

Privacy Notice for EPR Organisation Members

Dear EPR Organisation Member,

Pursuant to and for the purposes of European Regulation 2016/679 (hereinafter the “Regulation”), we hereby provide information regarding the processing of personal data provided to us in the context of the relationship with the CONAI EPR Organisation.

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.

2. Data Protection Officer

The Data Protection Officer appointed by CONAI can be contacted by sending an email to dpo@conai.org.

3. Information and data processed

Processing will concern information about EPR Organisation Members, in the case of individual companies, such as, by way of example but not limited to: company name, registered office, telephone numbers, email addresses, tax identification number and VAT number, business status and description, ATECO code, number of employees, turnover, bank details and any additional information provided during the relationship, including through transmission by EPR Organisation Members of the documentation required for the relationship or during checks and/or inspections.

Processing may also concern the personal data of relevant legal representatives, such as forename, surname, email address, tax identification number, company or organisation of affiliation, the data contained in the copy of the identity document required during registration on the “Online Declarations” portal, and other contact persons of the EPR Organisation Members, such as forename, surname, email address, company or organisation of affiliation, role or function.

Finally, processing may also concern information relating to clients, suppliers and consultants of EPR Organisation Members, which may be derived from the electronic invoices issued by EPR Organisation Members.

(hereinafter, collectively, the “Data”).

4. Purposes and legal bases of processing

The Data is processed for the following purposes:

- a. exercise of the rights deriving from holding a membership share in CONAI;
- b. performance of activities connected with and instrumental to holding the membership share in CONAI;
- c. fulfilment of all further legal and contractual obligations connected with holding the membership share in CONAI, including, for example, participation in Members’ Assembly meetings;
- d. participation in CONAI initiatives, activities and use of related services;

- e. possible registration on the portal for submitting online declarations and creation of a user profile;
- f. carrying out, by CONAI, the activities required under national and EU legislation on packaging and packaging waste, as well as under the Statute and Rules of CONAI; in particular: activities for the liquidation, verification and collection of fees owed by EPR Organisation Members; checks and assessments relating to packaging and packaging-waste production and/or use; checks and inspections to verify compliance with statutory obligations; monitoring, study or research activities on the management of packaging and packaging waste;
- g. sending communications by email relating to the membership relationship;
- h. sending communications by email containing information and updates on CONAI's services and institutional activities of interest within the membership relationship;
- i. sending anonymous satisfaction questionnaires on the services offered by CONAI, in order to gather feedback from EPR Organisation Members and improve support;
- j. exercise and defence of CONAI's rights in all forums, including judicial, administrative, arbitration, mediation and conciliation proceedings;
- k. termination of membership.

Processing of the Data for the purposes listed above, with the exception of points (h), (i) and (j), has its legal basis in the performance of the contract (Article 6.1, point (b) GDPR), as well as compliance with obligations to which CONAI is subject (Article 6.1, point (c) GDPR).

Processing of the Data for the purposes listed in points (h), (i) and (j) has its legal basis in the pursuit of CONAI's legitimate interest.

5. Methods of processing

For the purposes referred to in point 4 above, the Data will be processed in paper form and mainly by electronic means, in compliance with the regulations on the processing of personal data, and adopting appropriate security measures.

The Data may be collected during membership application, changes to company details or withdrawal, registration on the online declaration portal, submission of online declarations, checks/inspections by CONAI, or through the receipt/processing of periodic reports, option declarations or any other necessary documentation.

Processing of the Data will be managed 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 and dissemination of Data

Within the limits strictly relevant to the purposes listed in point 4, the Data may be communicated to:

- public administration bodies, including in the case of checks and inspections;
- judicial authorities, police forces, intelligence and security bodies or other public entities for purposes of State defence or security or for the prevention, detection or prosecution of offences;
- supervisory or audit bodies, in compliance with obligations to which CONAI is subject;
- organisations/entities with which CONAI interacts or collaborates for the performance of statutory and institutional activities or functions.

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; website and IT system management and maintenance; IT service providers; professionals tasked with conducting checks and inspections required by the Statute; entities conducting surveys).

The updated list of Data Processors can be requested from CONAI.

7. Data retention period

The Data will be stored for the entire duration of membership in CONAI and, in any case, until the statutory limitation of the rights arising from it, without prejudice to compliance with legal data retention obligations and retention needs related to establishing, exercising or defending a right. The Data may therefore be retained for up to 10 years after termination of membership, without prejudice to extension in the event of needs relating to establishing, exercising or defending a right.

The copy of the identity document of the legal representative, provided during registration on the "Online Declarations" portal, will be retained until the completion of the registration process. It will then be deleted together with the related data.

The rights of the data subject remain unaffected, including the right to object where permitted.

8. Rights of the data subject

The data subject has the right to request CONAI, in the manner indicated in the Regulation and without prejudice to the provisions and limitations set out 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;

Right to object. The data subject also has the right to object to processing in the cases provided (Article 21 of the Regulation), such as processing based on legitimate interest.

All the rights listed above may be exercised by sending a communication to CONAI by certified email (PEC) to conai@conai.legalmail.it or to privacy@conai.org, or by registered letter to the operational office in Milan, Via Litta 5. In addition, to stop receiving informational or update emails or satisfaction questionnaires, it is possible to click the dedicated link provided at the bottom of each email.

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. Nature of Data provision

Providing the Data is mandatory and strictly necessary for the sole purpose of fulfilling the legal and contractual obligations inherent to the membership relationship. Failure to provide the Data, even partially, makes it objectively impossible to establish and perform the CONAI membership relationship, and to correctly carry out all related obligations and to access the associated services.

11. Transfer abroad

The Data is stored at CONAI's premises and on servers located within the European Union. If, for the performance of certain activities or services, the Data needs to be transferred to third countries, such transfers will be carried out in compliance with the Regulation and, specifically, only where adequate safeguards are in place (adequacy decisions, standard contractual clauses approved by the European Commission, etc.).

12. Further information and cooperation

Data protection and compliance with the principles established by legislation, particularly the principle of transparency, are of primary importance for CONAI. CONAI's Legal, Corporate and General Affairs Division is available to provide any clarification regarding the processing of personal data. It is also possible to report any unclear parts of this document or suggest improvements by writing to privacy@conai.org.