

# Data Protection Information of Volkswagen Versicherung AG

With this Data Protection Information we want to inform you about the processing of your personal data by Volkswagen Versicherung AG and about your rights resulting from the statutory data protection provisions.

## I. Person responsible for the processing of your personal data and contact details

Responsible for the processing of your personal data is Volkswagen Versicherung AG<sup>1</sup> (data controller, hereinafter named "we" or "us"). In case you have any questions regarding the processing of your personal data please contact us by sending a letter or e-mail to the following address:

### **Volkswagen Versicherung AG**

#### **Contact data:**

**Audi Extended Warranty**

**PO Box 869**

**Warrington, WA4 6LD**

#### **E-Mail:**

**dataprotectionrights.VW-Versicherung-AG@vwfs.com**

You can contact our **data protection officer** via post by sending a letter to the postal address named above adding the supplement – Data Protection Officer – or by sending an e-mail to: dpo.VW-Versicherung-AG@vwfs.com.

## II. Purposes and legal basis of the data processing

### 1. Legal bases for data processing

We process your personal data taking into account the General Data Protection Regulation (EU) 2016/679 (hereinafter named "GDPR"), the German Federal Data Protection Act as well as any further relevant statutory provisions.

We process your personal data

- a. insofar as it is necessary for pre-contractual and contractual purposes, based on Art. 6 paragraph 1 sentence 1 letter b) GDPR (e.g. to process your insurance application and to be able to carry out the insurance contract), or
- b. insofar as it is necessary for the compliance with a legal obligation, based on Art. 6 paragraph 1 sentence 1 letter c) GDPR (e.g. to ensure the completeness and correctness of tax data according to the commercial law and tax law), or
- c. insofar as it is necessary for the purposes of legitimate interests of us or third parties, based on Art. 6 paragraph 1 sentence 1 letter f) GDPR (e.g. to protect our assets against criminal offences or to optimize our offered products), or
- d. insofar as it is covered by your voluntary given consent, based on Art. 6 paragraph 1 sentence 1 letter a) GDPR.

### 2. Purposes of data processing

We process your personal data for the following purposes:

- for the assessment of the risk that is to be insured and for the conclusion of the insurance contract (including the premium calculation), based on the legal bases given in section II.1.a or II.1.b,

- for the performance of the contractual relationship, based on the legal basis given in section II.1.a. Data processing is particularly necessary for the premium invoicing and customer service, the assessment whether an insured event has occurred, the calculation of the amount of the insurance benefit and for the contract termination.
- for the direct communication with you, in particular in the case of a claims event or in the case of contractual adjustments, based on the legal basis given in section II.1.a,
- for the creation of insurance-specific statistics and for the development of new insurance tariffs/products, based on the legal basis given in section II.1.c. Data processing is particularly necessary for business management monitoring as well as for pricing and for optimising our products and the products of VW Financial Services Group,
- to comply with statutory regulations, e.g. supervisory provisions or retention duties resulting from commercial and tax law, based on the legal basis given in section II.1.b,
- to advertise our own insurance products (direct marketing) and therefore to send you offers tailored to you in a prompt and reliable manner, based on the legal bases given in section II.1.c or II.1.d,
- to prevent and to detect criminal offences, money laundering and fraud and therefore to protect our assets, based on the legal bases given in section II.1.b or II.1.c; we especially can use data analysis to identify hints, that could indicate fraud (e.g. in connection with the claims management process) or to carry out data comparisons with European embargo lists and sanction lists,
- for the establishment, exercise or defence in case of legal proceedings or other disputes/complaints (especially insofar this is necessary in case of lawsuits), based on the legal bases given in section II.1.a, II.1.b or II.1.c,
- for the maintenance and implementation of IT systems and services (test data management), based on the legal basis given in section II.1.c. Data processing is in particular necessary to ensure the security, operability and reliability of new and existing IT systems and services and to protect them against disruptions and unlawful interference. The data processing is also necessary in order to guarantee a permanently high quality and uniformity of the provided services in connection with our insurance products and to constantly optimise the provided services.

The data of all of your contracts being in place with Volkswagen Versicherung AG may be used for a consideration of our overall customer relationship, i.e. for the consultation regarding contractual amendments, for decisions based on goodwill or to be able to provide comprehensive information to you, based on the legal bases given in section II.1.a or II.1.c. In regards of our legitimate interests, data processing might especially be necessary in order to consider the whole customer relationship when making relevant contractual decisions.

