



# **General Information on Data Protection at IKB Deutsche Industriebank AG for Corporate Clients**

(Representatives, authorized representatives of legal entities and other data subjects)

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## Privacy policy

### 1. Foreword

We use both technical and organizational security measures to protect personal data. The employees of IKB, our partners and service providers are subject to the special confidentiality obligations customary for banks. The technical security precautions employed are continuously adapted in line with technological developments.

This privacy policy informs you which personal data we process, to what extent and for what purpose in the context of services agreed with corporate customers, their provision and their performance.

Please also pass on the information to current and future authorized representatives and beneficial owners as well as any co-obligated persons under the agreed services. This includes in particular co-debtors and guarantors, provided they are natural persons.

### 2. Responsible entity

IKB Deutsche Industriebank AG, Wilhelm-Bötzkkes-Str. 1, 40474 Düsseldorf, Germany

IKB Deutsche Industriebank AG  
Data Protection and Data Security Officer  
Wilhelm-Bötzkkes-Strasse 1  
40474 Düsseldorf  
Phone: +49 211 8221-0  
Email: [info@ikb.de](mailto:info@ikb.de)

**If you have any questions about data protection, you can contact our data protection and data security officer:**

IKB Deutsche Industriebank AG  
Data Protection and Data Security Officer  
Wilhelm-Bötzkkes-Strasse 1  
40474 Düsseldorf  
Phone: +49 211 8221-5000  
Email: [datenschutz@ikb.de](mailto:datenschutz@ikb.de)

### 3. Subject of data protection/processing of your data

The subject of data protection is personal data. According to Art. 4 No. 1 GDPR, these are all information relating to an identified or identifiable natural person.

We process personal data that we receive in the course of initiating and conducting business relationships with the company you represent, as well as personal data that we receive from you in your capacity as a representative/agent of the legal entity (prospect and/or customer).

On the other hand, we process personal data that we have permissibly obtained from publicly accessible sources (e.g. commercial and association registers, press, media, Internet) and may process. Relevant personal data of the authorized representative/agent may be:

- Name, address/other contact information (phone, email address),
- Position in the company,
- Date/place of birth,
- Gender,
- Nationality,
- Power of representation,
- Legitimation data (e.g. ID card data),
- Authentication data (e.g. signature sample, procuration, power of attorney),
- Tax ID.

When products/services are concluded and used, further personal data may be collected, processed and stored in addition to the aforementioned data. These essentially include:

- Information and record of knowledge and/or experience with securities, interest rate and currency products/money market investments (MiFID status: suitability/appropriateness test).

In addition, this can also

- Order data (e.g. payment order),
- Data from the fulfillment of our contractual obligations (e.g. turnover data in payment transactions),
- Information about their financial situation (e.g. creditworthiness data, scoring/rating data, origin of assets values),
- Advertising and sales data (including advertising scores),
- Documentation data (e.g. consultation protocol)

as well as other data comparable with the aforementioned categories.

#### **4. Scope of notification obligations/termination of contractual relationships**

Within the scope of our business relationship, you are obliged to provide us with the personal data that is required for the establishment, implementation and termination of a business relationship with the company you represent and for the fulfillment of the associated contractual obligations towards this company, or which we are legally obliged to collect. As a representative/authorized agent, you are also required to provide the personal data that enables us to fully verify your power of representation/scope of your authorization (legitimation). Without this data, we will usually not be able to enter into, execute and terminate a contract with you. In accordance with money laundering regulations, we are obliged to use identification documents to identify beneficial owners, authorized representatives and co-debtors before we enter into a business relationship.

Thereby

- Name,
- Place and date of birth,
- Nationality,
- Address and
- Identification data of the respective representative(s)/authorized representative(s)

collected and recorded. Should any possible changes occur in the course of our business relationship, you are obliged to notify us immediately. If you do not provide us with the necessary information and documents, we may neither enter into nor continue the business relationship you are seeking.

