

AEB



Deletion Concept

Version 1.3

Contribution to Data Protection and Security

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1 Prolog

This documentation is part of the Deletion Concept that AEB maintains in its role as “processor” and shares with its customers in their role as “controllers” within the meaning of the European Union’s General Data Protection Regulation (GDPR).

2 Introduction and objectives

Objectives of this document:

- Clarify duties and responsibilities
- Transparency
- Support AEB customers in fulfilling their obligations to provide information to their own data subjects, such as:
 - their employees
 - their business contacts
- Offer guidance on the rights of data subjects as set forth in
 - Art. 15 GDPR (right of access by the data subject)
 - Art. 16 GDPR (right to rectification)
 - Art. 17 GDPR (right to erasure)

This deletion concept focuses on the right to erasure.

The information in the following chapters supports AEB customers in fulfilling their obligations to provide information. AEB describes options and provides examples how the listed objectives can be implemented with regard to AEB products/solutions.

- » AEB customers act as controllers in their direct obligations to their data subjects set forth in the aforementioned articles.
- » The information contained herein does not constitute legal advice.

2.1 Responsibility

AEB customers are and remain responsible under GDPR for implementing and enforcing the data protection obligations entered into on behalf of their data subjects.

These data subjects will approach the controller directly in exercising their rights as data subjects.

This document is intended to support customers by providing the necessary information.

Customers with further questions can contact their usual AEB representative.

2.2 Basic information

The EU General Data Protection Regulation (GDPR) became law on May 25, 2018.

The GDPR spells out various obligations for providing information. In the fulfillment of these obligations, it is first and foremost the AEB customers who function as the “controller” within the meaning of Art. 4 GDPR.

The basic requirements of data protection, including in GDPR, are:

- Transparency
- Eliminate or minimize the collection of data

This documentation is intended to support AEB customers with the information they need in their role as controllers. In some cases, this information can offer controllers guidance on the rights of data subjects.

The main data subjects of controllers are:

- Employees of customer
- Contacts at business partners of customer

It can be assumed that when the AEB products are used as intended, the consent of these data subjects can be eliminated as a possible legal basis under Art. 6 GDPR. This means that the right to revocation of the data subjects will most likely not apply. It can also be assumed that AEB products, when used as intended, serve business purposes and that the data subjects do not appear in the data as individuals. The obligation to delete data requires a balance of interests.

Interests:

- The need to archive data as required under archiving regulations and accountability rules
- The need to delete personal data under data protection laws and regulations to protect data subjects against the illicit use of their data once all the reasons for retaining the data have expired and there is no longer any legal basis for such retention
- The legitimate interests of the controller in B2B activities (see Art. 6(1)(f) GDPR)

Objectives:

A company must (be able to) provide information about

- which (types of) data are retained for what reason and how long
- who will delete the data at the end of which retention periods and how

Possible references:

- The following sections of the GDPR and the German Federal Data Protection Act have relevance:
 - Section 35(1)–(2) of the German Federal Data Protection Act (BDSG) or
 - Art. 17 GDPR
 - Art. 5(1)(e) GDPR (Principles > Storage limitation)
- DIN 66398
- (National) retention obligations, such as Section 147 of the German Fiscal Code (AO), Section 257 of the German Commercial Code (HGB)

3 Information about personal data in AEB products

3.1 Basic information

The following information offers a rough overview. For details pertaining to the various AEB products, please refer to:

- AEB's terms and conditions
- The relevant system descriptions (chapter "Notes on data privacy").

It's also important to distinguish whether the applications are running at the customer site (on-premise installation) or in an AEB data center (AEB Cloud or AEB Private Cloud).

3.2 Data types

- Master data
- Transaction data
- Logs
- System status documentation and logs
- Archive data

3.3 Options for deletion

The following options are available in the AEB products and solutions:

Data types	Examples	Delete	Notes
Master data	A company's own employees, business contacts acting as company representatives.	In all cases: Manual deletion is possible. Can also be set to "inactive".	If the user rights allow it. Possible scenario: An employee no longer works with the product, so the user needs to be removed/deactivated.
Transaction data	Transactions (for export declarations, etc.), which may include information about the person responsible for the transaction	In all cases: Manual deletion is possible. Batch routines can also be used.	Possible scenario: The relevant retention periods have expired.
Logs	Logs of Compliance Screening scans and matches, which may include data on employees or business partner contacts.	In all cases: Manual deletion is possible. For cloud: One-time or regular deletion requests to AEB are possible.	Possible scenario: An applicant that was vetted using Compliance Screening has completed the application process and must therefore be deleted from the screening logs. Please note: Not all AEB products provide logs for users.
System status documentation and logs	Access by employees, including login times and IP addresses – documented in system logs for troubleshooting purposes	On-premise installations and solutions: The logs in question can be deleted manually or on a regular basis using batches. For cloud: AEB automatically deletes this data after 7 days. One-time or regular accelerated deletion requests to AEB are possible.	Possible scenario: An employee insists that his or her log entries be deleted after two days. As long as this does not violate any law or compromise the stability of the system, such a request will be accommodated.
Archive data	Data older than 180 days automatically archived by Export Filing and possibly containing personal data.	Manual deletion is possible. One-time or regular deletion requests to AEB are also possible.	Please note: This is an area where legal requirements for data retention (in tax law, etc.) often prohibit deletion. Each case must be carefully checked.

4 Recommendations for action

The following is a summary of AEB's recommendations for action for you when dealing with personal data in AEB products:

- Be aware of your own responsibilities.
- Be aware of which data you are required to retain and for how long.
- Incorporate the available information specific to each product/solution (data types, objectives, etc.).
 - The system descriptions provided by AEB are helpful here.
 - You might find it helpful to copy any information on deletion stored in your records of processing activities (formerly referred to as “registration of procedures”).
 - AEB, in its role as processor, offers support by providing information for your record of processing activities at the AEB Data Protection-appearance in our Trustcenter: <https://www.aeb.com/intl-en/trust-center/data-privacy.php#Other-materials>
- Work with the various departments of your company to clarify how the products/solutions use personal data.
 - Fields that may be populated with personal data are often optional, not mandatory.
 - Are there any other fields that may be populated with additional personal data (for your purposes)?
- Define your deletion needs.
 - This might include retention periods for deletion classes based on type of data and subject matter.
- Please also check any extensions to the standard developed individually for your company for personal data and its deletion options.
- If you have any further questions, please contact your usual AEB representative.

If you have any questions about this deletion concept, please send an e-mail to dataprotectionofficer@aeb.com.

Stuttgart, October 2019

AEB Company Management and Data Protection Officer