

## Data protection information

Information on data processing by Landesbank Baden-Württemberg (LBBW) in accordance with Articles 13, 14, 26 of the General Data Protection Regulation (GDPR) for international and express transfers via the SWIFT transaction processing service.

## Berlin Hyp

Berlin Hyp  
Unindependent institution of  
Landesbank Baden-Württemberg\*

In addition to our General Data Protection Notice, the Data Protection Notice for Intermediary Transactions and the Terms and Conditions for Credit Transfers, we provide information below on the processing of your personal data for cross-border credit transfers and domestic express credit transfers by us and the Society for Worldwide Interbank Financial Telecommunication SC (SWIFT) as part of the SWIFT transaction processing service and the claims and rights to which you are entitled under data protection regulations.

### Responsible for data processing in the context of the SWIFT transaction processing service

The SWIFT transaction processing service enables SWIFT users (payment service providers such as banks) to transmit, send, receive, reference and manage the personal data required for the execution of payment orders. An agreement on joint responsibility pursuant to Art. 26 (1) of the GDPR between LBBW and SWIFT ("SWIFT Personal Data Protection Policy"<sup>1</sup>) specifies which contracting party fulfills which obligation in accordance with the provisions of the GDPR.

The following are therefore jointly responsible

#### Landesbank Baden-Württemberg

At the main station 2

70173 Stuttgart

Phone: +49 (0)711 127-0

Fax: +49 (0)711 127-43544,

kontakt@LBBW.de - hereinafter referred to as "LBBW" for short -

#### Company data protection officer

Data Protection Officer of LBBW

At the main station 2

70173 Stuttgart

Phone: +49 (0)711 127-0

Fax: +49 (0)711 127-6673495

datenschutz@LBBW.de

#### Society for Worldwide Interbank Financial Telecommunication Société Coopérative

Avenue Adèle 1,

B-1310 La Hulpe, Belgium

Phone: +32 2 655 31 11

www.swift.com - hereinafter referred to as "SWIFT" for short -

#### Company data protection officer:

privacy.officer@swift.com

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

We process your data to protect the following legitimate interests (Art. 6 para. 1 f GDPR):

- Processing of the payment order as part of the SWIFT transaction processing service,
- Pre-checking of payment orders, including checking the existence of the payee account,
- Verification, tracking and management of payment orders,
- Prevention and investigation of criminal offenses,
- Risk management at LBBW and at the payment service providers connected to SWIFT.

### Categories of personal data that are processed and sources from which they originate:

We process personal data that we have received from customers for the secure execution of payment orders for cross-border credit transfers and domestic express credit transfers and derived therefrom. Relevant personal data are personal details (e.g. name, address), order data (e.g. account number of the ordering party and the beneficiary in the case of a payment order), details of the purpose of use and transaction identifiers (e.g. transaction reference number).

### Recipients or categories of recipients of the personal data:

As part of the joint responsibility of LBBW and SWIFT, those entities that need access to your data to perform the SWIFT transaction processing service or to fulfill legal and statutory obligations will have access to it. Service providers and vicarious agents may also receive data for these purposes. These are companies in the specialist and IT services and telecommunications categories.

SWIFT receives and processes pseudonymized data based on payment orders and exchanged via the SWIFT network under its sole responsibility for its "Statistical Analysis and Product Development" service. This service is used to detect anomalies in order to identify fraud in payment transactions and increase payment efficiency in the SWIFT network, as well as to protect originators and beneficiaries. This data is stored by SWIFT for 13 months within the European Union and Switzerland. Questions and requests for information in this regard should be addressed directly to SWIFT.

<sup>1</sup> <https://www.swift.com/about-us/legal/compliance/data-protection-policies>

\*Statements made by the bank within the scope of the business relationship exclusively authorize and obligate Landesbank Baden-Württemberg.

<p><b>The controller's intention to transfer the personal data to a third country or an international organization:</b></p> <p>Data is transferred to bodies in countries outside the European Union (so-called third countries) insofar as this is necessary for the execution of your payment orders or is required by law. Furthermore, a transfer to bodies in third countries is provided for in the following cases, whereby data protection obligations are complied with during the transfer to third countries and additional technical and organizational measures are taken to protect personal data:</p> <ul style="list-style-type: none"> <li>• For reasons of reliability, availability and security, SWIFT stores payment data in its data centers in the European Union, Switzerland and, in the case of transactions involving third countries, in the USA.</li> <li>• If this is necessary in individual cases, your personal data will be transferred to an IT service provider in the USA or another third country to ensure IT operations in compliance with the European level of data protection.</li> </ul>
<p><b>The duration for which the personal data will be stored or, if this is not possible, the criteria for determining the duration:</b></p> <p>We process and store your personal data as long as this is necessary for the performance of the SWIFT transaction processing service or for the fulfillment of legal and statutory obligations.</p>
<p><b>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:</b></p> <p>The provision of your data is necessary in order to be able to execute your payment orders securely using the SWIFT transaction processing service.</p>
<p><b>Rights of data subjects:</b></p> <p>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 under Sections 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.</p>
<p><b>Information on the existence of automated decision-making including profiling in accordance with Art. 22 (1) and (4) GDPR:</b></p> <p>Within the SWIFT transaction processing service, no fully automated decision-making including profiling in accordance with Art. 22 GDPR takes place.</p>

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

<p>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(1)(f) GDPR (data processing on the basis of a balancing of interests); this also applies to profiling based on this provision within the meaning of Article 4(4) GDPR.</p> <p>If you object, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing serves the establishment, exercise or defense of legal claims.</p> <p>The objection can be made informally and should preferably be addressed to:</p> <p>Landesbank Baden-Württemberg At the main station 2 70173 Stuttgart 0711 127-0 0711 127-43544 kontakt@LBBW.de</p> <p>If you wish to object to the processing of pseudonymized account statistics by SWIFT for the "Statistical Analysis and Product Development" service, please provide your account number(s), the name(s) of the account holder(s), the name(s), the BIC of your account-holding bank(s) (Business Identifier Code) and your e-mail address and address your objection to:</p> <p>opt.out@swift.com</p>
--