

DATA PROTECTION INFORMATION

How we process your data and your related rights –

Information in accordance with Articles 13, 14 and 21 of the General Data Protection Regulation (hereinafter referred to as the “GDPR”)

Dear Sir or Madam,

Compliance with data protection regulations is one of our company's top priorities. Hereinafter, please find information on how we process your personal data and on the claims and rights you have in accordance with applicable data protection regulations.

1. Who is responsible for data processing and who is your point of contact?

The Controller is:

TEBA Kreditbank GmbH & Co. KG
Lindenstraße 5 · 94405 Landau a. d. Isar · Germany
Tel. +49 (0)9951-9804-0 · Fax +49 (0)9951-9804-39
teba@teba-kreditbank.de

Contact data of the company's data protection officer:

TEBA Kreditbank GmbH & Co. KG
Data Protection Officer
Lindenstraße 5 · 94405 Landau a. d. Isar · Germany
datenschutzbeauftragter@teba-kreditbank.de

2. What sources and data do we use?

We process personal data as follows:

- your enquiries for a potential business relationship and/or steps prior to entering into a contract;
- an existing business relationship with you, if any;
- existing business relationships with our factoring partners.

In addition and to the extent required in connection with the provision of our services, we process personal data we legally receive from other third parties (e.g. Boniversum, SCHUFA) for purposes that include, without limitation, the execution of orders and the fulfilment of contracts. Moreover, we process personal data that we lawfully received from public sources (e.g. list of debtors, land registers, commercial registers, registers of associations, press, media) and that we may lawfully process. Relevant personal data include personal data (name, address and other contact data, date of birth, nationality), data required for the proof of identity (e.g. data contained in your passport or ID card) and authentication data (e.g. specimen signature). In addition, relevant personal data may include, without limitation, order data (e.g. SEPA order), data from the fulfilment of our contractual obligations (e.g. sales data from payment transactions), information on your financial situation (e.g. data on your credit standing, scoring/rating data, origin of assets), documentation data (e.g. memos, minutes of a consultation), register data and other similar data.

3. For what purposes and on what legal grounds do we process your data?

We process personal data in compliance with the regulations contained in the European General Data Protection Regulation (GDPR), in the German Federal Data Protection Act (BDSG) and in other relevant labour-law regulations (e.g. Works Council Constitution Act (BetrVG)).

3.1 For steps prior to entering into a contract and contractual obligations (Article 6 (1) (b) of the GDPR)

Your personal data will be processed (Article 4 (2) of the GDPR) for the following purposes:

- a potential customer relationship and/or negotiations prior to entering into a contract;
- to provide and procure banking transactions, financial services,

insurance business, including without limitation related to the execution of the contracts between you and us and the execution of your orders, as well as any and all activities and services related to the operation and management of a credit institution and financial services institution;

- to execute the contracts between us and our factoring partners and any and all activities and services related to the operation and management of a credit institution active in the field of factoring.

The legal basis is Article 6 (1) (b) of the GDPR in conjunction with section 26 of the German Federal Data Protection Act.

The legal basis is Article 6 (1) (b) of the GDPR in conjunction with section 26 of the German Federal Data Protection Act. In addition, we process your personal data based on your consent (Article 6 (1) (a), Article 7 of the GDPR in conjunction with section 26 (2) of the German Federal Data Protection Act).

The purposes of data processing are first and foremost subject to the product (e.g. credit, procurement) and may include without limitation consultation and the execution of transactions. For more details on the purposes of data processing, please refer to the relevant contract documents and our General Terms and Conditions.

3.2 For balancing of interests (Article 6 (1) (f) of the GDPR)

In addition and to the extent required, we process your data for the protection of our and any third party's legitimate interests, including without limitation for the following purposes:

- consultation and exchange of data with credit agencies (e.g. Boniversum, SCHUFA) to determine credit risks and default risks;
- asserting legal claims and defence of legal disputes;
- prevention and solving of criminal offences;
- business management and further development of services and products;
- internal communication and management purposes.

3.3 Based on your consent (Article 6 (1) (a) of the GDPR)

To the extent you gave your consent to the processing of your personal data for certain purposes, the basis for the processing of your data will be your consent. You may withdraw such consent at any time.

Please note that such withdrawal of consent has future effect only and will not apply to any processing activities effected before such withdrawal

3.4 For compliance with legal obligations (Article 6 (1) (c) of the GDPR) or the performance of a task carried out in the public interest (Article 6 (1) (e) of the GDPR)

In addition, we – as a bank – are subject to numerous obligations and statutory requirements (e.g. Banking Act, Securities Trading Act, Tax Acts) and regulatory provisions (e.g. issued by the European Central Bank, the European Financial Supervisory Authority, the German Central Bank and the Federal Financial Supervisory Authority). The purposes of processing include without limitation credit checks, checks of identity or age, prevention of fraud and money laundering and the evaluation and management of risks. Data processing in accordance with applicable rules and regulations means, without limitation, data transmission in case of legitimate enquiries by public authorities and the documentation of the employee who processed the transactions and/or of the employees and managers who processed transactions of regulatory relevance.

4. To whom do we disclose your data?

Within the bank, only those persons shall have access to the data, who need them in order to fulfil our contractual and legal obligations.

