

## **Privacy Notice for Companies Who Are Not EPR Organisation Members**

CONAI – Consorzio Nazionale Imballaggi (National Packaging Consortium) is a private, non-profit organisation that carries out the institutional activities specifically provided for by Legislative Decree 152/2006 (Environmental Code), aimed at protecting the environment, promoting sustainability and ensuring the sustainable management of packaging waste.

In particular, CONAI has, among other things, the institutional task of promoting compliance with legislation on the management of packaging waste, which requires companies that produce and use packaging to: (i) join the CONAI EPR Organisation, and (ii) fulfil their EPR Fee obligations.

CONAI also achieves its institutional aims through information and support initiatives for companies which, although potentially subject to the above obligations, have not joined the CONAI EPR Organisation and have not demonstrated compliance with EPR Fee obligations.

Pursuant to and for the purposes of Articles 13 and 14 of European Regulation 2016/679 (hereinafter the “Regulation”), CONAI hereby provides information regarding the processing of personal data in the context of the aforementioned institutional activities.

### **1. Data Controller**

The Data Controller is CONAI – Consorzio Nazionale Imballaggi (National Packaging Consortium), with registered office in Rome, Via Tomacelli 132, and operational office in Milan, Via Pompeo Litta 5 – Tel. +39 02 540441, certified email (PEC): [conai@conai.legalmail.it](mailto:conai@conai.legalmail.it) (hereinafter “CONAI”).

### **2. Data Protection Officer**

The Data Protection Officer appointed by CONAI can be contacted by sending an email to [dpo@conai.org](mailto:dpo@conai.org).

### **3. Personal data**

“Personal data” means any information that concerns an identified or identifiable natural person.

Specifically, in the case of individual companies, processing may concern information such as, by way of example: company name, tax identification number, VAT number, registered office, telephone numbers, email addresses, business status and description, ATECO code, number of employees, turnover, bank details, data relating to packaging flows and other data available from public sources or acquired under CONAI’s legal powers (Article 224, paragraph 3, point (n) of Legislative Decree 152/2006), during checks and/or inspections carried out on EPR Organisation Member companies or through the receipt/processing of periodic declarations or any other data collection forms, as well as through commercially available databases containing information on packaging producers or users.

Under the above provision (Article 224, paragraph 3, point (n) of Legislative Decree 152/2006), CONAI acquires, from public or private bodies, national or foreign, or from economic operators, including non-members: data relating to packaging flows entering or leaving Italy, data of the economic operators involved whose goods are transferred within Italy, including those of cross-border origin or destination, as well as data on the related subjects involved.

The processing may also concern identification data of legal representatives of companies (such as, by way of example: forename, surname, email address, tax identification number, position held, interests in other companies), acquired using the methods described above, as well as identification data of contact persons (forename and surname, position held).

(hereinafter, the “Data”).

Processing concerns data originating from public or publicly accessible sources or from public bodies (such as the Italian Customs and Monopolies Agency), as well as data provided by economic operators, EPR Organisation Member companies or directly by the data subject, in the context of CONAI’s institutional activities.

#### **4. Purposes and legal bases of processing**

The Data is processed for the following purposes:

- a) acquire data relating to packaging flows, including for the fulfilment of specific reporting obligations to the competent authorities;
- b) promote compliance with legislation on the management of packaging waste, including by sending institutional communications providing information about the obligations to join the CONAI EPR Organisation and pay the EPR Fee, and on support initiatives for companies;
- c) exercise and defend CONAI’s rights in all forums, including judicial, administrative, arbitration, mediation and conciliation proceedings.

Processing has its legal basis in the fulfilment of a legal obligation and in the performance of a task carried out in the public interest (Article 6.1, points (c) and (e) of the Regulation), as well as in CONAI’s legitimate interest (Article 6.1, point (f) of the Regulation).

#### **5. Methods of processing**

For the purposes referred to above, the Data is processed in paper form and by electronic means, in compliance with the regulations on the processing of personal data, and adopting appropriate security measures.

The Data will be processed exclusively by CONAI internal staff who perform activities connected with and instrumental to the above purposes, specifically authorised, trained and instructed to ensure adequate security and confidentiality, and to avoid the risks of loss and/or destruction or access by unauthorised parties.

#### **6. Communication of Data**

The Data may be communicated, in compliance with specific obligations, to public bodies and authorities acting as independent Data Controllers.

The Data may also be communicated to entities specifically appointed as Data Processors (individuals or organisations processing data according to CONAI's documented instructions, such as: tax consultants; entities responsible for data entry activities; document storage; forwarding of communications; IT system management and maintenance).

The updated list of Data Processors is available at CONAI's operational office.

## **7. Data retention period**

The Data is retained until a company potentially acquires EPR Organisation Member status and, in any case, for the periods provided by law and fiscal regulations, without prejudice to legal data retention obligations and retention needs related to establishing, exercising or defending a right.

## **8. Rights of the data subject**

With regard to the Data, the data subject has the right to request CONAI, in the manner indicated in the Regulation and without prejudice to the limitations set out in the Regulation itself and in Legislative Decree 196/2003 (Part I, Title I, Chapter III):

- access, in the cases provided (Article 15 of the Regulation) – the data subject has the right to obtain confirmation from the Data Controller of whether or not personal data concerning them is being processed and, where that is the case, access to the personal data and the information referred to in Article 15 of the Regulation, in particular: processing purposes; categories of personal data; categories of recipients to whom the Data has been or will be communicated; Data retention period or criteria used to determine that period; source of the Data; existence of automated processes, including profiling;
- rectification of inaccurate Data and completion of incomplete Data, without undue delay (Article 16 of the Regulation);
- erasure of the Data for the reasons provided without undue delay (Article 17 of the Regulation), for example where the Data is no longer necessary for the purposes indicated above or is not processed in compliance with the Regulation;
- restriction of processing in the cases provided (Article 18 of the Regulation), for example where the accuracy of the Data is contested and needs to be verified;
- portability, meaning the right to receive, in the cases provided (Article 20 of the Regulation), the Data in a structured, commonly used and machine-readable format, and to transmit such Data to another data controller;
- objection to processing, in the cases provided (Article 21 of the Regulation).

All the rights listed above can be exercised by sending a communication to CONAI by certified email (PEC) to [conai@conai.legalmail.it](mailto:conai@conai.legalmail.it) or to [privacy@conai.org](mailto:privacy@conai.org), or by registered letter to the operational office in Milan, Via Litta 5.

## **9. Complaints**

If the data subject believes that the processing of the Data infringes the Regulation, they have the right to lodge a complaint with the Italian Data Protection Authority, as provided by Article 77 of the Regulation.

## **10. Transfer abroad**

The Data is stored at CONAI's premises and on servers located within the European Union.