

## Information Sheet on Data Processing in context of insurance contracts

of Europäische Reiseversicherung AG (as of June 2024)

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## I. GENERAL INFORMATION

As an insurance company, we understand the importance of your personal data (hereinafter referred to as "data"). We therefore treat your data as confidential and comply with all data protection regulations.

We need your data to perform our contractual obligations and to check your insurance risk, to conclude an insurance contract and to accept your claims. If you do not provide us with all the necessary data, we may not be able to conclude the requested insurance contract with you or accept your claim.

Section I provides general information about how we process data; Section II provides additional information in accordance with Article 13 GDPR (data collected from the data subject); and Section III provides additional information in accordance with Article 14 GDPR (data that has not been obtained directly from the data subject).

### 1. Data Controller

#### Europäische Reiseversicherung AG

Kratochwjlestrasse 4

A-1220 Vienna

Company register number: FN 55418y

Company Register Court: Commercial Court of Vienna

T +43 1 317 25 00

[info@europaeische.at](mailto:info@europaeische.at)

You can contact our **data protection officer** by e-mail at [datenschutz@europaeische.at](mailto:datenschutz@europaeische.at) or by post at the above mentioned address with the further address "Data Protection Officer".

### 2. Recipient categories of data, joint controllers and data transfer to third countries

For our insurance business, we need to forward your data to various external recipients. When processing data, the recipients are either data controllers in their own right or they are processors of data on our behalf.

Europäische Reiseversicherung AG is part of the international Europ Assistance Group, which is a group of companies that specialises in assistance products and travel insurance. It is part of the international Assicurazioni Generali S.p.A., Trieste (the Generali Group). As part of our affiliation with the Group, we are integrated into the infrastructure, in particular the IT infrastructure, of the Generali Group. Our most important providers are currently Generali Versicherung AG (Vienna) and Europ Assistance Gesellschaft m.b.H. (Vienna). In all cases when using service providers, we always ensure that the European level of data protection and the European data security standards are maintained. If you would like to know more about how and to what extent we process your data in your specific business transaction or how we pass it on to service providers and which protective measures we have implemented, please contact us using the above-mentioned contact options.

### 3. Our Data Security

Your data is always processed in accordance with the law.

To protect your rights and freedoms as a data subject, we take appropriate technical and organisational (including human resource) measures in accordance with the latest technology and commensurate with the risk.

How do we protect your data?

- Data is only viewed and processed by authorised persons (confidentiality). This involves managing physical, system and data access permissions, but also includes internal rules governing confidentiality. To transfer your data securely, we use appropriate encryption procedures.
- Data is kept accurate, up-to-date and intact during processing (integrity). If you notify us of a change to your data, we ensure that your data is updated promptly in accordance with the applicable

purpose. This also includes the immediate correction (rectification) or deletion (erasure) of incorrect data.

- Data is processed according to the defined purposes and is available as quickly as necessary (availability and resilience). To this end, we take appropriate measures and ensure compliance with the law and internal rules. This includes, above all, prompt fulfilment of your rights as a data subject.
- The process for processing your data is fully documented and kept up-to-date in an appropriate manner (traceability and transparency).

We document the measures described above in accordance with our internal data protection and security rules and regularly review them to ensure they are effective.

#### 4. Your Rights

You have a **right of access** to your data that we are processing, at any time.

If we process data about you that is inaccurate or incomplete, you may request that it be **rectified (corrected) or completed**. You can also request that processed data be **erased (deleted)**. However, please note that this only applies to incorrect, incomplete, or unlawfully processed data. If it is unclear whether the data processed about you is inaccurate, incomplete or processed unlawfully, you may request **restriction of the processing** of your data until this question is conclusively clarified.

Even if the data relating to you is correct and complete and is processed by us lawfully, you have the right to **object** to the processing of this data in accordance with Article 21 GDPR, provided that we are processing this data on the basis of a legitimate interest or for the performance of a task in the public interest. We may only continue processing in this case if we can demonstrate compelling legitimate grounds for processing which override your interests, rights and freedoms, or if the processing is for the establishment, exercise or defence of legal claims.

Regardless of this, you may object to the data processing for satisfaction survey purposes.

If we have received and are processing your data with your consent, you may **withdraw your consent** at any time. From this point on, we may no longer process your data for the purposes stated in the declaration of consent. Withdrawal of consent shall not affect the lawfulness of the processing carried out on the basis of the consent before you withdraw your consent.

If you have provided data to us, you have the right to receive this data in a machine-readable format chosen by us. You may also instruct us to transmit this data directly to a third party of your choice. This is possible if this recipient enables us to do so from a technical point of view and the data transfer is not prevented by unreasonable effort or by legal or other obligations of secrecy or any confidentiality considerations on our part or on the part of third parties.

