

Privacy Statement

EuReCA - European reporting System for material CFT/AML weaknesses

AMLA (the Anti-Money laundering Authority) processes your personal data based on Regulation (EU) 2018/1725 (EUI DPR). In accordance with Articles 15 and 16 of the EUI DPR, the Controller needs to provide information to data subjects about how their data is being processed.

AMLA processes personal data in the EuReCA database under the legal basis provided in Article 106 of the AMLA Regulation, together with [Commission Delegated Regulation \(EU\) 2024/595](#). The purpose of the processing of personal data is identifying and analysing material weaknesses (significant failures in the compliance with any of the AML/CFT-related requirements) in the supervision of activities of obliged entities in the financial sector and vulnerabilities and risks in relation to money laundering and terrorist financing in the financial sector, in situations 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 obliged entity's governance arrangements, fitness and propriety, holders of qualifying holdings, business model or activities. It is important to note that the processing of personal data is residual, as the achievement of the purpose is primarily based on non-personal data information.

AMLA is the controller with regard to the data processing activities described in this data protection notice. The Data Protection responsibility starts the moment the personal data is inserted in the database. In addition, AML/CFT supervisory authorities in charge of supervising financial sector entities as well as prudential authorities in charge of verifying the compliance of those obliged entities with other acts of Union law in the area of financial services from Member States are Joint Controllers together with AMLA in respect of their own processing activities. AMLA can be contacted via email at EuReCA@amla.europa.eu. You can also address AMLA as

Controller for EuReCA using the following address: 5 MesseTurm, Friedrich-Ebert-Anlage 49, 60308 Farnkfurt am Main, Germany. ESMA (the European Securities Markets Authority) and EIOPA (European Insurance and Ocupational Pensions Authority) are also part of the Joint Controllershship. All entities are Joint Controllers in respect of the data specified in Annex II of the Commission Delegated Regulation (EU) 2024/595. You can address any of the other controllers at EuReCA@amla.europa.eu

You can find the essence of the joint controllership between all parties in AMLA's webpage. The Arrangements apply only to the processing of personal data transferred by the Parties to or from EuReCA. You can address your data subject request to other entities being controllers for EuReCA at EuReCA@amla.europa.eu .

EuReCA collects information from reporting 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) in the context of preventing and countering money laundering and terrorist financing and AMLA can disseminate these data to these reporting authorities. Upon request AMLA can also disseminate the data to EIOPA, ESMA, national judicial authorities, the European Public Prosecution Office, national Financial Intelligence Units, the European Central Bank or the Single Resolution Board.

The data categories that could be collected about customers, beneficial owners, member of the management body or key function holder(s) is always in relation to a material weakness can be found in Annex II of the Commission Delegated Regulation (EU) 2024/595. Depending on the type of data subject, the data categories are:

- Member 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.
- Customer, beneficial owner, member of the management body or key function holder linked to the material weakness (Article 6 (m) RTS):
 - 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, and the reason why

the reporting authority considers that the natural person appears to be linked with the material weakness.

- Member(s) of the management body or key function holder(s): name, surname, date of birth, country of residence, nationality; function in the financial sector operator or branch and the reason why the reporting authority considers that the natural person appears to be linked with the material weakness.
- 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;

When reporting authorities enquire about any of these persons, they also must provide 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, which is also considered as a data category.

Equally, AMLA will also process personal data related to the users of the database. In particular, from the reporting authorities the data categories processed are: 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 and technical data such access logs of AMLA staff and reporting authorities accessing the database.

There is a maximum retention period of 10 years from the collection by AMLA. After that period, the personal data shall be deleted. Personal data may be deleted earlier as a result of a yearly assessment its necessity of processing.

There are no international data transfers conducted.

Data subjects have the right to access the data, to rectify the data if inaccurate, to have it rectified or erased if the conditions under Articles 18 and 19 of the EUI DPR apply. Data subjects also have the right to object to the processing of their personal data pursuant to the conditions established in Article 23 EUI DPR or to restrict the processing activity as applicable under Article 20 EUI DPR. You can exercise your rights by sending an email to EuReCA@amla.europa.eu or to dpo@amla.europa.eu .

Data subjects also have the right to lodge a complaint to the European Data Protection Supervisor.