European Data Protection Board (EDPB) and Authority for Anti-Money Laundering and Countering the Financing of Terrorism (AMLA) Specific Privacy Statement (SPS)

Joint stakeholder's event with technology providers on the joint AMLA- EDPB Guidelines on Partnerships for information sharing under Article 75 AMLR and their data protection implications

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1. Introduction

The Authority for Anti-Money Laundering and Countering the Financing of Terrorism ('AMLA') and the European Data Protection Board ('the EDPB') (together 'the joint controllers'/'we'/'our'/'us') are committed to protecting your personal data and respecting your privacy. The joint controllers collect and further process personal data pursuant to Regulation (EU) 2018/1725[1].

This privacy statement explains how we process your personal data for the purposes of organising a joint stakeholders event with technology providers on the joint AMLA-EDPB Guidelines on partnerships for information sharing under Article 75 AMLR and their data protection implications ('the stakeholders event' or 'the event').

[1] Regulation (EU) 2018/17251 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data (repealing Regulation (EC) No 45/2001) https://eur-lex.europa.eu/eli/reg/2018/1725/oj/eng

2. Who is responsible for the processing of your personal data and under which legal grounds is it processed?

AMLA and the EDPB act as joint controllers for the processing of personal data for the purposes of conducting this event.

The legal ground of the processing is Article 5(1)(a) and 5(2) ("Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body") of Regulation (EU) 2018/1725.

For the EDPB, the Union law which is the basis for the processing based on Article 5(1)(a) of Regulation (EU) 2018/1725 is Article 70(1), point (e) GDPR and Article 70(4) GDPR.

For AMLA, the Union law which is the basis for the processing based on Article 5(1)(a) of Regulation (EU) 2018/1725 is Article 54 AMLAR (Regulation (EU) 2024/1620).

We rely on Article 10(2)(e) of Regulation (EU) 2018/1725 for the processing of any special categories of personal data[2] which you might include when taking the floor in the stakeholders event or in the chat function of the conference tool. If you refer to such categories of personal data in written exchanges with us, we rely on Article 10(2)(g) of Regulation (EU) 2018/1725.

Where we are required to process your personal data to comply with a legal obligation (e.g. when a relevant EU body such as the European Court of Auditors carries out an audit or investigation, or for the purposes of requests for access to documents in accordance with Regulation (EC) 1049/2001[3]), the lawfulness of said processing rests on Article 5(1)(b) and (2) of Regulation (EU) 2018/1725. For the processing of any special categories of personal data, which you might refer to when taking the floor in the event or in the chat function of the conference tool or in written exchanges with us, depending on the purpose, Article 10(2)(f) and (g) Regulation (EU) 2018/1725 may apply.

To collect expressions of interest in participating in the event and to ensure participants' registration to the event, we will rely on the EU Survey tool of the Commission. Please note that when using EU Survey, the Commission may gather your personal data for its own purposes, in which case it is a separate controller from the EDPB or from AMLA for that separate processing[4].

The authentication tool used when replying via EU Survey is EU Login which is also a tool of the European Commission for which the European Commission is a separate controller[5].

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[2] That is "personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation. See Article 10(1) of Regulation (EU) 2018/1725.

[3] Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, OJ L 145, 31.5.2001, p. 43–48.

[4] For more information, please consult the relevant record of the Commission, DPR-EC- 01488 https://ec.europa.eu/dpo-register/detail/DPR-EC-01488.

[5] For more information, please consult the relevant record of the Commission, DPR-EC-03187.1, available at https://ec.europa.eu/dpo-register/detail/DPR-EC-03187.

3. What personal information do we collect, for what purpose, through which technical means and how did we obtain them?

3.1 Processed personal data

To organise this stakeholders event, we will process the following personal data:

(a) your name and surname;
(b) your business email address;
(c) name of the company you represent;
(d) a short description of your company's business activities (maximum 500 words);
(e) a description of relevant active experience in the field of information-sharing platforms or arrangements;
(f) the EU/EEA member states in which you are providing services;
(g) any unredacted personal data contained in any files that you may choose to upload as part of an option to add support for the responses in the EU Survey;
(h) any personal data required by the service providers to ensure participation in the online event; and
(i) any personal data included in any views expressed during the event or any comments that you may type in the chat function of the conferencing tool.

As this is an online event, please note that you can use device's camera and microphone to transmit personal data which will then be processed as part of your participation in the stakeholders event. You have the option to mute your microphone, if you do not wish to be heard and to deactivate your cameras, if you do not wish to be seen.

Any views, substantive contributions and/or expertise expressed in connection to the stakeholders event – including those expressed orally during the event, those shared in writing through the chat function of the conferencing software, or and those otherwise shared by writing – are not expected or required to include confidential information or special categories of personal data.

We will take notes of the input and views expressed during the event with a view to taking such input into account while drafting the guidelines on Article 75 AMLR.

In addition, we will create a report on the input from participants to the stakeholders event. The report will be written in a general form which does not allow for the identification of individual contributors or organisations, with input being aggregated where appropriate. The report will become public.

