

Data Protection Notice
RVT Requirements Verification
(20.09.2021)

This Data Protection Notice has been written in order to explain the policy of the European Union Agency for the Cooperation of Energy Regulators ("**Agency**") regarding your privacy, as well as how your personal information will be handled, in connection with the checks of adequate proof of COVID-19 recovery, vaccination or testing carried out when you access the TR3 Building, Trg republike 3, 1000 Ljubljana, Slovenia, in which the Agency's offices are located ("**Building**").

Who is responsible for my personal information?

The Agency is the controller regarding the personal data which is processed in connection with the checks of adequate proof of COVID-19 recovery, vaccination or testing ("**RVT Requirements**") carried out on Agency staff members, Seconded National Experts, interim workers and trainees who access the Building.

To get in touch with the Agency's Data Protection Officer, please contact: dpo@acer.europa.eu.

These checks may also be carried out on other individuals, such as announced guests. This process is entirely managed by the Building's landlord, for purposes defined by the Building's landlord, and with no involvement from the Agency.

What personal information of mine is being collected?

By Ordinance of the Government of the Republic of Slovenia, from 15 September 2021 onwards, all employees within Slovenia must meet the RVT Requirements, except in limited cases, for the duration of their work. The Agency, as the responsible person / organizer of the work carried out by its staff and other collaborators (in particular SNEs, interims, trainees) is responsible for carrying out checks to ensure that RVT Requirements are adequately met.

For more information on this, see the statement issued by the Government of the Republic of Slovenia on its [official website](#).

In order to check whether RVT Requirements are met, the Agency may collect and process information related to you (as an individual), which allows you to be identified either by itself, or together with other information which the Agency has access to. This information may be classified as "**Personal Data**".

Personal Data which may be processed by the Agency in this context are as follows:

- Name and Surname;
- Job title/Function;
- Floor where your office/workstation is located at the Building;
- Date on which you plan to be present at the Building;
- Confirmation that you meet the RVT Requirements.

This information will be collected from you by means of a written self-declaration through which you confirm your compliance with RVT Requirements. To this end, you will be provided with a standard self-declaration which you must complete and submit to the Agency, in order to be granted access to the Agency's premises within the Building.

In order to comply with RVT Requirements, you must be able to present one of the following certificates:

1. **a negative PCR test** provided that no more than 72 hours have passed since the swab was taken, or **a negative rapid antigen test** provided that no more than 48 hours have passed since the swab was taken;
2. **EU Digital COVID Certificate** in digital or paper format and with a QR code (**EU DCC**);
3. **a digital COVID certificate of a third country** in digital or paper format and with a QR code, which must contain the same data as the EU DCC and be issued in English by a competent health authority of the third country (DCC of a third country);
4. **a certificate of COVID-19 vaccination** to show that the person has received:
 - the second dose of the Comirnaty vaccine produced by Biontech/Pfizer or the Spikevax COVID-19 vaccine produced by Moderna or the Sputnik V vaccine produced by Russia's Gamaleya National Centre of Epidemiology and Microbiology or the CoronaVac vaccine produced by Sinovac Biotech or the COVID-19 vaccine produced by Sinopharm or the Vaxzevria COVID-19 vaccine produced by AstraZeneca or the Covishield produced by the Serum Institute of India/or a combination of two previously listed vaccines;
 - the dose of the Janssen COVID-19 vaccine produced by Johnson and Johnson/Janssen-Cilag. Proof of vaccination is obtained as of the day of vaccination.
5. **a certificate of a positive PCR test result** that is older than 10 days, unless a doctor determines otherwise, but not older than 180 days;
6. **proof of recovery from COVID-19 referred to in the preceding point and proof of vaccination against COVID-19 to show that the person has received one dose of a vaccine** under indent one of point 4 within a period of no more than 180 days since receiving a positive PCR test result or from the onset of symptoms; The person is protected as of the day of vaccination.

To the extent that this is deemed strictly necessary to ensure compliance with the legal requirements set by the Government of the Republic of Slovenia, the Agency may randomly ask staff members/ collaborators (SNEs, interims, trainees) present at the Agency's premises within the Building, to demonstrate their compliance with RVT Requirements, by presenting one of the certificates mentioned above.

