



## **Privacy Policy**

*The following information on data protection provides an overview of the collection and processing of your data.*

The following information is intended to give you an overview of the processing of your personal data by us and the rights you have under data protection law.

### **1. Who is responsible for the data processing and whom can I contact?**

The responsible entity is:

PB Factoring GmbH  
Friedrich-Ebert-Allee 114 - 126  
53113 Bonn  
GERMANY  
Telefon: +49 (0)228 920 – 28001  
Fax: +49 (0)228 920 – 28009  
E-Mail-Adresse: [factoring@postbank.de](mailto:factoring@postbank.de)

You can reach our company data protection officer at:

PB Factoring GmbH  
Datenschutzbeauftragter  
Taunusanlage 12  
60325 Frankfurt am Main  
GERMANY  
E-Mail-Adresse: [datenschutz@postbank.de](mailto:datenschutz@postbank.de)  
Tel.: +49 228 920-0  
Fax: +49 228 920-33329

## **2. What sources and data do we use?**

We process personal data which we receive from our customers in the context of a business relationship. We also process – where this is necessary for the performance of our service – personal data which we reliably obtain from publicly accessible sources (e.g. Commercial Register, the press, the internet) or which other companies in the Deutsche Bank Group or other third parties (e.g. enquiry agencies) are authorised to transfer to us.

The relevant personal data are details of person (name, address and other contact data, date and place of birth and nationality), verification data (e.g. identification data) and authentication data (e.g. specimen signature).

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

We process personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR).

### **a. For the fulfilment of contractual obligations (article 6 (1) b GDPR)**

The data are processed for the performance of financial services in relation to the execution of our contracts with our customers or to take steps on request prior to entering into a contract. The purposes of the data processing are primarily orientated to the specific product and can include the performance of transactions. Further details on the purposes of the data processing can be found in the relevant contract documents and the terms & conditions.

### **b. In the context of a balancing of interests (article 6 (1) f GDPR)**

Where necessary, in addition to the actual performance of the contract, we process your data in pursuit of our or a third party's legitimate interests. Examples:

- Assertion of legal claims and defence of legal disputes,
- Prevention and investigation of criminal offences,
- Risk management in the Deutsche Bank Group

- c. On the basis of statutory requirements (article 6 (1) c GDPR) or in the public interest (article 6 (1) e GDPR)

Furthermore, as a financial services institute, we are subject to various statutory obligations, i.e. legal requirements (e.g. German banking act, money laundering act, tax laws) and requirements under supervisory law (e.g. the German Bundesbank and the Federal Financial Supervisory Authority (BaFin)). The purposes of the processing include verification of identity, prevention of fraud and money laundering, fulfilment of control and notification obligations under tax law and the assessment and management of risks in the financial services institute and the Deutsche Bank Group.

#### **4. Who has access to my data?**

Inside the financial services institute, access to your data is given to those employees who need them for the fulfilment of our contractual and legal obligations. Service providers and vicarious agents engaged by us may also receive data, provided that they provide the necessary data protection. The companies in question belong to the categories banking services, IT services and debt collection.

With regard to the transfer of data to recipients outside our financial services institute, it should firstly be borne in mind that as a financial services institute we are obliged to keep strictly confidential all the customer-related facts and assessments of which we gain knowledge. We are only permitted to pass on information about you where this is expressly required by law. Subject to these conditions, the recipients of personal data may for example be:

- Public offices and institutions (e.g. the German Bundesbank and the Federal Financial Supervisory Authority, the European Banking Authority, the European Central Bank, tax offices, law enforcement authorities) if there is a relevant statutory or official obligation.
- Other companies in the Deutsche Bank Group, for risk management purposes, on the basis of a statutory or official obligation.

Other recipients of data may be those persons in respect of whom your consent or formal agreement has released us from data confidentiality.

