

28 October 2021

**Your consent is necessary!**

Dear customer,

This letter contains important information about your customer relationship with Sparkasse Duisburg. We need your active support to ensure our tried and tested cooperation can continue.

As you may have already learned through the media, a judgement by the German Federal Court of Justice (BGH) dated 27/04/2021 has caused uncertainty with regard to our customer relationship. In order to eliminate this legal uncertainty, valid General Terms and Conditions (GTC) incl. other terms and conditions as well as the unamended Schedule of Prices and Services dated 01/11/2020 must be agreed with you afresh. **Your active consent is required for this.** Details of the judgement and any other changes we would like to agree with you can be found on the reverse side.

**What do you have to do now?**

Please promptly give us your consent to our terms and conditions and the Schedule of Prices and Services.

Environmentally friendly behaviour is important to us here! Instead of sending you numerous documents in paper form, we are storing the necessary documents for you digitally. You can also provide your consents online with just a few clicks. It's easy and we'll guide you through the process step by step:



1. Scan the QR code or go to [sparkasse-duisburg.de/zustimmen](https://sparkasse-duisburg.de/zustimmen).
2. Please have your Sparkassen-Card (debit card) ready for identification.
3. Download, save and view terms and conditions.
4. Provide consent with just one click.

**Alternatively, you are welcome to mail your consents back to us postage paid using the enclosed declaration of consent or hand it in at any branch office.**

We thank you in advance for your support and look forward to the continuation of our trustful relationship!

Yours sincerely,

Your Sparkasse Duisburg



Dr Bonn



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PS: Frequently asked questions and answers on the subject can be found at [sparkasse-duisburg.de/neue-bedingungen](https://sparkasse-duisburg.de/neue-bedingungen). If you have any further questions or need support, you can also contact our customer service centre on 0203 2815-9800 (Monday to Friday from 8 a.m. to 8 p.m.).

## **Background to the BGH judgement**

Throughout the financial sector, institutions agreed with customers that amendments to existing contracts were considered effective if the customers did not object within two months after being informed ("GTC amendment mechanism" in industry parlance). Their consent was thus deemed to have been given if they remained silent on proposed amendments. The reason for this approach was to simplify matters for both sides. This is also the case in other industries and has so far also been the case in the business relationship between you and us.

In a case against Postbank AG, the German Federal Court of Justice ruled that this type of consent is invalid and that the customer's active consent is required for material changes to the contract to be effective. Since it cannot be ruled out that this judgement may also apply to us, we want to take the precaution of putting our business relationship on a legally sound footing. For legal protection, it is therefore necessary for you to expressly confirm the contractual terms and conditions applied to date and the charges levied. You are therefore agreeing to the contractual terms and conditions and fees in the version that you are already essentially familiar with, as we had notified you of these via the GTC amendment mechanism until the BGH judgement dated 27/04/2021.

What is new is that in the General Terms and Conditions, compared to the version last communicated to you, the two provisions on changing agreed prices and conditions in future have been amended due to the BGH judgement and provisions with the same content in the special conditions have also been adapted accordingly.

In this context, we have adapted further special conditions and also require your consent for these amendments.

This includes, among other things, changes in the credit card terms and conditions due to the update service as well as changes in the terms and conditions for the use of the electronic mailbox. Of course, this only affects you if you use these products.

### What to do?

If you do not wish to give your consent easily and conveniently online (see cover letter), please complete this reply form and hand it in at one of our branches or return it to us postage paid in the enclosed reply envelope to Sparkasse Duisburg, Postfach 10 15 11, 47015 Duisburg. We have provided an overview of the most important changes at the beginning of the terms and conditions.

Thank you very much.

Your Sparkasse Duisburg

**Sender:**

Personal number:

### 1. Declaration of consent

I hereby agree to the following terms and conditions for the products I use privately as of the effective date listed below, which I have either downloaded at [sparkasse-duisburg.de/neue-bedingungen](https://sparkasse-duisburg.de/neue-bedingungen), which I have received at a branch of Sparkasse Duisburg or which was sent to me by post at my request.

Terms and conditions amended against the background of the judgement of the German Federal Court of Justice (BGH), effective as of 01/03/2022:

- General Terms and Conditions (GTC)
- Terms and conditions for transfers
- Terms and conditions for payments by direct debit in the SEPA Core Direct Debit Scheme
- Terms and conditions for real-time transfers
- Terms and conditions for savings transactions (incl. self-service savings transactions)
- Terms and conditions for online banking
- Terms and conditions for the use of the electronic safe
- Terms and conditions for the use of the electronic mailbox (ELPO 2.0)
- Terms and conditions for the use of the electronic account statement
- Terms and conditions for securities transactions (with retention clause)
- Terms and conditions for securities savings plans
- Terms and conditions for the rental of locker compartments
- Terms and conditions for the Sparkassen-Card (debit card)
- Terms and conditions for the digital Sparkassen-Card (debit card) with indiv. authent.
- Terms and conditions for the Mastercard / Visa Card (credit card)
- Insurance terms and conditions Mastercard / Visa Card (credit card)
- Terms and conditions for the Mastercard Basis / Visa Basis (debit card)
- Insurance terms and conditions Mastercard Basis / Visa Basis (debit card)
- Terms and conditions for the digital Mastercard / Visa Card (credit card) with individualised authentication procedures
- Terms and conditions for the digital Mastercard Basis / Visa Basis (debit card) with individualised authentication procedures

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### 2. Declaration of consent to the Schedule of Prices and Services

I hereby agree to the unamended Schedule of Prices and Services (as of 01/11/2020), which I have either downloaded at [sparkasse-duisburg.de/neue-bedingungen](https://sparkasse-duisburg.de/neue-bedingungen), which I have received at a branch of Sparkasse Duisburg or which was sent to me by post at my request.

Weitere hilfreiche Übersetzungen gibt's hier:  
[sparkasse-duisburg.de/translation-service](https://sparkasse-duisburg.de/translation-service)

