

DIRECTOR DECISION 2023-08

of 12 April 2023

**on the rules governing the traineeship and the graduate programme
of the European Union Agency for the Cooperation of Energy Regulators
and repealing Director Decision 2020-06 and Director Decision 2022-05**

THE DIRECTOR OF THE EUROPEAN UNION AGENCY FOR THE COOPERATION OF
ENERGY REGULATORS,

Having regard to Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators (recast)¹, (hereinafter referred to as ‘ACER’ or ‘the Agency’), and, in particular, Article 24(1)(e) thereof,

Having regard to Decision No 8/2019 of the Administrative Board of the Agency for the Cooperation of Energy Regulators of 21 June 2019 on the Financial Regulation of the Agency for the Cooperation of Energy Regulators, and, in particular, Article 39(1) thereof,

Whereas:

- (1) Pursuant to Article 24(1)(e) of the Regulation (EU) 2019/942, the Director is responsible to take the necessary measures, in particular as regards adopting internal administrative instructions and publishing notices, to ensure the functioning of ACER in accordance with this Regulation.
- (2) Pursuant to Article 39(1) of Decision No 8/2019 of the Administrative Board of the Agency, the Director, as the Authorising officer, is responsible for implementing the revenue and expenditure of the budget of the Agency.
- (3) Director Decision Number 2020-06² laid down the rules governing the traineeship programme of the European Union Agency for the Cooperation of Energy Regulators (hereinafter ‘ACER’ or ‘the Agency’), including eligibility criteria, according to which applicants are required to have completed university studies of three years or more, attested by a diploma.

¹ OJ L158, 14.6.2019, p. 22.

² Director Decision 2020-06 of 3 July 2020 On the rules governing the traineeship programme of the European Union Agency for the Cooperation of Energy Regulators and repealing Director Decision 2017-13 of 23 June 2017 on the rules governing the traineeship programme of the Agency for the Cooperation of Energy Regulators

- (4) Director Decision 2022-05³ amended Director Decision 2020-06, providing nationals of non-Member States with the opportunity to apply for a traineeship programme at ACER, subject to availability of resources and ACER's capacity to host them.
- (5) The traineeship programme and graduate programme of ACER fall within the scope of the budget implementation of the Agency, and therefore, the corresponding duties of the Authorising Officer apply to them.
- (6) The Agency considers that applicants with higher educational background, such as Master degree graduates and PhD students, could benefit from a specific programme and should be adequately reimbursed. To enable this, this Decision aims to establish two separate programmes, depending on the level of education of applicants: a graduate programme for Master degree graduates and postgraduates (also referred to as 'graduates') and a traineeship programme for candidates who have, at the time of their application, completed undergraduate studies (also referred to as 'trainees'). Objective of the traineeship and the graduate programmes is to enable applicants to learn and acquire on-the-job experience at a specific environment of a European Union Agency.
- (7) For reasons of legal certainty, it is necessary to repeal Director Decision 2020-06 and Director Decision 2022-05,

HAS ADOPTED THIS DECISION:

Article 1

The rules governing the traineeship programme and graduate programme of the European Union Agency for the Cooperation of Energy Regulators provided in Annex I are hereby adopted.

Article 2

Decision No 2020-06 of the Director of the European Union Agency for the Cooperation of Energy Regulators of 03 July 2020 on the rules governing the traineeship programme of the European Union Agency for the Cooperation of Energy Regulators, as well as Director Decision 2022-05 of 4 May 2022 Amending Director Decision 2020-06 on the rules governing the traineeship programme of the European Union Agency for the Cooperation of Energy Regulators, are hereby repealed.

³ Director Decision 2022-05 of 4 May 2022 Amending Director Decision 2020-06 on the rules governing the traineeship programme of the European Union Agency for the Cooperation of Energy Regulators.

Article 3

The present Decision shall enter into force on the day of its adoption and shall be applicable to the traineeship and graduate agreements concluded thereafter.

Done at Ljubljana, on 12 April 2023.



