

## **Information on the processing of your personal data as policyholder, insured person, damaged party, claimant, business partner or contact partner, agent, representative of a business partner**

In the following, we provide you with information on the processing of your personal data by MSIG Insurance Europe AG and your rights under data protection law.

### **Who is responsible for data processing and how can the data protection officer be reached?**

#### **Controller for data processing is**

MSIG Insurance Europe AG  
An den Dominikanern 11-27  
50668 Cologne  
Tel. 0221-37991-0  
Fax 0221-37991-200  
E-Mail [info@msig-europe.com](mailto:info@msig-europe.com)

You can reach our **data protection officer** at the above mentioned address or at: [datenschutz@msig-europe.com](mailto:datenschutz@msig-europe.com). The contact data are also available online at <http://msig-europe.de/de/datenschutz>.

### **Which categories of data do we use and where do they come from?**

The categories of personal data processed include in particular your master data (such as first name, surname, name affixes), contact data (such as private address, (mobile) telephone number, email address), bank data as well as where applicable – depending on the type of insurance policy – data which determine the insured risk (e.g. private address, function within the organisation of your employer).

Where you have also voluntarily provided special categories of personal data during a pre-contractual phase or during and also after the period of insurance cover (such as health data, degree of disability), data will only be processed if you have given your consent to this or a legal basis so justifies.

Your personal data are usually collected directly from you when the policy is taken out or when you join in a group insurance contract, if you lodge a claim or when you enter into a contractual relationship or during any (other) contractual relationship. We can also have obtained data from third parties (e.g. from your employer or your insurance intermediary) to whom you have provided your data for the purposes of forwarding.

### **For which purposes and on which legal foundation are data processed?**

We process your personal data in compliance with the provisions of the EU General Data Protection Regulation (GDPR) as well as all other pertinent acts (e.g. General Equal Treatment Act - AGG).

Data processing serves the purpose of checking whether insurance cover can be granted, the implementation and handling of the insurance contract, any processing of claims and, where applicable, the initiation or performance of any other contractual relationship. The prime legal foundation here is provided by Art. 6 (1) GDPR, namely under letter b) (policyholders, damaged policyholders, natural persons as contractual partners), under letter c) (insured persons, damaged parties who are not policyholders or other parties lodging claims) and letter f) (contact partners, agents and other representatives of contracting partners). In addition, your separate consent in accordance with Art. 6 (1) a), 7 GDPR may be applied as permission provision.

Where necessary, we also process your data on the basis of Art. 6 (1) f) GDPR in order to safeguard justified interests of third parties (e.g. authorities).

We are also obliged by virtue of the European Anti-terrorism Regulations 2580/2001 and 881/2002 to compare your data against the so-called "EU terror lists" to ensure that in future no monies or other economic resources are provided for terrorist purposes.

The processing of special categories of personal data (e.g. health data) is based on your consent in accordance with Art. 9 (2) lit. a) GDPR, unless statutory foundations such as Art. 9 (2) lit. b) are pertinent.

Your personal data will be treated confidentially at all times. We will notify you beforehand should we wish to process your personal data for a purpose which is not mentioned above.

### **Who receives your data?**

Within our company only those individuals and offices receive your personal data which require such for the decision on granting insurance cover, to satisfy our pre-contractual, contractual and statutory duties and generally to initiate, perform or complete contractual relationships. In order to enable us to fulfil these tasks, in individual cases, co-insurers and/or reinsurers and service providers, in particular consultants and technical experts, receive your personal data.

In order to guarantee a high availability and a simultaneously high level of protection for our data, we make use of specialised service providers. A list of the contractors and service providers we use and with whom a not only temporary business relationship exists can be obtained on request using the above mentioned contact data.

### **Which data protection rights may you assert as data subject?**

You can obtain information on your stored personal data from the above mentioned address. You may also request that your data be rectified or erased under certain circumstances. You may also have a right to restriction of processing your data and a right to receive the data provided to you in a structured, commonly used and machine-readable format.

#### **Right to object**

**You have the right to object to the processing of your personal data for purposes of direct advertising without stating the reasons. If we process your data to safeguard our justified interests, you can object to this processing on grounds relating to your particular situation. We will then no longer process your personal data unless we are able to demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or the processing serves the establishment, exercise and defence of legal claims.**

### **Who can you complain to?**

You have the possibility to address a complaint to the above mentioned data protection officer or to a data protection supervisory authority. The data protection supervisory authority responsible for us is as follows:

Landesbeauftragte für Datenschutz und Informationsfreiheit Nordrhein-Westfalen  
(Regional officer for data protection and freedom of information in North Rhine-Westphalia)  
Kavalleriestraße 2-4  
40213 Düsseldorf

### **How long are your data stored?**

We delete your personal data as soon as they are no longer necessary for the above mentioned purposes. After the end of the insurance contractual relationship, your personal data are stored for as long as we are obliged to do so by law. This is regularly derived from the legal duties to provide evidence and store which are regulated inter alia in the Commercial Code and the Tax Code. Accordingly, the storage periods are up to ten years. It may also be the case that personal data are stored for the period in which claims may be asserted against us (statutory limitation period of three or up to thirty years).

### **Will your data be transmitted to a third country?**

If we transmit personal data to service providers or Group companies outside of the European Economic Area (EEA), the transmission shall be made only to the extent that the third country has been confirmed as having a suitable level of data protection by the EU Commission or where other suitable data protection guarantees (e. g. binding internal data protection provisions or EU standard contractual clauses) exist. You can request detailed information on this using the above mentioned contact information.

### **Are you obliged to provide your data?**

You are obliged to provide the personal data which are necessary to decide on granting insurance cover and to satisfy our pre-contractual, contractual (e.g. in the case of a claim) and statutory duties. Without these data we will be unable to make a decision on the granting of insurance cover or examine our obligations, e.g. the entitlement to any claim.

If you are our contracting partner as a natural person (no insurance contract), you are similarly obliged to provide the personal data which we require for the decision to enter into a contractual relationship with you or to satisfy our pre-contractual, contractual and statutory duties. Without these data we will be unable to make a decision on the conclusion of a contract with you or to perform the contract.

If you are our contact partner, representative or other agent of one of our contracting partners (no insurance contract) as a natural person, you are not obliged to provide us with your personal data unless this has been contractually agreed with the contracting partner. By providing us with your personal data you make communication with you or the contracting partner considerably easier and, accordingly, make communication more difficult by not providing us with your data.