3.2 Purpose of the processing

The purpose of this stakeholders event is to obtain views, information and expertise of technology providers, who are interested to participate in the event, for the elaboration of the joint AMLA-EDPB Guidelines on Partnerships for information sharing under Article 75 AMLR and their data protection implications

Technical means

a) To organise this remote event, we will rely on CISCO conferencing system;
b) To collect expressions of interest in participating in the event and to ensure registration to the event, we will use EU Survey of the European Commission. EU Login, a tool of the European Commission, is used for authentication on EU Survey;
c) Email services will be used to invite organisations and individuals to the event as well for any other reason, including to answer any queries.

3.3 Source of obtaining your personal data

Personal data are collected directly from the participants through EU Survey and, as applicable, during the event.

4. Are your personal data subject to any international transfers?

In accordance with Chapter V of regulation (EU) 2018.1725, AMLA will transfer your personal data to the US company CISCO, which acts as processor on behalf of AMLA for the purpose of offering teleconferencing services. CISCO Systems Inc. has adhered to the EU-US Data Privacy Framework, in line with Article 47 of Regulation 2018/1725[6]

5. Who has access to your information and to whom is it disclosed?

Your personal data may be disclosed to the following:

- EDPB members, EDPB Secretariat and AMLA staff members on a need-to-know and need-to-do basis;
- The European Commission:
  - acting as a processor of AMLA in relation to EU Survey;
  - acting as a separate controller for any processing it carries out for its own purposes in relation to EU Survey and EU Login;
- Cisco acting as a processor of AMLA for the provision of teleconferencing services
- The European Parliament acting as a processor of the EDPB, for the provision of technical services, where relevant and necessary;
- The names of the participants joining online (as entered by the participants themselves) are made available to each participant for the duration of the event;
- Members of the public in the context of requests for access to documents, in accordance with the provisions of Regulation (EC) 1049/2001 or Council Regulation (EEC, Euratom) 354/83[7].

[6] You can find more information here https://www.dataprivacyframework.gov/s/participant-search/participant-detail?id=a2zt0000000GnJ2AAK&status=Active
[7] Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community.

6. How do we protect and safeguard your information?

We keep our copies of your personal data on restricted and password-protected servers, with access limited on a need-to-know or need-to-do basis. Physical access to our premises is protected and restricted to authorised personnel only.

7. How can you verify, modify or delete your information?

As the individual to which the personal data relates, you can exercise the following rights:

1. access to your personal data under Article 17 of Regulation (EU) 2018/1725;
2. rectify your personal data under Article 18 of Regulation (EU) 2018/1725;
3. erase your personal data under Article 19 of Regulation (EU) 2018/1725;
4. restrict the processing concerning yourself under Article 20 of Regulation (EU) 2018/1725; or
5. exercise the right to data portability under Article 22 of Regulation (EU) 2018/1725.

Please note that these rights are not absolute rights, which means that some exceptions may apply according to law. These rights are applied on a case-by-case basis.

In addition, you can object to the processing of your personal data under Article 23 of Regulation (EU) 2018/1725 for reasons relating to your particular situation. When you contact us to exercise this right, please explain these reasons. We will no longer process your personal data, unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms.

We do not use your personal data for automated decision-making within the meaning of Article 24 of Regulation (EU) 2018/1725.

To exercise your rights as a data subject, please see sections 9 and 10 below.

8. For how long do we keep your data?

The EDPB will keep personal data processed for the purposes of the event for 5 years from the end of the event. Your personal data may be part of documents with historical or administrative value, which are selected for preservation in the EDPB records. In this case, the personal data they contain will be kept indefinitely and – unless an exemption applies – be made public in accordance with Regulation (EEC, EURATOM) 354/83 on the opening to the public of historical archives after 30 years.

AMLA will keep personal data processed for the purpose of the organisation and management of the meeting for 5 years since the closure of the file and publication of the Joint Guidelines.

9. Time limit for addressing your data modification request

After receiving your request, we have one month to provide information on action taken on your request. We may extend this period by two further months, taking into account the complexity and number of the requests. In that case, we will inform you of the extension and its reason within one month of receipt of your request.

10. Contact information

AMLA
You may contact AMLA at: innovation-and-anti-fraud@amla.europa.eu.

You can also directly contact AMLA's Data Protection Officer at dpo@amla.europa.eu.

EDPB
Equally, you may exercise your rights as a data subject by contacting the EDPB at edpb@edpb.europa.eu.

You may contact the EDPB's Data Protection Officer or the EDPB, via the EDPB's website contact page https://www.edpb.europa.eu/about-edpb/more-about-edpb/contact-us_en (to contact the DPO, please select the option "Requests for the EDPB DPO with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

11. Who can you contact to complain about the processing of your personal data?

We encourage you to always contact the joint controllers first to raise your questions or concerns.

In any case, you remain entitled to send a complaint to the European Data Protection Supervisor (EDPS) using the following contact information:

European Data Protection Supervisor (EDPS)
Rue Wiertz 60
B-1047 Brussels
Belgium
Phone: +32 2 283 19 00
Email: edps@edps.europa.eu