

## Data Protection Notice

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### EuReCA - European reporting System for material CFT/AML weaknesses

The European Banking Authority (EBA) processes your personal data based on [Regulation \(EU\) 2018/1725](#) (EUDPR).

The following information is provided in accordance with Articles 15 and 16 of the EUDPR.

#### Who is the controller?

The EBA is the controller with regard to the data processing activities described in this data protection notice. EBA can be contact through email using [info@eba.europa.eu](mailto:info@eba.europa.eu) by stating in the subject 'Data protection enquiry' or in writing using the following address:

DEFENSE 4 – EUROPLAZA  
20 Avenue André Prothin CS 30154  
92927 Paris La Défense CEDEX

For more information on the EBA, please consult the EBA website <https://eba.europa.eu>.

#### Details of any other joint controllers and essence of joint controllership

The processing activity involves joint processing with certain National and EU reporting authorities as specified in Article 9a(1), point (a), of Regulation (EU) No 1093/2010 (EBA Regulation) as well as ESMA and EIOPA regarding the data specified in Annex II of the Commission Delegated Regulation (EU) 2024/595.

Contact [eureca@eba.europa.eu](mailto:eureca@eba.europa.eu) for more details on the joint controllership.

The Arrangements on joint controllership determine the respective responsibilities of the Parties as joint controllers for the processing of personal data in connection with the operation of central database of information collected in accordance with Article 9a(1), point (a), of the EBA Regulation (EuReCA). The Arrangements apply only to the processing of personal data transferred by the Parties to or from EuReCA.

The Parties must provide each other with reasonable assistance in complying with any data subject requests relating to personal data processed through EuReCA. Where a Party other than the EBA receives such a data subject request, it shall forward the request (or the part of the request that concerns the personal data processed through EuReCA) promptly to the following EBA mailbox [eureca@eba.europa.eu](mailto:eureca@eba.europa.eu). In case of data subject request received by the EBA the EBA would be

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responsible for processing such requests with the help of the reporting authority that reported the personal data, and for informing the other Parties of the decision. The Party that received the request would be responsible for replying to it on the basis of the information communicated by the EBA. The Parties must also cooperate in the event of any data breach affecting EuReCA, and notify the EBA and the relevant data protection authorities and data subjects where required.

### **Details of any data processor**

Consortium Atos – Cosmote Global Solutions N.V. are 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: [it-con-2022-12@ote.gr](mailto:it-con-2022-12@ote.gr) , [iopapafi@ote.gr](mailto:iopapafi@ote.gr)

### **What personal data do we process, for what purpose, who can access it and how long do we keep them?**

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 appear to be linked with the material weakness. Information related 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) 2024/595, 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 point 5 of Annex II of Commission Delegated Regulation (EU) 2024/595. The data can be further shared with EIOPA, ESMA, national judicial authorities EPPO, FIUs

This processing activity involves processing personal data of individuals connected with the materiality of the weakness identified. 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 (ie: name, surname, date of birth, country of residence, nationality.)

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).

In addition, the processing activity will involve processing of identification and technical data such as the access logs of EBA staff and authorities accessing the database.

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) of the EBA Regulation). The data will be transmitted where appropriate to national judicial authorities and the European Public Prosecutor's Office (EPPO). EuReCa 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 EBA Regulation and with national Financial Intelligence Units (FIUs) pursuant to Article 9a(1), point (a), of the EBA Regulation

The personal data is also accessible to the EBA staff managing EuReCa and may be accessible to the IT support.

As set out in Article 14 of the Commission Delegated Regulation (EU) 2024/595 the EBA will keep personal data in 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.

### **Why do we process your personal data and under what legal basis?**

The data are processed to enable to EBA to fulfil the mandate it has received in Article 9a(1), 9a(2) and 9a(3) of the EBA Regulation.

The Commission Delegated Regulation (EU) 2024/595 provides the details of performance of these tasks.

### **Will the processing of your personal data involve any transfer outside of the EU?**

Your personal data is processed within the EU/EEA and will not leave that territory.

### **What are your rights regarding your personal data?**

As a data subject, an individual whose personal data is processed, you have the following rights:

**Access** - You have the right of access to your personal data and to relevant information concerning how we use it.

**Rectification** - You have the right to rectify your personal data, where there are inaccuracies or where data is incomplete.

**Erasure** - Under certain conditions, you have the right to ask that we delete your personal data.

**Objection** - You have the right to object to the processing of your personal data on grounds related to your particular situation. If you do so, EBA may only continue processing your personal data where overriding legitimate grounds can be demonstrated or where the processing is necessary for the establishment, exercise or defense of legal claims.

**Restriction** - Under certain conditions, you have the right to ask that we restrict the use of your personal data or momentarily pause the processing conducted on the data.

**Right to Withdraw Consent** – Where the EBA relies on consent as the legal basis for processing your personal data you have the right to withdraw your consent at any time.

For more information on these rights and details of the exceptions that may apply please see Articles 14 to 25 of EUDPR.

Where you wish to exercise any of your rights, you can send your request by post in a sealed envelope or via email using the contact details provided below.

### **You have the right to lodge a complaint**

If you have any remarks or complaints regarding the way we process your personal data, we invite you to contact the Data Protection Officer (DPO) of the EBA (see section on contact details below).

You have, in any case, the right to lodge a complaint with the European Data Protection Supervisor, our supervisory authority for data protection matters.

### **Contact details for enquiries regarding your personal data**

Should you wish to contact the EBA, we encourage you to do so by email: [eureca@eba.europa.eu](mailto:eureca@eba.europa.eu) by stating in the subject “Data Protection Enquiry”.

If you wish to contact the DPO of the EBA personally, you can send an e-mail to [dpo@eba.europa.eu](mailto:dpo@eba.europa.eu) or a letter to the postal address of the EBA marked for the attention of the DPO of the EBA.

The postal address of the EBA is DEFENSE 4 – EUROPLAZA, 20 Avenue André Prothin, CS 30154, 92927 Paris La Défense CEDEX, France.

You can also find contact information on the EBA’s website: <https://eba.europa.eu/contacts>