



Data protection information pursuant to Article 13 of the European Data Protection Regulation (GDPR)

We take the protection of the personal data entrusted to us very seriously and have taken appropriate precautions against access by unauthorised third parties.

This data protection information informs you about the processing of your personal data at the Pensionskasse für die Deutsche Wirtschaft (hereinafter: PKDW). In accordance with Article 4 No. GDPR, the data protection regulation applies to all information that can be related to your person, in particular by means of assignment to an identifier, such as a name, or to an organisation, personnel or membership number, with which your person can be identified.

'Definitions' under the GDPR

For a better understanding of the following explanations, we would first like to explain the terms used in the GDPR in more detail. According to this, the expression:

1. 'personal data' means any information relating to an identified or identifiable natural person (hereinafter referred to as 'data subject'); an identifiable person is a natural person who can be identified, directly or indirectly, in particu-

lar by reference to an identifier, such as a name, an identification number, location data, an online identifier or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person;

2. 'processing' means any operation or set of operations which is performed upon personal data, whether or not by automatic means, such as collection, recording, organisation, filing, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
3. 'controller' the natural or legal person, public authority Person, public authority, agency or other body which alone or jointly with others determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its designation may be provided for under Union or Member State law;

4. 'processor' refers to a natural or legal person, public authority person, public authority, agency or other body which processes personal data on behalf of the controller.

Who processes my personal data?

The responsible data processor/controller of your personal data is the

Pensionskasse für die Deutsche Wirtschaft,
Am Burgacker 37, 47051 Duisburg,

legally represented by the Board of Directors

Telephone 0203 99219 0, Fax 0203 99219 38, e-mail
info@pkdw.de, Internet www.pkdw.de

Our data protection officer can be reached at

c / o Pensionskasse für die Deutsche Wirtschaft,
Am Burgacker 37, 47051 Duisburg,
phone 0203 99219 46, Fax 0203 99219 35,
e-mail datenschutz@pkdw.de

Why is my personal data processed?

The collection and processing of data is necessary for the performance of the contract concluded with the PKDW (Article 6(1)(b) GDPR) and the membership relationship. The same applies to such processing operations that are necessary for the implementation of pre-contractual measures, for example in cases of enquiries about our products or services. The processing of your data may therefore also be necessary if you send us a specific enquiry in the run-up to the conclusion of a contract, on the basis of which we send you exemplary calculations, further information on our tariff models or similar.

Your data will only be collected and processed if this is required by law or in accordance with the contractual relationship or membership. Processing operations that are not covered by any of the aforementioned legal bases may also be based on Article 6(1)(f) of the GDPR if the processing is necessary to protect a legitimate interest of our company or a third party, provided that the interests, fundamental rights and freedoms of the data subject are not overridden. We are permitted to carry out such processing operations in particular because they have been specifically mentioned by the European legislator. In this respect, the legislator takes the view that a

legitimate interest is to be assumed if the data subject is a customer of the controller (recital 47, second sentence of the GDPR).

If the processing of personal data is based on Article 6(1)(f) of the GDPR, our legitimate interest is the performance of our business activities for the benefit of the well-being of all our dependants, such as insured persons and employees in particular.

For processing operations in which PKDW obtains consent for a specific processing purpose, the consent to the processing of the personal data concerning you for one or more specific purposes (Article 6(1)(a) GDPR) serves as the legal basis.

With this legal basis, the data subject has the right to withdraw their consent at any time in accordance with the first sentence of Article 7(3) of the GDPR. The revocation of consent shall not affect the lawfulness of the processing carried out on the basis of the consent up to the revocation (Article 7(3) sentence 2 GDPR). The withdrawal of consent must be as simple as the granting of consent. Therefore, the withdrawal of consent can always be done in the same way as consent was given or in any other way that is considered easier by the data subject. If the data subject wishes to revoke a consent given to us, a simple email to our data protection officer is sufficient for this purpose. Alternatively, the data subject may choose any other way to notify us of the withdrawal of consent.

Where does the personal data come from?

The personal data required for the execution of the contract and the legal obligations is taken from the forms provided by PKDW or the correspondence conducted with you.

If necessary, further personal data will be collected from third parties if this is required for proper processing, such as address enquiries to the residents' registration office, data in the case of seizures/insolvencies, divorces, deaths, etc.

We would like to inform you that the provision of personal data is partly required by law (e.g. social security regulations, tax regulations) or may also result from contractual regulations (e.g. information on the contractual partner) or the membership relationship.

