Record of processing activity

MiCAR supervision

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**	05/12/2025
2	**Date of next review**	05/12/2026
3	**Reference number**	EBA/DPR/2024/4
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: EBA-MiCAR-Supervision@eba.europa.eu for supervisory matters and EBA-MiCAR-Reporting@eba.europa.eu for reporting matters
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)**	Not applicable
7	**Name and contact details of processor (where applicable)**	Microsoft Ireland Operations Limited - providing M365 software Microsoft EU Data Protection Officer One Microsoft Place South County Business Park Leopardstown Dublin 18 D18 P521 Ireland Telephone: +353 (1) 706-3117 Webform available at https://aka.ms/privacyresponse

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8	**Short description and purpose of the processing activity**	The MiCAR supervision team collects information from competent authorities and issuers in the context of the tasks and supervisory duties imposed on the EBA by Regulation (EU) 2023/1114. The collection of personal data is only auxiliary to the main purpose of carrying out the supervisory tasks laid down in Title VII of Regulation (EU) 2023/1114. Data on natural persons is provided by EU competent authorities and issuers. These data sets are collected and further processed, including through the European Centralised Infrastructure for Supervisory Data (EUCLID), with the following purposes: (i) to carry out the significance assessment of asset-referenced tokens (Articles 43 and 44) and e-money tokens (Articles 56 and 57); (ii) to establish, manage and chair the consultative supervisory colleges for asset-referenced and e-money tokens classified as significant (Article 119); (iii) to promote convergence on the classification of crypto-assets (Article 97); (iv) to carry out the supervisory responsibilities with respect to issuers of significant asset-referenced tokens and e-money tokens laid down in Title VII, Chapter 4 and 5 of Regulation (EU) 2023/1114; and (v) to promote and enhance supervisory convergence in line with Article 1(5) of Regulation (EU) No 1093/2010. The data are analysed and can be shared with competent authorities and central banks at national and EU level for their supervisory activities in line with Chapters 1, 4 and 5, Title VII of Regulation (EU) 2023/1114. The data can be further shared with EIOPA and ESMA (in line with Article 97 of Regulation (EU) 2023/1114). Pursuant to Article 119 of Regulation (EU) 2023/1114, the data will be shared with the members of the college of supervisors, including, where relevant, ESMA, the ECB, the SSM and the relevant supervisory authorities of third countries with which EBA has concluded administrative agreements in accordance with Article 126 of Regulation (EU) 2023/1114. In addition, for the purposes of reporting, a shared technical platform has been deployed for the purpose of reporting to implement the data collections supporting the supervisors to fulfil their tasks under Regulation (EU) 2023/1114.

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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 issuer and persons acquiring qualifying holdings. Categories of personal data that will be processed refer mainly to: • Identification data (mainly): name, surname, date of birth, country of residence, nationality; and • Data relating to administrative sanctions and possibly connected to (suspicions of) criminal offences in the context of Articles 33, 34(2) and 42(1)(e) of Regulation 2023/1114; • Data relating to reputation, knowledge, skills and expertise of the subjects in the context of Articles 34(2), 34(4) and 42(1)(b) of Regulation (EU) 2023/1114; • Data relating to the financial soundness of the data subject in the context of Article 42(1)(c) of Regulation (EU) 2023/1114 and to the qualifying holdings. In addition, the processing activity will involve processing of identification and technical data such as IP and access logs of EBA staff and authorities and central banks accessing the data.
10	**Special categories of personal data processed (as defined in Article 10 EUDPR)**	Special categories of personal data are not specifically required for MiCAR supervision. Nevertheless, the processing may involve special categories of data / data of a highly personal nature, such as data relating to administrative sanctions and possibly connected to (suspicions of) criminal offences for the purposes of assessing the suitability of the management body and of shareholders of qualifying holdings in line with Title III, Title IV and Title VII of Regulation (EU) 2023/1114.
11	**Time limit for keeping the data**	The EBA will keep personal data on an identifiable form for a period of up to 10 years from the date the supervised entity has ceased its operation. The EBA will delete personal data upon expiry of that period, unless at the end of the retention period the data will be related to outstanding legal proceedings.
12	**Recipients of the data**	The personal data will be processed and stored in the EBA secure IT environment, with restricted access. Data collected will be protected to a level that is appropriate to its sensitivity and will be accessible exclusively to authorised staff. The personal data are analysed and shared, on a need-to-know and confidential basis, with competent authorities and central banks. The central database operates in the wider context of

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		close coordination between the EBA and other competent authorities at national and EU level, including the European Central Bank (ECB). 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 Articles 125, 126, 127, 128 and 138 of Regulation (EU) 2023/1114. 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 by the EBA within the EU/EEA. In line with Article 126 of Regulation (EU) 2023/1114, the EBA may conclude administrative agreements on the exchange of information with the supervisory authorities of third countries.
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. 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. 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 available on the EBA Markets in Crypto-assets website following this link. In certain circumstances, the Data Protection Notice can also be provided to the data subject by email.