



## EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL MARKETS UNION

### Bank and insurance

Bank regulation and supervision

## **Subject: Privacy statement - Targeted consultation**

This privacy statement provides information about the processing and the protection of your personal data.

**Processing operation:** Alternative standardised approach for market risk, starting on 21 October 2019

**Data Controller:** DG FISMA – Unit D1 (Bank regulation and supervision)

**Record reference:** DPR-EC-00734

### **1. INTRODUCTION**

The European Commission (hereafter ‘the Commission’) is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [Regulation \(EU\) 2018/1725](#) 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).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

This privacy statement concerns personal data processing activities undertaken by Directorate – General for Financial Stability, Financial Services and Capital, Market Union (DG FISMA), hereinafter referred to as the operating DG.

The information in relation to processing operation of the “**Alternative standardised approach for market risk**” – referred as the “**consultation**” in the text – undertaken by DG FISMA – Unit D1 is presented below.

### **2. WHY AND HOW DO WE PROCESS YOUR PERSONAL DATA?**

DG FISMA Unit, acting as the Controller, organises the consultation in order to receive the views of stakeholders or people concerned by the topic of the consultation and potentially to publish them. Your data will be collected by means of an online registration form.

Your personal data will not be used for an automated decision-making including profiling.

### 3. ON WHAT LEGAL GROUND(S) DO WE PROCESS YOUR PERSONAL DATA

Legal basis

Processing operations linked to publication of personal data of participants to the consultation take place based on the explicit consent of the data subject. The data subjects give their consent via a clear affirmative act by ticking a box on the online consultation form.

Lawfulness

The processing operations on personal data for the organisation, management and follow-up of the consultation are necessary and lawful under the following article and recital of Regulation (EU) 2018/1725:

Article 5(a) 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

Article 5(d) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;

Recital 22: processing of personal data for the performance of tasks carried out in the public interest by the Union institutions and bodies includes the processing of personal data necessary for the management and functioning of those institutions and bodies.

No restrictions under Article 25 of Regulation (EU) 2018/1725 apply.

### 4. WHICH PERSONAL DATA DO WE COLLECT AND FURTHER PROCESS?

In order to carry out this processing operation the controller: DG FISMA – Unit D1 collect the following categories of personal data, for the purpose of the participation to, management, follow-up in the consultation: title, first name, family name, organisation, department/service, organisation's geographic area of activity, country, e-mail address, data subject's categories they represent, language, sex, age group and contribution (the contributors views on the topics concerned).

Personal data can be published following the consultation if the data subject has provided his/her consent by ticking a box on the online consultation form.

The data is given by data subjects on a voluntary basis.

- The web service available for the online consultation uses session "cookies" in order to ensure communication between the client and the server. Therefore, user's browser must be configured to accept "cookies". The cookies disappear once the session has been terminated. For more information on the use of cookies you can consult the cookie policy of EUSurvey <https://ec.europa.eu/eusurvey/home/privacystatement>

### 5. HOW LONG DO WE KEEP YOUR PERSONAL DATA?

Personal data is kept as long as follow-up actions to **the consultation** are necessary with regard to the purpose(s) of the processing of personal data.

All personal data will be deleted from databases **3 years** after the last action in relation to **the consultation**.

Reports containing personal data will be archived according to the Commission's legal framework.

## **6. HOW DO WE PROTECT AND SAFEGUARD YOUR PERSONAL DATA?**

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored on the servers of the European Commission. All processing operations are carried out pursuant to the [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in the European Commission.

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

## **7. WHO HAS ACCESS TO YOUR PERSONAL DATA AND TO WHOM IS IT DISCLOSED?**

Access to your personal data is provided to the Commission staff responsible for carrying out this processing operation and to authorised staff according to the “need to know” principle. Such staff abide by statutory, and when required, additional confidentiality agreements. Access to your personal data is provided to the European Commission which is in charge of the organisation of the consultation. Some of your personal data can be provided to other entities for the organisation of the event, such as hotels or travel agencies.

The information we collect will not be given to any other third party, except to the extent and for the purpose we may be required to do so by law.

Received contributions, together with the identity of the contributor, will be published on the Internet, unless the contributor objects to publication of the personal data on the grounds that such publication would harm his or her legitimate interests. In this case the contribution will not be published but its content will, in principle, be taken into account. **Any objections concerning publication of personal data should be sent to the service responsible for the consultation (see Contact information below).**

Please also note that contributions to stakeholder consultations fall under the “Access to document provisions” of [Regulation 1049/2001](#). If you wish to provide certain data confidentially, you may declare this with reference to Art. 4 (2) of Regulation 1049/2001.

Please specify which data are confidential and substantiate how far a disclosure would undermine the protection of your commercial interests or intellectual property rights. Please note that if access is requested, the application of Article 4(2) is subject to a case by case analysis of the appropriate substantiation of the request for confidentiality.

You have consented to provide your personal data to DG FISMA – Unit D1 for the present processing operation. You can withdraw your consent at any time by notifying the Data Controller. The withdrawal will not affect the lawfulness of the processing carried out before you have withdrawn the consent.

## **8. WHAT ARE YOUR RIGHTS AND HOW CAN YOU EXERCISE THEM?**

You have specific rights as a ‘data subject’ under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access, rectify or erase your personal data and the right to restrict the processing of your personal data. Where applicable, you also have the right to object to the processing or the right to data portability.

You have the right to object to the processing of your personal data, which is lawfully carried out pursuant to Article 5 (1) (a).

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

## **9. CONTACT INFORMATION**

- The Data Controller

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller, [fisma-basel-3-finalisation@ec.europa.eu](mailto:fisma-basel-3-finalisation@ec.europa.eu).

- The Data Protection Officer (DPO) of the Commission

You may contact the Data Protection Officer ([DATA-PROTECTION-OFFICER@ec.europa.eu](mailto:DATA-PROTECTION-OFFICER@ec.europa.eu)) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- The European Data Protection Supervisor (EDPS)

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor ([fisma-basel-3-finalisation@ec.europa.eu](mailto:fisma-basel-3-finalisation@ec.europa.eu)) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

## **10. WHERE TO FIND MORE DETAILED INFORMATION?**

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented and

notified to him. You may access the register via the following link:  
<http://ec.europa.eu/dpo-register> .

This specific processing operation has been included in the DPO's public register with the following Record reference: DPR-EC-00734.