Processors we use (Article 28 of the GDPR) may receive data for this purpose, as well. Processors are companies operating in the categories credit services, IT services, logistics, print services, telecommunication, collection, consultancy, sales and marketing. Regarding the disclosure to recipients outside the bank, we would like to emphasise that we are subject to the banker's duty of secrecy and must keep silent about all facts and assessments that become known to us. We must not disclose any information about you unless required in accordance with statutory provisions or based upon your consent. Under these circumstances, the recipients of personal data may include:

- public bodies and institutions (e.g. the German Central Bank, the Federal Financial Supervisory Authority, the European Financial Supervisory Authority, the European Central Bank, fiscal authorities) if a legal or regulatory disclosure obligation is in effect;
- other credit or financial services institutions or comparable institutions to which we transmit personal data in connection to the business relationship with our factoring partners (depending on the contract: e.g. correspondent banks, credit agencies).

Other recipients of data may include bodies regarding which you gave your consent to transmit your data or regarding which you released us from the banker's duty of secrecy.

5. How long do we store your personal data?

To the extent there is no statutory retention period, your data will be erased as soon as they are no longer required and/or the legitimate interest in their storage expires.

- Should the initiation of a business relationship fail to lead to the conclusion of a contract, your data will be deleted one year after termination of the steps prior to entering into a contract at the latest, unless you gave your consent to the storage of your data for a longer period.
- We store your data for the duration of our business relationship, which includes the steps prior to entering into a contract and the execution of a contract.
- Furthermore, we will store your personal data for the duration of our business relationship with our factoring partners.

In addition, we are subject to various retention and documentation obligations based on (without limitation) the German Commercial Code (HGB), the Tax Code (AO), the Banking Act (KWG) and the Act on the Prevention of Money Laundering (GwG). The retention and/or documentation periods stipulated therein are between 2 and 10 years.

Ultimately, the storage period is also subject to the statutory periods of limitation which is normally 3 years, but which may be up to 30 years in accordance with sections 195 et seqq. of the German Civil Code (BGB).

6. Will your data be transmitted to a third country or to an international organisation?

Your data will not be transmitted to any third country (states outside the European Economic Area (EEA)) unless the EU Commission confirmed that such state has an adequate level of data protection or adequate guarantees are in place (e.g. EU standard contractual clauses). If these requirements are not fulfilled, your data will not be transmitted

unless required for the fulfilment of our employment contract obligations or you gave your consent after having been informed of the risks that may arise in relation to such transmission. For more information on our service providers with a third country relation and on the data protection level in such country, please refer to the contact information stipulated above.

7. What data protection rights do you have?

Each data subject has the right of access in accordance with Article 15 of the GDPR, the right to rectification in accordance with Article 16 of the GDPR, the right to erasure in accordance with Article 17 of the GDPR, the right to restriction of processing in accordance with Article 18 of the GDPR and the right to data portability in accordance with Article 20 of the GDPR. The right of access and the right to erasure are subject to the restrictions stipulated in sections 34 and 35 of the German Federal Data Protection Act. In addition, the data subject has the right to lodge a complaint with a supervisory authority (Article 77 of the GDPR in conjunction with section 19 of the German Federal Data Protection Act.).

8. To what extent is automated individual decision-making used?

We do not make decisions on the grounds for and execution of factoring based on automated processing (Article 22 of the GDPR). To the extent we decide to use such processes in individual cases, we will inform you thereof if legally required.

9. To what extent will data be used for scoring?

Our factoring activities in e-commerce (TEBApay), are partially based on automated data processing, aiming at a statistical assessment of credit standing and financial soundness (profiling) and for the fight against money laundering and fraud. So-called score values may be used in order to evaluate credit standing or financial soundness.

During scoring or rating processing, probability calculus is used in order to obtain information on possible future payment behaviour. The calculated score values support our decisions regarding product transactions and are included in our risk management.

10. Is there any obligation to disclose data?

Within the framework of our business relationship, you will only have to disclose those personal data that are required for the initiation and implementation of a business relationship or that we are legally required to collect. Without these data, we will have to reject the conclusion of contract or the execution of your order or may not be able to continue and will thus have to terminate an existing contract.

In accordance with anti-money-laundering laws and regulations, we are obliged to verify your identity based on your ID card or passport before the commencement of a business relationship and to document your name, place and date of birth, nationality and home address. In accordance with section 4 (6) of the Act on the Prevention of Money Laundering (GwG), you must provide us with the required information and documents and inform us of any changes thereof that may occur during our business relationship. Should you refuse to provide such information and documents, we are unable to commence a business relationship with you.

INFORMATION ON YOUR RIGHT TO OBJECT IN ACCORDANCE WITH ARTICLE 21 OF THE GENERAL DATA PROTECTION REGULATION (GDPR)

You shall have the right to object at any time, on grounds relating to your particular situation, to processing of your personal data, which is based on Article 6 (1) (e) of the GDPR (data processing for the performance of a task carried out in the public interest) and Article 6 (1) (f) of the GDPR (data processing based on a balancing of interests).

After such objection, we shall 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

for the establishment, exercise or defence of legal claims. Such objection is not subject to any formal requirements and should be directed to:

TEBA Kreditbank GmbH & Co. KG
Data Protection Officer
Lindenstraße 5 · 94405 Landau a. d. Isar
Tel. +49 (0)9951 9804-0
datenschutzbeauftragter@teba-kreditbank.de