

ALLIANZ.HU

INFORMATION NOTICE ON THE PROCESSING OF PERSONAL DATA DURING CLAIM SETTLEMENT

EFFECTIVE FROM
1 FEBRUARY 2019

CONTENTS

1. The processing of personal data	3
2. The insurance company's data relating to data processing	3
3. Data processing in connection with claim settlement ..	3
4. Processing the data of heirs	5
5. Data security measures	6
6. Automated decision-making	6
7. Rights that can be exercised by the data subject	6
8. Remedies	7

INFORMATION NOTICE

1. THE PROCESSING OF PERSONAL DATA

In connection with the evaluation and settlement of claims for services or compensation submitted on the basis of an insurance contract (**claim settlement**), Allianz Hungária Zrt. (**insurance company**) – in its capacity as controller – processes the personal data of its clients submitting such claims, that is, the data of the policyholder, the insured person, the beneficiary, the injured party, any other person who is entitled to use the insurance company's services, as well as any person replacing these persons as their heir – as natural persons affected by the data processing activities of the insurance company (data subjects) – in accordance with the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (**General Data Protection Regulation or GDPR**), Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information (**Privacy Act**), Act LXXXVIII of 2014 on the Business of Insurance (**Insurance Companies Act**) and the provisions on data protection of any other applicable laws.

Personal data means any information from which conclusions can be drawn regarding a natural person.

If a data subject submits a complaint to Allianz SE (the insurance company's owner), Allianz SE will process the data of such person – including, if necessary, any communication with Allianz Hungária Zrt. – in accordance with the GDPR.

2. THE INSURANCE COMPANY'S DATA RELATING TO DATA PROCESSING

The data of the insurance company as controller:

Name: Allianz Hungária Biztosító Zártkörűen Működő Részvénytársaság

Our registered office: 1087 Budapest, Könyves Kálmán Krt 48–52.

Our mailing address: 1368 Budapest, Pf. 191.

Company registration number: Budapest-Capital Regional Court acting as court of registration, Cg. 01-10-041356

Country of the registered office: Hungary

Our supervisory authority is the Central Bank of Hungary (registered office: 1054 Budapest, Szabadság tér 8–9). Our company is a member of Allianz SE, the leading group of insurance companies in Europe, which is one of the largest of such groups in the world. As one of Hungary's most important financial service providers, Allianz Hungária Zrt. serves its clients relying on its many years of national and international experience.

Our website can be found at: www.allianz.hu;

Contact details of the data protection officer: Strategic and General Administration Division, Compliance Department; Mailing address: 1087 Budapest, Könyves Kálmán krt. 48–52.

You can find the prevailing, detailed information on data processing at <https://www.allianz.hu/hu/adatvedelem.html>.

3. DATA PROCESSING IN CONNECTION WITH CLAIM SETTLEMENT

3.1 The purpose of data processing, the data concerned and the period of data processing

a) For the purpose of claim settlement, the insurance company shall process the personal data provided by the data subject in connection with the claim settlement or obtained by the insurance company about the data subject in connection with the claim settlement in any other way.

For the purpose of claim settlement the data subject may or – based on a contract or a law – shall provide personal data and sensitive data (special categories of personal data) relating to the health status of the data subject.

If the data subject does not provide the insurance company with his [whenever the context may require, any masculine pronouns used in this notice shall include the corresponding feminine forms] personal data required for the claim settlement, the insurance company may not be able to conduct the claim settlement procedure, as a result of which it may refuse to provide its services in the cases specified in the insurance contract or by law.

The insurance company may process the personal data it obtains in connection with claim settlement during the period of such claim settlement, or after the completion of the settlement, as long as any claim can be enforced in relation to the claim submitted by the data subject. The periods available for the enforcement of claims (limitation periods) can be found in the laws and in the terms and conditions applicable to the different insurance products.

