

Data Privacy Statement – CBAM Registry

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. The information in relation to processing operations of “personal data in the CBAM Registry” is presented below.

2. Why and how do we process your personal data?

2.1. Controllershship

The Commission and competent authorities in Member States (joint controllers) act as joint controllers for:

- (a) management of the CBAM registry;
- (b) the personal data processing for the management of CBAM declarations in accordance with Regulation (EU) 956/2023;
- (c) the personal data processing for the CBAM certificates management in accordance with Regulation (EU) 2023/956.

The competent authority is the sole controller for the personal data processing for the following purposes:

- a. to take decisions on the granting and revocation of authorisations of CBAM declarants in accordance with Regulation (EU) 2023/956;
- b. take decisions regarding penalties in accordance with Article 26 of Regulation (EU) 2023/956.
- c. for the access management in the CBAM registry of declarants established within their Member State

The Commission acts as a sole controller for the following purposes:

- a. for the registration of third country operators in the CBAM registry and management of the account;
- b. for the processing of personal data for the access management for the Commission, and;

- c. for the use, validation and retrieving of EORI or other data for the purpose of the risk analysis and circumvention monitoring as provided for in Articles 15, and 27 of Regulation (EU) 2023/956.

2.2. Purpose of the processing operation:

2.2.1. Processing of applications for the status of authorised CBAM declarant

Regulation (EU) 2023/956 lays down the rules for the submission of the application to become an authorised CBAM declarant (the 'application'), and sets out the criteria and procedures for granting such authorisation.

In order to obtain the authorisation an applicant should, prior to the first importation of goods, submit the application to the Member State of establishment by means of a standard format provided in the CBAM registry.

The Competent Authority will have 120 days from receipt of the application to assess the application. The assessment will include a consultation phase in which the Commission and other Member States (together the "consultation parties") have the opportunity to provide input on the assessment. The final decision will be communicated in the CBAM Registry.

Regarding the criteria for assessment, applicants will be assessed on the basis of the criteria outlined in the CBAM regulation, including whether:

- the applicant has an EU Economic Operator Registration and Identification (EORI);
- the application is submitted in the Member State of establishment;
- the applicant has been involved in serious or repeated infringements of customs legislation, taxation rules, etc. related to the CBAM regulation in the previous five years, and;
- the applicant can demonstrate financial and operational capacity to fulfil its obligations under the CBAM regulation.

Competent Authorities will assess additional factors, such as the estimated volume of imports and the annual CBAM certificate obligations as part of application.

The applicant will proof the above mentioned criteria via declaration of honour and tax certificates.

The competent authority may request the criminal record or any other document that is accepted under national law as a criminal record. Where requested the criminal record will be deleted immediately after the needed confirmation by the competent authority, or where a decision during an appeal proceeding has been taken.

The information submitted by the applicant will be available during the consultation procedure of the other competent authorities or the Commission. The consultation procedure is mandatory for all applications, where the competent authority intends to grant an authorisation. The consulted parties will be given opportunity provide its observations on the applicant.

An application will either result in a decision to grant an authorisation or to refuse an authorisation. The decision will be stored in the CBAM registry.

A decision will contain the following information of the authorised CBAM declarant:

- First and last name;
- Contact information (email address, telephone number),
- Address (Member State of establishment, city, street, number, postcode, P.O. Box);
- EORI;
- First and last name of contact person;
- Contact information (email address, telephone number), and;
- CBAM account number

2.2.2. Administering of processes in the CBAM Operators' Portal

The Commission will, upon request by an operator of an installation located in a third country, register the information on that operator and on its installation in the CBAM registry. The Commission will notify the operator of the registration in the CBAM registry. The registration is valid for a period of five years from the date of its notification to the operator of the installation.

The operator informs the Commission without delay of any changes in the information in CBAM registry arising after the registration, and the Commission will update the relevant information in the CBAM registry.

When an operator determines the embedded emissions of goods produced in one of its installations, he needs to ensure (starting from 2026) that the emissions information is verified in accordance with the verification principles set out in Annex VI by a verifier accredited pursuant to Article 18.

An operator may disclose the information on the verification of embedded emissions to an authorised CBAM declarant (starting from 2026). An operator may also disclose the information on goods produced by an installation and on the emissions embedded in those goods to a reporting declarant during the transitional period. The reporting declarants may use this information to comply with their CBAM reporting obligations. For this purpose the CBAM registry is interoperable with the declarants' portal in the transitional registry.