In addition, we may carry out profiling in the sense of Art. 4 no. 4 GDPR based on the legal bases given in section II.1.c or II.1.d. Data processing is particularly necessary in order to better evaluate your interests, e.g. in insurance products, and to avoid unwanted or inappropriate offers.

In the list of purposes of data processing above, we have referenced to the most likely corresponding legal bases for the data processing.

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<sup>1</sup> Legal seat of Volkswagen Versicherung AG: Gifhorner Strasse 57, 38112 Brunswick, Germany

Further purposes of data processing may result from section IV. Should we wish to process data for a purpose that differs significantly from the purposes given in this document, we will inform you in advance within the scope of the statutory data protection provisions.

### III. Sources und categories of the personal data

#### 1. Sources of data

The main source of data processing is generally the data provision by you in connection with the insurance application, the contract management, the claims management and the termination of the insurance contract.

Data marked as mandatory in the insurance application are either required by law or required for the conclusion of the insurance contract. The lack of provision of the requested data can have legal or economic disadvantages for you. For example, a refusal to conclude the insurance contract or worse contractual conditions may result. The conclusion or the performance of the insurance contract is not possible without processing your personal data. Other voluntarily provided data, e.g. your telephone number, might be helpful to ease for example the communication during the contract term.

We also may process personal data from other sources, especially from:

- insurance intermediaries, service providers, dealerships and garages responsible for you, or
- companies of Volkswagen Financial Services Group, Volkswagen Group and vehicle importers acting for Volkswagen Group, or
- the former policy holder in case of a vehicle purchase, or
- other third parties and sources (e.g. service providers, car appraisers, business databases), or
- publicly accessible sources (e.g. commercial registers).

#### 2. Categories of data

We generally process the following categories of data:

- Identification, authentication and contact data (e.g. your name, address and other contact details),
- other master data and contract data (e.g. payment data and vehicle data),
- data from the fulfilment of our contractual obligations (e.g. performance data and claims data),
- data required to prevent fraud or in connection with legal proceedings or other disputes,
- documentation data (e.g. about providing information to you and about contacts with you),
- data required for tax authorities and other public bodies.

### IV. Recipients of the personal data

Within our company, those branches and departments that need your data to fulfil the purposes given under section II.2 will have access to it. In addition, we might transmit your data to the following recipients and categories of recipients:

#### Insurance Intermediaries/brokers:

Insofar as you are advised by an insurance intermediary or broker with regard to your insurance contract (hereinafter named "intermediary"), your intermediary will process the application, contract and claims data required to conclude and execute the contract. We will also transmit your data to the intermediary in charge of your insurance contract as far as this is necessary for your support and counselling in insurance related matters. The data exchange with your intermediary is based on the legal bases given in section II.1.a, II.1.c or II.1.d.

#### Dealerships and garages:

We exchange your data with your trading partner, which can be the dealership where you have bought your car, or the

garage, in which you have your car repaired, based on the legal bases given in section II.1.a, II.1.c or II.1.d. The data processing is particularly necessary to be able to let repairs being carried out by the respective dealership/garage.

#### Volkswagen Financial Services Group, Volkswagen Group and vehicle importers acting for Volkswagen Group:

In addition to that, we may exchange your data with the companies in the Volkswagen Financial Services Group ("VWFS group", e.g. companies in the sectors leasing, banking, insurance, mobility and fuel/service cards), based on the legal bases given in section II.1.a, II.1.b, II.1.c or II.1.d. Especially, specialised companies or divisions of VWFS group may provide services centrally for the companies affiliated in the VWFS group, which can involve data processing. These, for example, can include the central contract- and claims management, customer support, collection and test data management. If an insurance contract is concluded, we might exchange your data with the manufacturer or the importer of your vehicle within the Volkswagen group or with a Volkswagen group-external importer of your vehicle, in case the importer is acting for Volkswagen group, especially based on the legal bases given in section II.1.c or II.1.d. In particular, data processing might be required in order to fulfil internal group administration and billing purposes (possibly also with regard to the dealership/garage), as well as to optimize the offered products taking care on your interests.

#### External service providers:

To fulfil our contractually agreed and statutory duties we may use external service providers or processors in the United Kingdom and abroad, especially based on the legal bases given in section II.1.a, II.1.c or II.1.d.

Please find below information on our contractors, service providers and other recipients who carry out data processing as the principal object of the contract with us and with whom we do not only have a temporary business relationship:

- Opteven Assurances S.A, insurance company, France (general insurance services).

