**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]](#footnote-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.
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.

1. 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.

1. 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.
2. 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.

Fог 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.

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| --- | --- | --- | --- | --- |
| **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.

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| --- | --- | --- | --- | --- |
| **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 Controller | Telephone number (including international and national codes) of the ultimate controller or beneficiary | Free Text, alpha-numerical | Mandatory |
| 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.

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| **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.

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| --- | --- | --- | --- | --- |
| **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 |

1. OJ L 326 of 8.12.2011, p. 1 [↑](#footnote-ref-1)