The operator may, at any time, ask to be deregistered from the CBAM registry. The Commission will, upon such request, and after notifying the competent authorities, deregister the operator and delete the information on that operator and on its installation from the CBAM registry, provided that such information is not necessary for the review of CBAM declarations that have been submitted. The Commission may, after having given the operator concerned the possibility to be heard and having consulted with the relevant competent authorities, also deregister the information if the Commission finds that the information on that operator is no longer accurate. The Commission will inform the competent authorities of such deregistrations.

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

2.2.3. Management of CBAM registry

The CBAM registry contains accounts with information about each authorised CBAM declarant, in particular:

- (a) the name, address and contact information of the authorised CBAM declarant;
- (b) the EORI number of the authorised CBAM declarant;
- (c) the CBAM account number;
- (d) the identification number, the sale price, the date of sale, and the date of surrender, repurchase or cancellation of CBAM certificates for each authorised CBAM declarant.

In a separate section, the CBAM registry contains the information about the operators and installations in third countries registered in the CBAM Operators' Portal.

The Commission is required to publish, on a yearly basis, for each of the goods listed in Annex I of Regulation (EU) 2023/956, the aggregated emissions embedded in the imported goods. This will be done on the basis of data contained in the CBAM registry.

The Commission is also tasked to carry out risk-based controls on the data and the transactions recorded in the CBAM registry to ensure that there are no irregularities in the purchase, holding, surrender, repurchase and cancellation of CBAM certificates.

The competent authorities and the Commission process personal data registered on the CBAM Registry in line with their tasks as specified in Regulation 2023/956 and as such, for the management of the CBAM registry, of the declarations and of the CBAM certificates, they act as data controllers in the meaning of Article 26 of the Regulation (EU) 2016/679 and Article 28 of the Regulation (EU) 2018/1725. Personal data should be kept in a form which permits the identification of data subjects for no longer than necessary for the purposes for which personal data are processed. In this regard, the data retention period for the CBAM registry shall be limited to 7 years from the registration in the CBAM registry to enable the analysis of the functioning of CBAM and in particular the analysis of the conclusions drawn from the review of the CBAM declarations.

The CBAM registry's components are developed, tested, deployed and managed by the Commission, and may be tested by Member States. The Commission is tasked to design and maintain the common specifications of the interfaces. Where appropriate, the Commission will define common technical specifications in close cooperation with, and subject to review by, the competent authorities, with a view to deploying them in due time. The Commission and Member States will collaborate with CBAM declarants, applicants and other stakeholders. In collaboration with the competent authorities, the Commission will conduct testing and validation of the interoperability between the CBAM registry and

the systems to ensure that data is cross-checked accurately, efficiently and confidentially. The Commission also performs maintenance of the CBAM registry.

2.2.4. Certificates Management

Authorised CBAM declarants will purchase CBAM certificates from Member States on a common central platform. The Commission will establish and manage the common central platform. The Commission and the competent authorities will have access to the information in the common central platform. The information on the sale, repurchase and cancellation of CBAM certificates in the common central platform will be transferred to the CBAM registry at the end of each working day.

The CBAM registry, in the form of a standardised electronic database, will contain the data regarding the CBAM certificates of authorised CBAM declarants. In particular, it will contain the identification number, the sale price, the date of sale, and the date of surrender, repurchase or cancellation of CBAM certificates for each authorised CBAM declarant.

2.3 Other systems in place

In order to secure access to the CBAM Registry, the Uniform User Management and Digital Signature (UUM&DS) system, as referred to in Article 16 of Commission Implementing Regulation (EU) 2023/1070 (7), is used for managing the authentication, and access verification process for data subjects.

Economic Operator Registration and Identification (EORI) numbers are processed for the purpose of identifying the data subjects (importers or indirect representatives) and establishing a list of the persons (data subjects).

Personal data taken from Surveillance (DPR-EC-08713.1) are processed for the purpose of retrieving information on Customs Imports Declarations for goods listed in Annex I to Regulation (EU) 2023/956 for checks of the CBAM declarations and compliance, developed through the UCC Surveillance 3 (SURV3), as referred to in Article 99 of Implementing Regulation (EU) 2023/1070.

Personal data from the CBAM Transitional Registry established in accordance with Article 10 of Commission Implementing Regulation (EU) 2023/1773 of 17 August 2023 laying down the rules for the application of Regulation (EU) 2023/956 of the European Parliament and of the Council as regards reporting obligations for the purposes of the carbon border adjustment mechanism during the transitional period for the purpose of making information of third country operators available to the CBAM declarants.

