

Website Privacy Policy

The Agency for the Cooperation of Energy Regulators, with its seat at Trg republike 3, 1000 Ljubljana, Slovenia (the “**Agency**”), is committed to protecting the online privacy of the users of this website (“**Website**”). As such, this Privacy Policy has been written in order to allow you to understand the Agency’s policy regarding your privacy, as well as how your personal information will be handled when using the Website. This Privacy Policy will also provide you with information so that you are able to consent to the processing of your personal data in an explicit and informed manner, where appropriate.

In general, any information and data which you provide to the Agency over the Website, or which is otherwise gathered via the Website by the Agency, in the context of the use of the Agency’s services (“**Services**”) as better defined in Section 3 below, will be processed by the Agency in a lawful, fair and transparent manner. To this end, and as further described below, the Agency takes into consideration internationally recognised principles governing the processing of personal data, such as purpose limitation, storage limitation, data minimisation, data quality and confidentiality.

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1. Data controller and Data Protection Officer

The Agency, as identified at the top of this Privacy Policy, is the data controller regarding all personal data processing carried out through the Website.

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

2. Personal Data processed

When you use the Website, the Agency will collect and process information regarding you (as an individual) which allows you to be identified either by itself, or together with other information which has been collected. 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**” and can be collected by the Agency both when you choose to provide it (e.g., when you subscribe to the newsletter or request other Services provided by the Agency over the Website) or simply by analysing your behaviour on the Website.

Personal Data which can be processed by the Agency through the Website are as follows:

a. Name, contact details and other Personal Data

In various sections of the Website – including, in particular, if you decide to provide qualitative feedback on documents or publications uploaded on the Website – you will be asked to submit information about yourself, such as your name and e-mail address. Additionally, when subscribing or signing up to receive Services (such as the Agency’s newsletter, so called ‘Info flash’), you will be asked to provide your name and e-mail address.

b. Special categories of Personal Data

Certain areas of the Website include free text fields (e.g., the newsletter subscription form, the forms used to provide qualitative feedback on documents and publications uploaded on the Website), which you may use to provide Personal Data to the Agency.

Where these fields are completely free, you may use them to disclose (inadvertently or not) more sensitive categories of Personal Data, such as data revealing your racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership. The content you upload in these fields may also (inadvertently or not) include other types of sensitive information relating to you, such as your genetic data, biometric data or data concerning your health, sex life or sexual orientation.

The Agency asks that you do not disclose any sensitive Personal Data on the Website.

c. Other persons’ Personal Data

As mentioned in the previous section, certain areas of the Website include free text fields where you can write messages to the Agency, or otherwise allow you to send various types of content to the Agency. These messages and content 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 and must assume all inherent legal obligations and responsibilities. This means, among other things, that you must fully indemnify the Agency against any complaints, claims or demands for compensation for damages which may arise from the processing of this Personal Data, brought by the third parties whose information you provide through the Website.

As the Agency does not collect this information directly from these third parties (but rather collects them, indirectly, from you), you must make sure that you have these third parties' consent before providing any information regarding them to the Agency; if not, then you must make sure there is some other appropriate grounds on which you can rely to lawfully give the Agency this information (e.g., a legal obligation to inform the Agency exists, the information is provided in the performance of a task in the public interest).

d. Browsing data

The Website's operation, as is standard with any websites on the Internet, involves the use of computer systems and software procedures, which collect information about the Website's users as part of their routine operation. The Agency does not collect this information for the purpose to link it to specific users. However, when it is still possible to identify the users either directly via that information, or by using other information collected- this information must also be considered Personal Data.

This information includes several parameters related to operating system, type of device and IT environment, including portions of the IP address mask, presumable location (country), the domain names of your computer, the time of requests made, the numerical code indicating the status of the response sent by the server (successful, error, etc.), and so on.

These data are used to compile statistical information on the use of the Website, as well as to ensure its correct operation and identify any faults and/or abuse of the Website. Save for this last purpose, these data are not kept for more than seven (7) business days, and overwritten in order to assure full confidentiality of the information.

e. Cookies

- Definitions, characteristics, and application of standards

Cookies are small text files that may be sent to and registered on your computer by the websites you visit, to then be re-sent to those same sites when you visit them again. It is thanks to these cookies that those websites can "remember" your actions and preferences (e.g., login data, language, font size, other display settings, etc.), so that you do not need to configure them again when you next visit the website, or when you change pages within a website.