#### **5. What is the purpose of the processing and on what legal basis is it carried out?**

**For the performance of contractual obligations (Art. 6 para. 1 b GDPR)**

In order to fulfill our contractual obligations, we must process your personal data to the extent necessary in each case. This also applies to pre-contractual information that you provide to us in the context of an application. The purposes of data processing primarily depend on the respective product (e.g. investment, securities, loans, brokerage of KfW loans, etc.). The details of the respective data processing purposes can be found in the relevant contractual documents, terms and conditions and data protection notices.

**Within the framework of the balancing of interests (Art. 6 para. 1 f GDPR)**

To the extent necessary, we process your data beyond the actual performance of the contract to protect legitimate interests of us or of third parties, this includes, for example:

- the sending of advertising by post to the address you have given us and market and opinion research by third parties commissioned by us, insofar as you have not objected to these uses of your data,
- Assertion of legal claims and defense in legal disputes,
- Ensuring the IT security of the Bank and the Bank's IT operations,
- Prevention and detection of crime,
- Video surveillance to protect the right of the house, to collect evidence in cases of robbery and fraud,
- Measures for building and facility security and ensuring housekeeping rights,
- Measures for business management and further development of services and products
- Risk management measures in the Group

You can object to processing based on a legitimate interest at any time. (see section "Your rights according to Art. 15 to Art. 22 GDPR" under No. 9).

#### Based on your consent (Art. 6 para. 1 a GDPR)

If you have given us consent to process personal data for certain purposes (e.g. electronic advertising), the lawfulness of this processing is based on your consent. [We have provided you with information on how to exercise your right of revocation in the respective consent.](#)

You can revoke your consent at any time with effect for the future.

This also applies to the revocation of declarations of consent that you made to us before the GDPR (General Data Protection Regulation) came into effect, i.e. before May 25, 2018. The revocation of consent does not affect the lawfulness of the data processed until the revocation. Address your revocation to:

IKB Deutsche Industriebank AG,  
Wilhelm-Bötzkens-Strasse 1  
40474 Düsseldorf  
Phone: +49 211 8221-4613  
Email: [Widerruf@ikb.de](mailto:Widerruf@ikb.de)

#### Due to legal requirements (Art. 6 para.1 c GDPR) or in the public interest (Art. 6 para. 1 e GDPR)

As a bank, we are subject to numerous legal requirements (e.g., from the Money Laundering Act, the German Banking Act, the German Securities Trading Act, or tax laws). We must also comply with banking supervisory requirements (e.g., from institutions such as the German Federal Financial Supervisory Authority (BaFin), the Deutsche Bundesbank, the European Central Bank or the European Banking Authority). The purposes of processing include, among others credit assessment, identity and age verification, fraud and money laundering prevention, compliance with tax control and reporting obligations, and the assessment and management of risks in the bank and the Group.

## 6. To what extent is there automated decision making?

For the establishment and implementation of the business relationship, IKB itself does not use any fully automated decision-making pursuant to Article 22 GDPR. If partners or service providers of IKB carry out such automated decision-making, we will inform you of this.

## 7. Is there any disclosure of data?

With regard to the transfer of data to recipients outside our bank, it should first be noted that as a bank we are obligated to maintain secrecy about all customer-related facts and evaluations of which we become aware (banking secrecy pursuant to No. 2 of our General Terms and Conditions).

Within the bank, your data will be accessed by those departments that need it to fulfill our contractual and legal obligations. Service providers and vicarious agents used by us must conclude agreements with us in advance on the processing of your personal data in accordance with the Data Protection Basic Regulation. In addition, they are obligated in advance to maintain banking secrecy.

These are companies in the categories of credit services, IT services, logistics, printing services, telecommunications, debt collection, consulting and advisory services, and sales and marketing.

