

Data Protection Statement

EIF Procedure Suspicious Activity Report ("SAR")/Suspicious Transaction Report ("STR") Reporting

Last update: 24/11/2022

This document provides an insight into how EIF processes your personal data in the context of the EIF Procedure on Suspicious Activity Report ("SAR")/Suspicious Transaction Report ("STR") Reporting.

Your personal data are processed by the European Investment Fund ("EIF" or "**Controller**") in accordance with Regulation (EU) 2018/1725 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, as such regulation may be amended from time to time.

1. Legal Basis

The legal basis are the 5th and 6th AML Directive¹ requirements.

2. Data subjects

Personal data may be processed in relation to:

- EIF financial intermediaries and related key persons;
- EIF mandators/shareholders and related key persons;
- EIF external service providers;
- EIF employees.

3. Purpose

EIF co-operates with the Luxembourgish Financial Intelligence Unit ("FIU") and as per Article 33 of the 5th AML Directive reports suspicious of Money Laundering and/or Financing of Terrorism ("ML/FT") offences to the FIU, using the goAML application platform.

There is a Memorandum of Understanding in place between the EIF and the Luxembourgish FIU, which allows the EIF to be able to share information on suspicious activities and, or transactions.

4. Data Categories

An SAR/STR may include the following details:

- Personal data (name, ID number or company registration number, ID or Passport copy, date of birth, address, email, telephone number, bank account number) of the person(s) or company(ies) involved in the suspicious transaction/activity;

¹ 5th AMLD (Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849) and 6th AMLD (Directive (EU) 2018/1673 of the European Parliament and of the Council of 23 October 2018 on combating money laundering by criminal law)

- Details of the suspicious financial transaction/activity;
- The reason and risk factors why the transaction/activity is reported.

5. Data Recipients

The aforementioned personal data will be processed only by the EIF relevant services and may also be shared with the EIB in case of a common counterparty in line with the revised Convention between the EIB Investigations Division and the EIF on the exchange of information and documents of 9 March 2022, or with other mandators (e.g. European Commission) for possible joint reporting (EIF/EIB) to the FIU.

6. Transfers to third countries or International Organizations

Personal data reported to the local FIU may end up shared with other member State FIUs as per the 5th AML Directive.

7. Data Retention Periods

Any personal data collected and processed in the context herein will be retained by the EIF, as the case may be, for a maximum period of 5 years as from the date of the termination of the business relationship with the financial intermediary or the rejection of the application. However, if there is any suspicion or actual predicate offence concerns, this period can be extended by 5 years.

8. Your Rights as the Data Subject

- You have the right to obtain from the controller confirmation as to whether or not your personal data are being processed, and, if so, to access your personal data by contacting the Controller or through the EIF DPO and you will receive a response without undue delay (**right of access**);
- You have the right to obtain from the controller without undue delay the rectification of any inaccurate data and to have incomplete personal data completed (**right to rectification**);
- You have the right to obtain from the controller the erasure of your personal data when they are no longer necessary in relation to the purposes for which they were collected (**right to erasure**).
- You have the right to obtain from the controller restriction of processing of your personal data in the following cases (**right to restriction of processing**):
 - (i) if you contest the accuracy of your data;
 - (ii) if the processing of the data is unlawful;
 - (iii) if the EIF no longer needs the personal data referred to for the purposes of the processing; or
 - (iv) if you have objected to the processing of your data, pending the verification of whether the EIF has legitimate grounds overriding yours.
- You have the **right to object**, on grounds relating to your particular situation, when the processing of personal data is unlawful;
- You have the right to receive your personal data from the EIF in a structured, commonly used and machine-readable format to allow you to transmit your data to another controller without

hindrance from the EIF to which the personal data have been provided (**right to data portability**);

- To exercise your rights above, you may contact the Controller (info@eif.org) or the EIF DPO (dpo@eif.org).
- Furthermore, you may lodge a complaint with the European Data Protection Supervisor (www.edps.europa.eu) at any time (**right to lodge a complaint**).