

Information requirements pursuant to Articles 13, 14 of the General Data Protection Regulation (GDPR), SCHUFA, Creditreform e.V. and CreditSafe

Privacy policy

Information on the processing of your data in accordance with Articles 13, 14 of the General Data Protection Regulation (GDPR)

General information

This privacy policy applies to the processing of personal data (data for short) that TA Triumph-Adler GmbH, TA Triumph-Adler Deutschland GmbH, TA Triumph-Adler Österreich GmbH and TA Leasing GmbH receive in the course of the delivery or services requested or agreed by you.

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

TA Triumph-Adler GmbH
TA Triumph-Adler Deutschland GmbH
Südwestpark 23
90449 Nuremberg

or

TA Triumph-Adler Österreich GmbH
Handelskai 94-96
1200 Vienna

or

TA Leasing GmbH
Ringstraße 20–22
70736 Fellbach

Our company data protection officer can be contacted for information regarding data privacy by writing to the “Data Protection Officer” at the above postal address or by email at datenschutz@triumph-adler.net.

2. Why do we process your data (purpose of processing), which data specifically and on what legal grounds?

Data are collected and processed for the purpose of initiating or fulfilling our contracts with you as well as fulfilling your orders and the associated obligations.

2.1. On the basis of your consent (Art. 6 para. 1a GDPR)

If you have given your consent for your data to be processed in order to establish your identity and to be transmitted to a credit agency and for market and opinion research, this processing is hereby deemed lawful.

To this end, we process data including your surname, first name, function, recommendation value 1-10, contact details, bank details, creditworthiness data, date and place of birth, nationality, ID card details and specimen signature.

2.2. For the fulfilment of contractual obligations (Art. 6 para. 1b GDPR)

Data such as your name and contact details, administrative data (e.g. consultation notes), sales data and order data (e.g. payment order) are processed for the purpose of performing our contracts with you and fulfilling your orders.

2.3. For the fulfilment of legal obligations (Art. 6 para. 1c GDPR), Section 18 of the German Banking Act (KWG), Section 2 Para. 1 Point 2 and Sections 8, 10 - 12 of the German Money Laundering Act (GwG)

We may be legally obliged to carry out certain checks when performing our contracts and fulfilling your orders. This includes:

- The fulfilment of controlling and reporting obligations under tax law
- The assessment and management of risks
- Credit analysis when initiating a contract
- Verifying identity if TA Deutschland GmbH is required to identify you and any person acting on your behalf by means of an identity card on behalf of our authorised financing partner and to document this.
- Verifying identity if TA Leasing GmbH as the obligated party (financial services institution) is required to identify you and the person acting on your behalf, if any, by means of an identity card and to document this.

For this purpose, we process your data such as contact, identity and creditworthiness information, origin of assets and such data that we have lawfully obtained from publicly accessible sources (e.g. debtor lists, land registers, register of associations, press, media).

2.4. For the protection of legitimate interests (Art. 6 para. 1f GDPR)

Your data will be processed for information relevant to your credit rating as part of the contract initiation phase. Your creditworthiness data (score values, credit limit), date and place of birth, nationality, identity card data and specimen signature are transmitted to partner credit and financial services institutions in compliance with the relevant provisions of the GDPR. The data may be transferred for the purpose of:

- Process testing and optimisation
- Needs analysis and direct customer targeting
- Assertion of legal claims and defence in legal disputes
- Securing IT security and IT operations
- Business management and development of services and products

3. Transfer of your data to third parties

Your data will only be disclosed to third parties on the basis of the principles set out in Clause 2. Third parties are the various departments of TA Triumph-Adler Deutschland GmbH,

TA Leasing GmbH in its capacity as an internal financial services provider, credit and financial services institutions, credit agencies (SCHUFA and Creditreform e.V. and CreditSafe) and participating service providers for the purpose of administering and providing software or procedures and for carrying out remote maintenance.

4. How long will your personal data be stored for?

Your data will be stored by us for the duration of the business relationship. We are also subject to various storage and documentation obligations arising from the German Commercial Code, the German Fiscal Code and the German Money Laundering Act, among others. These stipulate retention and documentation periods of up to ten years.