The insurance company shall also use the data processed in connection with claim settlement for statistical purposes, within the period specified in this notice.

b) If the data subject submits a complaint against the insurance company in connection with the claim settlement, then, in order to conduct the complaint handling procedure, the insurance company will process the data subject's personal data provided to it by the data subject in connection with complaint handling or the personal data processed by the insurance company which are related to complaint handling. The insurance

company will retain personal data for the purpose of complaint handling – including audio recordings in the case of complaint handling over the phone – for 5 years after the completion of the complaint handling procedure.

- c) Data processing related to risk groups:
- i) If it has been laid down in the insurance contract, the insurance company shall have the right to contact another insurance company for the purpose of obtaining the data specified in subsections (3)-(6) of Section 149 of the Insurance Companies Act in order to protect the interests of risk groups, to provide services in accordance with the relevant contracts and legislation, as well as to prevent insurance fraud, and it shall transfer any data referred to in subsections (3)-(6) of Section 149 of the Insurance Companies Act it processes in connection with the claim settlement, to another insurance company based on a request received from such insurance company, provided that the requesting insurance company's right thereto has been included in the insurance contract.
 - ii) Where insurance companies have created a joint database and the insurance company's right thereto is included in the insurance contract, the insurance company may transfer the data specified in Section 150(1) of the Insurance Companies Act it processes in connection with the claim settlement to the joint database in order to protect the interests of risk groups, to provide services in accordance with the relevant contracts and legislation, as well as to prevent insurance fraud, and it may also request such data from the database.

The insurance company shall be allowed to process data obtained through such requests for a period of ninety days from the date of receipt unless the data it has obtained through the request are necessary for the enforcement of the insurance company's lawful interests. In the latter case the insurance company shall be allowed to process the data until the final completion of the procedure started in connection with the enforcement of the claim; however, if the procedure for the enforcement of such claim is not opened within a period of one year after the data is obtained by the insurance company, the data may be processed for a period of one year from the date when it was obtained.

The insurance company shall inform the data subject about such requests as well as about the personal data it has obtained through such a request, in accordance with the Insurance Companies Act.

- d) For the purpose of performing its contracts concluded with reinsurers, the insurance company may transfer the personal data it has obtained in connection with claim settlement to the reinsurers.
- e) In cases specified by law, in order to fulfil a legal obligation, the insurance company shall process the data subjects' data specified by law, for the purposes and the period specified by law.

The insurance company will process the data specified by the legal provisions on accounting, taxation and money laundering in the manner and for the period specified in those provisions.

- f) In cases specified by law and for a purpose specified by law, the insurance company shall transfer the data subjects' data to another controller in order to fulfil a legal obligation.
- g) The insurance company shall have the right to transfer data to KÁR-WEB Kft (registered office: 2319 Szigetújfalu, Fő út 070/15.; company registration number: 13-09-167037; tax number: 24764991-2-13) as independent controller on the basis of the data subject's consent. The purpose of the data transfer is to display the anonymised photos and repair calculation of the damaged vehicle - whose licence plate number is marked by the data subject - on the online repair shop platform operated by KÁR-WEB Kft in order that KÁR-WEB Kft informs the data subject via telephone about the repair shop making the best offer for the repair works in total as well as transmits the data subject's name/company name and telephone number to the repair shop mentioned above.

3.2 The legal basis of data processing

- a) In the cases discussed in paragraphs 3.1(a) and (b) above, the insurance company shall process the policy holder's personal data that are not considered sensitive data (data concerning health) on the basis of the relevant contractual relationship, in order to perform the contract.

In the cases discussed in paragraphs 3.1(a) and (b) above, the insurance company shall process the personal data that are not considered sensitive data (data concerning health) of other data subjects (insured persons, beneficiaries, injured parties, persons entitled to use certain services, and heirs) in order to fulfil its legal obligations laid down in the Insurance Companies Act, for the purposes specified therein.

- b) In the cases discussed in paragraphs 3.1(a) and (b) above, the insurance company shall process the sensitive data of the data subjects – in particular the data concerning their health – on the basis of the data subject's written consent, or if the data subject is unable to give his consent due to his physical or legal incapacity, the insurance company shall process those data for the purpose of protecting the vital interests of the data subject or another natural person. The consent is included in the letter of consent related to this notice.
- c) The insurance company has a legal obligation to perform the data transfer mentioned in paragraph 3.1(c) above. In the case of data obtained through contacting another insurance company, the legal basis of processing is the contractual relationship, that is, the performance of a contract.

