

*(this is an unofficial translation of a publication of the NVB)*

# Furnishing of information by Banks

**During the previous months there has been discussion both at a European and at a national level regarding the provision of those client details by SWIFT, which are legally requested by American investigation authorities in the sphere of activity of the fight against terrorism. The banks feel that it is important to draw the attention of their clients to the following information regarding the processing of their orders for payment.**

Following the attacks of 11 September 2001 SWIFT has responded to imperative commands of the authorities regarding the demands for limited details for exclusive use within the framework of the war against terror by the 'Office of Foreign Assets Control' of the American Department of the Treasury.

The activities of SWIFT in the United States are considerable and include the recording of data. By this means SWIFT can be the subject of legal requirements of the authorities in the US. The orders of the authorities were served on SWIFT US in the US and the information demanded was made available by SWIFT US to the authorities in the US.

The banks wish to draw your attention to the fact that personal details may be made available within the scope of the execution of payment transactions which can be exchanged with countries outside the European Union. The rules applicable to these payment transactions may be found in the Code of Conduct for the Processing of Personal Data for Financial Institutions approved by the Board of Protection of Personal Data.

On the execution of such instructions it is necessary to involve other parties, such as intermediaries and/or processing centres at various locations throughout the world. The Instruction Details can therefore be the subject of investigation both during and subsequent to the processing of the instructions by authorised national authorities of the countries where such details are preserved in connection with the administrative processing.

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