

Data protection notice

for the use of the

Online Access Act-compliant Invoice Submission Portal (OZG-RE)

Last updated: 14 October 2019

General note

Handling personal data responsibly is a top priority for the federal administration. We want to ensure that users know when and which data is collected and used while using the Online Access Act-compliant Invoice Submission Portal (*OZG-konforme Rechnungseingangsplattform*, OZG-RE) (hereinafter referred to as “the Invoice Submission Portal”).

1. Name and address of the controller

The Federal Ministry of the Interior, Building and Community (BMI) is responsible for processing personal data.

Federal Ministry of the Interior, Building and Community (BMI)

Alt-Moabit 140
10557 Berlin, Germany

Tel.: +49 (0)30 18681-0
Fax: +49 (0)30 18681-12926
E-mail: poststelle@bmi.bund.de

2. Obligations of the controller as defined in Article 26 of the GDPR

The Federal Ministry of the Interior is responsible for the care and maintenance of the Invoice Submission Portal and undertakes to fulfil all data protection requirements for the portal.

The Federal Ministry of the Interior is responsible for the portal as a website, registration, and authentication for the service account of the Federation. It undertakes to fulfil all data protection requirements for the platform and the service account, in particular:

- lawfulness of data processing,
- establishing, amending, developing and complying with specialist and technical requirements,
- protecting the rights of data subjects, and
- fulfilling the information requirements pursuant to Articles 13 and 14.

3. Name and address of data protection officer

Data Protection Officer for the Federal Ministry of the Interior

Alt-Moabit 140
10557 Berlin, Germany

Tel.: +49 (0)30 18681-0
E-mail: bds@bmi.bund.de

4. Which personal data is collected while using the Invoice Submission Portal?

Visiting the Invoice Submission Portal website

Each time the Invoice Submission Portal website is accessed, personal data and other data from the user's computer is automatically used.

The following data is recorded in this context:

- destination address retrieved
- IP address of the user's computer
- date and time of access

- protocol version, HTTP method, referrer, user agent string (generally includes the name and version of the browser and possibly also the operating system of the accessing device)
- name of the file retrieved and the amount of data transferred in bytes
- notification of whether the request was successful or not (HTTP status code)

The Federal Ministry of the Interior analyses this data, which is first rendered anonymous, for purely statistical purposes in order to continuously improve the Invoice Submission Portal.

The stored data is not linked to the user's other personal data.

1. Legal basis and purpose of the data processing

Article 6 (1) (e) of the GDPR provides the legal basis for the storage of this personal data for the purposes of tracing and analysing possible errors in the system so that these errors can be swiftly rectified in the public interest, thus safeguarding the operation of the Invoice Submission Portal.

2. Duration of data storage

The data which is stored temporarily for the purpose of making the website available is deleted when the user's session ends.

3. Right to object and to removal

The temporary collection and storage of data is essential for providing and operating the Invoice Submission Portal website.

5. Use of cookies

The Invoice Submission Portal website uses cookies. Cookies are text files which are stored in the internet browser or which the internet browser stores on a user's computer system. When a user accesses the website, a cookie may be stored on the user's computer system. This cookie contains a distinctive sequence of characters which allows the browser to be clearly identified the next time the user accesses the website. The Invoice Submission Portal website only uses session cookies. These become invalid as soon as the user leaves the website, and can be deleted locally by the user by changing the browser settings accordingly.

Article 6 (1) (e) of the GDPR, in conjunction with section 3 (2) of the Federal Government's Regulation on Electronic Invoicing (*E-Rechnungsverordnung*) provides the legal basis for the use of cookies, on the basis of the Invoice Submission Portal's function for forwarding invoices to invoice recipients and the associated registration that is necessary pursuant to the Online Access Act (*Onlinezugangsgesetz*).

Some of the functions of the website cannot be provided without using cookies. In order to provide these functions, it is essential that the user's browser can still be recognized after the user navigates to a different page on the site.

The user data collected using the cookies that are necessary for technical reasons is not used to create user profiles.

Cookies are stored on the user's computer and then transmitted from there to the Invoice Submission Portal website. By changing the settings in their Internet browser, users can deactivate or restrict the transmission of cookies. Previously stored cookies can be deleted at any time by the user. This can also be done automatically. If cookies are deactivated for the Invoice Submission Portal website, however, it may no longer be possible to fully use all the functions of the website.

6. Registration

The Invoice Submission Portal website gives users the option of registering on the Invoice Submission Portal by setting up a user account. Users are also given the option of creating company accounts. Personal data and company-related user data is collected and stored during the registration process and when creating such accounts.

The following data is stored during the registration process when setting up a user account for sending invoices:

- first name and last name (required field)

- password (required field)
- e-mail address (required field)
- telephone number (optional)
- user ID (automatically generated, hidden)
- activation period (automatically generated, hidden)
- activation link ID (automatically generated, hidden)
- expiry date for activation link (automatically generated, hidden)
- language (automatic default is German)

The following data is stored when company accounts are created:

- company account ID (automatically generated, hidden)
- company name (required field)
- administrator rights (automatically linked to user account)
- company address – street (optional)
- company address – postcode (optional)
- company address – town (optional)
- company language (required field)
- company address – country (required field)
- either VAT ID or tax number (required field)

Administrator rights enable the user to administer the company account that they have set up.