- d) In the case mentioned in paragraph 3.1(d) above, the insurance company transfers the data subject's personal data to the reinsurer in order to fulfil the legal obligation specified in the Insurance Companies Act.
- e) The insurance company has a legal obligation to perform the data processing mentioned in paragraph 3.1(e) above.
- f) The insurance company has a legal obligation to perform the data transfer mentioned in paragraph 3.1(f) above.
- g) The unasked for and explicit consent of the data subject.

3.3 The recipients of data and the categories of recipients:

3.3.1. Use of processors

During their engagement, the insurance intermediaries and other contributors may process the personal data concerning the data subjects – provided to them by the insurance company or the data subject in the interest of or during the claim settlement – in accordance with the insurance company's instructions.

- a) In the course of communication relating to the claim settlement, the insurance company shall also act through insurance intermediaries (tied agents and their intermediaries and subcontractors). Where insurance intermediaries act on behalf of the insurance company, they shall process the personal data of the data subjects as processors, according to the insurance company's orders. More information on the names and addresses of the insurance intermediaries used by the insurance company, who are therefore entitled to act on behalf of the insurance company, can be obtained from the register of the Central Bank of Hungary of tied insurance intermediaries (<https://apps.mnb.hu/regiszter/>) and from the Central Customer Service Office of the insurance company (1087 Budapest, Könyves Kálmán krt. 48–52.).
- b) During claim settlement the insurance company will also use other contributors in cases where the special expertise of a contributor is required for the claim settlement or where by involving a contributor the insurance company is able to provide its service in the same quality but with lower costs and at a better price (outsourcing). Contributors performing outsourced activities shall act on the basis of an outsourcing contract in compliance with the Insurance Companies Act, and they shall process the data subjects' personal data as processors, according to the insurance company's instructions.

More information on the contributors used by the insurance company and involved in the claim settlement can be obtained from the insurance company's Central Customer Service Office (1087 Budapest, Könyves Kálmán krt. 48–52.).

Such contributors include the following:

- i) ANY Biztosági Nyomda Nyrt. (Cg. 01-10-042030, 1102 Budapest, Halom u. 5.), hired by the insurance company to print letters and documents addressed to its clients.
- ii) Magyar Posta Zrt. (Cg. 01-10-042463, 1138 Budapest, Dunavirág u. 2–6.), hired by the insurance company to handle and forward to the insurance company its incoming parcels and documents sent by post.
- iii) Allianz Technology SE (company registration number: HRB173388, Fritz-Schaffer Strasse 9, 81737 München, Germany) and its branch offices (including without limitation Allianz Technology's Hungarian Branch Office [registered office: Cg. 01-17-001018, 1087 Budapest, Könyves Kálmán krt. 48–52.]) and subsidiaries provide IT services as instructed by the insurance company.
- iv) Payment service providers, used by the insurance company for the financial performance relating to the insurance service.
- v) Other contributors used by the insurance company during claim settlement (e.g.: claims assessors, medical experts, data recorders, other persons participating in communication, and persons providing IT, legal and accounting services).

3.3.2. Data transfer

- a) In the case mentioned in paragraph 3.1(c) above, the insurance company must transfer the personal data it processes to the insurance companies belonging to the risk group and to the manager of the joint database of those insurance companies.
- b) In the case mentioned in paragraph 3.1(f) above, the insurance company must transfer the personal data it processes to the institutions, bodies and organizations specified in the law prescribing the relevant data disclosure.
- c) In the case mentioned in paragraph 3.1(d) above, the insurance company must transfer the personal data processed by it to the reinsurers it uses.

3.3.3 The insurance company's employees shall have a right to access data subjects' personal data to the extent necessary for performing their duties, in connection with the following activities:

- a) recording and administration of contracts,
- b) claim settlement,
- c) handling of complaints, queries and applications,
- d) underwriting activity,
- e) performance of planning, controlling, inspection, quality assurance, actuarial, accounting, legal and IT operation tasks.