Christian Zinglensen
Director

ANNEX I

Rules governing the traineeship and the graduate programme of the Agency

Article 1

The traineeship, the graduate programme and the traineeship call

- (1) The traineeship programme of the Agency is addressed mainly to university graduates who have recently completed undergraduate studies, without excluding those who, in the framework of lifelong learning, have recently obtained a university degree (undergraduate level) and are at the beginning of a new professional career.
- (2) The graduate programme of the Agency is addressed mainly to Master degree graduates and postgraduates, without excluding those who, in the framework of lifelong learning, have recently obtained a postgraduate degree and are at the beginning of a new professional career.
- (3) The Agency offers:
 - (a) A traineeship programme, twice a year, in principle for periods starting on 1 March and on 1 September. A traineeship period lasts six (6) months and may be prolonged once for six (6) months.
 - (b) A graduate programme on a continuous basis throughout a calendar year. Graduate programme lasts six (6) to twelve (12) months.
- (4) The number of available places for traineeship and graduate programme shall be defined on the basis of the organisational feasibility and availability of resources.
- (5) A call for expression of interest for the traineeship programme or the graduate programme respectively (hereinafter the ‘call’) shall be launched following the approval of the Authorising Officer.
- (6) A call may be close-ended, with its duration established for a minimum of three calendar weeks; or open-ended without a defined deadline, whereby applications will be included in a database and evaluated on a regular basis.
- (7) The call shall specify:
 - a) The requirements for each application to be considered valid, in line with Article 3 of the Rules governing the traineeship and the graduate programme of the Agency (hereinafter ‘the Rules’ or ‘these Rules’);
 - b) The eligibility criteria, in line with Article 2 of the Rules;

- c) The knowledge of languages required as per the interest of the service, in line with Article 2(1)(b) or 2(1)(c) of these Rules;
 - d) An outline of the different steps of the selection procedure;
 - e) The conditions of the traineeship agreement/graduate programme agreement.
- (8) The place of engagement shall be in Ljubljana, Slovenia. In duly justified cases, the Authorising Officer may decide to defer the place of engagement in the interest of the service.

Article 2

Eligibility criteria

- (1) To be admitted to ACER's traineeship or graduate programme, applicants shall, by the starting date of a specific traineeship period:
- a) Be 18 years of age or older, and
 - b) Be nationals of a Member State of the European Union, Norway, Iceland or Liechtenstein, and have language skills at level C1 for the first language (thorough knowledge) and at level B2 for the second language (satisfactory knowledge) of the official languages of the European Union⁴ or Norway, Iceland and Liechtenstein, these levels being defined by the Common European Framework of Reference for Languages ('CEFR'), or
 - c) Subject to availability of resources and ACER's capacity to host them, be nationals of non-Member States of the European Union, Norway, Iceland or Liechtenstein and have thorough knowledge at level C1 of their first language, and, as the internal working language of ACER is English, have language skills of English at level equivalent to B2 (satisfactory knowledge), these levels being defined by the Common European Framework of Reference for Languages ('CEFR'), and
 - d) For the **traineeship programme**, have a **level of education** which corresponds to completed undergraduate studies attested by a diploma, when the normal period of university education is three years as a minimum⁵; or for the **graduate programme**: have a level of education which corresponds to completed postgraduate studies (at least at Master level) attested by a diploma.

⁴ The languages of the EU are Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, Irish, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish, and Swedish.

⁵ ECTS points are not accepted as equivalent degree, the proof of completion of undergraduate studies needs to be provided by the start date of the traineeship.

Article 3 **Application process**

3.1 Submission of applications

- (1) Applications shall be submitted in accordance with the requirements of the published call.
- (2) Incomplete applications, applications not in line with the requirements of the published call and those received after the closing date for submission of applications (in case of closed-ended calls) will be automatically rejected.

3.2 Selection

- (1) Upon receipt of the submitted applications, the validity and eligibility of the applicants will be examined by the Human Resources Team against the criteria defined in Article 2 and Article 3 of this rules of procedure.
- (2) The Human Resources Team will share the eligible applications with the Head(s) of the recruiting Department(s) and the respective Team Leader(s).
- (3) The Head(s) of the recruiting Department(s), with the assistance of the respective Team Leaders, shall assess each application and identify the candidates who best suit the profiles, in particular with regard to their educational background, qualifications, competences, motivations and preferences; the result of this assessment shall be communicated to the Human Resources Team.
- (4) Based on the results of the assessment by the Head(s) of the recruiting Department(s), the Human Resources Team proposes the list of the selected candidates to the Authorising Officer.
- (5) The Authorising Officer shall authorise the proposed list of candidates taking into account the number of traineeship/graduate programme' places available.
- (6) Prior to the final selection decision, candidates may be contacted to verify their suitability to the profile and language skills.

