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ECB-PUBLIC

UPDATABLE

RECORD OF PROCESSING ACTIVITY

Statistical data collection under Regulation (EU) 2016/867 (ECB/2016/13)¹
ANACREDIT

1. Controller(s) of data processing activities

Controller: European Central Bank (ECB)

Contact details:

European Central Bank

Sonnemannstrasse 22

60314 Frankfurt am Main

Germany

E-mail: info@ecb.europa.eu

Organisational unit responsible for the processing activity: Directorate General
Statistics

Data Protection Officer (DPO): DPO@ecb.europa.eu

2. Who is actually conducting the processing activity?

The data are processed by the ECB itself.

The organisational unit conducting the processing activity is:
Directorate General Statistics

¹ Regulation (EU) 2016/867 of the European Central Bank of 18 May 2016 on the collection of granular credit and credit risk data (ECB/2016/13) (OJ L 144, 1.6.2016, p. 44).

- The data is processed by a third party (contractor) or the processing activity is conducted together with external third parties (public cloud providers)

3. Purpose of the processing

The collection of data under Regulation (EU) 2016/867 (ECB/2016/13) (the AnaCredit Regulation) is based on Article 5 of the Statute of the ESCB² in conjunction with Council Regulation (EC) No 2533/98³, which allow statistical information necessary for the performance of ESCB tasks to be collected. The data collected under the AnaCredit Regulation are necessary for the performance of ESCB tasks and of tasks of the European Systemic Risk Board, including monetary policy analysis and monetary policy operations, risk management, financial stability surveillance and macroprudential policy and research. These data are also needed for banking supervision purposes in the context of the Single Supervisory Mechanism (SSM).

4. Description of the categories of data subjects

Whose personal data are being processed?

- The collection of data for AnaCredit concerns only credit granted to legal entities as defined in Article 1(5) of the AnaCredit Regulation. This includes credit granted to non-financial corporations, but also to governments and financial institutions. No data on mortgage loans and other loans to natural persons are collected under the AnaCredit Regulation. However, it cannot be excluded that the information collected on legal entities may constitute personal data to some extent in a limited number of cases where the legal name of a legal entity includes the name of one or more natural persons. In conjunction

² Protocol on the Statute of the European System of Central Banks and of the European Central Bank.

³ Council Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistical information by the European Central Bank, OJ L 318, 27.11.1998, p. 8–19.

with the address of the legal entity, this information may allow a natural person to be identified. AnaCredit receives and stores name and address details of legal entities and may therefore contain such personal information.

5. Description of the categories of personal data processed

(a) General personal data:

There is no explicit identification in AnaCredit of any natural person affiliated with a legal entity whose data are collected. While the occurrence of personal data in AnaCredit is unlikely, the possibility that the dataset may contain personal data cannot be fully excluded. For this reason, the ECB processes AnaCredit data under the assumption that some information on legal entities in AnaCredit may constitute personal data.

- Personal details (name, address)

6. The categories of recipients to whom the personal data have been or will be disclosed, including the recipients of the data in Member States, third countries or international organisations

- Designated ECB staff members
- Designated staff members of national central banks of the Eurosystem or national competent authorities in the SSM
- Data subjects themselves (i.e. the legal entities covered under AnaCredit)
- Managers of data subjects
- Other:
Designated staff at the Single Resolution Board (SRB), and at other European institutions on a regular or ad-hoc basis - subject to ECB Governing Council approval.

Certain reporting agents (under feedback loops as referred to in Articles 10 and 11 of Regulation (EU) 2016/867 (ECB/2016/13))

7. Transfers to third countries or an international organisation

Data are processed by third country entities:

Yes

Specify to which countries: AnaCredit is subject to the use of public cloud services where processors or subprocessors have their headquarters outside the EEA

Specify under which safeguards:

Adequacy Decision of the European Commission

Standard Contractual Clauses

Binding Corporate Rules

Administrative arrangement containing enforceable and effective data subject rights

If the third country's legislation and/or practices impinge on the effectiveness of appropriate safeguards, the personal data can only be transferred to, accessed from or processed in such third country when sufficient 'supplementary measures' are taken to ensure an essentially equivalent level of protection to that guaranteed within the EEA. These supplementary measures are implemented on a case-by case basis and may be technical (such as encryption), organisational and/or contractual.

No

8. Retention time

The following retention period applies for AnaCredit: from the start of the AnaCredit data collection, i.e. reference date end-September 2018, at least the latest version of AnaCredit data for each reference date is retained for an unlimited period. This retention approach ensures that the European System of Central Banks (ESCB) maintains time series of credit and credit risk data to support its statutory tasks.