

Data Protection Notice

Meetings with the Director of the Agency

(December 2018)

This Data Protection Notice is provided to you in order to explain the policy of the Agency for the Cooperation of Energy Regulators ("the **Agency**") regarding your privacy, as well as how your personal information is handled in the context of your participation in meetings held with the Director of the Agency.

Who is responsible for my personal information?

The Agency is the data controller regarding all personal data processing carried out in the context of your participation in meetings held with the Director of the Agency.

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

What personal information of mine is being collected?

When taking part in meetings held with the Director of the Agency, the Agency collects and processes information related to you (as an individual), which, either by itself, or together with other information to which the Agency has access, allows you to be identified.

This information may be classified as "**Personal Data**".

Personal Data which may be gathered and subsequently disclosed by the Agency in the public register of organisations (referring to those organisations' representatives present at the meeting) and self-employed individuals that meet with the Director of the Agency are limited to your **name and surname**, along with the **date, location and subject of the meeting**.

Why is the Agency using these Personal Data?

The Agency uses these Personal Data for the following purposes:

(a) **Disclosure**

Disclosure of the Personal Data in the public register of organisations and self-employed individuals that meet the Director of the Agency.

- It is mandatory for you to provide Personal Data to the Agency for this purpose, in order for you to be able to participate in a meeting with the Director of the Agency. Any failure to do so could prevent you from this participation.

(b) **Compliance**

To comply with Union or Member State laws which impose upon the Agency the collection and/or further processing of certain kinds of Personal Data.

- When you provide any Personal Data to the Agency, the Agency must process it in accordance with the applicable law, which may include retaining and reporting your Personal Data to official authorities for compliance with its legal obligations.

All Personal Data processed by the Agency may 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).

Why can the Agency use these Personal Data?

The legal bases which the Agency relies on to process this Personal Data, according to the purposes identified above, are as follows:

(a) **Disclosure**

Processing for this purpose is necessary for the management of the functioning of the Agency and for the implementation of its specific activities and, as such, is necessary to carry out a task in the public interest.

Specifically, under Articles 11(1) and (2) of the Treaty on European Union (TEU), the Agency (along with any other EU institution) must, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action. This also requires maintaining an open, transparent and regular dialogue with representative associations and civil society. Furthermore, in accordance with Article 10 of Regulation (EC) No. 713/2009, the Agency has to consult widely in carrying out its tasks.

The public register of organisations and self-employed individuals that meet the Director of the Agency was set up to make the Agency's decision-making process more transparent. The Register follows the principles of the [Interinstitutional Agreement](#) on the Transparency Register between the European Commission and the European Parliament which sets out the rules and principles governing its operation.

(b) **Compliance**

Processing for this purpose is necessary for the Agency to comply with its legal obligations.

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 in order 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**"):

- Companies, entities or professional firms engaged by the Agency, including other Union institutions or bodies, in order to organise or provide venues for the meeting, which typically act as data processors on behalf of the Agency, and have access to Personal Data only to the extent strictly required for them to provide those services;
- 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);
- 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.

Please note that these data are disclosed in a public register, made available to the general public.

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

How long do we keep your data?

(a) **Disclosure**

Personal Data processed for **Disclosure** are kept by the Agency for 5 years.

(b) **Compliance**

Personal Data processed for **Compliance** are kept by the Agency for the period required by the specific legal obligation or by the applicable Union or Member State law.

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 Data Protection Officer, 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 obtain 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 a given purpose. This right may apply whenever the Agency relies on the need to perform a task in the public interest as the legal basis for a given processing purpose, e.g., **Disclosure** and others (see above – [Why can the Agency use these Personal Data?](#)).

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.