3.3 Notification

- (1) All applicants shall be informed in writing about the outcome of their application.
- (2) The selected candidates shall receive a traineeship/graduate offer from ACER, together with all necessary information concerning the traineeship/graduate programme.

- (3) For the selected candidates, prior to the start of the traineeship/graduate programme, ACER shall request a certificate of criminal record to assess the appropriate character references as to the suitability to perform their tasks and a certificate of coverage by a sickness insurance scheme. If a candidate is unable to provide the requested document(s) within the given deadline, ACER may withdraw the traineeship/graduate programme offer.
- (4) Applicants should note that subsequent to completing a traineeship/graduate programme period at ACER, under the traineeship programme or the graduate programme, they might not be eligible for a further traineeship in other European Institutions, Agencies, and/or Bodies.
- (5) In case the call is close-ended, non-successful applicants may re-apply for a subsequent traineeship or graduate programme.

3.4 Withdrawal

At any stage of the application process, applicants may withdraw their application by informing ACER's Human Resources Team in writing.

Article 4 Duration of the traineeship/graduate programme

- (1) On the first day of the traineeship/graduate programme, a traineeship or a graduate agreement shall be signed with the trainee or the graduate.
- (2) The **traineeship**:
 - a) shall, in principle start on **1 March or on 1 September** and shall run for a fixed period of **six months**;
 - b) in exceptional and duly justified cases, and in consultation with the recruiting Department, the Authorising Officer may defer the start date of the traineeship. In that case, the starting date of the traineeship/graduate programme shall be on the 1st or 16th calendar day of the month and the traineeship shall run until the end of the relevant traineeship period;
 - c) taking into account ACER's needs, the availability of resources and the evaluation of the trainee's performance, the Authorising Officer may decide to renew the traineeship agreement once, for a subsequent traineeship period of not more than six months. The total duration of the traineeship shall not exceed twelve months. The trainee's Head of Department shall submit the renewal request to the Human Resources Team of ACER at least three weeks before the end of the first traineeship period.

- (3) The **graduate programme** has no fixed start or end date, unless otherwise provided for in the published call, and it shall run for a fixed period of minimum six and maximum twelve months. The graduate programme agreement may not be renewed.

Article 5 **Rights and duties**

5.1 Status

Admission to the traineeship programme or to the graduate programme does not confer on trainees or graduates the status of Official or Other Servants of the European Union, nor does it entail any right or priority with regard to future employment at ACER. Trainees and graduates may not benefit from any privileges and immunities granted by the host country to Temporary or Contract Staff of ACER.

5.2 The role and the duties of the Supervisor

A Supervisor shall be appointed for each trainee and graduate by the respective Head of Department, and the trainee or the graduate shall work under his/her supervision. The Supervisor shall:

- (a) Introduce, accompany and coach the trainee/graduate in his/her area of work;
- (b) Prepare a Traineeship/Graduate Programme Plan together with the trainee/graduate;
- (c) Integrate learning tasks into work activities based on the Traineeship/Graduate Programme Plan;
- (d) Involve the trainee/graduate in the (working) activities of ACER/Department;
- (e) Oversee the productivity and progress of the trainee/graduate;
- (f) Ensure the positive evolution of the traineeship/graduate programme;
- (g) Provide coaching to complete tasks, offer guidance and demonstrate the correct task fulfilment;
- (h) Establish regular communication with the trainee/graduate;
- (i) Provide regular and constructive feedback in a neutral and respectful manner;
- (j) Help the trainee or the graduate through difficulties and obstacles, seek advice from the Human Resources Team, if necessary;

- (k) Inform the Human Resources Team of any significant event occurring during the traineeship/graduate programme (in particular, but not limited to, professional incompetence, absences, illnesses, accidents, inappropriate behaviour and interruption of traineeship/graduate programme);
- (l) Maintain records of progress;
- (m) Write and submit an evaluation of the traineeship/graduate programme to the Human Resources Team, upon receipt of the self-assessment report submitted by the trainee or graduate and at the latest 2 weeks before the end of the traineeship/graduate programme period.