For all your matters regarding your rights as a data subject, please contact us at [datenschutz@europaeische.at](mailto:datenschutz@europaeische.at).

If you believe that we are using your data in a way that is not permitted, you have the right to lodge a complaint with the Austrian Data Protection Authority, Barichgasse 40-42, 1030 Vienna, phone: +43 1 52 152-0, email: [dsb@dsb.gv.at](mailto:dsb@dsb.gv.at).

#### 5. Our Data Retention Procedure

We store your data exclusively in compliance with the statutory provisions (in particular GDPR, the Austrian Data Protection Act and specific provisions regarding data protection for the insurance sector [Austrian Insurance Contract Act (VersVG), Austrian Insurance Supervision Act (VAG)]) for as long as this is necessary to achieve the defined purposes.

After the relevant purpose no longer applies, we delete your data ourselves, without you having to submit a request, or anonymise your data in such a way that it cannot be used to identify you at any time in the future.

### **5.1. Your Data before Concluding an Insurance Contract**

Even before concluding an insurance contract, we have to collect, store and process data. We do this in order to check whether and on what terms an insurance contract can be concluded.

Since you may have claims even from such contact prior to entering into a contract, even if no insurance contract is subsequently concluded, we have a legitimate interest in retaining this data, depending on the individual case. This is the case, for example, if you establish, exercise or defend legal claims or where we have a legal obligation (e.g. documentation of the information and advice requirements under Articles 130-133 of the Austrian Insurance Supervision Act (VAG)) to retain the data.

We also require certain data necessary for this purpose to protect the insured community from insurance abuse and to defend legal claims. We must prove to the supervisory authority (the Austrian Financial Market Authority) or, where applicable, in court, that we have complied with our obligations to provide information and that we have acted honestly, fairly and professionally in accordance with insurance law in the best interests of our customers. We provide this evidence by submitting the customer information documents and other documents from the application process. We therefore also keep data from insurance contracts that have not been concluded, for up to three years from the last automatic data entry or final completion. Different periods may apply to corporate clients.

The data of potential customers is stored for up to three years. On receiving a justified request from you, this data is also deleted earlier after a thorough investigation of the request.

### **5.2. Contract Data during and after the End of the Insurance Contract**

While we are in a contractual relationship with you, we have to process the data necessary for the contract. This is the only way we can perform the contract and process claims and payments.

We must retain the data required for this purpose, at least for the period during which the insurance contract is in force.

By setting appropriate retention periods and by taking suitable technical and organisational measures, we ensure that the data processed for the applicable purpose is reduced to the minimum necessary and that the rights and freedoms of other persons are not adversely affected.

### **5.3. How long do we keep your data after the end of the contract?**

We store your data after the end of the contract in particular under the statutory minimum retention requirements (e.g. according to Article 212 of the Austrian Commercial Code (UGB) and Article 132 of the Austrian Federal Fiscal Code (BAO)). The obligation to retain data serves the purpose of establishing, exercising and defending legal claims as well as fulfilling post-contractual obligations.

Applying the Austrian Insurance Contract Act (in particular Article 12 VersVG), we therefore retain the data for ten years after the end of the contract during the period in which claims may be made against us. Otherwise, we would not have any documents to defend against legal claims. Similarly, claims after the end of the insurance contract extend the above retention period by ten years from settlement of the claim, as the limitation period starts against in respect of the claim.

### **5.4. Data of Third Parties**

During steps prior to entering into a contract, conclusion and execution of insurance contracts, data of third parties who are not policyholders may also be collected and processed. This applies in particular to insured persons, beneficiaries, other recipients, liable parties, injured parties and witnesses. The provisions in under Section I 5.1 to 5.3 apply in the same way to such data.

## 5.5. Deviating Rules

Irrespective of the above periods, the deletion (erasure) of data is temporarily suspended in certain cases, e.g. if such data is relevant in court, out-of-court or administrative proceedings. The specific storage period varies, depending on the specific circumstances.

## 5.6. Verification and Erasure (Deletion)

Whether deletion of the relevant data is necessary is automatically checked at regular intervals. The check is carried out at least once a year.

Whether deletion is necessary may also be checked in a specific case. This is done in particular if you, as the data subject, submit a request to us for deletion.

## II. INFORMATION PURSUANT TO ARTICLE 13 GDPR

Below is an overview of the data processing we carry out, sorted according to legal basis for data we have collected from you as a data subject. Each section also includes the purposes of processing and the applicable data categories.

