ACER
Agency for the Cooperation of Energy Regulators

ACER DECISION n° 01/2012

RELATING TO THE REGISTRATION FORMAT PURSUANT TO ARTICLE 9(3) OF REGULATION (EU) No 1227/2011

THE AGENCY FOR THE COOPERATION OF ENERGY REGULATORS,

HAVING REGARD to Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency[1] and, in particular, Article 9(3) thereof,

WHEREAS:

(1) Article 9(3) of Regulation (EU) No 1227/2011 provides that National Regulatory Authorities shall transmit to the Agency for the Cooperation of Energy Regulators (the 'Agency') the information in their national registers in a format determined by the Agency and that the Agency shall, in cooperation with those authorities, determine that format (the 'Registration Format') and shall publish it by 29 June 2012.

(2) National Regulatory Authorities have been closely involved in the determination of the Registration Format, *inter alia* through the Agency's Board of Regulators.

(3) Stakeholders were extensively consulted on the elaboration of the Registration Format. All interested parties were invited to provide comments, by 21 May 2012, on the Public Consultation Paper (PC_2012_R_08) published on 18 April 2012 and to attend a public workshop, held on 3 May 2012, during which the Consultation Paper was presented. In response to the public consultation, written contributes were received from 41 interested parties.

(4) The Registration Format is inspired to the criteria indicated in the Public Consultation Paper, namely: ensuring the uniqueness of the identifier at European level; minimizing the burden, including implementation costs, for all interested parties in particular by taking into appropriate consideration and promoting interoperability among different coding systems currently used for trading and balancing; ensuring the accuracy of the information provided in the Registration Format also as regards the corporate structure of the registered market participant while at the same time keeping the registration process as smooth, light and fast as possible.

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[1] OJ L 326 of 8.12.2011, p. 1

(5) To ensure the traceability of any change to the information in the European register to be established pursuant to Article 9(3) of the Regulation (EU) No 1227/2011 (the 'European register'), it is necessary that the Agency issues a unique identifier (the 'ACER code') upon the transmission for the first time of the information in national registers. The ACER code will be communicated to the market participant in the acknowledgement of the first registration and shall be used when market participants communicate such changes pursuant to Article 9(5) of the Regulation.

(6) Taking into account the written contributions received from stakeholders, the initial proposal for the Registration Format was simplified. For instance, a foreseen section of the Registration Format for country-specific information was limited to one single information field that will be dedicated to a national interoperability code to be defined by National Regulatory Authorities in order to maintain a link with national information that are not requested to be available in the European register.

(7) In order to enable the Agency to carry out its tasks under Regulation (EU) No 1227/2011, the European register should contain information on the corporate structure of market participants, in particular concerning their relation with other registered market participants. The publication by the Agency of the list of the market participants recorded in the European register will allow the public identification of registered related undertakings. Therefore, it is appropriate that the information on related undertakings is provided only after the Agency has published for the first time the list of market participants recorded in the European registry.

(8) The Registration Format will be reviewed in due course, taking into account the relevant implementing acts adopted under Article 8(2) and 8(5) of Regulation (EU) No 1227/2011. If necessary, changes to the Registration Format may need to be adopted by a decision pursuant to Article 9(3) of Regulation (EU) No 1227/2011.

(9) Pursuant to Article 1(5) of the Regulation (EU) No 1227/2011, the Director of the Agency consulted the Agency's Board of Regulators on the Registration Format. At its meeting of 19 June 2012, the Agency's Board of Regulators welcomed the Agency's decision considered for adoption relating to the Registration Format.

HAS ADOPTED THIS DECISION:

Article 1

When transmitting the information in the national registers established pursuant to Article 9(2) of Regulation (EU) No 1227/2011, National Regulatory Authorities shall use the format provided in Annex 1 to this decision.

Article 2

National Regulatory Authorities shall provide promptly the Agency with the information in the national registers in electronic format, through a secure channel and using one of the following formats: CSV or XML.