5.3 General obligations

Trainees/graduates shall comply with the following obligations:

- (a) Trainees/graduates shall contribute to the work of the Department to which they are assigned, according to the indications provided by the trainee's or the graduate's Supervisor, the relevant Team Leader and the Head of Department: to this extent, they may attend meetings on subjects of interest to their work, receive documentation and participate in the work of the Department to which they are assigned at the level corresponding to their educational and professional background;
- (b) Trainees/graduates shall comply with the instructions given to them in the Department to which they are assigned, and with the administrative guidelines of ACER, including the rules concerning confidentiality and security. They shall comply with these Rules and any internal rules applicable to trainees and graduates;
- (c) Trainees/graduates shall maintain the confidentiality of data, facts and information that come to their knowledge during the course of their traineeship/graduate programme. They shall not disclose to any unauthorised person any document or information which is not already public. Trainees and graduates are bound by this obligation also after the end of their traineeship/graduate programme period. The Authorising Officer reserves the right to terminate the traineeship/graduate programme and to take action against any trainee or graduate who does not respect this obligation;
- (d) Trainees and graduates shall consult and inform their Supervisor, Team Leader or Head of Department, or if unavailable, the Human Resources Team, before taking any action on their own initiative relating to ACER's activities;
- (e) Trainees and graduates shall not have any professional connection with third parties which might be incompatible with their traineeship/graduate programme and they are not permitted to exercise any other gainful employment during the traineeship/graduate

programme period which may adversely affect the work assigned during the traineeship/graduate programme;

- (f) Trainees and graduates shall inform their Supervisor of any change in their professional connection with third parties that might give rise to a potential conflict of interests;
- (g) Upon starting their traineeship or graduate programme, trainees and graduates will be requested to sign the relevant documentation on confidentiality obligations, the documentation on the code of good administrative behaviour and a declaration on the absence of conflict of interests.

5.3 (a) Publications on ACER matters, conferences and speeches

- (1) If a trainee or a graduate wishes to publish or to have published a document (such as an article or a book), either on their own or with other parties, on anything dealing with ACER activities or ACER matters generally, they must inform their Supervisor well in advance.
- (2) A trainee or graduate referred to in paragraph (1) shall provide their Supervisor with any information, in particular a copy, in electronic form, of the document they intend to publish. This must be accompanied by a summary, in electronic form, in English.
- (3) Where it can be demonstrated that the matter is liable to prejudice seriously the legitimate interests of ACER or the European Union, the Supervisor, having consulted the relevant Head of Department, shall inform the trainee or the graduate of its decision regarding the publication within 30 working days of receipt of the information. If the Supervisor does not reply within this time limit, it is considered to have had no objections.
- (4) Notwithstanding paragraph (3) of this Article, the lack of reaction does not prejudice the personal responsibility of the trainee or a graduate if the publication contains material which is defamatory or insulting.
- (5) A trainee or a graduate shall inform its Supervisor on their participation to conferences or giving speeches on the same domain of ACER or on general matters related to the work of ACER. In case such activity is considered incompatible with the interest of ACER or the European Union it may be refused by the Supervisor.
- (6) Provisions related to obligations with regards to publications, conferences and speeches, even when permission is granted do not relieve the trainee or a graduate of its obligations related to conflict of interest, unauthorised disclosure of information and confidentiality.

5.4 Reports and Certificates

- (1) Trainees and graduates shall, one month before the end of their traineeship/graduate programme period, submit to the Human Resources Team a self-assessment report on the activities performed during the traineeship or the graduate programme. The Human Resources Team shall forward this report to the trainee's or graduate's Supervisor in order to enable him/her to evaluate the trainee's or graduate's performance.
- (2) At the end of the traineeship/graduate programme period, after submitting a self-assessment report to the Human Resources Team and receiving the traineeship/graduate programme evaluation from the trainee's or graduate's Supervisor, a trainee or a graduate shall receive a certificate specifying the duration of his/her traineeship/graduate programme, the Department to which the trainee or the graduate was assigned and the tasks performed.

