

Information leaflet concerning data processing

Today insurances can only perform their tasks still using electronic data processing (IT). Only this way can contractual relationships be processed correctly, quickly and in a cost effective manner; the IT also offers better protection for the community of insured persons against improper use than the previous manual processes. The processing of your personal data of which we are informed is regulated by the Federal Data Protection Act (BDSG). According to this the data processing and use is permitted if the BDSG or another legal regulation permits it or if the person concerned has approved this. The BDSG allows the data processing and use if this takes place within the framework of the intended use of a contractual relationship or trust relationship similar to a contract or insofar as it is necessary for safeguarding justified interests of the saving authority and there is no reason to assume that the interest of the person concerned which is worthy of protection in the exclusion of processing or use has precedence.

Declaration of consent

Irrespective of this weighing up of interests which is to be carried out in an individual case and with regard to a safe legal basis for the data processing a declaration of consent has been included in your insurance application according to the BDSG. This shall continue to apply after the termination of the insurance contract, shall end however – except in the life and accident insurance – with the rejection of the application already or through your revocation which is possible at all times, which however is subject to good faith.

If the declaration of consent is deleted in full or in part when the application is filed there may under certain circumstances not be a conclusion of a contract. Despite revocation or full or partially deleted declaration of consent the data may be processed and used in the limited framework which is permitted by law, as described in the preamble.

Declaration for release from oath of secrecy

In addition, the transmission of data, which as e.g. at the doctor, are subject to professional secrecy, also presumes a special permission of the person concerned (release from oath of secrecy). Therefore the life, health and accident insurance (personal insurance) also include a clause for the release from the oath of secrecy in the application.

Below we would like to name you several essential examples for the data processing and use.

1. Data storage at your insurer

We save data, which are necessary for the insurance contract. These are initially your details in the application. (application data). Further technical insurance data concerning the contract, such as customer number (partner number), sum insured, term of insurance, premium, bank details and if necessary details of a third party, e. g. an agent, an expert or a doctor are kept (contractual data). In case of an insured event we save your details concerning the damages and if applicable also details of third parties, such as e.g. the degree of occupational disability determined by the doctor, the determination of your repair garage concerning total loss of motor vehicle or with the expiry of a life insurance the paid amount (benefit data).

2. Data transmission to reinsurers

In the interest of its insurance policy holders an insurer will always pay attention to a compensation of the risks assumed by it. Therefore, in many cases we pass on part of the risk to reinsurers at home and abroad. These reinsurers also require corresponding technical insurance information from us such as insurance number, premium, type of insurance cover and the risk and risk surcharge and in individual case also your personal details. Insofar as reinsurers assist in the risk and damage assessment the necessary documents will also be made available to you.

In some cases the reinsurers use the services of other reinsurers to whom they also hand over corresponding data.

3. Data transmission to other insurers

According to the law governing insurance contracts when filing an application, any change to the contract and in a damaging event the insurer person must inform the insurer of all circumstances which are important for assessing the risk and the damage processing. These include e.g. previous illnesses and insured events or notifications about equivalent other insurances (applied for, existing, rejected or terminated). In order to prevent insurance fraud, to clarify possible contradictions in the details of the insured person or in order to fill loopholes in the findings concerned the suffered damages it may be necessary to request information from other insurers or to provide corresponding information upon request.

It may also otherwise be necessary in certain cases (multiple insurances, legal transfer of claim and with division agreements) to exchange personal data among the insurers. Data of the person concerned will be forwarded such as name and address, licence number of car, type of insurance cover and the risk or details concerning the damages, such as amount and date of damages.

4. Central information systems

When examining an application or damage it may be necessary for the risk assessment, for the further clarification of the facts or to prevent insurance fraud to direct enquiries to the responsible specialist association or to other insurers or also answer corresponding enquiries of other insurers. To this end there are central information systems at the GDV and with the PKV association. The admission in these information systems and their use is merely carried out for purposes which may be pursued with the respective system, thus only insofar as certain pre-requisites have been satisfied.

Examples:

Motor vehicle insurers

- Registration of conspicuous damaging events, vehicle thefts and of persons, with whom there is a suspicion of insurance fraud.

Purpose: examination of risks, clarification and prevention of damages

Life insurers

- inclusion of special risks, e.g. rejection of the risk or inclusion with premium surcharge,
- for insurance medical reasons,
- owing to the information of other insurers,
- owing to refused follow-up examination;
- revocation of the contract through cancellation or contestation by the insurer; rejection of the contract by the insurance policy holder owing to requested premium surcharges.

