

Privacy Statement for processing of personal data related to the consultation process on the preliminary decision on the calculation of ex-ante contributions to the Single Resolution Fund

1. Data Protection legal framework applicable to the Single Resolution Board (SRB)

Regulation 2018/1725¹ (herein after "EUDPR") applies to the processing of personal data of representatives of the institutions in the context of application of Articles 67, 69 and 70 of the Regulation (EU) 806/2014² (herein after "SRMR"). Namely, Article 70(2) of SRMR prescribes that the Single Resolution Board ("SRB") is responsible for calculating the yearly ex-ante contribution to the Single Resolution Fund ("SRF") due by each institution in scope in accordance with Article 2 of SRMR.

2. The SRB as controller of processing personal data

The SRB is the controller for processing the personal data. The specific SRB units responsible for the processing of your personal data are Unit E1 Single Resolution Fund and Unit E4 Legal Service: SRB-Consultation-Contributions@srb.europa.eu ; Treuenberg 22, B-1049 Brussels, Belgium.

3. Purposes for processing personal data

The consultation is organised in order to give the institutions the opportunity to express their views on the preliminary decision of the Single Resolution Board (SRB) before the adoption of the final decision on the calculation of the ex-ante contributions to the Single Resolution Fund (SRF). In particular, the SRB would like to provide institutions with the opportunity to review its preliminary findings prior to the completion of the decision-making process and to comment on any aspects they consider pertinent to the calculation exercise.

The consultation is conducted via the web application, EU Survey which is developed and maintained by DG DIGIT, the Directorate-General for Informatics of the European Commission. For more information on EU Survey, please read the EU Survey privacy statement [here](#).

The purpose of the processing is to obtain and assess comments from the institutions in relation to the preliminary ex-ante contributions calculation and the preliminary re-calculation of previous ex-ante contributions based on data restatements and resubmissions by some institutions.

4. Categories of personal data

The categories of personal data processed are the following:

¹ 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC. OJ L 295, 21.11.2018, p. 39–98.

² Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010. OJ L 225, 30.7.2014, p. 1–90.

- for the institutions representative: contact details (last name, first name, email address, phone number, position in the organization/job title);
- comments provided in relation to the preliminary decision on the calculation of the ex-ante contributions to the SRF to the extent they identify institutions' representatives or make them identifiable. Please note that your expressions of comments might be cited in whole or in parts in an anonymized way in the final decision on the calculation of the ex-ante contributions to the SRF either in its original version or in a summarised version.

5. Legal basis for processing personal data

The processing of personal data is necessary for the performance of tasks carried out in the public interest by the SRB -which is the management and functioning of the SRB- and for compliance with the SRB's legal obligations pursuant to Article 5(1)(a) and (b) of the EUDPR in conjunction with Articles 67, 69 and 70 of the SRMR.

6. Recipients of the personal data

When the SRB processes personal data for the aforementioned purposes, the following persons may access your personal data on a strict need-to-know basis:

- the staff members of the Unit E1 Single Resolution Fund;
- the staff member of Unit E4 Legal Services;
- other staff employed by the SRB and dedicated to the verification process of the consultation procedure;
- EU Survey Support Staff;
- National Resolution Authorities and the institutions under their jurisdiction that are in scope of Article 2 SRMR; and
- external Counsel of the SRB and its sub-contractor (external law firm and external consulting firm) who process personal on behalf of the SRB and under the instructions of the SRB.

7. Time limits for storing personal data

The data will be stored by the SRB for the entire duration of the ex-ante contributions cycle and/or any further legal actions that are brought against the SRB under the Treaty on Functioning of the European Union within the limitation periods. In case institutions' representatives are no longer involved in the process the time limit for storing the personal data is maximum one year following the moment the SRB receives the confirmation that institutions' representatives are no longer involved. Any changes in this respect should be communicated to the SRB without delay and the contact details will be updated in a timely manner.

8. Data protection rights

You have the right to access your personal data and correct any data that are inaccurate or incomplete. Subject to the conditions set out in the EUDPR, you have also the rights to delete your personal data, to object or to restrict the processing of your personal data.

9. Contact information in case of queries and requests

You can exercise your rights by contacting the SRB's Unit E1 Single Resolution Fund at SRBConsultation-Contributions@srb.europa.eu. The SRB's Data Protection Officer at SRBDPO@srb.europa.eu, Treuenberg 22, B-1049 Brussels, Belgium answers all queries relating to your rights under the EUDPR.

10. Addressing the European Data Protection Supervisor

If you consider that your rights under EUDPR have been violated as a result of the processing of your personal data, you have the right to lodge a complaint at any time with the [European Data Protection Supervisor](mailto:edps@edps.europa.eu)³ (EDPS) edps@edps.europa.eu, Rue Wirtz 60, B-1047 Brussels, Belgium.

³ https://edps.europa.eu/data-protection/our-role-supervisor/complaints_en#:~:text=In%20principle%2C%20a%20complaint%20to%20the%20EDPS%20will,first%20request%20the%20institution%20to%20give%20you%20access