



Privacy Statement for the F-gas Portal and HFC Licensing System

Pursuant to Regulation (EU) No 517/2014 of the European Parliament and the Council on fluorinated greenhouse gases

1. INTRODUCTION: THE F-GAS PORTAL AND HFC LICENSING SYSTEM

The F-gas Portal and HFC Licensing System is the web-based entrance way to:

- (i) the HFC Registry, and
- (ii) the company reporting tool on fluorinated greenhouse gases (F-gases).

The HFC Registry is an electronic registry of undertakings enabling the implementation of the phase-down of hydrofluorocarbons (HFCs) including the quota allocation as set out in Regulation (EU) No 517/2014 of the European Parliament and the Council on fluorinated greenhouse gases (the Regulation) in Chapter IV as well as Annexes V and VI.

Reporting by undertakings is mandated by Article 19 and Annex VII to Regulation (EU) No 517/2014, as well as Commission Implementing Regulation (EU) No 1191/2014 as amended. The electronic reporting tool referred to in Article 1 of the latter Implementing Regulation is accessible via the F-gas Portal and HFC Licensing System.

2. WHICH PERSONAL DATA DO WE COLLECT FOR PROCESSING AND WHY

2.1. Identification data

Information is collected about the undertaking rather than the individual. The collected data include identification of a natural person (name, surname and e-mail address) designated by the undertakings to act as the main contact point for communication with the Commission. If the undertaking decides to designate more contact point(s) (user(s)) the collected data include the identification of that/those natural person(s) as well (name, surname, e-mail address).

In addition, the registration form for undertakings requires the identification (name, surname and signature) of a legal representative acting on behalf of the company, as well as its only representative in case of companies established outside the EU. Where requested by the Commission, the undertaking is required to provide the identity of their beneficial owners(s) (name, surname) and supporting documents where applicable which may contain other data such as signatures.

The system also allows Member States' competent authorities to register. In such cases, the collected information includes the identification of a contact person (name, surname, e-mail address) from the relevant Ministry and/or other governmental body or agency.

The collection of personal data is necessary for ensuring the smooth functioning of the F-gas Portal and HFC Licensing System. In particular, the Commission must be able to contact undertakings and Member States competent authorities registered in the registry (and vice-versa) with a view to ensuring the correct implementation of the quota allocation process and the rules of the Regulation in general. The Commission must also have confirmation, via the legal representative, that the undertaking indeed intends to register in the registry and has provided accurate and complete information. Other information is collected via the EU login such as the username (user ID and e-mail address).

2.2. Technical information

No personal data that might be used in the functioning of the F-gas Portal and HFC Licensing System is being processed by technical means (e.g. cookies).

The Internet Protocol IP address is stored also for auditing purposes. The F-gas Portal and HFC Licensing System is protected by personal passwords to prevent unauthorised access. Passwords used will expire after 180 days. The user may change the password at any time (this refers to the EU log-in).

3. LEGAL GROUNDS

Personal data are processed because:

- (a) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body;
- (b) processing is necessary for compliance with a legal obligation to which the controller is subject.

Regulation (EU) No 517/2014, Article 17(1), stipulates that, by 1 January 2015 the Commission shall set up and operate an electronic registry for quotas for placing HFCs on the market. Article 3 and 4 of Commission Implementing Regulation (EU) 2019/661 of 25 April 2019 *ensuring the smooth functioning of the electronic registry for quotas for placing hydrofluorocarbons on the market* envisages registration rules for undertaking that wish to register in the registry.

4. WHO HAS ACCESS TO THE INFORMATION AND WHOM IS IT DISCLOSED TO?

The personal data collected in the F-gas Portal and HFC Licensing System can be accessed by officials of the Commission, in particular those in charge of the operations and technical maintenance of the F-gas Portal and HFC Licensing System and the monitoring of the correct implementation of the Regulation. Furthermore, data is accessible by a designated contact person and other users, where applicable, in Member States (competent authorities such as the relevant Ministry and/or other governmental bodies or agencies).

The Commission may also give access to its contractors and to the European Environment Agency (EEA) that perform specific tasks for the Commission and that require access to data in the F-gas Portal and HFC Licensing System (e.g. for annual company reporting, quota calculations, compliance checking, as well as surveys, data collection, statistical evaluations). In particular, the contact information issued in relation to company reporting on fluorinated gases, which is handled by the European Environment Agency and the European Topic Centre on Climate Change and Air Pollution and involves collecting and storing the reported information in the EEA's Business Data Repository (BDR). In the case where an external entity is contracted, the undertaking is required to sign a confidentiality and privacy clause.

The personal data is not forwarded to any other third party. In case of technical development by contractors the data will be encrypted. Undertakings registered in the F-gas Portal and HFC Licensing System do not have access to the data of other undertakings.

5. HOW CAN INFORMATION BE VERIFIED, MODIFIED OR DELETED?

Personal data is accessible directly in the F-gas Portal and HFC Licensing System. Personal data of contact persons can be modified or deleted by submitting a request to the Data Controller (see section 9).

Personal data of other users may be modified or deleted by the contact person or by any of the other users directly via the registry. The personal data of beneficial owners may be modified or updated by the contact person or other users directly via the registry; a record of the personal data of previous beneficial owners remains visible in the profile under 'history'.

Undertakings may request to disable an account in the Registration if the account is no longer required. In such case the personal data of an individual is deleted i.e. the name of the contact person is deleted. The user can request to delete an account by informing the Controller (contact information in section 9). Such a request is usually processed within one week. This deletion does not remove the data from previous system backups (see section 6 below).

6. HOW LONG DO WE KEEP YOUR DATA?

In line with Article 9 of Commission Implementing Regulation (EU) 2019/661, personal data are retained for a maximum period of 5 years following the deletion of the account.

7. HOW DO WE PROTECT AND SAFEGUARD PERSONAL DATA?

In order to protect personal data, the Commission has put in place a number of technical and organisational measures in place. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

8. WHAT ARE THE RIGHTS OF DATA SUBJECTS?

Data subjects have specific rights under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access, rectify or erase their personal data and the right to restrict their processing. Where applicable, they also have the right to object to the processing or the right to data portability. Data subjects have consented to provide their personal data to the Commission for the present processing operation. They can withdraw that consent at any time by notifying the Data Controller (see section 9). The withdrawal will not only affect future processing.

9. CONTACT INFORMATION

For any questions or requests concerning the F-gas Portal and HFC Licensing System please contact:

European Commission
Directorate General Climate Action Unit C1
Unit C1 - Low Carbon Solutions (I): Montreal Protocol, Clean Cooling & Heating,
Digital Transition
B - 1049 Brussels
Belgium E-mail: CLIMA-HFC-REGISTRY@ec.europa.eu

10. RECOURSE

In case of conflict, complaints can be addressed to:

The Data Protection Officer (DPO) of the Commission: DATA-PROTECTION-OFFICER@ec.europa.eu.

The European Data Protection Supervisor (EDPS): edps@edps.europa.eu.