Article 6 Working hours, leave and absences

6.1 Working hours and leave

- (1) Trainees/graduates on a full time traineeship/graduate programme shall comply with the working hours of ACER, and shall not be subject to the flexitime regime.
- (2) Trainees/graduates may be granted a full-time traineeship/graduate programme (40 hours a week) or a part-time traineeship/graduate programme (either 80% or 50%) if their traineeship at ACER is combined with Erasmus+, a similar programme or PhD or similar studies. In this case, the working hours shall be agreed with the Head of Department where trainee/graduate is assigned.
- (3) Request for part-time traineeship/graduate programme shall be subject to prior written request and the approval of the Head of Department where trainee/graduate is assigned, which shall assess each request on a case-by-case basis, taking into account the needs of the Department and the availability of resources.
- (4) Trainees and graduates shall be entitled to the same official public holidays as ACER's staff members, including the possibility to work on specific public holidays, as defined in the applicable annual decisions establishing public holidays, and to add those days in the annual leave balance of the relevant semester/year.
- (5) Trainees and graduates shall be entitled to the same teleworking rules as ACER's staff members, subject to prior written approval from their respective Team Leader and Head of Department.

- (6) Trainees and graduates are entitled to 2 days of leave per month for full-time traineeship/graduate programme. If trainees/graduates are assigned part-time traineeship/graduate programme the leave days will be deducted accordingly. Leave requests shall be approved by the Head of Department, on recommendation of the trainee's or graduate's Supervisor.

6.2 Absence

- (1) In the event of illness, trainees and graduates shall notify their Supervisor and the Human Resources Team (HRM) of the Agency immediately and, if absent for more than 3 days, shall be required to provide a medical certificate to HRM.
- (2) When trainees and graduates are absent without justification or without notifying their Supervisor or the Human Resources Team, they shall provide within 5 working days a written justification for the unauthorised absence. These days are automatically deducted from the trainee's or graduate's annual leave entitlement. The Authorising Officer will decide, following the evaluation of the justification given, or if no justification is given in 5 working days, on an appropriate action to be taken. Unauthorised absence may result in immediate end of the traineeship/graduate programme.

6.3 Interruption

- (1) In exceptional and duly justified cases, following a written request from the trainee or graduate setting out the relevant reasons, and after prior consultation with the Human Resources Team and the respective Head of Department, the Authorising Officer may authorise an interruption of the traineeship or a graduate programme for a specific period.
- (2) The trainee or graduate is not entitled to receive traineeship grant or any financial contribution from ACER during this period. The trainee or graduate may return to complete the remaining part of the traineeship or a graduate programme, but only until the day specified as the end date of the traineeship/graduate programme period.

6.4 Missions

- (1) In exceptional and duly justified cases, following a written request from the respective Head of Department, the Authorising Officer may grant authorisation for trainees and graduates to travel on mission, on the condition that the mission is of technical and not of representative nature.

- (2) For the reimbursement of the mission expenses, the general rules for missions applicable to ACER's staff shall apply.

Article 7 **Financial matters**

7.1 Grant

- (1) Trainees and graduates shall declare on their first day of traineeship/graduate programme if they receive any salary, scholarship or other form of financial support for the completion of the traineeship programme or the graduate programme (hereinafter referred to as "external support"). Trainees and graduates are required to declare any change in the above status occurring during their traineeship programme or graduate programme.
- (2) Trainees and graduates not receiving external support shall be awarded a monthly grant during the traineeship/graduate programme period.
- (3) The amount of the monthly grant for **the full-time traineeship programme** is set at the 25 % of the basic salary of a Temporary Staff member in grade AD 5 step 1 corrected to country correction coefficient⁶. The amount of the monthly grant shall be deducted accordingly in case of part-time traineeship programme.
- (4) The amount of the monthly grant for **the full-time graduate programme** is set at the 35% of the basic salary of a Temporary Staff member in grade AD 5 step 1 corrected to country correction coefficient⁷. The amount of the monthly grant shall be deducted accordingly in case of part-time graduate programme.
- (5) Trainees and graduates receiving external support may receive a top-up grant in case the external support is less than the grant.
- (6) The monthly grant shall be paid no later than the 15th calendar day of each month.

7.2 Financial contributions

- (1) In order to assess the financial contributions, the trainee's or graduate's place of recruitment shall be determined on the basis of the information provided in the application form, taking into account the current place of residence (for example the most recent place of employment or place of education) and the place of engagement.

⁶ The traineeship programme grant is adjusted to new correction coefficient as of January of the current year.

⁷ See the note above.

