

## Information on data processing in the HÖRTKORN CORPORATE GROUP

This information pursuant to Art. 13, 14 and 21 DSGVO applies to data processing within the framework of the legal relationship existing between you and us and concerns the data of the co-insured employees as well as the data of the affected parties themselves, insofar as the data is collected directly by us from them. You can call up the current version of the data protection information at any time on our homepage under the following link: [www.hoertkorn.com/en/corporate-data-protection](http://www.hoertkorn.com/en/corporate-data-protection)

### 1. Name and contact details of the controller

Dr. Friedrich E. Hörtkorn GmbH, Hörtkorn Finanzen GmbH, Dr. Friedrich E. Hörtkorn Stuttgart GmbH, Hörtkorn Marine + Cargo GmbH, Hörtkorn Risk Solutions GmbH, Dr. Hörtkorn München GmbH, Hörtkorn Credit GmbH, Hörtkorn Consulting GmbH, Hörtkorn New Energy GmbH, Hörtkorn Aviation GmbH, Hörtkorn Assekuradeur GmbH  
Oststraße 38 - 44, 74072 Heilbronn, Phone 07131/ 949-0, Facsimile: 07131/ 949-199  
[info@hoertkorn.com](mailto:info@hoertkorn.com)

VMF Assekuranz-Concept GmbH, Altenberger Straße 93, 48565 Steinfurt, Germany,  
Phone 02552/ 936017, Facsimile 02552/ 9360817

hereinafter referred to as "us" or "HOERTKORN"

### 2. Contact data of our company data protection officer

You can contact our company data protection officer at the above address or by e-mail at [datenschutz@hoertkorn.com](mailto:datenschutz@hoertkorn.com).

### 3. Purpose and legal basis of the data processing

In order to fulfil our order to you, it is necessary to process your personal data, including special categories of personal data. Even the conclusion or execution of a contract with third parties is not possible at all or only to a limited extent without the processing of your personal data.

We process your data exclusively for the purpose of initiating or implementing our existing legal relationship with you. The legal basis for data processing is the execution of the contract and the declaration of consent attached to the data protection declaration or for the exercise of a legitimate interest by the responsible body (Art. 6 paragraph 1, lit. a, b and f and Art. 9 paragraph 2 lit. a, f DSGVO).

In the course of the conclusion and amendment of life insurance policies, accident insurances with premium refund, loanes in the sense of § 1 (1) sentence 2 no. 2 of the German Banking Act (KWG), contracts for the acquisition of financial investment products we are obliged and legitimised under the Money Laundering Act to identify the contracting party (any persons and beneficial owners acting on their behalf) before conclusion of the contract by means of identification documents to be submitted and to forward a copy of the identification documents submitted to the insurer/ lender, Art. 6 (1) lit. c DSGVO.

Due to legal and regulatory requirements in the product area of financial investments (e.g. AIF), we are obliged to carry out a target market comparison. This is done to check whether the product is suitable or appropriate for you. Your knowledge and experience with investment products, financial circumstances, loss-bearing capacity, investment objectives and your risk tolerance among other things flow into the data evaluation and its analysis. You will not, however, be subject to any automated decision that will have any legal effect on you or similarly significantly affect you. We rather use this comparison in the provision of our investment advisory and brokerage services. At the same time, they serve to protect you in order that you receive appropriate and suitable product proposals.

In addition, for the purpose of preserving evidence, we are legally obliged to record the content of telephone conversations and other electronic communication as soon as they relate to the brokerage of or advice on financial investments within the meaning of Section 34f (1) sentence 1 of the German Commercial Code (Gewerbeordnung). For this purpose, we may process the personal data that the investor discloses in the course of the telephone conversation or other electronic communication with reference to the investment advice or investment brokerage service, insofar as they are related to the investment advice or investment brokerage service. Every investor has the right to object to the recording. In the event of an objection, we may not provide any investment brokerage or investment advice by telephone or other electronic communication. The recordings are kept for ten years and are available to the investor on request.

#### **4. The recipients or categories of recipients of the personal data**

It may be necessary to pass on your data to other parties or to receive it from them in connection with cover requests, contract conclusions, contract administration and the settlement of claims and claims etc. with product providers. This concerns: Insurers, reinsurers, broker pools, cooperating insurance brokers and financial investment brokers (our sales partners), technical service providers, tipsters, social insurance carriers, credit institutions and investment companies, financial service institutions and securities trading companies, lawyers, tax consultants, auditors, insurance ombudsmen, Federal Financial Supervisory Authority (BaFin), supervisory authority for insurance and financial investment brokers (IHK), legal successors, underwriters, processors.

We also make use of IT service providers who could theoretically gain knowledge of your data during the maintenance of our IT systems or during the development of software for HOERTKORN. Paper files are disposed of by our professional document shredder. Other data carriers from a specialized, professional service provider.

Your data will only be passed on to the extent necessary for the respective purpose of processing.

