

# Information in accordance with Art 14 GDPR of IHD Gesellschaft für Kredit- und Forderungsmanagement mbH (IHD) for the business unit Business Information

## 1. Name and contact details of the responsible body and the company data protection officer

IHD Gesellschaft für Kredit- und Forderungsmanagement mbH, Augustinusstr. 11 B, 50226 Frechen, Tel.: 02234/96420; the company data protection officer of IHD can be contacted at the above address, for the attention of the data protection department, or by e-mail at [datenschutz@ihd.de](mailto:datenschutz@ihd.de).

## 2. Data processing by IHD

### 2.1 Purpose of data processing/ legitimate interest

IHD processes personal data in order to provide the member companies of IHD Kreditschutzverein e.V., if there is a legitimate interest, with information about the accessibility of natural persons who are commercially active and legal persons, and to give information about their creditworthiness. Processing includes converting the creditworthiness data into three classes, which are displayed graphically as traffic lights. The traffic light chart is generated without additional statistical methods or probabilistic formulas and can be called up on request. IHD provides this information only if a legitimate interest has been substantiated in the individual case and processing is permissible after consideration of all interests. The legitimate interest exists in particular before entering into transactions with financial default risk. This credit analysis serves the purpose of protecting the recipient from economic losses due to default risks by means of a preliminary assessment and at the same time opens up the option of protecting the borrower from excessive debt by providing advice. IHD's data processing and the provision of information based on it also serve to prevent fraud, prevent money laundering, verify identity, provide customer service, determine addresses and control risks in the interest of determining payment methods or conditions.

### 2.2 Legal basis for data processing

IHD processes personal data on the basis of the General Data Protection Regulation.

Processing is based on consents in accordance with Art 6 I a in conjunction with Art 7 GDPR or on the basis of Art 6 I f GDPR, insofar as the processing is necessary to safeguard the legitimate interests of the person responsible or a third party and does not outweigh the interests or fundamental rights and freedoms of the concerned person which require the protection of personal data. IHD provides information to its member companies only if a legitimate interest has been substantiated in individual cases. The legitimate interest exists in particular before entering into transactions with economic risk, which includes every purchase on account.

### 2.3 Origin of IHD data

The data of IHD originates from generally accessible sources such as public directories and official announcements. In addition, IHD receives information on payment behaviour from the business unit Collection, from the affiliated member companies that use IHD products for the purposes mentioned under 2.1 and from their contractual partners in the area of credit reference agencies.

### 2.4 Categories of personal data of IHD

- Personal data (e.g. last name - if necessary also previous last names, which will be disclosed upon separate request, First name, date of birth, address, previous addresses)
- Information on undisputed, due and repeatedly dunned or entitled claims and their settlement
- Information from public directories or official announcements (e.g. debtor's list and insolvency announcements)

### 2.5 Categories of recipients of personal data

The recipients are primarily the member companies of IHD Kreditschutzverein e.V. These are, in particular, companies that bear an economic risk and are predominantly based in the European Economic Area. These are mainly suppliers of goods, energy supply and service companies. In addition, the contractual partners of IHD include attorneys as well as credit agencies and contractors in accordance with Art 28 GDPR, such as mail dispatch service providers. If data is transmitted outside the European Economic Area, this is done in compliance with the requirements of the European Commission. In the absence of a positive adequacy decision by the European Commission under Article 45 GDPR, IHD only transfers data to a third country subject to appropriate guarantees.

### 2.6 Duration of data storage

IHD saves data in accordance with Art 17 I lit.a) GDPR only as long as is necessary. The testing and deletion periods applied by IHD correspond to a voluntary agreement of the credit reference agencies affiliated in the "Die Wirtschaftsauskunfteien e.V." association. The content of this voluntary agreement is available on the Internet under [www.ihd.de/datenschutz/Selbstverpflichtung.html](http://www.ihd.de/datenschutz/Selbstverpflichtung.html). Accordingly, the basic storage period of personal data is three years to the day exactly after its completion. Information on requests will also be deleted after three years at the latest. Deviating from this, the following data is deleted, for example, to realise the deletion claim:

- Data from the debtor's list of the central courts competent for execution, to the day after three years, but prematurely if IHD has proven deletion through the central court competent for execution.
- Information on consumer/ insolvency proceedings or residual debt exemption proceedings to the day exactly three years after the end of the insolvency proceedings or the granting of the residual debt exemption. However, an earlier deletion can take place in specially stored individual cases.
- Information on the rejection of an insolvency application due to lack of assets, the abolition of security measures or the refusal of the residual debt exemption to the day exactly after three years.
- Previous addresses remain stored for exactly three years to the day, after which the necessity of continuous storage is checked for a further three years. After that, they are deleted to the day, unless a longer storage period is required for the purpose of identification.

## 3. Rights of persons concerned

Each concerned person has the right of access to IHD pursuant to Art 15 GDPR, the right of correction pursuant to Art 16 GDPR, the right of deletion pursuant to § 17 GDPR and the right of limitation of processing pursuant to Art 18 GDPR. In addition, it is possible to contact the supervisory authority responsible for IHD, the North Rhine-Westphalia state official for privacy protection and freedom of information (LDI). Consents may be revoked at any time vis-à-vis the contractual partner concerned. This also applies to consents that were granted before the GDPR came into force. The revocation of consent does not affect the legality of the personal data processed until revocation.

***In accordance with Art 21 I GDPR, data processing may be objected for reasons arising from the particular situation of the concerned person. The objection must be addressed to: IHD Gesellschaft für Kredit- und Forderungsmanagement mbH, Data Privacy, Augustinusstr. 11 B, 50226 Frechen.***

If you want to know what personal data IHD has stored about you, we will inform you in writing as part of a voluntary disclosure. If you voluntarily enclose a copy of your identity card for clear identification, you will avoid possible queries.

## 4. Profiling

IHD processes personal data in order to assess the economic situation of companies. These are mainly legal persons and natural persons only if they are active in the business world. The processing of the data includes the assignment to three classes of creditworthiness, which is displayed in a traffic light chart. This conversion into a traffic light chart is based on the information stored about a person by IHD, which is also shown in the information pursuant to Art 15 GDPR. The graphical assignment of information serves the purpose of presenting risk probabilities, has been tried and tested in practice for a long time and is not based on statistical formulae and probabilistic values. The following data (see 2.3 and 2.4) is used although not every data type is included in every single chart: Address-related data (disclosure of name in the address, disclosure of address), data from the debtor's list of the central court competent for execution, data from insolvency notices and data from pre-judicial and judicial debt collection as well as data from the monitoring of collection proceedings and information from the affiliated member companies. This information merely supports the requesting member companies of IHD Kreditschutzverein e.V. in making decisions on the evaluation of risk assessment of their current or future business partners; IHD itself does not make any decisions.