

# **Conditions of Use and Data Protection for the Application Acceptance and Management System Services Platform of the Einheitlicher Ansprechpartner Hessen**

References to legal requirements relate to the General Data Protection Regulation (hereinafter, GDPR) and the German Federal Data Protection Act (hereinafter, BDSG) as well as the Hessian Data Protection and Freedom of Information Act (hereinafter, HDSIG) in the version applicable since 25/05/2018.

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## **I. Scope of application:**

This Privacy Policy applies for the services platform of the Einheitlicher Ansprechpartner Hessen (Single Point of Contact for Hessen) and for the personal data collected via these websites. For websites provided by third parties, to which the user is referred, for example, through links, the data protection information and policies of the respective websites apply.

The services platform of the Einheitlicher Ansprechpartner Hessen – hereinafter referred to as “services platform” – is an electronic application acceptance and management system, which allows the receipt of notices, applications, declarations

of intent, and documents, as well as allowing these to be forwarded to the relevant authorities in respect of location and subject matter. Equally, it allows notifications to be transmitted from the relevant authorities to the user.

## **II. Responsibility:**

The data controller responsible for the processing of personal data on these websites is:

Regierungspräsidium Gießen [Regional Council of Giessen]  
Dezernat 11.1 – E-Government, Information, Kommunikation  
Landgraf-Philipp-Platz 1-7  
35390 Gießen  
ea@rpgi.hessen.de

## **III. Data Protection Officer:**

Behördliche Datenschutzbeauftragte des Regierungspräsidiums Gießen [Data Protection Officer of the Regional Council of Giessen]  
Landgraf-Philipp-Platz 1-7  
35390 Gießen  
Tel: +49 641 303-0  
dsb@rpgi.hessen.de

## **IV. Hosting:**

The website is provided by the Hessische Zentrale für Datenverarbeitung [Hessian Central Office for Data Processing] ([www.hzd.hessen.de](http://www.hzd.hessen.de)) as a technical service provider on our account and in accordance with our specifications.

## **V. Use of the services platform and how we handle your personal data:**

### 1) Personal data:

According to Article 4 GDPR, personal data is any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

### 2) Use of the services platform:

- a) The services offered in the services platform can only be used once the user has registered successfully. The data controller – RP Gießen – retains the right to deny the user access and use of the services platform in the event that the user has provided incorrect or incomplete information.

- b) Use begins with registration with the services platform and confirmation that the user has read and accepted this information regarding use and data protection. Personal data is collected and stored when the user registers with the services platform.

In order to protect input forms on our site, we use the "reCAPTCHA" service of Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043 USA, hereinafter "Google." By means of this service it can be distinguished whether the corresponding input is of human origin or is created improperly by automated machine processing.

To our knowledge, the referrer URL, the IP address, the behaviour of the website visitors, information about the operating system, browser and length of stay, cookies, display instructions and scripts, user input behaviour and mouse movements in the "reCAPTCHA" checkbox are conveyed to "Google." Google uses the information obtained, among other things, to digitize books and other printed matter as well as to optimize services such as Google Street View and Google Maps (e.g. house number and street name recognition). The IP address provided as part of "reCAPTCHA" is not merged with other data from Google unless you are logged into your Google Account at the time the "reCAPTCHA" plug-in is used. If you want to prevent this transmission and storage of data by "Google" about you and your behaviour on our website, you must log out of "Google" before you visit our site or before using the reCAPTCHA plug-in.

The use of the "reCAPTCHA" service is according to the Google Terms of Use:

<https://www.google.com/intl/en/policies/privacy/>.

- c) The user can terminate use at any time. In this respect, it is sufficient for the user to send a notification by email to the email address stated in the services platform, or by letter or fax to one of the addresses listed in the Impressum. If administrative procedures started by the user via the services platform are affected by the termination of the use, the user is responsible for establishing other types of communication (e.g. by giving a postal contact address) and confirming this to the Einheitlicher Ansprechpartner in writing in order to enable the applications to continue to be processed. The Einheitlicher Ansprechpartner and the data controller responsible for the services platform bear no responsibility in the event that legal retention periods are breached by this.
- d) The personal data of the user which is necessary for the user's registration and for the performance and execution of the services offered via the services platform is collected, stored and processed in accordance with the legal stipulations of the data protection law of the Federal State of Hessen, and in consideration of the General Data Protection Regulation.
- e) The data stored in the services platform is deleted by the system after the administrative procedure and the relevant statutory retention periods have ended, however, at most five years after the end of the administrative procedure.