Sometimes, in order to conclude a contract, it may be necessary for a data subject to provide us with personal data which then we must subsequently process. Failure to provide the personal data would mean that the contract with the data subject could not be concluded.

Before providing personal data, as the data subject, you may contact the controller. The controller shall then inform the data subject on a case-by-case basis whether the provision of the personal data is required by law or by contract or is necessary for the conclusion of the contract, whether there is an obligation to provide the personal data and what the consequences of not providing the personal data would be.

What personal data is processed?

During your contractual relationship, PKDW collects and processes information (both in paper format and in digital form).

In detail, this covers the following data:

a) Contract initiation and savings phase

Title, surname, first name, surname suffix, date of birth, postcode, town, street, house number, marital status, gender, employer, contributions according to company share and own contribution, telephone number / mobile phone number, e-mail address

and additionally with

- > Direct debit:
Bank details
- > Tariff A with occupational disability cover:
Completed and signed self-disclosure of health, health questionnaire
- > Tariff E:
Amount of shares in funds and countervalue
- > Attachment:
Reference number of the court, third-party debtor, amount of the claim, creditor / creditor's representative
- > Insolvency:
Reference number of the court, third-party debtor, amount of the claim, insolvency administrator

- > Divorce / annulment:
File number of the court, name of the spouse/registered partner, divorce decree/divorce order with division decree
- > Death:
Death certificate, marriage certificate/partnership certificate, birth certificate
- > Riester:
Tax identification number, tax number, national insurance number, tax office number, place of birth, name at birth, total retirement assets, number of children with tax identification number and child benefit number, data of spouse/registered partner, amount of Riester allowance from Zulagenstelle für Altersvermögen (ZfA)
- > Complaints to the Federal Financial Supervisory Authority (BaFin):
Text of the complaint, BaFin processing number
- > Complaints to the supervisory authority:
Text of the request (e.g. Article 34 GDPR)/complaint, processing number of the supervisory authority
- b) Service phase
Transfer of data from the active period (cf. above under a)); in addition, tax identification number, national insurance number, health insurance fund, bank details

and additionally with

- > Attachment:
Reference number of the court, third-party debtor, amount of the claim, creditor/creditor's representative
- > Insolvency:
Reference number of the court, third-party debtor, amount of the claim, insolvency administrator
- > Divorce / annulment:
File number of the court, name of the spouse/registered partner, divorce decree/dissolution decree with division decree, in the case of a spouse under the pension limit, attachment of a new asset contract

- > Death:
Death certificate, marriage certificate/civil partnership certificate, birth certificate, health insurance, tax identification number, national insurance number of spouse/registered partner and children, proof of school/studies
- > Tariff A with occupational disability cover:
Notification from Deutsche Rentenversicherung/Knappschaft (German Pension Insurance/mineworkers' benefit schemes), health documents from Deutsche Rentenversicherung/Knappschaft or other body (query with prior written permission of the member), documents for extension of occupational disability by Deutsche Rentenversicherung / Knappschaft
- > Complaints to the Federal Financial Supervisory Authority (BaFin):
Text of the complaint, processing number of the BaFin
- > Complaints to the supervisory authority:
Text of the request (e.g. Art. 34 GDPR)/complaint, processing number of the supervisory authority

Will my personal data be passed on to third parties?

Your personal data will only be transferred or disclosed to external parties to the extent that this is required by a law or necessary for the performance of the contract concluded with you and the transfer is permissible according to the data protection regulations.

This includes, among other things, the forwarding of data in the case of so-called 'Riester' contracts to the Central Benefits Agency for Old-Age Affairs, in the case of divorce to the competent family court, to the employer for the fulfilment of their labour, social security and collective bargaining law obligations, as well as to external service providers for sending account statements.

Selected personal data and information may also be disclosed by PKDW to authorised representatives and contractors who provide a service for PKDW for legitimate purposes, provided that permission is granted in individual cases in accordance with data protection regulations. If your consent or a separate

notification is required for this, the PKDW will obtain your consent beforehand or inform you of this in good time.

Categories of recipients are

- > public bodies, insofar as this is required by overriding legal provisions, always within the framework of the legal duties of confidentiality;
- > internal bodies, insofar as this data is required within the framework of the proper fulfilment of tasks there;
- > external bodies such as service providers/contractors (Art. 28 of the GDPR) who are involved in the proper conduct of business and in compliance with the legal provisions in the case of cross-border references;
- > among others, service providers commissioned by PKDW, if this is necessary for the fulfilment of the contract, such as parcel and letter delivery companies, banks for the collection of direct debits, etc.