Please find below the possible further categories of contractors, service providers and further recipients of personal data who do not carry out data processing as the principal object of the contract with us or are only mandated once or not permanently:

Categories of recipients	Main object of the cooperation / assignment
General insurance service providers	Insurance Services, especially in the field of customer service and claims management
Legal counsels and lawyers	Legal consulting, litigation, debt collection
Tax consultants, tax service providers, accountants, auditors	Tax consulting and tax services, Creating of annual financial statements, auditing
Management Consultants	Process consulting, support in the further development of the company, development of concepts
Disposal companies	Destruction of paper documents and data carriers
Claims management service providers and appraisers	Claims settlement and management, preparation of valuations and appraisals
Logistics companies	Transport of documents and papers
Roadside assistance providers or roadside assistance insurers	Provision of assistance services in the event of damage agreed upon with our clients

Print and e-mail service providers	Creating of prints, booklets etc.
Marketing agencies	Carrying out of marketing campaigns
Collection agencies	Processing payment transactions in case of dunning procedures, debt collection
IT service providers, software and hardware manufacturers	Support and (remote) maintenance of systems / applications, IT error analysis and consulting, execution of change requests, security checks, maintenance and servicing of hardware and software
Translation agencies	Translations of documents
Payment service providers	Cashless payments

**Reinsurers:**

We insure risks assumed by us with special insurance companies (hereinafter named "reinsurers"), especially based on the legal bases given in section II.1.a or II.1.c. For this, it may be necessary to submit your contract data and possibly claims data to a reinsurer, so that this reinsurer can evaluate the risk or the claims event.

**Other recipients:**

We may transmit your personal data to other recipients, especially based on the legal bases given in section II.1.b, II.1.c or II.1.d. These can, for example, be public bodies, e.g. for the fulfilment of our legal notification duties (i.e. fiscal authorities, data protection authorities and financial supervisory authorities).

**V. Personal data transmission to third countries outside the European Economic Area**

In connection with this business relationship, we may also make use of contract processors and other contractors (e.g. from the information and communications technology sectors) based outside the European Economic Area (EEA). In this case, your data will be transmitted in compliance with the special requirements of Art. 44 - 49 GDPR, whereby the appropriate level of protection will be guaranteed either by an adequacy decision of the European Commission pursuant to Art. 45 GDPR or by concluded EU standard contract clauses pursuant to Art. 46 paragraph 2 letter c and d GDPR. The aforementioned EU standard contract clauses can be accessed and viewed on the website of the European Commission or requested directly from us as a copy.

**VI. Duration of the personal data storage**

We store your personal data from the time of collection. We will delete your personal data as soon as our contractual relationship with you has ended and under the condition that we don't need your personal data anymore for the purposes given under section II.2. In this regard, we will also store your personal data as long as and insofar as we are legally obliged to do so. Corresponding legal duties of proof and retention arise, inter alia, from the UK tax law and from the French tax law and commercial law. According to these statutory provisions, the maximum storage periods will end 10 years after the end of the year in which our contractual relationship with you has ended. It may also happen that we have to store your personal data for the time in which it is required for the establishment, exercise or defence in case of legal claims. The respective storage period will generally end 6 years after the moment a court ruling has become final and non-revisable.

**VII. Your rights in relation to the personal data processing**

You have the right to demand information about your personal data processed by us (Art. 15 GDPR). In particular, you can demand information about the purposes of the processing, the categories of the personal data, the categories of recipients to whom the personal data have been or will be disclosed and the planned storage period. Furthermore you have the right of information about the source of your data in so far as the data was not collected from you, and – if applicable - about the existence of automated decision-making including profiling and meaningful information about the details thereof.

You have the right to withdraw a given consent to personal data processing (Art. 7 section 3 GDPR). As a consequence, we won't continue the processing of data, which is based exclusively on this consent, for the future.

In addition, you have the right to demand rectification of inaccurate data (Art. 16 GDPR) and under certain circumstances you have the right to data erasure (Art. 17 GDPR), the right to the restriction of data processing (Art. 18 GDPR) and the right to data portability in so far it is technically possible (Art. 20 GDPR).

**Right to object (Art. 21 GDPR)**

**You have the right to object, at any time, to the processing of personal data regarding generalised or personalised direct marketing.**

**If we process your data to pursue legitimate interests, you can object to processing, in so far there are reasons that arise from your personal specific situation.**

**Please note that an objection will only have effect for the future. If a processing took place before the objection, it won't be affected by the objection.**

If you wish to exercise any of the rights given above, please contact us via our contact data given in section I.

Furthermore you have the right to lodge a complaint with a supervisory authority (Art. 77 GDPR), e.g. with the data protection authority locally responsible for your habitual place of residence.