

RECORD OF PROCESSING ACTIVITIES

EURECA DATABASE

1. PROCESSING PARTIES

1.1 CONTROLLER NAME

AMLA – Anti-Money Laundering Authority
Friedrich-Ebert Anlage 49
60308 Frankfurt

RESPONSIBLE UNIT

Executive Director
EuReCA@amla.europa.eu

1.2 DATA PROTECTION OFFICER name

DPO

CONTACT DETAILS

dpo@amla.eu

1.3 PROCESSOR NAME (IF APPLICABLE)

EBA – European Banking Authority

CONTACT DETAILS

info@eba.europa.eu
dpo@eba.europa.eu

1.4 JOINT CONTROLLERS NAME (IF APPLICABLE)

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

CONTACT DETAILS

EuReCA@amla.europa.eu

2. PROCESSING ACTIVITY

2.1 NAME OF THE ACTIVITY

EuReCA- European reporting System for material CFT/AML weaknesses

2.2 PURPOSE OF THE PROCESSING OF PERSONAL DATA

The purpose of identifying and analyzing 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. The collected information relates to weaknesses identified during ongoing supervision and authorisation procedures concerning financial sector operators as well as measures taken by reporting authorities in response to these material weaknesses. Some of this information may be connected to natural persons.

2.3 OTHER PURPOSES

None

2.4 LEGAL BASIS

Choose applicable as per Article 5(1) of Reg. (EU) 2018/1725:

Check
(YES/NO)

Art. 5(1)(a) For the performance of a task carried out in public interest or under AMLA Regulation	X/ <input type="checkbox"/>	Please name the task: Article 106 – “For the purposes of establishing and maintaining the database referred to in Article 11, the Authority shall conclude a bilateral agreement with the EBA on access to, as well as the financing and the joint management of, the AML/CFT database established in accordance with Article 9a of Regulation (EU) No 1093/2010. The arrangement shall be established for a mutually agreed period, which may be extended until no later than 30 June 2027. During that period, the EBA shall at least be able to continue receiving information, analyzing it and making it available in accordance with Article 9a(2) of Regulation (EU) No 1093/2010 or in accordance with this Regulation, on behalf of the Authority and based on the financing made available by the Authority for that purpose.”
Art. 5(1)(b) For complying with a legal obligation upon the Unit/Authority	<input type="checkbox"/> / <input type="checkbox"/>	Please specify the legal obligation: Click or tap here to enter text.
Art. 5(1)(c) For contractual reasons of the Data Subject	<input type="checkbox"/> / <input type="checkbox"/>	Click or tap here to enter text.
Art. 5(1)(d) The Data Subject has given consent for one (or more) purposes as listed above	<input type="checkbox"/> / <input type="checkbox"/>	Please explain how the consent is gathered: Click or tap here to enter text.
Art. 5(1)(e) For protecting the vital interests of the data subject	<input type="checkbox"/> / <input type="checkbox"/>	Please specify: Click or tap here to enter text.

2.5 NECESSITY OF THE PROCESSING OF PERSONAL DATA

The information collected for the purpose described above 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. The processing of personal data is not the main objective of the database, but it may be necessary in limited and specific cases an individual has a direct connection with the materiality of the weakness identified. Personal data are in limited cases necessary for the analysis of weaknesses as foreseen in the RTS. This is the case when:

- o The identification of a material weakness in the context of AML/CFT is linked to a natural person
- o Measures taken by a reporting authority regarding a weakness concern a natural person. This is the case especially when a legal person identifies a natural person: personal details have to be registered even though the private person is not the primary target of the system.
- o Personal data is a necessary part of the information which may give rise to criminal proceedings for which national judicial authorities or the EPPO are competent.
- o At the administrative level, the proper functioning of the database requires that a contact point is identified in each authority responsible for feeding the system.

2.6 DATA SUBJECTS

- | | |
|---|--|
| <ul style="list-style-type: none"> - Customers - Beneficial owners - Members of the management body - Key function holder | <ul style="list-style-type: none"> - Users (including AMLA and EBA staff and reporting authorities) |
|---|--|

2.7 CATEGORIES OF PERSONAL DATA

Of Members of a management body assessed as not meeting the requirements on fitness and propriety (Article 5 (2b) RTS): Name, surname, date of birth, country of residence, nationality, function in the financial sector operator or branch; Grounds of money laundering or terrorist financing.

Of Customer or beneficial owner: name, surname, date of birth, country of residence, nationality; whether the customer or beneficial owner is or was also a member of the management body or a key function holder in the financial sector operator or branch; whether the customer or beneficial owner holds or held, directly or indirectly, shares in the financial sector operator or branch; whether the customer is considered as 'high risk' is considered as 'high risk' by the financial sector operator, branch, agent or distributor.

Member(s) of the management body or key function holder(s) (Article 6 (m) RTS): name, surname, date of birth, country of residence, nationality; ii. function in the financial sector operator or branch.

Natural persons concerned by measures taken in response to a material weakness (Article 7d of the RTS):

Name, surname, date of birth, country of residence, nationality; Function in the financial sector operator, branch, agent or distributor or, with regard to the customer or beneficial owner, role.