Personal data will not be passed on for marketing or advertising purposes.

No data processing takes place outside the European Union (EU) or the European Economic Area (EEA).

Will my data be used for automated decision-making or profiling?

As a responsible company, we do not use automatic decision-making or profiling.

How long will my data be stored?

Your personal data will only be stored as long as the processing of the personal data is necessary for the above-mentioned purposes or as long as legal or contractual storage requirements exist. If the above-mentioned purposes cease to apply, the data is deleted.

Different statutory retention periods result from tax law, labour law and social security law regulations and range up to ten years for tax-relevant documents and records.

If the intended contract is not concluded, the data will be deleted immediately.

For possible liability reasons, the data could be kept longer in individual cases. If the legal requirements are met, the deletion shall be replaced by a restriction of processing.

What rights do I have with regard to my personal data?

As a data subject, you have the rights set out in Chapter III (Article 12 et seq. of the GDPR) in the GDPR.

According to these provisions, you have a right of access (Article 15 of the GDPR) to

- > the personal data stored about you,
- > the purposes of the processing,
- > possible transfers to other bodies; and
- > the duration of the storage.

In order to exercise your right of access, you can also obtain extracts or copies of your personal data which is subject to processing. To do so, please contact our data protection officer.

If data is inaccurate or no longer necessary for the purposes for which it was collected, you may request rectification (Article 16 of the GDPR), erasure (Article 17 of the GDPR) or restriction of processing (Article 18 of the GDPR). You can contact our data protection officer (see above for contact details) at any time.

Pursuant to Article 17 of the GDPR, you can demand that the controller to delete the personal data relating to you without delay. The data controller is then obliged to delete this data immediately if one of the following reasons applies:

- > the personal data concerning you is no longer necessary for the purposes for which it was collected or otherwise processed;
- > You revoke your consent on which the processing is based pursuant to Article 6(1)(a) of the GDPR or Article 9(2)(a) of the GDPR and there is no other legal basis for the processing;
- > You object to the processing pursuant to Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing, or you object to the processing pursuant to Article 21(2) of the GDPR;
- > the personal data concerning you has been processed unlawfully;
- > the deletion of the personal data concerning you is necessary for compliance with a legal obligation under Union law or the law of the Member States to which the controller is subject;
- > the personal data concerning you has been collected in relation to information society services offered in accordance with Article 8(1) of the GDPR.

The right to erasure does not exist insofar as the processing is necessary

- > to exercise the right to freedom of expression and information;
- > to comply with a legal obligation which requires processing under Union or Member State law to which the controller is subject, or for the performance of a task carried out in the public interest or in the exercise of an official
- > for the assertion, exercise or defence of legal claims.

You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data concerning you which is carried out on the basis of Article 6(1)(e) or (f) GDPR. In such a case, we will only process your data if there are special compelling interests in doing so (Article 21 GDPR).

You have the right to data portability (Article 20 GDPR). According to this provision, the data subject has the right, under the conditions of Article 20(1)(a) and (b) of the GDPR, to receive the personal data concerning him or her that he or she has provided to the controller in a structured, commonly used and machine-readable format and to transmit this data to another controller without hindrance from the controller. The data subject may exercise the right to data portability via our Data Protection Officer.

In addition, you have the right to complain to the competent supervisory authority in connection with the personal data processed about you. The right of appeal is governed by Article 77(1) of the GDPR. administrative or judicial remedy, have the right to lodge a complaint with a supervisory authority, in particular in the Member State of their residence, place of work or the place of the alleged infringement, if the data subject considers that the processing of personal data relating to them infringes the

GDPR. The right to lodge a complaint was limited by the EU legislator exclusively to the effect that it can only be exercised vis-à-vis a single supervisory authority (recital 141, first sentence of the GDPR). This regulation is intended to avoid duplicate complaints in the same case by the same person concerned. Therefore, to the extent that a data subject wishes to complain about us, it is therefore requested that only one supervisory authority be contacted. The contact details of the competent supervisory authority are:

Landesbeauftragte für Datenschutz
und Informationsfreiheit
Kavalleriestr. 2 – 4, 40213 Düsseldorf
E-mail poststelle@ldi.nrw.de Phone 0211 38424 0

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