

Record of Personal Data Protection of Personal Data Processing Activity, pursuant to Article 31 of Regulation (EU) 2018/1725¹

FINANCIAL TRANSACTIONS

I. GENERAL INFORMATION

1) Contact Details of Controller(s) (Note 2)

Name: European Banking Authority (EBA) represented by the executive director and the head of the Finance and Procurement unit.

Email Addresses: ExecutiveOffice@eba.europa.eu; Finance@eba.europa.eu

The European Commission is a joint controller:

- DG BUDGET manages ABAC, the financial and accounting application set up by the European Commission, to monitor the execution of its budget and to prepare its accounts.
- DG DIGIT implements and maintains the accounting IT tool ABAC.

2) Contact Details of Processor

Who is actually conducting the processing?

The EBA Finance and Procurement Unit is responsible of the data processed through the financial transactions. The unit's functional inbox is finance@eba.europa.eu.

The data is processed by the EBA's financial circuit actors from the following units/departments:

- Finance and Procurement
- Accounting
- Corporate Support
- IT
- Human Resources
- Policy analysis and coordination

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC

- Legal
- Economic Analysis and Statistics (EAS)
- Banking Markets, Innovation and Consumers (BMIC)
- Executive Office

II. DESCRIPTION & PURPOSE OF PROCESSING

3) Description of Processing (see Note 3)

When processing financial transactions, the EBA must record details of the third parties to whom it makes payments, both to enable these third parties to be identified and to enable the actual payment to their bank account to be processed in the EBA financial systems (ABAC, PAWS). ABAC is a DG BUDGET managed financial and accounting application that has been set up by the Commission to monitor the execution of the EU budget and accounts. PAWS is an internal workflow of the EBA to manage the internal process of payments.

As part of the processes, EBA uses Adobe Sign for electronic signature of: budget transfers; legal commitments (contracts and purchase orders); non-compliance and exception notes; and delegations of budgetary powers.

All IT tools are developed according to a standard set of security and are thoroughly tested accordingly, to ensure robustness and reliability. The financial and business travel and mission's expenses tool are in secured network. Paper files are stored in secured lockers and are destroyed in compliance with security procedures.

4) Purpose of processing (see Note 4)

Why are the personal data being processed?

Specify the rationale and underlying reason for the processing

The purpose of this process is to implement the budget of the EBA by executing payments to experts, contractors and beneficiaries. The financial transactions are made of:

Budgetary commitments

Legal commitments, including contracts and purchase orders;

Payments

5) Lawfulness of Processing

Article 5 of Regulation (EU) 2018/1725

A. Legal Basis justifying the processing:

- Article 5(a) of Regulation EU 2018/1725 because processing is necessary for the performance of a task carried out in the public interest (or in the exercise of official authority vested in the Union institution or body).
- Article 5 (b) of Regulation EU 2018/1725 because processing is necessary for compliance with a legal obligation to which the controller is subject.

<ul style="list-style-type: none"> • Article 5 (c) of Regulation EU 2018/1725 because processing is necessary for the performance of a contract to which the data subject is party. • Regulation (EC) 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC, and in particular Chapter VI thereof, • Financial Regulation of the European Banking Authority (EBA) of 2019
<p>B. Processing is necessary:</p> <p><input checked="" type="checkbox"/> for the performance of a task carried out in the public interest</p> <p>for compliance with a legal obligation to which the Controller is subject</p> <p><input checked="" type="checkbox"/> for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract</p> <p><input type="checkbox"/> in order to protect the vital interests of the data subject or of another natural person</p> <p>Or</p> <p><input type="checkbox"/> Data subject has given his/her unambiguous, free, specific and informed consent</p>

III. CATEGORIES OF DATA SUBJECTS & PERSONAL DATA

<p>6) Categories of Data Subjects (see Note 5)</p> <p><i>Please tick all that apply and give details where appropriate</i></p> <p><input checked="" type="checkbox"/> EBA Temporary Agents and Contract Agents</p> <p><input checked="" type="checkbox"/> Seconded National Experts (SNE) and trainees</p> <p><input checked="" type="checkbox"/> Visitors to the EBA)</p> <p>If yes, please specify: candidates to EBA’s selection procedures, Members of the Banking Stakeholders Group, attendees and speakers at seminars and events</p> <p><input checked="" type="checkbox"/> Staff of providers of good or services: external suppliers</p> <p><input checked="" type="checkbox"/> Relatives and associates of data subjects</p> <p><input type="checkbox"/> Complainants, correspondents, and enquirers</p> <p>Other (please specify):</p>

7) Categories of personal data (see Note 6)

Please tick all that apply and give details where appropriate

(a) General personal data:

