Record of processing activity

EuReCA - European reporting System for material CFT/AML weaknesses

Record of EBA activities processing personal data, based on Article 31 of Regulation (EU) 2018/1725 (EUDPR)

Part 1 - Article 31 Record (publicly available)		
1	**Last update of this record**	02/05/2024
2	**Date of next review**	02/05/2026
3	**Reference number**	EBA/DPR/2024/1
4	**Name and contact details of controller**	Controller: European Banking Authority, Tour Europlaza, 20 avenue André Prothin, CS 30154, 92927 Paris La Défense CEDEX, France Responsible Department: Innovation, Conduct and Consumers (ICC) Contact: EuReCa@eba.europa.eu
5	**Contact details of DPO**	dpo@eba.europa.eu, or alternatively send a letter to the postal address of the EBA (address above) marked for the attention of the DPO of the EBA.
6	**Name and contact details of joint controller (where applicable)**	National and EU reporting authorities as mentioned in Article 9a (1a) of Regulation (EU) 1093/2010 and in Article 1 of Annex II of the Commission Delegated Regulation (EU) 2024/595 as well as ESMA and EIOPA. Contact EuReCa@eba.europa.eu for more details.
7	**Name and contact details of processor (where applicable)**	Consortium Atos – Cosmote Global Solutions N.V. – providing IT support Cosmote Global Solutions N.V. Avenue des Arts 56, Brussels, Belgium Atos Luxembourg 12 rue du Château d'Eau, Leudelange, Luxembourg Contact:

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		it-con-2022-12@ote.gr iopapafi@ote.gr
8	**Short description and purpose of the processing activity**	EuReCA collects information from reporting authorities in the context of preventing and countering money laundering and terrorist financing. Identification of natural persons is not the main purpose of the EuReCA database. Data on natural persons is provided by EU reporting authorities. These data sets are collected and further processed with the purpose of identifying and analysing material weaknesses (significant failures in the compliance with any of the AML/CFT-related requirements) in the supervision of activities of financial operators and vulnerabilities and risks in relation to money laundering and terrorist financing in the financial sector in situation where the natural persons appears to be linked with the material weakness. Information relating to suspicions of criminal offences or criminal convictions committed by a customer, a beneficial owner, a member of the management body or key function holder could be an indicator of a lack of honesty, integrity or ML/TF risks. This can be a significant cause or contributor to material weaknesses in a financial sector operator's governance arrangements, fitness and propriety, holders of qualifying holdings, business model or activities. Therefore, the personal data specified in Annex II of the Commission Delegated Regulation (EU) 2024/59 of may include information related to suspicion or conviction for criminal offences. The data are analysed and shared, on a need to know and confidential basis with reporting authorities at national and EU level for their supervisory activities in line with paragraph 5 of Annex 2 of Commission Delegated Regulation (EU) 2024/59. The data can be further shared with EIOPA, ESMA, national judicial authorities, EPPO, FIUs (see section 12 below for further details).
9	**Description of categories of persons whose data the EBA processes and list of data categories**	This processing activity involves processing of personal data of individuals connected with the materiality. Personal data may be included in some specific fields, in case an individual has a direct connection with the materiality of the weakness identified and there is a request by EBA to identify some categories of natural persons. The data necessary to make sure the right person is identified may be collected in structured fields. The categories of persons are set out in details in Annex II of the Commission Delegated Regulation (EU) 2024/595. These are: customer, beneficial owner, member of the management body or key function holder(s). Categories of personal data will be processed refer mainly to: • Identification data (mainly): name, surname, date of birth, country of residence, nationality;

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		• Data related to the materiality of the weakness (mainly): the reason why the reporting authority considers that the natural person appears to be linked with the material weakness. The full list of categories of personal data is provided in Annex II of Commission Delegated Regulation (EU) 2024/595. In addition, the processing activity will involve processing of identification and technical data such as IP and access logs of EBA staff and authorities accessing the database.
10	**Special categories of personal data processed (as defined in Article 10 EUDPR)**	Special categories of personal data are not specifically required. Nevertheless, the processing may involve special categories of data / data of a highly personal nature: data relating to administrative sanctions and possibly connected to (suspicions of) offences, data on politically exposed persons in connection to the identification of material weaknesses, and measures taken in response to these weaknesses by reporting authorities.
11	**Time limit for keeping the data**	As set out in Article 14 of the Commission Delegated Regulation (EU) 2024/595 the EBA will keep personal data on an identifiable form for a period of up to 10 years from the collection by the EBA and, where it does so, shall delete personal data upon expiry of that period. Based on a yearly assessment of their necessity, personal data may be deleted before the end of that maximum period on a case-by-case basis.
12	**Recipients of the data**	The personal data are analysed and shared, on a need to know and confidential basis, with reporting authorities (AML/CFT authorities, prudential authorities, payment institutions authorities, conduct of business authorities, resolution authorities, designated authorities as defined in Article 1 of Commission Delegated Regulation (EU) 2024/595) at national and EU level for their supervisory activities (Article 9a (2) and (3). The data will be transmitted where appropriate to national judicial authorities and the European Public Prosecutor's Office (EPPO). The central database operates in the wider context of close coordination between the EBA and other reporting authorities at national and EU level, including the European Central Bank (ECB) and Single Resolution Board (SRB). In that context, data including personal data can also be shared on a case-by-case basis with EIOPA and ESMA as part of the general duty of cooperation foreseen in Article 2 (4) of Regulation (EU) 1093/2010 and with national Financial Intelligence Units (FIUs) pursuant to Article 9a (1a) the Regulation (EU) 1093/2010.

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		The personal data is also accessible to the EBA staff managing the database and may be accessible by the IT support.
13	**Are there any transfers of personal data to third countries or international organisations?**	The personal data will be processed within the EU/EEA
14	**General description of security measures, where possible**	The system is designed to be safeguarded against deliberate and intrusive threats from internal and external actors (malicious or otherwise). It can only be accessed using two factor authentication, from user with specific data access permission and using passwords compliant with EBA security policy. Reporting authorities only have access to personal data they have uploaded. All extractions from the system that include personal data regarding natural persons, including PDFs created for export, support file encryption and password protection. EBA's information security policy requires information about financial sector operators, including related personal data, to have appropriate security marking and to be stored in restricted locations and circulated with encryption. Personal data are not exported in mixed content reports. The system keeps an audit of all login attempts. It uses data encryption and IT logs and monitors the activity.
15	**For more information, including how to exercise your rights to access, rectification, object and data portability (where applicable), see the data protection notice:**	The Data Protection Notice is published on the EBA website. The link to the Data Protection Notice: https://www.eba.europa.eu/regulatory-technical-standards-central-database-amlcft-eu