(2) Trainees and graduates may be paid the following contributions depending on their place of recruitment:

A. Contribution towards travel expenses incurred at the beginning and at the end of traineeship/graduate programme

- a) Trainees and graduates completing at least a 3-month traineeship/graduate programme period shall be entitled to receive reimbursement of their travel expenses incurred at the beginning and end of their traineeship/graduate programme.
- b) Travel expenses are paid half at the beginning and half at the end of the traineeship/graduate programme period for travel from the place of recruitment to the place of engagement and back. Travel allowances shall be calculated in accordance with Article 7 of Annex 7 of the Staff Regulations. If the trainee or the graduate has his/her place of residence outside the territories of the Member States of the European Union, Norway, Iceland or Liechtenstein, the allowance shall be calculated based on the geographical distance between Ljubljana and Brussels.
- c) Trainees or graduates whose place of recruitment is less than 200 km from the place of engagement are not entitled to the reimbursement of travel expenses.

B. Public transport travel contribution

Trainees and graduates may be entitled to a monthly pass for public transport within the place of engagement or a contribution to travel expenses, based on equivalent rules that apply to ACER staff.

7.3 Early Termination of the Traineeship/Graduate Programme Agreement

- (1) If a trainee or a graduate wishes to terminate the traineeship or the graduate programme earlier than the date specified in the traineeship agreement, he/she shall submit to the Human Resources Team a written request for the approval of the Authorising Officer. The trainee or the graduate shall communicate this request, stating the reasons, to his/her Supervisor and submit it to the Human Resources Team at least one month before the requested termination date. Trainees and graduates may only terminate their traineeship/graduate programme agreement on the 15th or the last day of the month.
- (2) Where appropriate, ACER may recover proportionally the part of the grant and financial contribution paid to the trainee or the graduate.

7.4 Fiscal arrangements

- (1) The traineeship or the graduate programme grant and financial contribution awarded to trainees and graduates are not subject to the special tax regulations applying to Officials and Other Servants of the European Union.
- (2) Trainees and graduates are solely responsible for the payment of any taxes due on ACER's grants by virtue of the laws in force in the State concerned.
- (3) The Human Resources Team shall provide, upon request, a certificate for tax purposes at the end of the traineeship/graduate programme period. This certificate shall state the amount of grant received and confirm that tax and social security contributions have not been paid.

Article 8 Insurance

- (1) During their traineeship/graduate programme, trainees and graduates shall be covered by ACER against accidents at work.
- (2) At the latest on the first day of the traineeship/graduate programme period, trainees and graduates shall provide proof that they are covered by a sickness insurance scheme for the entire duration of the traineeship/graduate programme agreement. If a trainee or a graduate fails to provide such a proof, the traineeship/graduate programme agreement will be terminated.

Article 9 Liability

- (1) The trainee or the graduate shall have sole responsibility for complying with any civil obligations incumbent on him/her, particularly, but not exclusively, arising from:
 - establishing temporary residency in ACER's host country;
 - military service.
- (2) Except in cases of force majeure, the trainee or the graduate shall make good any damage caused to ACER.
- (3) The trainee or the graduate shall not represent ACER, nor hold out to represent ACER. The trainee or the graduate is liable to inform adequately third parties that he/she is not a European civil servant.

Article 10
Conduct, sanctions and disciplinary measures

- (1) Trainees and graduates shall perform their duties and act with ethics and integrity, and shall follow the applicable provisions of the Code of European Commission' Ethics Guide, as applicable to ACER's staff members.
- (2) If the behaviour of a trainee or a graduate does not prove satisfactory, in response to a request from the trainee's or graduate's Supervisor, and after having heard the trainee or graduate, the Authorising Officer may terminate the traineeship/graduate programme. Further to this, on the basis of a justified request from the trainee's or graduate's Supervisor, the Authorising Officer may terminate the traineeship/graduate programme for any of the following reasons:
 - a) If the level of the trainee's or graduate's professional performance or his/her knowledge of the working language is insufficient for the performance of his/her duties;
 - b) If the trainee or graduate knowingly made false statements or submitted false documentations at the time of the application or during the traineeship/graduate programme period;
 - c) If the trainee's or graduate's professional connection with third parties may give rise to a potential conflict of interest.

Article 11
Protection of personal data

- (1) The applications for traineeship/graduate programme and supporting documents shall not be returned to the applicants and shall be kept on file by ACER.
- (2) ACER will ensure that applicants' personal data are processed in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.