

Data Protection Notice

Agency Events

(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 to Agency-level events.

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 to events organised by 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 you participate in an event held by 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.

The Agency may also be able to collect and process information regarding other persons in this same manner, if you choose to provide it to the Agency.

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

Personal Data which may be processed by the Agency in the context of your participation in Agency events are as follows:

(a) **Participant Data**

When you wish to sign-up to participate in an event held by the Agency, you will be asked to complete a form where you are to include information about yourself, such as your name, fixed / mobile phone numbers, e-mail address, data of birth, country of residence, physical address, and so on.

The Agency may also collect and use photographs and footage of participants (via a live stream of an event), as well as the presentations given by participants who act as speakers for the event, subject to those participants' consent (see [below](#) for more information).

(b) **Special categories of Personal Data**

When you wish to sign-up to participate in an event held by the Agency, you may be asked to disclose information regarding your dietary requirements, including any

intolerances to certain kinds of foods or ingredients. This amounts to information related to your health, which are processed by the Agency to accommodate your dietary requirements in the course of the event if you explicitly consent to this upon signing up.

Other than the above, the Agency will not, in the context of your participation in Agency events, collect or process special categories of Personal Data, such as information revealing your racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic or biometric data related to you or data concerning your health, sex life or sexual orientation.

In the event that the form completed for you to sign-up to participate in an event held by the Agency includes free text fields, which you might use to provide the Agency with some additional information or details related to your personal needs, the Agency asks that you do not disclose any such special categories of Personal Data in those fields.

However, if you believe this is necessary, then the Agency asks that you provide your explicit consent to the processing of any special categories of Personal Data which you include (e.g., by stating "*I explicitly consent to the processing of the special categories of personal data which I hereby communicate to the Agency, for the purposes of managing my participation in this event.*") in the form submitted.

The Agency only processes any special categories of Personal Data you submit where this explicit consent is given, or where another legal basis for processing can be relied on, and in any case only where this is deemed adequate, relevant and necessary in the context of the processing purposes provided in this Data Protection Notice.

(c) **Other persons' Personal Data**

As mentioned in the previous section, certain areas of the sign-up form may include free text fields where you can write messages to the Agency. These messages may (inadvertently or not) include Personal Data related to other persons.

In any situation where you decide to share Personal Data related to other persons, you will be considered as an independent data controller regarding that Personal Data – meaning you will be held responsible for that decision. In turn, this means, among other things, that you may be held liable for any complaints, claims or demands for compensation which are brought against the Agency, due to the fact that you decided to share Personal data related to other persons with the Agency.

As such, you must make sure that you are legally entitled to provide the Agency with this information (e.g., because you have the data subjects' consent, because a legal obligation to inform the Agency exists, because this information is provided in the performance of a task in the public interest, etc.).

Why is the Agency using these Personal Data?

The Agency uses these Personal Data for the following purposes:

(a) **Event Management**

To organise and coordinate events held by the Agency, in particular to allow you to take part in these events and to compile and share participant lists with event attendees.

- It is mandatory to provide your Personal Data to the Agency for these purposes, where you wish to participate in an Agency event. Where you fail to do so, you may be prevented from participating in events hosted by the Agency.

(b) Photos / Presentations / Web-Streaming

To take and publish photographs taken at events on the Agency's website and communication / promotional materials for events, which may include event participants, to publish and make available presentations given by speakers and to broadcast events via live web-streaming, which may include footage of participants.

- It is not mandatory to provide your Personal Data to the Agency for these purposes, and you will suffer no consequence where you choose not to (i.e., you will not be prevented from participating in or speaking at an event).

(c) 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 them 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 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).

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) Event Management

Processing for this purpose is necessary to provide the services requested (e.g., to allow you to participate in an event) and, therefore, is necessary for the performance of a contract with you.

Any special categories of Personal Data processed for this purpose (e.g., information on your dietary requirements) are processed based on your explicit consent.

(b) Photos / Presentations / Web-streaming

Processing for this purpose is based on your consent. Any consent given may also be withdrawn at a later stage (see [below](#) for more information).

(c) **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 events, or provide other services related to the management and organisation of Agency-hosted events, 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;
- Other participants which sign up for an Agency event;
- 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.

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

How long do we keep your data?

(a) **Event Management**

Personal Data processed for **Event Management** are kept by the Agency for the period deemed strictly necessary to fulfil the provision of services – in any case, as Personal Data are processed in order to provide services to you, the Agency may continue to store this Personal Data for a longer period, as may be necessary to protect the Agency's interests related to potential liability regarding the services provided.

Where these Personal Data are processed specifically on the basis of your consent, they will no longer be processed for these purposes if you decide to withdraw that consent at any time, although they may still be kept by the Agency, in particular as

may be necessary to protect the Agency's interests related to potential liability related to this processing.

Please bear in mind that the withdrawal of your consent will not affect the lawfulness of processing of your Personal Data carried out beforehand.

(b) Photos / Presentations / Web-streaming

Personal Data processed for **Photos / Presentations / Web-streaming** purposes are kept by the Agency until you withdraw your consent. Once consent is withdrawn, Personal Data will no longer be used for these purposes, although they may still be kept by the Agency, in particular as may be necessary to protect the Agency's interests related to potential liability related to this processing.

Please bear in mind that the withdrawal of your consent will not affect the lawfulness of processing of your Personal Data carried out beforehand.

(c) 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;
- 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;

- Withdraw your consent to the processing of your Personal Data (for **Photos / Presentations / Web-streaming** purposes, or regarding special categories of Personal Data provided for **Event Management**);
- Exercise your right to portability: the right to obtain a copy of your Personal Data provided to the Agency, in a structured, commonly-used and machine-readable format, as well as the transmission of that Personal Data to another data controller.

To exercise any of the abovementioned rights, you may send a written request to the Agency, directed at one or both of the following:

- press@acer.europa.eu
- 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.