4. PROCESSING THE DATA OF HEIRS

The rights of a deceased data subject in terms of data processing may be exercised by the heir or by the person

named as the beneficiary in the insurance contract. To the extent necessary for the exercise of these rights, the processing of the data of heirs – including its legal basis, purpose and period – shall also be subject to the provisions of this privacy notice, and the insurance company will provide information on the data to be provided by the heir after the heir has been identified.

5. DATA SECURITY MEASURES

The insurance company shall take all reasonable steps to prevent the unauthorised use of and unauthorised access to the personal data or the devices used for processing those personal data. The insurance company shall ensure the protection of the personal data it processes in accordance with the requirements of the GDPR.

The insurance company shall ensure the physical and logical protection of the data it processes, whether they are stored on paper or electronically. Access to personal data shall be restricted through appropriate technical solutions, and all instances of access shall be verifiable. The security of data processing performed by the insurance company is regulated by internal policies. Pursuant to the requirements, the insurance company shall classify all data it processes into security classes. The system of classification used by the insurance company sorts the data, and it specifies the individual security measures required for each data security class.

6. AUTOMATED DECISION-MAKING

The insurance company shall use automated processes in the following cases:

- a) based on the date of the loss specified on the claim notification interface of www.allianz.hu during the claim notification relating to an insurance event of lightning surges, the insurance company shall check based on the meteorological data whether such an event indeed occurred at the place of risk assumption, and if the data of the meteorological service provider do not confirm this, our company will automatically reject the claim notification, of which the submitter will be notified by letter.
- b) the insurance company will automatically check the insurance cover in connection with claim notifications submitted on the claim notification interface for retail products on www.allianz.hu. If during the automated checks the insurance company finds that no insurance cover is available, it will reject the notification and notify the submitter of this by letter.

7. RIGHTS THAT CAN BE EXERCISED BY THE DATA SUBJECT

Where data processing is based on the data subject's consent, the data subject may withdraw his consent at any time. The withdrawal of consent shall not affect the lawfulness of processing before such withdrawal.

However, please note that if the consent provided in connection with the data required for claim settlement is withdrawn, the insurance company will be unable to conduct the claim settlement procedure, and in this case it may refuse to provide this service.

Under Articles 15-22 of the GDPR, the data subject has a right to request from the insurance company access to his personal data processed by the insurance company, as well as the rectification, erasure or restriction of processing of such data, and he may also object to processing and exercise his right to data portability.

The data subject may exercise his rights detailed below related to data processing as well as his right to withdraw his consent at the insurance company's registered office, in a letter addressed to the insurance company's data protection officer (fax: +36 (1) 301-6052; mailing address: 1087 Budapest, Könyves Kálmán krt. 48–52., Strategic and General Administration Division, Compliance Department) or at <https://www.allianz.hu/hu/adatvedelem.html/>, after identification. If the insurance company has a reasonable doubt as to the identity of the natural person who submitted the request, it may request the submission of further information in order to identify the data subject.

The insurance company shall inform the data subject without any undue delay, but no later than within a month of receiving his request, about the measures taken based on his request submitted according to Articles 15-22 of the GDPR. If necessary, considering the complexity of the request and the number of requests, this deadline can be extended by another two months. The insurance company shall notify the data subject of the extension of the deadline and the reasons of the delay within one month from the receipt of the request. If the data subject has submitted his request electronically, the insurance company will send the notification electronically, unless the data subject requests otherwise.

If the insurance company does not take action based on the request of the data subject, it shall inform the data subject without delay and at the latest within one month of receipt of the request about the reasons for not taking action and about the possibility of lodging a complaint with a supervisory authority and seeking a judicial remedy.

The insurance company shall take the measures related to the data subject's exercise of his rights free of charge. Where requests from a data subject are manifestly unfounded or excessive, in particular because of their repetitive nature, the insurance company may, taking into account the administrative costs of providing the information or communication or taking the action requested:

- a) charge a reasonable fee or
- b) refuse to act on the request.