During the registration process, the user's consent is obtained, as part of the terms of use, and the confirmation of the consent is stored.

After logging on to the user account, the following data is stored in relation to the user's activities:

- user ID
- date and time of user activity
- description of user activity
- description of result of user activity

1. Legal basis and purpose of the data processing

Article 6 (1) (e) of the GDPR, in conjunction with section 3 (2) of the Federal Government's Regulation on Electronic Invoicing (*E-Rechnungsverordnung*) provides the legal basis for the processing of this data for purposes of forwarding invoices to invoice recipients and the associated registration that is necessary pursuant to the Online Access Act (*Onlinezugangsgesetz*).

2. Duration of data storage

The data is deleted as soon as it is no longer needed for processing purposes. This is the case if the user account and the user's other company accounts are deleted. In the event of an amendment to the details in the user or company account, the revised information is stored and the original information is deleted. Please note that an account is only permanently deleted after a 30-day retention period. The user account is also deleted if the user has not used it for more than 360 days.

Please note that if a user account is deleted, the company accounts linked to the user account will also be deleted automatically.

Users can delete their user account and the associated company accounts, or amend their stored personal data, at any time.

7. Submission of invoices

Users can submit electronic invoices via their user account using various transmission methods. These are:

- web-based data entry
- web upload

- e-mail
- PEPPOL

As well as the content of the electronic invoice, the following data is also processed when electronic invoices are submitted using one of the above-mentioned transmission methods:

- date of receipt of the electronic invoice
- link between the electronic invoice and the user account of the user issuing the invoice
- logging receipt of the invoice

1. Legal basis and purpose of the data processing

Article 6 (1) (e) of the GDPR, in conjunction with section 3 (2) of the Federal Government's Regulation on Electronic Invoicing (*E-Rechnungsverordnung*), provides the legal basis for the storage of the data.

The processing of the data serves the purpose of a) validating a submitted electronic invoice in accordance with the XRechnung standard in its current version, b) logging the status of a submitted electronic invoice, c) enabling a connection to be made between the electronic invoice and the user submitting the invoice, and d) forwarding the invoice to the competent federal authority which is the addressee of the invoice.

Invoice data is further processed by the invoice recipient solely with the purpose of processing the invoice in accordance with current budget and economic management regulations and to document adherence to these regulations (see section 90 Federal Budget Code; *Bundshaushaltsordnung*).

2. Duration of data storage

Data is deleted from the Invoice Submission Portal if no change in the status of the submitted electronic invoice has taken place within 28 days or if the user's account is deleted.

Data connected to the processing of an invoice (invoice and invoice data) will generally be stored for five years by the invoice recipient in accordance with section 4.7 of the "administrative regulation for payments, accounting and invoicing" of the Federal Budget Code (VV-ZBR BHO). To allow for individual agreements in special cases, the duration of storage for electronic invoices may be extended in these cases by the authority.

8. Sharing of your data with third parties

In individual cases, the Federal Ministry of the Interior may be legally obliged to allow access to your data for law enforcement authorities (cf. section 23 (1) nos 3 and 4 of the Federal Data Protection Act (*Bundesdatenschutzgesetz*, BDSG)) or the Federal Office for Information Security (BSI) (cf. section 5 (1), fourth sentence, of the Act on the Federal Office for Information Security (*Gesetz über das Bundesamt für Sicherheit in der Informationstechnik*, BSIG)), if this is required in connection with the prosecution of criminal acts or to defend against attacks on the Federation's IT infrastructure.

In order to ensure remittance of the invoice total, the payee's name and account information as well as the reference line will be submitted to the Federal Cash Office (*Bundeskasse*) and the Bundesbank. Apart from this, no data is shared with third parties.

9. Contact

The Invoice Submission Portal's controller (see sections 1 and 3 above) may be contacted in the event of questions relating to data protection.

Users with specialist/technical questions related to the Invoice Submission Portal can contact the support service by e-mail (sendersupport-xrechnung@bdr.de).

10. Your data protection rights

Every person whose data is collected has the right to access personal data concerning him or her (Article 15 GDPR), the right to rectification (Article 16 GDPR), the right to erasure (Article 17 GDPR),

the right to restriction of processing (Article 18 GDPR) and the right to object to the processing of personal data on grounds relating to his or her particular situation (Article 21 GDPR).

The right to lodge a complaint with a supervisory authority

If you think that the processing of your personal data infringes on your rights, you can lodge a complaint with the competent data protection supervisory authority (Article 77 of the GDPR):

Federal Commissioner for Data Protection and Freedom of Information
Husarenstrasse 30
53117 Bonn
E-mail: poststelle@bdi.bund.de