We may only pass on information about you if this serves the fulfillment of contractual agreements with you, legal provisions require this, you have consented or we are authorized to provide bank information. Under these conditions, recipients of personal data may be, for example:

- **Public bodies and institutions**  
(e.g. Deutsche Bundesbank, German Federal Financial Supervisory Authority, European Banking Authority, European Central Bank, financial authorities, law enforcement authorities) in the event of a legal or regulatory obligation.
- **Other credit and financial services institutions** or comparable institutions and bodies under public law to which we transmit personal data in order to conduct the business relationship with the company you represent or to apply for public funds for the benefit of the company you represent (depending on the contract, e.g., correspondent banks, promotional banks, custodian banks, stock exchanges, credit agencies) other companies in the Group for risk management purposes on the basis of statutory or regulatory obligations.
- Other data recipients may be those entities for which you have given us your consent to transfer data or for which you have released us from banking secrecy pursuant to an agreement or consent. This applies in particular to a change of house bank in the context of obtaining funding from KfW.

## 8. Is data transferred to a third country or to an international organization?

A data transfer to bodies or states outside the European Union (so-called third countries) takes place as far as

- it is necessary for the execution of your orders (e.g. payment and securities orders)
- it is required by law (e.g. reporting obligations under tax law) or
- you have given us your consent or within the scope of commissioned processing. If service providers in third countries are used, in addition to written instructions, they are obligated to comply with the level of data protection in Europe by agreeing to the EU standard contractual clauses.

## 9. Your rights according to Art. 15 to Art. 22 GDPR

You have the following rights in accordance with Art. 15 to 22 GDPR with regard to your personal data:

- **Right of access according to Art. 15 GDPR**, i.e. the right to obtain confirmation from us as to whether personal data about you is being processed and, if so, to obtain information about this data and further information;
- **Right to erasure according to Art. 17 GDPR**, if personal data are no longer necessary for the purposes for which they were processed;

For the above-mentioned rights according to Art. 15 and 17 GDPR, the restrictions according to §§ 34 and 35 BDSG apply.

- **Right to rectification according to Art. 16 GDPR** if personal data concerning you is incorrect;
- **Right to restriction of processing according to Art. 18 GDPR** if you have exercised your right to object.
- **Right to lodge a complaint pursuant to Art. 77 GDPR**, which you can exercise against a supervisory authority of your choice.

### Right to object to the processing of your personal data

You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data concerning you on the basis of a legitimate interest.

If you object to the processing, we shall cease such processing from the time of your revocation, unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing serves the purpose of asserting, exercising or defending legal claims.

Your objection can be sent informally to the following address:

IKB Deutsche Industriebank AG  
Wilhelm-Bötzkes-Str. 1  
40474 Düsseldorf  
Phone: +49 211 8221-5000  
E-mail: [datenschutz@ikb.de](mailto:datenschutz@ikb.de)

## 10. How long will your data be stored?

We process and store your personal data as long as it is necessary for the fulfillment of our contractual and legal obligations. It should be noted that our business relationship is a continuing obligation that is intended to last for years. If the data is no longer required for the fulfillment of contractual or legal obligations, it is regularly deleted, unless its - temporary - further processing is necessary for the following purposes:

- **Fulfillment of retention obligations under commercial and tax law:** These include the German Commercial Code (HGB), the German Fiscal Code (AO), the German Banking Act (KWG), the German Money Laundering Act (GwG) and the German Securities Trading Act (WpHG). The periods specified there for storage or documentation are two to ten years.
- **Preservation of evidence** within the framework of the statutory limitation provisions. According to Sections 195 et seq. of the German Civil Code (BGB), these limitation periods can be up to 30 years, with the regular limitation period being 3 years.

## 11. Profiling data processing

We process personal data, in part automatically, with the aim of evaluating certain economic and/or financial aspects with regard to transactions (profiling). Due to legal and regulatory requirements, we are obligated to combat money laundering, terrorist financing and asset-endangering crimes. In this context, profiling evaluations are carried out which serve us as investigation, evaluation and decision-making aids. These measures also serve to protect you.

As part of the assessment of creditworthiness, the probability is calculated with which a company will meet its payment obligations in accordance with the contract.