

Data protection information

Baden-Württembergische Bank
Independent institution of
Landesbank Baden-Württemberg*

Information on the processing of personal data by Landesbank Baden-Württemberg (LBBW) in accordance with Article 14 of the General Data Protection Regulation (GDPR) for undisclosed assignments and undisclosed debt purchases.

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| <p>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.</p> |
| <p>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</p> |
| <p>The purposes for which the personal data are to be processed and the legal basis for this: LBBW processes your personal data for the administration of receivables sold or assigned to LBBW by way of security or for the initiation and execution of silent sub-participations in the syndicated business. The legitimate interest of LBBW and its business partners is to provide or obtain traditional banking and financial services in which LBBW is not involved in the business relationship between its business partners and their contractual partners and should therefore not have any direct contact with the persons concerned. For this type of transaction, Art. 14(5)(b) GDPR and Section 33 (2) BDSG, no information is provided in accordance with Art. 14 (1) and (2) GDPR. The legal basis is Art. 6 (1) (f) GDPR (contract from assigned right with the data subject). As a bank, we are also subject to various legal obligations, i.e. statutory requirements (e.g. Banking Act, Money Laundering Act, Securities Trading Act, tax laws) and banking supervisory requirements (e.g. of the European Central Bank, the European Banking Authority, the Deutsche Bundesbank and the Federal Financial Supervisory Authority). The purposes of processing include creditworthiness checks, identity and age checks, the prevention of fraud and money laundering, the fulfillment of tax control and reporting obligations and the assessment and management of risks.</p> |
| <p>Categories of personal data that are processed and sources from which they originate: In the case of an undisclosed assignment or undisclosed purchase of receivables, LBBW receives your personal data from the guarantor or seller of the receivables. In the case of silent sub-participations in the syndicate business, LBBW receives your personal data from the lead manager. Relevant personal data in the context of these transactions are personal identification data (name, address and other contact details, date and place of birth and nationality), information on financial circumstances, legitimization data (e.g. identification data) and authentication data (e.g. specimen signature) of the debtor, the economic and legal content of the underlying contracts and, in the case of syndicated business, the decision documents of the lead manager (e.g. credit decision and credit report with information on the assessment of the risk and the business relationship, among other things).</p> |
| <p>Recipients or categories of recipients of the personal data: LBBW transmits your data to fulfill legal obligations (e.g. supervisory authorities), in the context of customary bank order processing (e.g. data center operation, IT service providers) and, under certain circumstances, in connection with customary bank refinancing transactions. In the case of real estate financing, data may also be passed on to real estate appraisers.</p> |
| <p>the controller's intention to transfer the personal data to a third country or an international organization: Silent assignment does not provide for the transfer of personal data to a third country or international organization. Should a refinancing transaction result in a transfer to a third country, LBBW will comply with the applicable data protection laws.</p> |
| <p>The duration for which the personal data will be stored or, if this is not possible, the criteria for determining the duration: LBBW is subject to various retention and documentation obligations arising 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. Finally, the storage period is also assessed according to the statutory limitation periods, which, for example, according to Sections 195 et seq. of the German Civil Code (BGB), are generally three years, but in certain cases can be up to thirty years.</p> |
| <p>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 pursuant to Sections 34 and 35 BDSG apply to the right of information and the right to erasure. In addition, you have the right to lodge a complaint with a dataprotection supervisory authority in accordance with Art. 77 GDPR in conjunction with Section 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>Note, if the processing is based on Art. 6 (1) (f) GDPR, the legitimate interests pursued by the controller or a third party: LBBW processes your personal data in our overriding interest so that we can offer our customers and interested parties attractive financing opportunities, to protect the business interests of our customers and interested parties and to provide adequate security for financing.</p> |
| <p>Information on the existence of automated decision-making including profiling in accordance with Art. 22 (1) and (4) GDPR: There is no automated decision-making or profiling.</p> |

* Declarations made by the Bank within the scope of the business relationship exclusively authorize and bind Landesbank Baden-Württemberg

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