The personal data contains:

- Personal details (name, address, country of residence and other personal data contained in the documents supporting reimbursable costs)
- Education & Training details (if relevant to the nature of the request, such as CV or additional trainings and certificates)
- Employment details (title, company, department, e-mail address, business telephone number, mobile telephone number, fax number, postal address)
- Financial details (bank account number and beneficiary)
- Family, lifestyle and social circumstances, (if relevant to the nature of the request, such as children school and tuitions)

Other (please give details) :

(b) Special categories of personal data:

The personal data reveals:

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Genetic or Biometric data
- Data concerning health, sex life or sexual orientation

Important Note

If you have ticked any of the sensitive data boxes contact the Data Protection Officer before processing the data further.

IV. CATEGORIES OF RECIPIENTS & DATA TRANSFERS

8) Recipient(s) of the data*To whom is the data disclosed?*

- Managers of data subjects
- Designated EBA staff members
- Relatives or others associated with data subjects
- Current, past or prospective employers
- Healthcare practitioners
- Education/training establishments
- Financial organisations
- External contractor

Other (please specify):

9) Data transfer(s)*Is the data transferred outside the EBA?*

- Within the EBA or to other EU Institutions/Agencies/Bodies

If yes, please specify: To DG Budget and DG Digit as joint controllers of the processing, to the European Court of Auditors (ECA), and to the Paymasters's Office (PMO).

- To other recipients within the EU (e.g. NCAs)

- To third countries

If yes, please specify:

- a) the country: United States of America, in the context of data processing from the use of Adobe Sign

- b) whether suitable safeguards have been adopted:

Adequacy Decision of the European Commission²

Standard Contractual Clauses

Binding Corporate Rules

² Third countries for which the European Commission has issued adequacy decisions are the following: https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en

Administrative Arrangements between public Authorities

To international organisations

If yes, please specify the organisation and whether suitable safeguards have been adopted:

Important Note
 If no safeguards have been put in place, please contact the DPO before processing the data further.

V. RETENTION PERIOD & SECURITY MEASURES

10) Retention period (see Note 7)

A. How long will the data be retained and what is the justification for the retention period?

Files relating to financial transactions are to be retained in the archives for a period of 5 years following the discharge of the financial exercise. The discharge of the financial exercise generally takes place 2 years after the financial year, meaning a total of 7 years for holding the personal data or until the end of a possible audit if it started before the end of the above period.

B. For further processing envisaged beyond the original retention period for historical, statistical or scientific purposes, please specify whether the personal data will be anonymised:

No

Yes

11) Storage media & security of processing

A. Please indicate how and where the data processed are stored (e.g. Share Point / cloud):

Commission’s ABAC system
 EBA’s Payments Workflow System (SharePoint)

EBA Network drives

B. Technical & Organisational Security measures adopted:

- Controlled access to ICT-system/controlled access codes
- Restricted access to physical location where data is stored
- Pseudonymisation and Encryption
- Back-up
- Audit trails
- Confidentiality agreement/clause
- Test the effectiveness of security measures adopted
- Training of staff

Other (please specify):

Consultation of the Data Protection Officer and Deputy Data Protection Officer

Name: Jonathan Overett Somnier (DPO)

Email Address: dpo@eba.europa.eu

Date of consultation: 01/06/2021

Date of approval of processing: 01/07/2021

Privacy statement available at:

https://www.eba.europa.eu/sites/default/documents/files/document_library/1016957/Specific%20Privacy%20Notice%20-%20Financial%20transactions.pdf

Date of insertion in Register: 09/07/2021

Guidance Notes

Note 1

Enter here the name of the processing operation involving personal data (e.g. staff recruitment, business continuity contact list)

Personal data is any information relating either directly or indirectly to a living identified or identifiable person. This information may, for example, be the name, date of birth, a telephone number, biometric data, medical data, professional details, etc.

Processing means any operation or set of operations which is performed upon personal data, whether or not by automatic means, such as collection, recording, organisation, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, blocking, erasure or destruction.

Note 2

In case of more than one controller (i.e. joint processing operations), all controllers need to be listed.

Note 3

Enter any details of the processing operation that are not clear from the name of the operation entered above.

Note 4

Personal data must only be collected for specified, explicit and legitimate purposes and not further processed in a way incompatible with those processes.

Note 5

The data subject is an identified or identifiable natural person who is the subject of the personal data.

Note 6

According to Article 10 of Regulation (EU) 2018/1725, the processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, as well as of genetic and biometric data, and data concerning health and sex life or sexual orientation, is generally prohibited but exemptions may apply.

Note 7

Personal data should be kept for no longer than is necessary for the purposes for which the data were collected or for which they are further processed.