Article 3

The information in Section 4 of Annex 1 to this decision shall be provided by market participants no later than three months after the Agency has published for the first time the list of market participants registered in the European register.

Done at Ljubljana on 26 June 2012.

For the Agency:

Alberto Pototschnig
Director

Annex 1

SECTION 1: DATA RELATED TO MARKET PARTICIPANT

The following information is requested for each market participant.

Field	Fieldname	Description	Format	Notes
101.	Market Participant	Full name of the market participant (either company name if legal person or full name if natural person)	Free Text, alpha-numerical	Mandatory
102.	Person Type	Type of person according to Art. 2(8) of Regulation (EU) No 1227/2011: - Natural person - Legal person	Selection from the list of admitted values	Mandatory
103.	Legal Form	Legal form of the market participant (only for legal entities)	Free Text, alpha-numerical	Mandatory if 102.=legal person
104.	Birth Date	Date of birth (only for natural persons)	Date (DD/MM/YYYY)	Mandatory if 102.= natural person
105.	Birth City	City of birth (only for natural persons)	Free Text, alpha-numerical	Mandatory if 102.= natural person
106.	Birth State	State of birth (only for natural persons)	Free Text, alpha-numerical	Mandatory if 102.= natural person
107.	State	Member State or Country where the market participant is resident	Selection from the list of Member States/Countries (one value only)	Mandatory
108.	Address	Full address where the market participant is resident (headquarters for legal entities)	Free Text, alpha-numerical; can be divided in two lines	Mandatory
109.	City	City where the market participant is resident	Free Text, alpha-numerical	Mandatory
110.	Postal code	Postal code of the market participant	Free Text, alpha-numerical	Mandatory
111.	NRA	NRA which processes the registration	Selection from the list of European NRAs (one value only)	Mandatory
112.	VAT Number	Value added tax code of the market participant	Free Text, 14 alpha-numerical chars (including the Country prefix)	Mandatory
113.	EIC	Energy Identification Code of the market participant	Free Text, 16 alpha-numerical chars	Only if available; max 1 value

114.	BIC	Bank Identifier Code of the market participant	Free Text, 11 alpha-numerical chars	Only if available; max 1 value
115.	LEI	Legal Entity Identifier of the market participant	Free Text, 20 alpha-numerical chars	Only if available; max 1 value
116.	GS1	Global Location Number (GLN) of the market participant (within the GS1 coding scheme)	Free Text, 13 numerical digits	Only if available; max 1 value
117.	Interoperability national code	Code to be defined by NRAs for country-specific interoperability	Free Text, alpha-numerical	Only if requested by relevant NRA; max 1 value
118.	Trade Register	Registration number in a national or local trade register and indication of the register	Free Text, alpha-numerical	Only if requested by relevant NRA; max 1 value
119.	Website	URL of the home page of the website of the Market participant	Free Text, alpha-numerical	Mandatory if the market participant has a website
120.	Publication Inside Information	Place of publication of insider information if different from the website of the market participant	Free Text, alpha-numerical	Mandatory if different from the website
121.	ACER code	Unique identifier for registration purpose	12 alpha-numerical chars	Provided by the system at the first registration stage; then mandatory
122.	Status of the registration process	Status of the record: - Submitted - Validated - Deactivated	Selection from the list of admitted values	Mandatory
123.	Date of validity	Date of validity of the information collected in this section (1xx)	UTC time format	A new date is necessary at any update
124.	User Log Section1	Username of the person that has provided or updated the information collected in this section (1xx)	Free Text, alpha-numerical	Provided by the system
125.	Timestamp Section1	Timestamp of the operation of providing or updating the information collected in this section (1xx)	UTC time format	Provided by the system

SECTION 2: DATA RELATED TO NATURAL PERSONS LINKED TO MARKET PARTICIPANT

The following information is requested for each market participant and for each natural person having the management roles of responsible of trading decision, responsible of operational decision or being the contact person for communications.