Purpose: examination of risks

Property insurers

- inclusion of damages and persons in case of arson or if the contract is terminated owing to the suspicion of insurance fraud and certain damage amounts are reached.

Purpose: examination of risks, clarification of damages, prevention of further insurance fraud.

Transport insurers

- inclusion of conspicuous (suspicion of insurance fraud) damaging events, in particular in the travel luggage insurance.

Purpose: clarification of damages and prevention of insurance fraud.

Accident insurers

Report with

- substantial breach of the pre-contractual reporting duty,
- refusal of benefit owing to the intentional breach of responsibility in a damaging event, owing to pretence of an accident or consequences of accidents,
- extraordinary termination by the insurer after payment of benefit or filing of an action for payment.

Purpose: examination of risks and detection of insurance fraud.

General liability insurance

- registration of conspicuous damaging events and persons with whom there is the suspicion of insurance fraud.

Purpose: examination of risks, clarification and prevention of damages.

5. Data processing in and outside of the group

Individual branches of insurance (e.g. life, health, property insurance) are operated by legally independent companies. In order to be able to offer the customer comprehensive insurance cover the companies frequently cooperate in groups.

In order to save costs individual areas are centralised such as the collection or the data processing. Thus e.g. your address is only stored one time even if you conclude contracts with various companies of the group; and your insurance number, the type of contracts, if applicable your date of birth, account number and bank sorting code, i.e. your general application, contractual and benefit data are also kept in a central data collection.

This way incoming post can always be allocated correctly and in case of enquiries by telephone the responsible partner named immediately. Incoming monies can also thus be booked correctly without any queries in case of doubt.

Although all of these data are only used for advising and supervising the respective customer by the individual companies the law also speaks of "data transmission" here, in which the regulations of the Federal Data Protection Act are to be complied with. Branch-specific data – such as e.g. health or creditworthiness data - remain on the other hand at the exclusive disposal of the respective company.

The following companies currently belong to our group:

- HanseMerkur Krankenversicherung auf Gegenseitigkeit
- HanseMerkur Krankenversicherung AG
- HanseMerkur Lebensversicherung AG
- HanseMerkur Allgemeine Versicherung AG
- HanseMerkur Reiseversicherung AG
- HanseMerkur Speziale Krankenversicherung AG
- HanseMerkur24 Lebensversicherung AG

In addition, our insurance companies and agents also cooperate with credit institutes, building societies, capital investment and real estate companies outside of the group in further financial services (e.g. loans, building society agreements, capital investments, real estate) in order to provide their customers comprehensive advice and supervision. We currently cooperate with:

- Deutscher Ring Bausparkasse AG
- INVESCO Kapitalanlagegesellschaft mbH
- HSH Nordbank
- VERITAS SG INVESTMENT TRUST GmbH
- Itzehoer Versicherungen

The cooperation consists of the mediation of products of the afore-mentioned cooperation partners and the further supervision of the thus acquired customers. The following statements under point 6 apply to the data processing of the mediating authority.

6. Supervision by insurance agent

In your insurance matters and within the framework of the other range of services of our group or our cooperation partner you will be supervised by one of our agents who shall also advise you with your consent in other financial services. Agents in this meaning are besides individuals also mediation companies as well as within the framework of the cooperation with financial services also credit institutes, building societies, capital investment and real estate companies, etc.

In order to be able to properly perform his tasks the agent receives for this purpose the information which is necessary for the supervision and consultancy from your application, contractual and benefit data, e.g. insurance number, premiums, type of insurance cover and the risk, number of insured events and amount of insurance payments as well as from our partners details about other financial services, e.g. conclusion and status of your building society contract. Exclusively for the purpose of adjustments to the contract for the personal insurance health data may also be transmitted to the responsible agents.

Our agents process and use this personal data themselves within the framework of the stated consultancy and supervision of the customer. They will also be informed by us about changes to the data relevant to the customer. Each agent is obliged by law and contract to comply with the provisions of the BDSG and his special non-disclosure obligations (e.g. professional secrecy and data secrecy).

You will be informed of the agent responsible for your supervision. If his activity for our company ends (e.g. through termination of the agent's contract or in case of retirement) the company will regulate your supervision new; they will be informed thereof.

7. Further information and explanations about your rights

As person concerned you have according to the BDSG in addition to the right of revocation mentioned at the beginning you are entitled to information and under certain pre-requisites a right to correction, blocking or deletion of your data which are saved in a file.

For possible further information and explanations please contact the company data protection officer of your insurer. Please also always direct a possible request for information, correction, blocking or deletion owing to the data saved at the reinsurer to your insurer.