Information to be submitted by a reporting authority when making a request to the EBA about a natural person (Article 10 (3) (a) RTS): Name, surname, date of birth, nationality, country of residence; Where known, the function, or, with regard to the customer or beneficial owner, role and the reason why the information about that specific person is necessary for the requesting reporting authority for its supervisory activity with regard to the prevention of the use of the financial system for the purposes of money laundering or terrorist financing and the intended use(s) of the information requested.

Users:

Reporting authorities: name, surname, function, and business contacts of the person designated as responsible for the submission, the requests and the reception of information under the RTS, and name, position, and contact details of the person(s) designated as contact point(s) for such submission, requests and reception of information.

AMLA and EBA staff: name, surname, function and business contacts of persons responsible for the reception, the processing and the sharing of information under the RTS.

2.8 DATA RETENTION

<i>Data category</i>	<i>Time limit</i>
Of all data categories held in EuReCA	Maximum period of 10 years from the collection by AMLA or EBA. After a yearly review on necessity, data may be deleted earlier, although in practice the data will not be retained for longer than 2 years due to the creation of Article 11 database of the AMLA Regulation.

3. DISCLOSURE OF PERSONAL DATA - RECIPIENTS WHERE PERSONAL DATA IS DISCLOSED

3.1 INTERNAL UNITS

(Please list all internal entities to whom the data will be disclosed):

Indirect supervision, Risk Analysis, Direct supervision

3.2 MEMBER STATES AUTHORITIES OR THIRD PARTIES (i.e.: private sector) WITHIN THE EU

- National reporting authorities as specified in the RTS (AML/CFT and Prudential authorities), for their supervisory activities with regard to the prevention of the use of the financial system for the purpose of money laundering or terrorist financing. The information may be shared where necessary via AML/CFT and prudential Colleges.
- FIUs
- National judicial authorities and other reporting authorities when information could give rise to criminal proceedings

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- EBA (European Banking Authority)
- ESMA (the European Securities Markets Authority)
- EIOPA (European Insurance and Occupational Pensions Authority)

3.3 THIRD COUNTRIES AND/OR INTERNATIONAL ORGANISATIONS

(If this is the case, please document the additional safeguards in compliance with Art. 48 of the DPR):

[Click or tap here to enter text.](#)

3.4 MEMBER STATES AUTHORITIES OR THIRD PARTIES (i.e.: private sector) WITHIN THE EU

Processors:

[Consortium Atos – Cosmote Global Solutions N.V.](#)

[Cosmote Global Solutions N.V. - Avenue des Arts 56, Brussels, Belgium Atos Luxembourg - 12 rue du Château d’Eau, Leudelange, Luxembourg](#)

4. PRIVACY STATEMENT/ DATA PROTECTION NOTICE

FOR MORE INFORMATION INCLUDING HOW TO EXERCISE YOUR RIGHTS TO ACCESS, RECTIFICATION, OBJECT AND DATA PORTABILITY (WHERE APPLICABLE). FOR DRAFTING OF THE PRIVACY STATEMENT, PLEASE FOLLOW ART. 15-16 OF THE DPR.

4.1 Please insert a link if available, or the text of the Privacy Statement:

[N/A](#)

4.2 Please explain how you intend to provide the Privacy Statement to the Data Subjects (i.e. via email, teams, Website, etc.):

[PS to be accessed both in the interface of the database and in AMLA’s website for wider dissemination](#)

5. DATA SECURITY

5.1 ORGANISATIONAL MEASURES

[N/A](#)

5.2 TECHNICAL MEASURES

	<i>Check (YES/NO)</i>	<i>Description (if YES)</i>
Pseudonymisation or Encryption	<input checked="" type="checkbox"/>	for data at rest and data in transit
Measures to ensure: <ul style="list-style-type: none"> - Confidentiality of Data 	<input checked="" type="checkbox"/>	Access Control and Authentication – MFA – Privileged Identity Management- RBAC – Encryption at rest and in transit, Secure Communications, Network Segregation, WAF, Back Ups with access controls, Cyber awareness training

<ul style="list-style-type: none"> <li data-bbox="188 241 400 271">– Integrity of Data <li data-bbox="188 432 432 461">– Availability of Data 	<p data-bbox="863 241 916 271">X/□</p> <p data-bbox="863 432 916 461">X/□</p>	<p data-bbox="983 241 1474 360">Encryption, Endpoint Detection and Response (EDR), Audit Trails and Logging, Change Control Board, Security Monitoring, SIEM, SOC, Secure Back Ups</p> <p data-bbox="983 432 1474 551">Cloud high availability and redundancy, Disaster Recovery and Business Continuity Plan, DDoS Protection, Monitoring and Alerting Systems, Patch management, Incident response</p>
<p data-bbox="140 577 507 607">Resilience of Systems and Services</p>	<p data-bbox="863 577 916 607">X/□</p>	<p data-bbox="983 577 1326 607">High availability and redundancy</p>
<p data-bbox="140 649 743 707">Restoration of availability and access to Personal Data in a timely manner</p>	<p data-bbox="863 649 916 678">X/□</p>	<p data-bbox="983 649 1422 707">RTO and RPO defined, back up restoration tests</p>
<p data-bbox="140 741 671 799">Process for testing, assessing and evaluation of the effectiveness the measures</p>	<p data-bbox="863 741 916 770">X/□</p>	<p data-bbox="983 741 1465 799">Pen Test schedule, Red Team exercise, access reviews</p>