

Insurance business as Data Controller

Main principles generally applicable to Corporate and Leisure lines of business in light of the [EU General Data Protection Regulation \(GDPR\)](#).

Specific implication for corporate agreements on the matter of the GDPR concepts of Data-Controller or Data-Processor (GDPR Chapter 4, art. 24-43) concerning the question of data-processing agreements with ERV-Nordic corporate clients.

ERV-Nordic considers itself a data controller when processing personal data in connection with its' business of insurance, as ERV-Nordic predominantly processes data for and on behalf of itself in order to conclude or execute an insurance agreement with a customer or covered individual.

ERV-Nordic is at the outset always the data controller (data-ansvarlige, dataansvarige) for personal data of its' insurance clients. The product and service sold is an insurance under which ERV-Nordic is subsequently subject to several individual legal requirements concerning most aspects of its processes and procedures such as for example retention of claims data.

ERV-Nordic does not undertake data-processing on behalf of our corporate clients on any personal data they have collected on their employees in the course of their employment or similar such as in case of a claim.

The personal data is utilised for the ERV-Nordic purpose of entering or subsequently servicing and hereunder claims handling and assistance servicing an insurance agreement.

These actions are taken on conditions and in a manner determined by ERV-Nordic. ERV-Nordic determines the ways and means of the data processing and systems used, which is a precondition for fulfilling the insurance agreement as well as associated legal requirements placed on ERV-Nordic throughout the insurance life-cycle for which ERV-Nordic in its own right is a regulated entity under Danish, Swedish and EU legislation.

Therefore ERV-Nordic is an individual data-controller in these cases and no data-processing agreement is generally applicable between the company and its corporate clients¹.

Our corporate clients should on the other hand ensure they themselves have the necessary legal ground for passing the/any personal data to us as well as see to its' associated obligations on for example informing that such data is passed to ERV-Nordic. Possibly refer here to section 3.2.2 in publication cited below in footnote 1.

Further information on ERV-Nordic and our Data Protection Policy is available on our [Danish](#) or [Swedish](#) homepages.

NOTICE. Nothing in above should be considered, mediated or construed as advice or counsel. It is a referenced illumination of the standpoint of ERV-Nordic on the stated topic and should not be further viewed, understood or used in any way. For any guidance or resolution of doubts over the concepts of Data Controller or Data Processor we thus kindly refer the reader to seek own individual counsel.

ERV-Nordic

ERV-Nordic is a commercial name for the Danish registered Insurer Europæiske ERV (Europæiske Rejseforsikring A/S) along with its' Swedish branch Europeiska.

¹ The paper in general refers to the published guidance by Datatilsynet on Data Controllers and Data Processors which can be found on the home page of Datatilsynet.dk, i.a. section 3.1 and 3.2 in version current at 07.12.2022.
[\[https://www.datatilsynet.dk/Media/7/6/Dataansvarlige_og_databehandlere.pdf\]](https://www.datatilsynet.dk/Media/7/6/Dataansvarlige_og_databehandlere.pdf)