Cookies are used for electronic authentication (mainly federated authentication), monitoring of sessions and storage of information regarding your activities when accessing a website. They may also contain a unique ID code which allows tracking of your browsing activities within a website, for statistical or advertising purposes. Some operations within a website may not be able to be performed without the use of cookies which, in certain cases, are technically necessary for operation of the website.

When browsing a website, you may also receive cookies from websites or web servers other than the website being visited (i.e., "**third-party cookies**").

There are various types of cookies, depending on their characteristics and functions, which may be stored on your computer for different periods of time: "**session cookies**", which are automatically

deleted when you close your browser, and “**persistent cookies**”, which will remain on your device until their pre-set expiration period passes.

According to the law which may be applicable to you, your consent may not always be necessary for cookies to be used on a website. In particular, “**technical cookies**” – i.e. cookies which are only used to send messages through an electronic communications network, or which are needed to provide services you request – typically do not require this consent. This includes browsing or session cookies (used to allow users to login) and function cookies (used to remember choices made by a user when accessing the website, such as language or products selected for purchase).

- Types of cookies used by the Website

The Website uses the following types of cookies:

- **Browsing or session cookies**, which are strictly necessary for the Website’s operation, and/or to allow you to use the Website’s content and Services.
- **Analytics cookies**, which allow the Agency to understand how users make use of the Website, and to track traffic to and from the Website.
- **Function cookies**, which are used to activate specific Website functions and to configure the Website according to your choices (e.g., language), in order to improve your experience.

The Agency also uses **third-party cookies** – i.e. cookies from websites / web servers other than the Website, owned by third parties. These third parties will either act as independent data controllers from the Agency regarding their own cookies (using the data they collect for their own purposes and under terms defined by them) or as data processors for the Agency (processing personal data on the Agency’s behalf). For further information on how these third parties may use your information, please refer to their privacy policies:

- **Europa Analytics:** https://ec.europa.eu/info/europa-analytics_en.

- Cookies present on the Website

In detail, the cookies present on the Website are as follows:

Technical name	Data Controller	Cookie type, function and purpose	Duration
ACER_AcceptCookie	The Agency	Persistent cookie	Until cookie clean-up
FedAuth	The Agency	Session Cookie	Login Time + 5 Days
WSS_FullScreenMode	The Agency	Session Cookie	When browser is closed
WT_FPC	European Commission	Persistent Cookie	2 Years from creation
__utma	The Agency	Persistent Cookie	2 Years from creation

_ga	The Agency	Persistent Cookie	2 Years from creation
_pk.id	The Agency	Persistent Cookie	24 hours from cookie creation/1 year from cookie creation
_pk.ses	The Agency	Persistent Cookie	120 hours from cookie creation
lcid	The Agency	Persistent Cookie	24 hours from cookie creation
piwik_ignore	European Commission	Persistent Cookie	1 year from cookie creation

- *Cookie settings*

You can block or delete cookies used on the Website via your browser options. Your cookie preferences will be reset if different browsers are used to access the Website. For more information on how to set the preferences for cookies via your browser, please refer to the following instructions:

- [Internet Explorer](#)
- [Firefox](#)
- [Chrome](#)
- [Safari](#)

CAUTION: If you block or delete **technical** and/or **function cookies** used by the Website, the Website may become impossible to browse, certain services or functions of the Website may become unavailable or other malfunctions may occur. In this case, you may have to modify or manually enter some information or preferences every time you visit the Website.

The Agency uses Europa Analytics on the Website. This is a tool developed by the European Commission and used to collect information, which permits evaluation of the use of the Website, analysis of your behaviour and improvement of your experience with the Website. You can obtain more information about how to opt out of Europa Analytics at: https://europa.eu/european-union/europa-analytics_en.