#### **5. Data sources (Art. 14 paragraph 2 lit. f DSGVO)**

In the event that HOERTKORN has not collected the data directly from the data subject (usually as an employee of our client), we would like to point out that we have received the personal data from the employer as our client in order to be able to fulfil our obligations under the brokerage agreement towards it or the data subject. This notice does not apply to the collection of personal data from the data subject himself in accordance with Art. 13 DSGVO.

#### **6. Cross-border transmission of personal data**

In the event that foreign insurance is required, HOERTKORN will also pass on the insurance data to the offices of the globally active broker network UNIBA ([www.uniba-partners.com](http://www.uniba-partners.com)) or to other cooperation brokers domiciled abroad or to insurers domiciled abroad. The offices of the broker network UNIBA or the other cooperation brokers are also insurance brokers who have their registered office outside Germany and give the client the opportunity to obtain insurance cover abroad. The selection of the location of the broker network UNIBA or the other cooperation brokers to whom insurance data is passed on is always made in consultation with the client and only in the countries in which insurance cover is desired by the client. HOERTKORN transfers data to third countries only with your consent in accordance with Art. 49 paragraph 1, lit. a DSGVO, to fulfil our brokerage mandate or to carry out pre-contractual measures at the request of the person concerned in accordance with Art. 49 paragraph 1 lit. b DSGVO or if the transfer is necessary in the interest of the person concerned to conclude or fulfil the brokerage contract in accordance with Art. 49 paragraph 1 lit. c DSGVO. It is also possible that data may be transferred to countries which do not have an adequate level of protection (e.g. the USA). However, HOERTKORN will only transmit personal data to countries in which insurance cover is requested by the client. The customer thereby decides himself about the transfer of his data to third countries.

## **7. Duration of data storage**

HOERTKORN will delete the data stored at the time of collection at the end of the statutory storage and limitation periods or after the purpose has ceased, whichever is longer.

HOERTKORN will delete the data of the data subject at the request of the data subject if the deletion is not opposed by legal retention periods, the data is not necessary for the exercise of the right to freedom of expression and information, to fulfill a legal obligation that requires the processing, or to assert, exercise or defend legal claims.

## **8. Data categories (Art. 14 paragraph 1 lit. d DSGVO)**

Depending on the desired insurance product, different data or data categories of the data subject are processed. Where personal data is not obtained directly from the data subject (employee of the client) in accordance with Art. 13 DSGVO, the client commits to provide the data subjects with the information provided by HOERTKORN. From this information, all data categories can be inferred.

## **9. Profiling and scoring**

We partially process your personal data automatically with the aim of evaluating certain personal aspects. We use profiling and evaluation tools in these cases in order to be able to inform and advise you about products in a targeted manner. This enables communication and advertising tailored to your needs, including market and opinion research.

## **10. Rights of data subjects**

### **a) Transparency / Right to information**

We will provide you with information about the personal data stored about you at the above mentioned address. In addition, we will inform you upon request about the recipients to which we have passed on your data in fulfilment of the brokerage agreement.

### **b) Rectification and completion of stored data**

We will of course rectify or complete your personal data without delay if we become aware that it is incorrect or incomplete or if you give us notice of this.

### **c) Erasure of stored data**

Your data will be erased in accordance with the rules described under 7. above. We will also erase the data if you wish so and if there is a legal right, e.g. if the purpose for which the data was collected no longer applies, if your consent is revoked and in the event of unlawful storage.

### **d) Right of restriction of processing**

If there is one of the reasons mentioned under 7. that prevent erasure, we will restrict the use of your personal data at your request. This means that we will keep your data secure and inaccessible and will only use them with your consent or within the scope of one of the above-mentioned obligations to provide evidence.

### **e) Right to data portability**

If you wish, we will provide your data in a structured, common and machine-readable format.

**f) Right to lodge a complaint**

You have the possibility to lodge a complaint to the data protection officer mentioned above or to a data protection supervisory authority at any time. The data protection supervisory authority responsible for us is:

Landesbeauftragter für Datenschutz  
und Informationsfreiheit Baden-Württemberg  
Postfach 10 29 32  
70025 Stuttgart  
[www.baden-wuerttemberg.datenschutz.de](http://www.baden-wuerttemberg.datenschutz.de)

**g) Information about your right of objection**

You have the right to object to the processing of your personal data which is processed pursuant to Article 6 paragraph 1 lit. e) DSGVO (Data processing in the public interest) and Article 6 paragraph 1 lit. f) DSGVO (data processing on the basis of a balancing of interests) at any time. You may also revoke your consent at any time. This does not affect the legality of the processing of your personal data on the basis of your consent until revocation. This also applies to the revocation of declarations of consent given before the DSGVO came into force.

In individual cases we process your personal data in order to operate direct advertising. You have the right at any time to object to the processing of your personal data for the purpose of such advertising; this also applies to profiling, insofar as it is connected with such direct advertising.

If you file an objection, we will no longer process your personal data unless we can prove compelling reasons for the processing worthy of protection which outweigh your interests, rights and freedoms, or the processing serves the assertion, exercise or defence of legal rights.

The objection can be made in any form and should be addressed to as far as possible:  
[datenschutz@hoertkorn.com](mailto:datenschutz@hoertkorn.com).