3. On what legal ground(s) do we process your personal data

We are authorised to process your personal data based on:

- Regulation (EU) 2023/956 of the European Parliament and of the Council of 10 May 2023 establishing a carbon border adjustment mechanism, and;

- Commission Implementing Regulation (EU) 2024/3210 laying down the rules for the application of Regulation (EU) 2023/956 of the European Parliament and of the Council as regards the CBAM registry
- Commission Implementing Regulation (EU) 2025/486 laying down the rules for the application of Regulation (EU) 2023/956 of the European Parliament and of the Council as regards the conditions and procedures related to the status of authorised CBAM declarant

We process your personal data, because:

- (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, and;
- (b) Processing is necessary for compliance with a legal obligation to which the controller is subject Lawfulness for the processing of personal data under Article 5(2).

The controllers process, collect and use the data in the CBAM Registry in order to fulfil their legally assigned roles and obligations in accordance with the Regulation (EU) 2023/956 (CBAM Regulation), the Implementing Regulation (EU) 2024/3210 on the CBAM registry, and the Implementing Regulation (EU) 2025/486 on the authorisation of declarants. The processing is lawful and necessary for compliance with a legal obligation to which the joint controllers are subjects.

Data subjects provide personal data (importer or the indirect customs representative) and data on other persons in the CBAM Registry (the importer and/or the operator of an installation in a third country), when submitting CBAM declarations or CBAM reports in compliance with Regulation (EU) 2023/956.

Regulation (EU) 2023/956 requires the Commission to establish, at Union level, a standardised and secure electronic database for CBAM certificates management, CBAM declarations, applications to become authorised CBAM declarants, a registration of operators and of installations in third countries ('operators'), and for providing access, case handling while ensuring the confidentiality of information. The Commission already gained experience in setting up a registry for CBAM purposes when it implemented the CBAM Transitional Registry under the Commission Implementing Regulation (EU) 2023/1773.

Article 14 of Regulation (EU) 2023/956 - CBAM registry

Article 15 of Regulation (EU) 2023/956 - risk analysis

Article 16 of Regulation (EU) 2023/956 - CBAM accounts in the registry

Article 17 of Regulation (EU) 2023/956 - authorizations of CBAM declarants

Article 19 of Regulation (EU) 2023/956 - review of CBAM declarations

4. Which personal data do we collect and further process?

In this context, personal data means any information relating to the data subject, as an identified or identifiable natural person.

In order to carry out this processing operation the joint controllers process the following categories of personal data:

4.1. Personal data of the applicant and authorised CBAM declarant (the importer or the indirect customs representative):

- First and last name;
- Contact information (email address, telephone number),
- Address (Member State of establishment, city, street, number, postcode, P.O. Box), and;
- EORI;
- CBAM account number;
- Identification number of CBAM certificates.

4.2. Personal data of the person (importer) registered by the applicant or authorised CBAM declarant, who is acting on behalf of an importer:

- First and last name;
- Contact information (email address, telephone number), and;
- Address (Member State of establishment, city, street, number, postcode, P.O. Box).

4.2.1. Operator of an installation

- First and last name;
- Contact information (email address, telephone number), and;
- Address (country of establishment, city, street, number, postcode, P.O. Box);
- Location and main economic activity of the operator's installation.
- Information on the goods produced in an installation and information of the emissions embedded in those goods; and
- Verification report attesting the accuracy of the indicated embedded emissions (from January 2026).

4.3. Personal data of the operator operators of a third country installation:

- name, address and contact information;
- location of each installation including the complete address and geographical coordinates expressed in longitude and latitude, including six decimals;
- main economic activity of the installation;
- information on the goods produced in an installation and information of the emissions embedded in those goods; and
- verification report attesting the accuracy of the indicated embedded emissions (from January 2026).

Your personal data may be indirectly obtained from:

- The customs representative appointed by you. This is applicable where you are an importer; or
- The customs representative or importer, who has imported goods steaming from your installation. This is applicable where you are an operator of an installation.

5. How long do we keep your personal data?

Your personal data in the CBAM Transitional Registry are retained for the time necessary to fulfil the purpose. The maximum retention period is 7 years from the registration in the CBAM registry.

Where an appeal has been lodged or where court proceedings have begun involving data retained in the CBAM Registry, those data shall be retained until the appeal procedure or court proceedings are terminated and shall only be used for the purpose of the mentioned appeal procedure or court proceedings.

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 also provided to authorised officials of the competent authorities and customs authorities in Member States.

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

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 your personal data and to rectify them in case your personal data are inaccurate or incomplete. Where applicable, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing, and 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) on grounds relating to your particular situation.

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, TAXUD-CBAM@ec.europa.eu.

- The Data Protection Officer (DPO) of the Commission

You may contact the Data Protection Officer (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 (edps@edps.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: <https://intragate.ec.europa.eu/dpms/record/DPR-EC-31148.1> .