### 1. Data processing for steps prior to entering into a contract and for performance of a contract

We process data that is related to your insurance contract. This includes, in particular, personal master data, contract data, communication master data, contract billing and payment data, as well as data contained in documents that you provide or in correspondence with us. The data is processed for the purposes of:

- taking steps to enter into the business relationship (e.g. offer, quotation and proposal), preparing an application, processing a contract and preparing a contract (insurance policy);
- assessing the risk to be assumed, to determine whether and on what terms the insurance contract may be concluded or a contract may be amended;
- carrying out, performing, managing (including premium collection) and ending the insurance contract, invoicing, providing information and managing master data and changes of contract data;
- recording claims information, investigating claims, checking entitlement, processing claims and carry out satisfaction surveys.

The legal basis for processing data for these purposes is Article 6(1)(b) GDPR (performance of a contract and steps prior to entering into a contract).

### 2. Data Processing of Health Data

For certain insurance contracts, we have to obtain information about your state of health. Your health data is processed for the purposes of:

- assessing whether and on what terms an insurance contract is concluded or amended;
- assessing and fulfilling claims under an insurance contract.

The legal basis for processing data for these purposes is Article 6(1)(b) GDPR in conjunction with: Article 9(2)(g) and (h); Article 4 GDPR; and Articles 11a ff. of the Austrian Insurance Contract Act (VersVG).

Your health data is only transmitted for the above purposes without your express consent in accordance with Article 6(1)(b) GDPR in conjunction with: Article 9(2)(g) and (h); Article 4 GDPR; and Articles 11c ff. of the Austrian Insurance Contract Act (VersVG) to the recipients specified in Article 11c VersVG, i.e. health care providers, social insurance institutions, reinsurers or co-insurers, other insurers involved in the settlement of claims arising from the insured event, experts brought in by the insurer, legal representatives or representatives authorised by you, courts, public prosecutors' offices, administrative authorities, arbitration boards or

other dispute resolution institutions and their bodies (e.g. patient advocate) including the experts appointed by them.

If the processing of health data is necessary for the establishment, exercise or defence of legal claims, we process such data on the basis of Article 6(1)(f) in conjunction with Article 9(2)(f) GDPR.

If we process your health data for purposes other than those listed here, we will only do so with your express consent in accordance with Article 6(1)(a) in conjunction with Article 9(2)(a) and (4) GDPR in conjunction with Article 11a VersVG.

### **3. Data Processing of Criminal Data**

In some cases (for example, in the case of liability cover), we also process data relating to acts or omissions that are punishable by a court or administrative authority, as well as relating to the suspected commission of criminal offences, as well as criminal convictions or preventive measures.

Such data under criminal law is processed exclusively on the legal basis of the provisions of Article 6(1)(c) or (f) in conjunction with Article 10 GDPR in conjunction with Article 4(3) of the Austrian Data Protection Act (DSG).

### **4. Data processing that is necessary for compliance with legal obligations and for the performance of a task carried out in the public interest**

We primarily process personal master data, contract data, contract billing data, criminal data and payment data for the purposes of:

- fulfilling the legal obligations that apply to us and thereby complying with those requirements in the course of business. This includes conformity with national statutory and other requirements, the requirements of supervisory and insurance law, obligations regarding the provision of information, tax and company law requirements, such as the Austrian Insurance Supervision Act (VAG), the Austrian Insurance Contract Act (VersVG), the Austrian Data Protection Act (DSG), the Austrian Commercial Code (UGB), the Austrian Stock Corporation Act (AktG), the Austrian Federal Fiscal Code (BAO), the Austrian Income Tax Act (EStG), the Austrian Consumer Protection Act (KSchG), sanction law requirements based on binding legal acts and EU legal requirements (e.g. Solvency II, GDPR), as well as recording/reporting obligations, internal audit measures, conformity with inspections by authorities, and management of internal complaints/claims;
- deletion/erasure (including anonymisation).

The legal basis for processing your data for these purposes is on Article 6(1)(c) in conjunction with Article 9(2)(f) and (g) GDPR (compliance with legal obligations). If the processing is carried out for the purpose of preventing terrorist financing, it is also carried out on the basis of Article 6(1)(e) GDPR (necessary for the performance of a task carried out in the public interest).

You have the right to object to such processing, which is carried out for the performance of a task in the public interest, at any time. You can send your objection to [datenschutz@europaeische.at](mailto:datenschutz@europaeische.at).

### **5. Data processing to safeguard legitimate interests including the establishment, exercise or defence of legal claims**

We also process your data if necessary in accordance with Article 6(1)(f) GDPR in order to safeguard our legitimate interests or the legitimate interests of third parties.

If Article 9 GDPR (health data) applies, the processing is carried out on the basis of Article 9(2)(f) GDPR (establishment, exercise or defence of legal claims).

Depending on the purpose of the processing, the following categories of data are processed: personal master data, communication master data, contract data, customer history, contract billing and payment data, statements, health data, criminal conviction and criminal data.

