

Please return to:

Gothaer Allgemeine Versicherung AG  
 Generalagentur Dirk Kübler  
 preferable via Email

Ihr persönlicher Ansprechpartner  
 Generalagentur / Medienspezialist  
**Dirk Kübler**  
 Exklusivvertreter der  
 Gothaer Versicherungsbank VVaG  
 Lindenberger Strasse 4  
 13059 Berlin  
 Telefon: 030-96 0 69 0 70  
 Fax: 030-96 0 69 0 75  
 Email: [filmversicherung@me.com](mailto:filmversicherung@me.com)  
**Medienhotline: 0800-96069070**

[filmversicherung@me.com](mailto:filmversicherung@me.com)

**Production company:**

**Name of the insured person:**

**Date of birth of that person:**

**Consent to the collection and use of health data (numbers 1 to 3) and declaration of release from confidentiality (number 4)**

The provisions of the Insurance Contract Act, the Federal Data Protection Act and other data protection regulations do not provide a sufficient legal basis for the collection, processing and use of health data by insurers. In order to be allowed to collect and use your health data for the contract, Gothaer Allgemeine Versicherung AG therefore requires your consent under data protection law. As a film insurance company, Gothaer Allgemeine Versicherung AG requires your release from the obligation to maintain confidentiality in order to use your health data or further data protected under § 203 of the German Criminal Code (StGB) to other parties, e.g. assistance companies or IT service providers.

The following declarations of consent and release from the obligation to maintain confidentiality are indispensable for the examination of your application and the establishment, implementation or termination of your insurance contract with Gothaer Allgemeine Versicherung AG. If you do not provide them, it will generally not be possible to conclude the contract. The declarations concern the handling of your health data and other data protected under Section 203 of the German Criminal Code (StGB)

- by Gothaer Allgemeine Versicherung AG itself (under 1)
- if the data is passed on to bodies outside Gothaer Allgemeine Versicherung AG (under 2)
- if the contract is not concluded (under 3.)

The declarations apply to the persons legally represented by you, such as your children, insofar as they do not recognise the scope of this consent and are therefore unable to make their own declarations.

**1. Consent to the collection, storage and use of the notified health data by Gothaer Allgemeine Versicherung AG**

**I consent** to Gothaer Allgemeine Versicherung AG collecting, storing and using the data supplied by me, as well as any data notified by me in the future, provided that this is required to assess the application and to substantiate, implement or terminate this insurance contract.

**2. Transfer of your health data to parties outside Gothaer Allgemeine Versicherung AG**

Gothaer Allgemeine Versicherung AG contractually obliges the parties named below to observe the provisions on data protection and data security.

**2.1 Transfer of tasks to other parties (business enterprises of persons)**

Gothaer Allgemeine Versicherung AG has transferred certain tasks, such as for example risk assessment, benefit payment processing or telephone customer service, which may include the collection, storage or use of your health data, to other companies of our insurance group or to other parties. If your data protected under section 203 of the German Criminal Code are transferred in the course of these tasks, Gothaer Allgemeine Versicherung AG requires your release from confidentiality for itself and, where necessary, for other parties. Gothaer Allgemeine Versicherung AG keeps an up-to-date list of the parties and categories of parties that, as agreed upon, collect, process or use health data on behalf of Gothaer Allgemeine Versicherung AG. This list also shows the tasks transferred to the individual parties. The current list is enclosed with the declaration of consent. An up-to-date list can also be found on the internet under [www.gothaer.de/datenschutz](http://www.gothaer.de/datenschutz) or requested at [info@gothaer.de](mailto:info@gothaer.de). Gothaer Allgemeine Versicherung AG needs your consent for the transfer of your health data and for use of such data by the parties specified in the list.

**I consent** to Gothaer Allgemeine Versicherung AG transferring my health data to the parties specified in the list mentioned above and to the collection, processing and use of my data by those parties for the purposes stated to the same extent as Gothaer Allgemeine Versicherung AG would be permitted to collect process and use such data. As far as necessary, I release the employees of Gothaer Insurance Group and other parties from their obligation to maintain confidentiality with regard to the transfer of health data and other data protected under section 203 of the German Criminal Code.