3. Purposes of processing

The Agency intends to use your Personal Data, collected through the Website, for the following purposes:

- To send you newsletters you have subscribed to as a service (containing only informative content) (“**Service Provision**”);
- To receive qualitative feedback from you on publications or documents uploaded onto the Website, and to contact you in order to establish a dialogue regarding the feedback given (“**Feedback**”);
- For compliance with laws which impose upon the Agency the collection and/or further processing of certain kinds of Personal Data (“**Compliance**”);
- To prevent and detect any misuse of the Website, or any fraudulent activities carried out through the Website (“**Misuse/Fraud**”).

4. Grounds for processing and mandatory / discretionary nature of processing

The Agency’s legal bases to process your Personal Data, according to the purposes identified in [Section 3](#), are as follows:

- **Service Provision**: processing for these purposes is necessary to provide the Services and, therefore, is necessary for the performance of a contract with you. It is not mandatory for you to give the Agency your Personal Data for these purposes; however, if you do not, the Agency will not be able to provide any Services to you.
- **Feedback**: processing for this purpose is based on your consent. It is not mandatory for you to give consent to the Agency for use of your Personal Data for these purposes, and you will suffer no consequence if you choose not to give it (aside from not being able to receive any communications from the Agency regarding feedback provided). Any consent given may also be withdrawn at a later stage (please see [Section 8](#) for more information).
- **Compliance**: processing for this purpose is necessary for the Agency to comply with its legal obligations. When you provide any Personal Data to the Agency, the Agency must process it in accordance with the laws applicable to it, which may include retaining and reporting your Personal Data to official authorities for compliance with tax, customs or other legal obligations.
- **Misuse/Fraud**: Information collected for this purpose is used exclusively to prevent and detect fraudulent activities or misuse of the Website (for potentially criminal purposes).

5. Recipients of Personal Data

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

- Persons, companies or professional firms engaged by the Agency, including other Union institutions or bodies, in order to provide assistance related to the provision of the Services and/or the operation of the Website (e.g., hosting providers, e-mail platform providers), and which act typically as data processors on behalf of the Agency;
- Persons authorised to perform technical maintenance (including maintenance of network equipment and electronic communications networks);
- Persons authorised by the Agency to process Personal Data needed to carry out activities strictly related to the provision of the Services, who have undertaken an obligation of

confidentiality or are subject to an appropriate legal obligation of confidentiality (e.g., the Agency's staff members);

- Public entities, bodies or authorities to whom your Personal Data may be disclosed, in accordance with the applicable law or binding orders of those entities, bodies or authorities.

6. Transfers of Personal Data

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

More information on transfers carried out by the Agency, regarding Personal Data collected via the Website, is available upon written request to the Agency at the following address: info@acer.europa.eu.

7. Retention of Personal Data

Personal Data processed for **Service Provision** will be kept by the Agency for the period deemed strictly necessary to fulfil such purposes – in any case, as these Personal Data are processed for the provision of the Services, 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 related to the provision of the Services.

Personal Data processed for **Feedback** will be kept by the Agency for at least those 5 years, or until you withdraw your consent. Once consent is withdrawn, Personal Data will no longer be used for these purposes, although it 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.

Personal Data processed for **Compliance** will be kept by the Agency for the period required by the specific legal obligation or by the applicable law.

Personal Data processed for preventing **Misuse/Fraud** will be kept by the Agency for as long as deemed strictly necessary to fulfil the purposes for which it was collected.

8. Data subjects' rights

As a data subject, are entitled to exercise the following rights before the Agency, at any time:

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

- 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;
- 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; or
- Withdraw your consent to processing (for **Feedback**).

Aside from the above means, you can always exercise your rights described above by sending a written request to the Agency at the following address: info@acer.europa.eu .

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 through the Website is unlawful.

9. Amendments

This Privacy Policy entered into force on 25 May 2018.

The Agency reserves the right to partly or fully amend this Privacy Policy, or simply to update its content, e.g., as a result of changes in applicable law. The Agency will inform you of such changes as soon as they are introduced, and they will be binding as soon as they are published on the Website. The Agency therefore invites you to regularly visit this Privacy Policy in order to acquaint yourself with the latest, updated version of the Privacy Policy, so that you may remain constantly informed on how the Agency collects and uses Personal Data.