Field	Fieldname	Description	Format	Notes
201.	Reference To Market Participant for Person	ACER code of the Market participant to which the person is affiliated	12 alpha-numerical chars	Provided by the system at the first registration stage; then mandatory
202.	Role	Possible values: - responsible of trading decision - responsible of operat. decision - contact for communications	Selection from the list of roles (one value only)	Mandatory
203.	Role Details	Organizational position of the person within the market participant	Free Text, alpha-numerical	Mandatory
204.	Family Name/Surname	Family name/surname of the person	Free Text, alpha-numerical	Mandatory
205.	Name/Given name	Name/given name of the person	Free Text, alpha-numerical	Mandatory
206.	Address Person	Full address of the normal site of work of the person	Free Text, alpha-numerical	Mandatory
207.	City Person	City of the normal site of work of the person	Free Text, alpha-numerical	Mandatory
208.	Postal code Person	Postal code of the normal site of work of the person	Free Text, alpha-numerical	Mandatory
209.	E-mail Person	Full e-mail address of the person	Free Text, alpha-numerical	Mandatory
210.	Telephone Person	Telephone number (including international and national codes) of the person	Free Text, alpha-numerical	Mandatory
211.	Fax Person	Fax number (including international and national codes)	Free Text, alpha-numerical	Mandatory if available
212.	Date of validity	Date of validity of the information collected in this section (2xx)	UTC time format	A new date is necessary at any update
213.	User Log Section2	Username of the person that has provided or updated the information collected in this section (2xx)	Free Text, alpha-numerical	Provided by the system
214.	Timestamp Section2	Timestamp of the operation of providing or updating the information collected in this section (2xx)	UTC time format	Provided by the system

SECTION 3: DATA RELATED TO ULTIMATE CONTROLLER OR BENEFICIARY OF THE MARKET PARTICIPANT

The following information is requested for each market participant and for each of its ultimate controller or beneficiary.

Field	Fieldname	Description	Format	Notes
301.	Reference To Market Participant for Ultimate Controller	ACER code of the Market participant to which the person is affiliated	12 alpha-numerical chars	Provided by the system at the first registration stage; then mandatory
302.	Type Ultimate Controller	Type of ultimate controller or beneficiary: - natural person - legal person	Selection from a list of codified options (one value only)	Mandatory
303.	Name Ultimate Controller	Full name of the ultimate controller or beneficiary: - family name/surname and name/given name for natural person - company name and legal form for legal entities	Free Text, alpha-numerical	Mandatory
304.	Address Ultimate Controller	Full address where the ultimate controller or beneficiary is resident	Free Text, alpha-numerical (can be divided in two lines)	Mandatory
305.	City Ultimate Controller	City where the ultimate controller or beneficiary is resident	Free Text, alpha-numerical	Mandatory
306.	Postal code Ultimate Controller	Postal code of the ultimate controller or beneficiary	Free Text, alpha-numerical	Mandatory
307.	State Ultimate Controller	State of the ultimate controller or beneficiary	Selection from the list of Member States/Countries (one value only)	Mandatory
308.	Birth Date Ultimate Controller	Date of birth of the ultimate controller or beneficiary (only for natural persons)	Date (DD/MM/YYYY)	Mandatory if 302.= natural person
309.	Birth City Ultimate Controller	City of birth of the ultimate controller or beneficiary (only for natural persons)	Free Text, alpha-numerical	Mandatory if 302.= natural person
310.	Birth State Ultimate Controller	State of birth of the ultimate controller or beneficiary (only for natural persons)	Free Text, alpha-numerical	Mandatory if 302.= natural person
311.	E-mail Ultimate Controller	Full e-mail address of the ultimate controller or beneficiary	Free Text, alpha-numerical	Mandatory
312.	Telephone Ultimate	Telephone number (including international and national codes)	Free Text, alpha-	Mandatory