**2.2 Transfer of data to reinsurers**

To ensure that your claims can be satisfied, Gothaer Allgemeine Versicherung AG may conclude contracts with reinsurers take on all or part of the risk insured by us. In some cases the reinsurance companies involve other reinsurers to whom they also transfer your data. It may be necessary for Gothaer Allgemeine Versicherung AG to submit your insurance application or your claim documents to the reinsurer to allow it to make its own assessment regarding the risk involved or the claim in question. This is particularly the case if the sum insured is especially high or the risk involved is difficult to assess. The reinsurer may also use its special expertise to support Gothaer Allgemeine Versicherung AG in assessing risks or claims, or in evaluating the processes involved. If reinsurers have assumed the risk, they are entitled to check whether the risk assessment or the claim examination carried out by Gothaer Allgemeine Versicherung AG is correct. Moreover, data regarding your existing contracts and applications will be transferred to reinsurers to the extent necessary for them to assess if and to what extent they can participate in the relevant risk. Data on your existing contracts can also be transferred to reinsurers for the purpose of clearing premium payments or settling benefit payments.

As far as possible, anonymised and/or pseudo-anonymised data will be used for the purposes stated above, but personal health data might also be used. The reinsurers will use your personal data only for the purposes stated above. Gothaer Allgemeine Versicherung AG will inform you about any transfer of your health data to reinsurers..

**I consent** to my health data being transferred – to the extent necessary – to reinsurers and to such data being used by those reinsurers for the purposes stated above. As far as necessary, I release the employees of Gothaer Insurance Group from their obligation to maintain confidentiality with regard to the transfer of health data and other data protected under section 203 of the German Criminal Code.

**2.3 Transfer of data to independent intermediaries**

As a matter of principle, Gothaer Allgemeine Versicherung AG does not transfer any data concerning your health to independent intermediaries. However, in certain cases, which are described below, data allowing conclusions regarding your health to be drawn or information about your contract protected under section 203 of the German Criminal Code might be transferred to independent intermediaries. If required for the purpose of giving advice on contractual details, the responsible intermediary can be provided with information as to whether and under what conditions (e.g. acceptance with risk surcharge, exclusion of certain risks) your contract can be accepted. The intermediary who arranged your contract will be informed that the contract was concluded and on what terms it was made. The intermediary will thus become aware of any risk surcharge or exclusion of certain risks agreed. If your intermediary changes, contractual data comprising information on existing risk surcharges and exclusions can be forwarded to the new intermediary. In such a case you will be informed before your health data is transferred to the new intermediary and you will be reminded that you have the option to object to disclosure.

**I consent** to Gothaer Allgemeine Versicherung AG transferring - to the extent necessary - my health data and other data protected under section 203 of the German Criminal Code in the cases referred to above to the independent intermediary responsible for my contract. I also consent to collection, storage and use of such data by the intermediary for advisory purposes.

**3. Storage and use of your data if the contract is not concluded**

If the contract is not concluded, Gothaer Allgemeine Versicherung AG will store the health data collected during the risk assessment until the end of the third calendar year after the year of application, in the event that you should apply for insurance cover again.

**I consent** that Gothaer Allgemeine Versicherung AG may store and use my health data until the end of the third calendar year after the year of application for the purposes stated above in the event that the contract is not concluded.

**4. General release from confidentiality**

To check our duty to indemnify your claim, Gothaer Allgemeine Versicherung AG needs to verify information on your state of health which you provided to substantiate a claim or which is included in the documents submitted (e.g. bills, prescriptions, expert opinions) or in notifications, e.g. by a physician or other member of the health profession. This verification is done only to the extent necessary. In the event that, in the course of such request for information, health data or other data protected under section 203 of the German Criminal Code are to be transferred, Gothaer Allgemeine Versicherung AG requires your consent including a release from the obligation to maintain confidentiality, which applies both to Gothaer and the bodies/persons stated above. You may give your consent already now (I) or later on a case-by-case basis (II). You may change your decision at any time.