7.1 A short description of the rights of data subjects

Right of access

The data subject shall have the right to obtain, upon his request, confirmation from the insurance company as to whether or not personal data concerning him are being processed. Upon the data subject's request, the insurance company shall provide him with a copy of his personal data being processed by the insurance company, and it shall also provide him with the information specified in Article 15 of the GDPR (for example: the purpose of processing, the categories of the personal data being processed, the categories of recipients to whom the personal data are disclosed and the period of processing).

Right to rectification

Upon the data subject's request, the insurance company shall rectify any inaccurate personal data concerning him, without undue delay.

Right to erasure and right to be forgotten

In the cases specified in Article 17 of the GDPR, upon the data subject's request and also without a special request, the insurance company shall erase the data subject's data processed by it. If the data subject requests the erasure of his personal data that have been made public by the insurance company, the insurance company shall take all reasonable steps in order to inform the controllers processing the data subject's data that the data subject has requested their erasure.

Right to restriction of processing

Having regard to the provisions of Article 18 of the GDPR, upon the data subject's request, the insurance company shall restrict the processing of the data subject's personal data. Where processing has been restricted based on the data subject's request, the insurance company shall, with the exception of storage, only process the personal data concerned with the data subject's consent, or for the establishment, exercise or defence of legal claims, or for the protection of the rights of another natural or legal person, or for reasons of important public interest.

Right to data portability

In accordance with Article 20 of the GDPR, in the case of automated processing based on a contract or consent, the insurance company shall – upon the data subject's request – provide to the data subject the personal data concerning him which he has provided to the insurance company, in a structured, commonly used and machine-readable format, or – upon the data subject's request – it shall transmit those data directly to another controller provided that it is technically feasible.

Right to object

Where the insurance company processes the data subject's personal data on the basis of a lawful interest, in the case specified in Article 21 of the GDPR the data subject shall have the right to object, on grounds relating to his particular situation, at any time to the processing

of his personal data. In such case the controller shall only be allowed to continue the processing of the personal data in exceptional cases specified by law.

Rights that can be exercised in connection with automated decision-making

The data subject shall have the following rights in relation to automated decision-making:

- he may request human intervention through the insurance company's telephone customer service on the +36 (1/20/30/70) 421-1-421 telephone number or in person at the customer contact points or from the insurance intermediaries.
- he may express his point of view or submit an objection to the above contact details, as well as to the insurance company's registered office, in a letter addressed to the insurance company's data protection officer (fax: +36 (1) 301-6052; mailing address: 1087 Budapest, Könyves Kálmán krt. 48-52., Strategic and General Administration Division, Compliance Department) or on the interface at [/https://www.allianz.hu/hu/adatvedelem.html](https://www.allianz.hu/hu/adatvedelem.html).

8. REMEDIES

The appropriate processing of personal data is of utmost importance to the insurance company. The insurance company shall make every effort to ensure that the processing of personal data takes place lawfully and in the most secure way possible. It would be therefore practical to contact the insurance company directly with any problems before resorting to other remedies, in order to remedy such problems.

The data subject shall have the right to submit a complaint to the Hungarian Authority for Data Protection and Freedom of Information (1125 Budapest, Szilágyi Erzsébet fasor 22/c; www.naih.hu) or to the data protection supervisory authority of the Member State of his habitual residence, place of work or the place of the alleged infringement if the data subject considers that the processing of personal data relating to him infringes the GDPR. The data subject shall have the right to an effective judicial remedy if the supervisory authority does not handle his complaint or does not inform the data subject within three months about the progress or outcome of the complaint. Proceedings against a supervisory authority shall be brought before the courts of the Member State where the supervisory authority is established.

The data subject may also seek remedy at court. In this case the data subject may decide whether to bring the proceedings before the courts of the EU Member State according to the insurance company's place of business or the EU Member State according to the data subject's habitual residence. In Hungary, the data subject may also bring the proceedings before the court according to his permanent residence or his temporary place of residence.

Allianz Hungária Zrt.