Data Protection Information
Articles 13, 14 and 21 GDPR

This document tells you how we process your personal data and your claims
and rights under data protection regulations at SüdFactoring GmbH.

1. Who is responsible for data processing and who can I contact?

Responsible office: SüdFactoring GmbH
Pariser Platz 7
70173 Stuttgart
Phone: +49 711 1271-0
Fax: +49 711 1271-10
E-Mail: info@suedfactoring.de

You can contact our Data Protection Officer at:
SüdFactoring GmbH
Data Protection Officer
Pariser Platz 7
70173 Stuttgart
Phone: +49 711 127-14020
Fax: +49 711 1271-10
dataenschutz@suedfactoring.de

2. Which sources and information do we use?

We process personal data we receive from you within our business
relationship. As far as this is necessary for the provision of our services, we
process data obtained from other companies of the LBBWGroup or
from other third parties (e.g. Creditreform). We also process personal data
that we are authorized to collect from additional public sources and
allowed to process (e.g. debtor records, land register, commercial and
association registers, press and other media).

In particular, relevant personal data may be:
- Personal information (name, date of birth, place of birth, nationality,
  occupation/division and comparable information)
- Contact information (address, e-mail address, telephone number and
  comparable information)
- Identification data (ID, registration data and comparable data)
- Bank account (IBAN, BIC)
- Information on your financial situation (creditworthiness, including
  scoring and data on assessment of credit risk)
- Data from the transactions brokered for you (insurance, software,
  maintenance contracts and comparable data)
- Data from your information during consultations
- Name, address and bank account of the borrower affected by an
  undisclosed assignment
- Data on your use of our telemedia (e.g. time you uploaded our
  websites, apps or newsletter, clicked pages of ours or entries and
  comparable data)

3. On what legal basis do we process your data?

We process personal data in accordance with the provisions of the
General Data Protection Regulation (GDPR) and the German Federal
Data Protection Act (BDSG).

3.1 Complying with contractual obligations (Article 6 Para. 1 letter b)
GDPR
Personal data is processed (Article 4 No. 2 GDPR) for the purpose of
initiating or carrying out our contracts with you and to execute our orders,
as well as all activities required to operate and manage a financial
services institution. In particular, the processing thus serves for the
purpose of carrying out and brokering of commercial transactions, 
particularly financial services and insurance transactions and related
contractual services (e.g. software and maintenance contracts).

The purposes of processing data are primarily based on the products
you have selected and include the services required for this purpose.

Personal data is also processed to perform the contract from an assigned
right with the data subject. The processing also serves for the purpose of
administering receivables sold or assigned to SüdFactoring by way of
security. Under Article 14(5b) GDPR and section 33(2) FDPA no
information under Article 14 (1 and 2) GDPR may be disclosed.

You can find out more about the purpose of data processing from the
respective contractual documents and terms and conditions.

3.2 Balancing interests (Article 6 Para. 1 f GDPR)
If necessary we process your data on the actual performance of the
contract in order to safeguard our or a third party's legitimate interests.
- Consulting and exchanging data with credit reference agencies (e.g.
  Creditreform) in order to obtain banking information to assess credit
  rating or default risks;
- Exchange of documents and information with the refinancing
  company;
- Testing and improving methods for needs analyses and directly
  addressing customers;
- Advertising or market and opinion research, insofar as you have not
  objected to the use of your data;
- Asserting legal claims and defenses in legal disputes;
- Safeguarding IT security and IT operations at SüdFactoring;
- Preventing and investigating criminal offenses;
- Video surveillance systems to exercise Bank domiciliary rights and to
  preserve evidence in the case of criminal offenses;
- Measures to safeguard buildings and facilities (e.g. entry controls);
- Measures to safeguard Bank domiciliary rights;
- Communication between our direct contact partners and you
- Communication with sales partners.

3.3 Based on the consent you have given (Article 6 Para. 1a GDPR)
You may withdraw your agreement to process your personal information
for specific purposes at any time. Please note that a withdrawal only
applies for the future. Processing carried out before the withdrawal is
made is not affected and remains lawful.

3.4 On the basis of statutory provisions (Article 6 Para. 1c GDPR)
In addition, we are subject to various legal obligations as a financial
services institute, i.e. legal requirements (e.g. from the German Banking
Act, German Money Laundering Act, various tax laws) and regulatory
requirements on banks (e.g. European Central Bank, European Banking
Authority, Deutsche Bundesbank and the German Financial Services
Supervisory Authority). Processing may involve credit rating checks,
identity verification, fraud and money laundering prevention, compliance
with legal tax monitoring and reporting obligations and the evaluation and
control of risks, for example.

