and the simple establishment of potential future business relationships, the provision of your personal data is neither required by law or contract nor necessary for the conclusion of a contract. Failure to do so may result in delays in business transactions, the inability to ensure targeted communication and make it more difficult to establish future business relationships.

In the context of donation management and the use of LBBW IT applications, the provision of data is neither legally nor contractually required. There is no obligation to provide the data. Failure to do so may result in a donation not being made or access to LBBW's online applications no longer being possible.

Reference to the existence of the right to withdraw consent at any time without affecting the lawfulness of processing based on Art. 6 (1) (a) GDPR or Art. 9 (2) (a) GDPR prior to withdrawal:

Consent to the storage of personal data, e.g. as a contact person, can be revoked at any time with effect for the future. A revocation does not affect the permissibility of processing carried out on the basis of the consent until the revocation. The right of withdrawal also exists if consent was given before the GDPR came into force.

Note, if the processing is based on Art. 6 (1) (f) GDPR, the legitimate interests pursued by the controller or by a third party:

LBBW processes your personal data in its overriding interest in order to enforce or defend its legal claims, to ensure the maintenance and security of its IT systems, to protect itself against and ward off criminal offenses, to assert its domiciliary rights or to enter into or conduct business with you in targeted communication.

Information on the existence of automated decision-making including profiling in accordance with Art. 22 (1) and (4) GDPR:

In some cases, LBBW processes personal data automatically with the aim of evaluating certain personal aspects (profiling). Profiling is used, for example, due to legal and regulatory requirements to combat money laundering, terrorist financing and criminal offenses that endanger assets. Data evaluations (e.g. in payment transactions) are also carried out. These measures also serve to protect the person concerned.

Information about your right to object in accordance with Art. 21 GDPR

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 point (f) of Article 6(1) GDPR (data processing on the basis of a balancing of interests).

If you file an objection, we will no longer process your personal data. Unless we can demonstrate compelling legitimate grounds for further processing which override your interests, rights and freedoms or the processing serves the establishment, exercise or defense of legal claims.

The objection can be made informally and should preferably be addressed to:

Landesbank Baden-Württemberg
At the main station 2
70173 Stuttgart
0711 127-0
0711 127-43544
kontakt@LBBW.de