The following is a list of the purposes for which processing is carried out on the basis of legitimate interest:

- Establishment, exercise or defence of legal claims: your data is processed to protect our interests or the interests of third parties in connection with legal disputes
- Fulfilment of supervisory requirements pursuant to Article 107 ff. of the Austrian Insurance Supervision Act (VAG) (in particular compliance and internal audit function): your data is processed to ensure the legally required governance system for insurance companies.
- Creation of analyses: your data is processed to optimise the quality of our advice, support and service.
- IT system, load and migration tests: your data is processed to ensure IT security and IT operations as well as to ensure the systems are functional and their performance
- Renegotiation of individual treatment costs with healthcare providers: your data is processed to reduce the cost of invoice amounts claimed by healthcare providers for services provided to you
- Promotional campaigns: your data is processed to send general and targeted information about products, services (e.g. apps), competitions and events.

You have the right to object to such processing at any time.

You can send your objection to [datenschutz@europaeische.at](mailto:datenschutz@europaeische.at).

## **6. Data Processing following Consent**

If none of the legal bases listed above apply, we process your data (including sensitive data, if applicable) on the basis of your (express) voluntary and revocable consent pursuant to Article 6(1)(a) GDPR (as well as Article 9(2)(a) GDPR). For the specific purpose of processing, please see the applicable declaration of consent.

### **III. INFORMATION PURSUANT TO ARTICLE 14 GDPR**

We may also collect data from you without your involvement if this is necessary in connection with the establishment, conduct or termination of insurance contracts and in particular also for the verification and processing of claims. This applies, for example, if the policyholder provides your data as insured person, injured party or liable party to prove that a reason for insurance applies.

The data is provided in particular in the event of a claim by the policyholder, his/her authorised or legal representatives, hospitals and health care providers.

Below is an overview of the data processing we carry out, sorted according to legal basis for data we have not collected directly from you.

#### **1. Data processing for performance of a contract and for steps prior to entering into a contract**

The legal basis for processing data under Section II (1) for these purposes falls under Article 14 GDPR on the basis of Article 6(1)(b) GDPR (performance of a contract and steps prior to entering into a contract). This is the case in particular when we receive your data from a third party (e.g. an authorised representative) for a contract to which you are a party.

#### **2. Data Processing of Health Data**

Your health data is processed for the purposes listed under Section II (2) under Article 14 GDPR on the basis of Article 9(2)(g) and (h) in conjunction with (4) GDPR in conjunction with Article 11a ff. of the Austrian Insurance Contract Act (VersVG) as well as Article 9(2)(f) GDPR.

#### **3. Data Processing of Criminal Data**

The criminal data listed under Section II (3) is processed under Article 14 GDPR exclusively in accordance with or on the legal basis of the provisions of Article 4(3) of the Austrian Data Protection Act (DSG) in conjunction with Article 10 GDPR.

#### **4. Data processing that is necessary for compliance with legal obligations and for the performance of a task carried out in the public interest**

The legal basis for processing data under Section II (4) for these purposes falls under Article 14 GDPR on the basis of Article 6(1)(c) GDPR (compliance with legal obligations).

You have the right to object to such processing, which is carried out for the performance of a task in the public interest, at any time. You can send your objection to [datenschutz@europaeische.at](mailto:datenschutz@europaeische.at).

#### **5. Data processing to safeguard legitimate interests including the establishment, exercise or defence of legal claims**

The legal basis for processing data under Section II (5) for these purposes falls under Article 14 GDPR on the basis of Article 6(1)(f) GDPR (safeguarding the legitimate interests of the controller or a third party, e.g. information about a third person which serves as proof of the existence of a reason for insurance is sent to us). For the processing of health data, our legal basis is set out in Section III (2) (in particular, establishment, exercise or defence of legal claims).

In addition to the list under Section II (5), we process your personal master data, health data and/or communication master data, if necessary to process a claim against one of our customers. Our legitimate interest in such processing is to be able to establish and assess the facts of the specific insured event of our customer in order to be able to fulfil our obligation to provide benefits under the applicable insurance contract.

You have the right to object to such processing at any time.

You can send your objection to [datenschutz@europaeische.at](mailto:datenschutz@europaeische.at).

#### **6. Failure to provide information pursuant to Article 14 GDPR**

If it proves impossible to provide information pursuant to Article 14 GDPR or it would only be possible with disproportionate effort because, for example, sufficient contact data is unavailable, then no information is provided (e.g. to insured and co-insured persons, beneficiaries and injured parties).

Furthermore, no information is provided to data subjects if they are legally represented and the data subject's representative has received the information. This is also the case if the data by its nature must be kept secret, in particular because of the overriding legitimate interest of a third party. The confidentiality obligation pursuant to Article 321 of the Austrian Insurance Supervision Act (VAG) must be taken into account here.

Information is not provided if it must not be provided, pursuant to Article 14(5) GDPR (e.g. no information to the data subject about a money laundering suspicious activity report).

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