4. Who receives my data?

Within SüdFactoring, your data is received by employees who need it to
fulfill our contractual and legal obligations. For example your data is only
forwarded to external parties:
- In connection with the processing of the contract (e.g. to traders,
suppliers, refinancing institutes, brokers, credit reference agencies
etc.)
- If SüdFactoring is obliged by law to provide information or notification
(e.g. to the Federal Financial Supervisory Authority on the basis of
the German Banking Act or to tax authorities due to tax regulations
etc.);
- If external service providers process data of SüdFactoring on their
behalf (e.g. postal service providers, archiving and document
management, IT service providers, service companies of the LBBW
Group or companies for waste disposal, marketing, etc.);
- If necessary, to lawyers;
- Collection service providers if there are disruptions of the contractual
relationship
- Or if you have given us consent to transfer your data to third parties.

Furthermore, we will not share your data with third parties. To the
extent that we mandate commission service providers, your data will be
subject to the same security standards as ours.

Date: 18 May 2018
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5. How long will my data be stored?
Where necessary, we process and store your personal data for the duration of our business relationship, which, also includes the initiation and execution of a contract.
We are also subject to various storage and documentation obligations arising from, e.g. the German Commercial Code (HGB), the German Tax Code (AO), the German Banking Act (KWG), the German Money Laundering Act (GwG) and the German Securities Trading Act (WpHG).
The specified time limits for storage and documentation range from two to ten years.

Lastly, the storage period is also evaluated in accordance with statutory limitation periods, which, for example, in the case of sections 195 et seq. of the German Civil Code (BGB) are three years or up to 30 years.

6. Will data be passed on to a third country or an international organization?
Data is transferred to third countries (countries outside the European Economic Area (EEA)) only if it is necessary to execute your orders, the law prescribes this or if you have given your consent. We will provide further details separately.

7. What are my data protection rights?
You have:
- The right to information on your personal data under Article 15 GDPR and under certain conditions.
- The right of rectification under Article 17 GDPR if your personal data if incorrect.
- The right to erasure under Article 17 GDPR if there are no retention obligations that conflict with deletion.
- The right to restriction of processing under Article 18 GDPR.
- The right to object to the processing of your personal data.
- The right to data portability under Article 20 GDPR, i.e. the right to receive your data in a structured, common and machine-readable format and to transfer it to a third party.

In addition, you have the right to lodge a complaint with a supervisory authority (Article 77 GDPR). These can be addressed to our data protection supervisory authority:

State Officer for Data Protection in Baden-Württemberg
Königstrasse 10a
70193 Stuttgart
Phone: +49 711 615541-0

8. Am I required to make data available?
Within the scope of our business relationship, you will need to make available personal data needed to open and perform a business relationship or if the law requires such data to be collected. Without such data, we will normally not be able to conclude a contract or execute an relationship or it the law requires such data to be collected. Without such available personal data needed to open and perform a business relationship.

In particular, under money laundering regulations we are obliged to identify you (e.g. using your identity document) before opening the business relationship and ascertain your name, place of birth, date of birth, nationality and residential address. To allow us to meet this legal obligation, the German Money Laundering Act requires you to provide us with the necessary information and documents and notify us of any changes immediately during the course of the business relationship. If you do not provide us with the necessary information and documents, we are prohibited from meeting your request to open a business relationship.

9. Does automated individual decision-making take place?
We normally do not use automated individual decision-making under Article 22 GDPR when opening and performing business relationships. If we do so in individual cases, we will inform you separately, provided that this legally permissible.

10. To what extent is my data for profiling (scoring)?
In some cases we process your data in an automated manner to evaluate certain personal aspects (profiling). For example, we use these methods to assess your creditworthiness and to combat money laundering and fraud. So-called score values can be used to assess your creditworthiness. The probability is calculated in scoring and rating that a customer will meet their payment obligations in accordance with their contract. The calculated score values and thus the creditworthiness rating levels help us to reach a decision when selling a product and are fed into our risk management. The calculation is based on a mathematical-statistical recognized and proven practice and is based on the following types of data that we have stored:
- Payment behavior (e.g. account turnover, balances and comparable data)
- Financial data (rate amount, term and comparable data)
- Data on sales, profit and loss
- Customer data (duration of customer relationship, number of leasing and rental contracts at the institute and comparable data)
- Company name
- Industry
- Ongoing contractual relationships

Particularly sensitive data is not processed under Article 9 GDPR.

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1 Sections 238, 257 (4) HGB.
2 Section 147(3, 4) AO.
3 Section 25a (1) sentence 6 no. 2 KWG.
4 Section 8 (3) GwG and section 7 (4) new GwG.