Please choose one of the two options below:

**Option I:**

I consent to Gothaer Allgemeine Versicherung AG requesting health data from physicians and carers and from staff of hospitals, other medical institutions, nursing homes, personal insurers, *Krankenkassen*, employers' liability insurance associations and authorities to the extent required for benefit payment assessment, and to using such data for this purpose. I release the above mentioned persons and the staff of the above mentioned institutions from their obligation to maintain confidentiality to the extent that my permissibly stored health data resulting from medical examinations, consultations, treatments, insurance applications and insurance contracts from a period of up to ten years prior to applying for insurance are transferred to Gothaer. I also consent to Gothaer Allgemeine Versicherung AG transferring my health data, to the extent necessary, to the persons and institutions specified above and, in this respect, also release the employees of Gothaer from their duty to maintain confidentiality. Before any of the data described above are collected, I will be informed as to where and for what purpose they are to be collected, and about my right to object and to provide the required documents myself.

**Option II:**

I wish to be informed by Gothaer Allgemeine Versicherung AG from whom (persons/institutions) and for what purposes information is requested. I will then decide exactly

- whether I consent to Gothaer collecting and using my health data and release such persons and institutions and their staff from confidentiality and consent to transfer of my health data to Gothaer, or whether

- I provide the required documents myself.

I am aware that this can delay the assessment of the insurer's duty to indemnify. To the extent that the above declarations relate to information provided in my application for insurance, they shall be valid for a period of five years after conclusion of the contract. This period shall be ten years in the event that, after conclusion of the contract, Gothaer Allgemeine Versicherung AG has concrete grounds for believing that incorrect or incomplete information was intentionally supplied when applying for insurance and that the risk assessment was influenced by this. The assessment of the insurer's duty to indemnify may make it necessary to verify health information even after your death. Such assessment may also be required if, within ten years after conclusion of the contract, the insurer has concrete grounds for believing that incorrect or incomplete information was intentionally supplied when applying for insurance and that the risk assessment was influenced by this. We require your consent and your release from confidentiality also in such a case.

Please choose one of the two options below:

**Option I:**

In the event of my death, I consent to my health data being requested from third parties for the purpose of verifying the insurer's duty to indemnify and/or for reassessing my application as described in the first checkbox above.

**Option II:**

To the extent that health data needs to be collected after my death in order to check the insurer's duty to indemnify and/or to reassess my application for insurance, my heirs shall decide on any consent and/or release from confidentiality required.

**5. Permission for the use of data**

The assessment of the insurer's duty to indemnify may make it necessary to call in medical experts. Gothaer Allgemeine Versicherung AG requires your consent and your release from confidentiality in the event that this includes transfer of your health data and other data protected under section 203 of the German Criminal Code. You will be informed about any data transfer required.

**I consent to** Gothaer Allgemeine Versicherung AG transferring my health data to medical experts to the extent necessary for assessing the duty to indemnify, as well as to my data being used there for the purposes stated above and the resulting data being retransferred to Gothaer. I release the employees of Gothaer and the medical experts from their obligation to maintain confidentiality with regard to the transfer of health data and other data protected under section 203 of the German Criminal Code.

**6. Information on data processing and data protection**

The processing of your data is carried out on the basis of the relevant statutory provisions and the rules of conduct agreed with the competent supervisory authorities. The up-to-date versions of these provisions and rules can be found at

<http://www.gothaer.de/datenschutz>

To centralise the processing of certain steps of the business process (e.g. phone calls, mails, collection of payment), the master data of applicants and insured persons, as well as information on the type of existing contracts are collected, processed and used in a data processing system that is shared and accessed by the members of the Gothaer Group.

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Place, date

Signature of the person to be insured

(For minors: the legal representative/ for minors under the age of 16 additional: the insured person)