Why is the Agency using these Personal Data?

The Agency is required to collect and further process these Personal Data in order to meet the legal requirements set by the Government of the Republic of Slovenia, with the aim of preventing the spread of COVID-19.

It is mandatory to provide Personal Data to the Agency for this purpose, without which you will not be granted access to the Building.

All Personal Data processed by the Agency may further be included in periodic backups carried out to ensure the availability of information stored on the Agency's IT systems, and may further be processed to ensure the Agency's compliance with its legal obligations

regarding the processing of Personal Data (e.g., related to management of personal data breaches).

Processing for this purpose is necessary for the Agency to comply with its legal obligations. This processing is further justifiable on grounds of public interest in the area of public health, on the basis of applicable Slovenian laws and regulations.

The inclusion of all Personal Data stored by the Agency in its IT systems in periodic backups is deemed necessary in order to ensure the proper management and functioning of the Agency and, as such, necessary to perform a task in the public interest.

Who can see your Personal Data, and who will they be shared with?

Your Personal Data may be shared with the following list of persons / entities ("**Recipients**"):

- The Building's landlord (as identified above);
- The Government of the Republic of Slovenia (including any competent governmental ministries or bodies);
- Persons authorised by the Agency to process Personal Data needed to carry out activities strictly related to the purposes described above, who have undertaken an obligation of confidentiality or are subject to an appropriate legal obligation of confidentiality (e.g., staff members of the Agency);
 - In particular, submitted RVT Requirements compliance self-declarations will only be made accessible to members of the Agency's HR and Security teams which have a strict need to access such self-declarations in order to ensure compliance with the legal requirements set by the Government of the Republic of Slovenia.
- Public entities, bodies or authorities, including other Union institutions or bodies, to which your Personal Data may be disclosed, in accordance with Union or Member State law, or with binding orders from those entities, bodies or authorities.

The Agency will not transfer your Personal Data outside of the EU.

For more information on transfers of Personal Data carried out by the Agency for these purposes, please contact the Agency's DPO, at: dpo@acer.europa.eu.

How long do we keep your data?

Personal Data processed in connection with RVT Requirements checks will be kept by the Agency for the strict minimum period required to allow the Agency to demonstrate its compliance with the specific legal obligations laid down in the applicable Slovenian law/regulations.

Please note that, in any case, the Agency may continue to store Personal Data for a longer period, as may be necessary for internal auditing and security purposes (including within periodic backups carried out) and, in general, to protect the Agency's interests related to potential liability related to this processing.

For more information on the applicable retention periods, please contact the Agency's DPO, at: dpo@acer.europa.eu.

What are my rights? How can I exercise them?

As a data subject, you are entitled, in general, to exercise the following rights before the Agency:

- Access your Personal Data being processed by the Agency (and/or a copy of those Personal Data), as well as information on the processing of your Personal Data;
- Correct or update your Personal Data being processed by the Agency, where it may be inaccurate or incomplete;
- Request the erasure of your Personal Data being processed by the Agency, where you feel that the processing is unnecessary or otherwise unlawful;
- Request the blocking of your Personal Data, where you feel that the Personal Data processed is inaccurate, unnecessary or unlawfully processed, or where you have objected to the processing;

You may also have a right to **object to the processing of your Personal Data**, based on relevant grounds related to your particular situation, which you believe must prevent the Agency from processing your Personal Data for the purposes declared in this Data Protection Notice. To exercise any of the abovementioned rights, you may send a written request to the Agency, at: dpo@acer.europa.eu.

Please note that the above rights may not apply, or may not apply in full, as there may be applicable legal exemptions or restrictions to those rights. This will be assessed by the Agency on a case-by-case basis; if such an exemption or restriction is found to be applicable, you will be informed of the Agency's main reasoning for this.

In any case, please note that, as a data subject, you are entitled to file a complaint with the European Data Protection Supervisor, if you believe that the processing of your Personal Data carried out by the Agency is unlawful. You will suffer no prejudice on account of any such complaints lodged.