

Data protection statement on the processing of professional personal data within the framework of activities governed by the Code of Conduct for the Administration of the Reserve Funds

Protecting your privacy is of the utmost importance to the European Patent Office (EPO). We are committed to protecting your personal data and ensuring respect for data subjects' rights when performing our tasks and providing our services. All data of a personal nature that identify you directly or indirectly will be processed lawfully, fairly and with due care.

The processing operations described below are subject to the EPO Data Protection Rules ([DPR](#)).

The information in this statement is provided in accordance with Articles 16 and 17 DPR.

1. What is the nature and purpose of the processing operation?

This data protection statement relates to the processing of personal data within the framework of activities governed by the Code of Conduct for the Administration of the Reserve Funds.

This data protection statement explains the way in which members of the Administration of the Reserve Funds must make full and fair disclosure to the RFPSS Compliance Officer on an ongoing and timely basis of all matters that could reasonably be expected to impair their independence and objectivity or interfere with their duties in the Administration of the Reserve Funds, in particular if private dealings are undertaken, including on behalf of third parties, in investments that are being considered for the RFPSS ("relevant instruments").

Members of the Administration of the Reserve Funds must ensure that disclosures are truthful, accurate and complete as required by the EPO's disclosure management tool (hereinafter referred to as the conflicts of interest prevention tool), designed for declaring "supplementary activities and other potential conflicts of interest".

Members of the Administration of the Reserve Funds shall promptly disclose to the RFPSS Compliance Officer via the conflicts of interest prevention tool any situation that gives rise to a real, apparent or potential conflict of interest, including:

- a financial investment in relevant instruments;
- personal business relationships;
- participation in investment clubs;
- mandates for the securities accounts of third parties;
- family or personal ties with the owners or managers of business relations;
- affiliation to a regulatory body;

The RFPSS Compliance Officer will monitor and assess private dealings undertaken by members of the Administration of the Reserve Funds on their own behalf and on behalf of third parties in relevant instruments after they have been reported.

In the course of their general monitoring of private dealings by members of the Administration of the Reserve Funds the RFPSS Compliance Officer may, in the event of justified interest, require each member of the Administration of the Reserve Funds to supply complete information on their private dealings involving securities and other assets and rights.

The Compliance Assurance Officer of the EPO will deal with the dealings, notifications and declarations of interest that are a matter of compliance for the RFPSS Compliance Officer, and will additionally review once a year the Fund Administrator's private dealings and those undertaken on behalf of third parties.

In cases of suspected non-compliance, the RFPSS Compliance Officer asks the staff member for comment. Inadequate responses are referred by the RFPSS Compliance Officer to the Fund Administrator and the staff member's line manager.

In the event of suspected breach of compliance with the obligations under the Code of Conduct for the Administration of the Reserve Funds, the case may be referred to Directorate Ethics and Compliance in accordance with the Implementing Rules for Articles 21, 21A and 93, paragraph 2, of the Service Regulations. Under the Implementing Rules, the referral must include all information which may reasonably be expected to have a bearing on the case and will be made as soon as the allegation or indications of misconduct become apparent. Directorate Ethics and Compliance will inform the data subject.

Declarations to the Supervisory Board of failure to comply with the Code of Conduct for the Administration of the Reserve Funds must be made by the Compliance Assurance Officer.

This data protection statement relates to the processing of personal data of EPO staff and third parties for the purpose of handling cases of non-compliance/inadequate responses under the Service Regulations.

Personal data are processed within the framework of the Code of Conduct for the Administration of the Reserve Funds.

The processing is not intended to be used for any automated decision-making, including profiling.

Your personal data will not be transferred to recipients outside the EPO which are not covered by Article 8(1), (2) and (5) DPR unless an adequate level of protection is ensured. In the absence of an adequate level of protection, a transfer can only take place if appropriate safeguards have been put in place and enforceable data subject rights and effective legal remedies for data subjects are available, or if derogations for specific situations as per Article 10 DPR apply.

2. What personal data do we process?

The following categories of personal data are processed:

I. Notification of the securities accounts of mandates by members of the Administration of the Reserve Funds for third parties:

- name of account
- name of account owner
- type of relationship

II. Notification of private dealings undertaken by members of the Administration of the Reserve Funds on their own behalf or on behalf of accounts of mandates for third parties:

- name of financial institution,
- account number/IBAN,
- security name,
- security identification number (ISIN),
- type of investment (buy/sell),
- price
- trade date, trade time

A copy of the trade confirmation or bank statement can be uploaded (not mandatory).

III. Declaration of interest by members of the Administration of the Reserve Funds with regard to:

- participation in business relationship
 - name and address of the company
 - registration number of the company (if available)
 - type of participation

- participation in investment clubs
 - name of club
 - type of activity
 - size of investment

- affiliation with a regulatory body
 - name of organisation
 - name of contact
 - type of relationship

3. Who is responsible for processing the data?

Personal data are processed under the responsibility of the Principal Director Administration of the Reserve Funds, acting as the EPO's delegated controller.