	Controller	of the ultimate controller or beneficiary	numerical	
313.	Personal Data Type Ultimate Controller	Type of personal data collected for the ultimate controller or beneficiary in case of natural person	Free Text, alpha-numerical	Mandatory if 302.=natural person
314.	Personal Data Ultimate Controller	Value of Fiscal code or Personal Security number or ID card number or passport number	Free Text, alpha-numerical	Mandatory if 302.=natural person
315.	Capacity Ultimate Controller	Role of the ultimate controller in case of natural person	Free Text, alpha-numerical	Mandatory if 302.=natural person
316.	VAT Ultimate Controller	VAT number of the ultimate controller or beneficiary in case of a legal entity	Free Text, 14 alpha-numerical chars (including the Country prefix)	Mandatory if 302.=legal person
317.	Corporate Vehicle	Type of the ultimate controller or beneficiary in case of a legal entity	Free Text, alpha-numerical	Mandatory if 302.=legal person
318.	Date of validity	Date of validity of the information collected in this section (3xx)	UTC time format	A new date is necessary at any update
319.	User Log Section3	Username of the person that has provided or updated the information collected in this section (3xx)	Free Text, alpha-numerical	Provided by the system
320.	Timestamp Section3	Timestamp of the operation of providing or updating the information collected in this section (3xx)	UTC time format	Provided by the system

SECTION 4: DATA RELATED TO CORPORATE STRUCTURE OF THE MARKET PARTICIPANT

The following information is requested for each market participant and for each related undertaking under the 7th Council Directive 83/349/EEC of 13 June 1983 that is a registered market participant.

For registration applications before the publication of the first list of registered market participants, the information of section 4 has to be completed within 3 months from the first publication of the list of registered market participants.

Field	Fieldname	Description	Format	Notes
401.	Reference to Market Participant for Corporate Structure	ACER code of the Market participant to which the related undertaking is affiliated	12 alpha-numerical chars	Mandatory
402.	Related undertaking	Company Name of the related undertaking	Free Text, alpha-numerical	Mandatory
403	VAT Related Undertaking	VAT number of the related undertaking	Free Text, 14 alpha-numerical chars (including the Country prefix)	Mandatory
404.	Unique Code of the related undertaking	ACER code of related undertakings	12 alpha-numerical chars	Mandatory
405.	Type Relationship	Type of relationship between the market participant and the related undertaking according to the 7th Council Directive 83/349/EEC of 13 June 1983: - parent undertaking, - subsidiary (controlled undertaking), - other related undertaking having "unitary direction"	Selection from a list of codified options (one value only)	Mandatory
406.	Notes	Additional information provided by the market participant	Free Text, alpha-numerical	Optional
407.	Date of validity Corporate Structure	Date of validity of the information collected in this section (4xx)	UTC time format	A new date is necessary at any update
408.	User Log Section4	Username of the person that has provided or updated the information collected in this section (4xx)	Free Text, alpha-numerical	Provided by the system
409.	Timestamp Section4	Timestamp of the operation of providing or updating the information collected in this section (4xx)	UTC time format	Provided by the system

SECTION 5: DATA RELATED TO DELEGATED PARTIES FOR REPORTING ON BEHALF OF THE MARKET PARTICIPANT

The following information is requested for each market participant and for each third party delegated to report on behalf of the market participant; this section is mandatory only for market participant willing to delegate reporting to a third party.

Field	Fieldname	Description	Format	Notes
501.	Reference To Market Participant for Delegated Party	ACER code of the Market participant to which the related undertaking is affiliated	12 alpha-numerical chars	Mandatory if this section is filled in
502.	Unique Code of Delegated Party	ACER code of delegated third party for reporting on behalf of the market participant	12 alpha-numerical chars	Mandatory if this section is filled in
503.	Date of validity Delegated Party	Date of validity of the information collected in this section (5xx)	UTC time format	A new date is necessary at any update
504.	User Log Section5	Username of the person that has provided or updated the information collected in this section (5xx)	Free Text, alpha-numerical	Provided by the system
505.	Timestamp Section5	Timestamp of the operation of providing or updating the information collected in this section (5xx)	UTC time format	Provided by the system