5. Will your data be transferred to a third country or an international organisation?

We will only transfer your data to third countries if this is essential for performing our contracts and fulfilling your orders, if it is required by law or if you have given us your consent. Third countries are those outside the European Union or the European Economic Area. The provisions of the GDPR, the Federal Data Protection Act (BDSG) and other context-specific legal frameworks for cross-border data traffic apply to the transfer of data to third countries.

6. What are your data subject rights?

You are entitled to the rights listed below in accordance with the General Data Protection Regulation before, during and after data processing. In justified cases, you have the right to contact the data controller and/or the company data protection officer in order to exercise your rights.

6.1. Right of access

You can request access to data pertaining to you that we process in accordance with Article 15 GDPR. You should specify your query in your request for access in order to make it easier for us to compile the necessary data.

6.2. Right to rectification

If the information concerning you is not (or no longer) correct, you can request a correction pursuant to Article 16 GDPR. If your data are incomplete, you can request that it be completed.

6.3. Right to deletion

You can request the deletion of your data under the terms of Article 17 GDPR. Your right to erasure depends, among other things, on whether the data relating to you is still needed by us to fulfil our legal obligations (German Money Laundering Act, German Fiscal Code).

6.4. Right to restrict processing Under Article 18 GDPR, you have the right to request restriction of the processing of data relating to you.

6.5. Right to object

In accordance with Article 21 GDPR, you have the right to object to the processing of data relating to you at any time on grounds relating to your particular situation. However, we cannot always comply with this if certain permissions are in place at the same time.

Article 6 para. 1f of the GDPR also applies with regard to verifying your identity and transferring data to a credit agency, as well as for profiling/scoring purposes. It is therefore not possible to exercise the right to object in this situation.

However, it would be possible to object to data being processed for the purposes of market research, opinion polling and direct advertising to the above postal address or by e-mail at info@triumph-adler.net.

7. Right to file a complaint with a supervisory authority

You can file a complaint with the supervisory authority of your habitual place of residence, your place of work or the place of the suspected infringement.

Bavarian State Office for Data Protection Supervision
Promenade 18
91522 Ansbach
Tel: +49 981 180093-0
Fax: +49 981 180093-800
Email: poststelle@lda.bayern.de

For customers and interested parties from Austria please contact:

Austrian Data Protection Authority
Barichgasse 40-42
1030 Vienna
Telephone: +43 1 52 152-0
E-mail: dsb@dsb.gv.at

8. Profiling / Scoring

Your data will only be transferred to a credit agency in accordance with the principles set out in Clauses 2.1 and 2.4 as part of a credit check. The credit agencies will process data relating to your creditworthiness on a commercial basis in order to make it available for a credit analysis if required. The credit agencies calculate a probability value (or score) about your personal creditworthiness. The calculation can include current business evaluations, existing liabilities, the length of time the company has been in existence, experience from previous business relationships, contractual payments of previous liabilities and information from credit agencies.

9. Note on credit rating companies

We work with the credit agencies SCHUFA and Creditreform e.V and CreditSafe. The credit agencies collect information that we request in order to provide credit information about a person. In return, we undertake to pass on the credit-related information we ourselves have collected on a person to the credit agency.

The legality of transferring data relating to creditworthiness, in particular general identification data, contact data, bank data, contract data, condition request data, negative data (information on return debit notes, outstanding invoices, arrest warrant or insolvency) and positive data (data that does not describe negative payment experiences but is relevant to creditworthiness because it says something about the ability or willingness to pay) to a credit agency is established by the legal basis of Section 31 para. 2 of the Federal Data Protection Act (BDSG).

More information on the collection and processing of your data by SCHUFA can be found in the information sheet at www.schufa.de/global/datenschutz.

Further information on the collection and processing of your data by Creditreform e.V. can be found in the information sheet at www.creditreform.de/datenschutz.

For more information on the collection and processing of your data by CreditSafe, please refer to the information sheet at www.creditsafe.com.

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TA TRIUMPH-ADLER GMBH

Haus 5
Deelbögenkamp 4c
22297 Hamburg
Tel.: +49 40 52849-0
Email info@triumph-adler.net