Personal data are processed for compliance-relevant information according to the Code of Conduct for the Administration of the Reserve Funds (see Section 10 of the Service Regulations).

External contractors involved in the development and maintenance of the conflicts of interest prevention tool may also process personal data, in accordance with the Data Protection Impact Analysis (DPIA) in place covering confidentiality issues (audit logs are in place).

4. Who has access to your personal data and to whom are they disclosed?

Personal data registered within the conflicts of interest prevention tool are disclosed on a need-to-know basis to the RFPSS Compliance Officer.

Personal data registered by the RFPSS Compliance Officer and the Fund Administrator are disclosed to the Compliance Assurance Officer.

In cases of suspected non-compliance, the RFPSS Compliance Officer asks the staff member for comment. Inadequate responses are referred by the RFPSS Compliance Officer to the Fund Administrator and the staff member's line manager.

In the event of a suspected breach of compliance with the obligations under the Code of Conduct for the Administration of the Reserve Funds, the case may be referred to Directorate Ethics and Compliance in accordance with the Implementing Rules for Articles 21, 21A and 93, paragraph 2, of the Service Regulations. Under the Implementing Rules, the referral must include all information which may reasonably be expected to have a bearing on the case and will be made as soon as the allegation or indications of misconduct become apparent.

Declarations to the Supervisory Board of failure to comply with the Code of Conduct for the Administration of the Reserve Funds must be made by the Compliance Assurance Officer.

Personal data will only be shared with authorised persons responsible for the necessary processing operations.

Personal data may be disclosed to third-party service providers for maintenance and support purposes of the conflicts of interest prevention tool.

5. How do we protect and safeguard your personal data?

We take appropriate technical and organisational measures to safeguard and protect your personal data from accidental or unlawful destruction, loss or alteration and unauthorised disclosure or access.

All personal data are stored in secure IT applications in accordance with the EPO's security standards. Appropriate levels of access are granted individually only to the above-mentioned recipients.

All personal data related to notification of private securities accounts and private compliance-related securities transactions are stored in secure IT applications according to the security standards of EPO.

Personal data received prior to the launch of the conflicts of interest prevention tool by email are stored in a secure EPO IT application with user authentication and access control only accessible only by dedicated users. The owner of the dedicated shared drive and shared mailbox is the RFPSS Compliance Officer. Personal data received in paper form are stored in a physical safe with a specific code at EPO premises and accessible by the RPSS Compliance Officer.

For systems hosted on EPO premises, the following basic security measures generally apply:

- user authentication and access control (e.g. role-based access control to the systems and network, principles of need-to-know and least privilege)
- logical security hardening of systems, equipment and network
- physical protection: EPO access controls, additional access controls to datacentre, policies on locking offices
- transmission and input controls (e.g. audit logging, systems and network monitoring)
- security incident response: 24/7 monitoring for incidents, on-call security expert

In principle, the EPO has adopted a paperless policy management system; however, if paper files containing personal data need to be stored on EPO premises, they are locked in a secure location with a restricted access.

6. How can you access, rectify and receive your data, request that your data be erased, or restrict/object to processing? Can your rights be restricted?

As a data subject, you have the right to access, rectify and receive your personal data, not to be subject to a decision based solely on automated processing, to have your data erased and to restrict and/or object to the processing of your data (Articles 18 to 24 DPR).

If you would like to exercise any of these rights, please write to the delegated data controller at DPOexternalusers@epo.org. In order to enable us to respond more promptly and precisely, you always need to provide certain preliminary information with your request. We therefore encourage you to fill in this [form](#) and submit it with your request.

We will reply to your request without undue delay and in any event within one month of receipt of the request. However, Article 15(2) DPR provides that this period may be extended by two further months where necessary in view of the complexity and number of requests received. We will inform you of any such delay.

7. What is the legal basis for processing your data?

Personal data are processed on the basis of Article 5(b) DPR, which permits processing that "is necessary for compliance with a legal obligation to which the controller is subject". This legal obligation is laid down in the Code of Conduct for the Administration of the Reserve Funds with reference to the Service Regulation.

8. How long do we keep your data?

Personal data will be kept only for the time needed to achieve the purposes for which it is processed.

Personal data obtained through the conflicts of interest prevention tool, will be stored by the EPO for the retention period of 5 years.

In the event of a formal appeal/litigation, all data held at the time the formal appeal/litigation was initiated will be retained until the proceedings have been closed.

9. Contact information

If you have any questions about the processing of your personal data, please write to the delegated data controller at DPOexternalusers@epo.org.

You can also contact our Data Protection Officer at DPO@epo.org.

10. Review and legal redress

If you consider that the processing infringes your rights as a data subject, you have the right to request review by the controller under Article 49 DPR and, if you disagree with the outcome of the review, the right to seek legal redress under Article 50 DPR.