Specifically, the data controller ensures deletion as follows:

- Data from any online applications which have not been completed within a year (e.g. incomplete applications; “New” status; “Visible” status) is deleted after a year and
  - Data from applications which have been completed is deleted by the system after five years
- f) When a user registers with the services platform, they receive a personal right of access to the services platform from the data controller, RP Gießen. The right of access is only valid for the user and is non-transferrable. The user is responsible for ensuring that the access data is not used by third parties or misused.

### 3) Fees

It is free to register and use the services platform. However, fees may be payable within certain individual administrative procedures. These shall be collected by the relevant authority and shall be communicated to the user before applications or notifications are delivered.

### 4) Duration of storage and compulsory retention periods:

The data collected within the context of submitting applications on the services platform is stored for a period of five years.

All periods begin at the end of the year in which the processing of the application is completed.

Should personal data be collected or stored for another purpose, (Article 17 Para. 3 b) and d) GDPR) the data controller, RP Gießen, uses the retention periods stated in the decree regarding records management in the public offices in the Federal State of Hessen as guidance.

### 4) Data regarding use:

Every time that an Internet file is requested, the following access data, which cannot be used to identify a person, is stored at the Hessischen Zentrale für Datenverarbeitung [Hessian Central Office for Data Processing] (HZD) for statistical evaluation purposes:

- the page from which the file was requested,
- the name of the file opened,
- the date and time of the request,
- the amount of data transmitted,
- the access status (file transmitted, file not found etc.)
- the type of access (GET, POST),
- the browser or operating system used,
- the anonymised IP address of the computer making the request,

- the Session ID
- cookies

For data security purposes, including for investigating unauthorised access or preventing misuse of the website, the full IP address of the computer making the request is recorded, saved, and automatically deleted seven days after the access has ended.

## **VI. Recipients or categories of recipients**

We share the personal data that you provide to us concerning your identity, as well as any further information given in the application procedure that you have selected, with the authorities and official bodies that are responsible for your application in terms of location and subject-matter (e.g. professional bodies). The relevant authority will confirm the entity responsible for data protection in this respect.

## **VII. Your rights:**

As a user of our website, you have various rights according to the GDPR and the HDSIG, in particular arising from Art. 15 to 18, 21 GDPR and Sections 52 and 53 HDSIG:

### 1) Right to access:

According to Art. 15 GDPR or Section 53 HDSIG, you can request information regarding the personal data that we process concerning you. In your information request, we ask that you specify your concerns in order to facilitate our collation of the data required. Please note that your right to access is restricted by the stipulations of Sections 24 Para. 2, 25 Para. 2 and 33 HDSIG, Section 52 Para. 2 to 5 HDSIG.

### 2) Right to rectification:

Should the information concerning you be incorrect (or no longer correct), you can request rectification, according to Art. 16 GDPR or Section 53 HDSIG. If your data is incomplete, you can request that it be completed.

### 3) Right to erasure:

According to the terms of Art. 17 GDPR and of Sections 34 and 53 HDSIG, you can request that your personal data be deleted. Among other things, your right to erasure depends on whether we still need the data concerning you in order to fulfil our legal obligations.

As a registered user of the services platform, you can delete your user account with all of your personal data yourself, provided that there are no applications of yours still being processed.

### 4) Right to restriction of processing:

Within the scope of the stipulations of Art. 18 GDPR or Section 53 HDSIG, you have the right to request the restriction of processing in respect of the data that concerns

you. However, this may mean that applications that you have made cannot be processed any further. Please contact the Einheitlicher Ansprechpartner responsible for your applications.

5) Right to object:

According to Art. 21 GDPR, you have the right to object to the processing of data concerning you for reasons arising from your specific situation at any time. If the data controller is obliged to process data within the context of fulfilling its official duties as understood under Section 35 HDSIG, the objection cannot always be observed.

6) Right to file a complaint:

If you believe that we have not respected the provisions of data protection law when processing your data, you can file a complaint with the Data Protection Officer at the Regierungspräsidium Gießen, who will review your complaint.