#### **5. Are data transferred to a third country or an international organisation?**

PB Factoring GmbH does not transfer personal data to persons or offices in third countries or to international organisations. For specific tasks, however, PB Factoring GmbH does use service providers which in most cases also use service providers themselves, and these may have their domicile, parent group or computer centres in a third country. Such transfer is lawful if the European Commission has decided that there is an adequate level of protection in the third state concerned (article 45 GDPR). If the Commission has not taken such a decision, PB Factoring GmbH or the service provider may transfer personal data to a third country or an international organisation only if appropriate safeguards have been provided (e.g. standard data protection clauses that have been adopted by the Commission or the supervisory authority in accordance with a specified procedure) and if enforceable rights and effective legal remedies are available. PB Factoring GmbH has contractually agreed with these service providers that their contract partners are contractually obliged at all times to provide data protection by maintaining the European level of data protection.

## **6. How long are my data stored?**

We process and store your personal data for as long as is necessary for the fulfilment of our contractual and statutory obligations. It should be borne in mind here that our business relationship involves a continuing obligation over a period of years.

If and when the data are no longer needed for the fulfillment of contractual and statutory obligations, they are as a rule deleted unless continued processing – for a limited period – is necessary for the following purposes:

- Fulfilment of data retention obligations under commercial and tax law. The relevant German codes and laws are: Commercial Code (HGB), Fiscal Code (AO), the banking act (KWG) and the money laundering act (GwG). The data retention and documentation periods stipulated there range from two to ten years.
- Preservation of evidence subject to the provisions of the statute of limitations. According to sections 195 ff. of the German Civil Code (BGB), the limitation periods may be for up to 30 years, but the usual limitation period is 3 years.

## **7. What are my data protection rights?**

Every data subject (person affected) has the right to information under article 15 GDPR, the right to rectification under article 16 GDPR, the right to erasure under article 17 GDPR, the right to restriction of processing under article 18 GDPR, the right to object under article 21 GDPR and the right to data portability under article 20 GDPR. The right to information and the right to erasure are subject to the restrictions set forth in sections 34 and 35 BDSG (German data protection act). There is also a right to lodge a complaint with a responsible data protection supervisory authority (article 77 GDPR in conjunction with section 19 BDSG).

You can at any time withdraw the consent you have given us to the processing of personal data. This also applies to the withdrawal of declarations of consent which were issued to us before the General Data Protection Regulation came into force, i.e. before 25 May 2018. Please note that the withdrawal has effect only for the future. Data processed before the withdrawal are not affected.

#### **8. Am I under any obligation to provide data?**

In the context of our business relationship you need to supply the personal data which are necessary for the establishment and performance of a business relationship and the fulfilment of the associated contractual obligations or the personal data we are required by law to collect. Without these data we are normally not in a position to conclude or execute a contract with you.

We are in particular obliged under the provisions of money laundering law to verify your identity, before we establish a business relationship, on the basis of your identity document and, in doing so, collect and record your name, date and place of birth, nationality, address and verification data. To enable us to meet this statutory obligation, you are required under the money laundering act to provide us with the necessary information and documents and to notify us immediately of any changes that occur in the course of the business relationship. Should you not let us have the necessary information and documents, we will not be allowed to establish or continue the business relationship requested by you.

#### **9. To what extent are decisions made by automated process?**

We do not as a basic rule use a fully automated automatic decision-making process within the meaning of article 22 GDPR for the establishment and performance of a business relationship. Should we use this process in any individual case we will inform you expressly where this is required by law.

## **Information on your right to object under article 21 General Data Protection Regulation (GDPR)**

### 1. Right to object related to individual case

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 (e) of article 6 (1) GDPR (data processing in the public interest) and on point (f) of article 6 (1) GDPR (data processing on the basis of balancing interests); this also applies to profiling based on these provisions within the meaning of article 4 (4) GDPR.

If you file an objection 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 for the establishment, exercise or defence of legal claims.

The objection does not need to be in any particular form and should where possible be sent to:

PB Factoring GmbH  
Zentrale  
Postfach 4000  
53105 Bonn  
GERMANY