

PROCEDURE 9

OPEN A PERSON HOLDING ACCOUNT (legal person)

Index

1. Overview	2
2. Documents to provide	4
3. Authentication of documents.....	7
4. How to send the documents	8
5. Forms	9
<i>Acknowledgement of the information on personal data processing</i>	10
<i>Acceptance of Terms and Conditions</i>	12

1. OVERVIEW

Any person who wish to participate in European Emission Trading (EU ETS) should hold an account in the Union Registry. The two types of accounts suitable for this purpose are:

- Person holding account;
- Trading account.

Holding accounts can only transfer allowances or Kyoto units to accounts previously included in a trusted list and the transfer is delayed by 26 hours. *Trading* accounts can transfer allowances or Kyoto units to trusted accounts (immediate transfer) and to accounts not included in the trusted list (with a 26-hour delay and subject to approval by an additional representative). A trading account is therefore more versatile than a person holding account, thus being more suitable for trading operations.

The **holder** of a person holding account or a trading account can be a natural person (individual) or a legal person (company/organization). The documents and information required are different depending on the type of holder.

If you intend to open a “Person” holding account (legal person) you need to:

1. Send the **on-line request** by following the indications you may find in the video-tutorial **Person holding account opening**;
2. Send to the national administrator the **documents** as specified in the following pages.

Who operates the account?

The account opening procedure requires the appointment of at least two natural persons who will operate the account. Their role is defined "authorized representative" but not necessarily they are company representatives, rather they are the ones responsible for all the operations on the account. For clarity, it does not make sense to appoint a person who then hands over his credentials to someone else for the account management: this would invalidate the safeguards of the appointment itself.

There are three types of authorized representative, with different functions:

- *authorized representatives (AR)* with the right to carry out all account management operations;
- *additional authorized representatives (AAR)* who are required to approve or reject the operations proposed by the ARs;
- *Read-only users* with the option to view all account information and transactions.

Each deposit account **must have a minimum of 2 ARs**. The maximum number of ARs is 6 including any *read-only users*. It is also possible, but not mandatory, to appoint up to 10 **AARs**.

Please note that, when requesting the opening, the account holder shall appoint all ARs and AARs, while read-only users might be added to the account at a later stage, by following the indications in Procedure 6.

IMPORTANT!

In order to finalize the account opening, each representative shall communicate his/her own identification code (**URID**) to the Registry administrator using Form 9.

Get to know your own URID

- If you are already a user of the Italian part of the Union Registry, you may retrieve your URID by logging into the Registry: the URID is displayed in the menu on the left, at the top, under your name.
- If you are not yet a user of the Italian part of the Union Registry, you should first register by following the instructions in the video-tutorial **Registration of a new user**: at the end of the registration, the system will display your URID.

For any further request of support or clarification, please write to:

info.registro-et@isprambiente.it

2. DOCUMENTS TO PROVIDE

In accordance to the provisions of Commission Regulations (EU) 389/2013, after completing the online request to open a person holding account in the Italian part of the Union Registry, the account holder shall provide the following documents:

List of requested documents		Check *
1	Form 9 filled in according to the instructions provided in the form.	<input type="checkbox"/>
2	Statement signed by the legal representative of the account holder with the appointment of the specific persons to operate as authorized representatives (or additional authorized representative) on behalf of the account holder. The minimum content of the statement is provided at the bottom of this list and it can be adjusted according to the number of representatives to be appointed.	<input type="checkbox"/>
3	Evidence to support the identity of <i>each</i> appointed representative, which may be a copy of one of the following: (a) an identity card issued by a State that is a member of the European Economic Area or the Organisation for Economic Cooperation and Development; (b) a passport.	<input type="checkbox"/>
4	Evidence to support the address of the permanent residence of <i>each</i> appointed representative, which may be a copy of one of the following: (a) the identity document submitted under point 3), if it contains the address of the permanent residence; (b) any other government-issued identity document that contains the address of permanent residence; (c) if the country of permanent residence does not issue any identity document that contains the address of permanent residence, a statement from the local authorities confirming the nominee's permanent residence;	<input type="checkbox"/>
5	Criminal records of <i>each</i> appointed representatives.	<input type="checkbox"/>
6	A legalized extract from Chamber of Commerce (or similar organization in the country concerned. For information on similar institutions in other countries, please visit www.worldchambers.com). The extract is required as evidence of the registration of the Company and of the role and responsibility of the person signing the statement referred to in point 2.	<input type="checkbox"/>
7	Written confirmation of acknowledgement of the information on personal data processing signed by <i>each</i> appointed representative (available at pag. 10).	<input type="checkbox"/>
8	Terms and Conditions of access and use of the Italian part of the Union Registry signed by <i>each</i> appointed representative (available at page 12).	<input type="checkbox"/>

9	Evidence of payment of the Registry fee (art. 5 of Decree 25 July 2016 - OJ 224 of 24-9-2016) according to the indications available in the fee information document available on the website. PAY ATTENTION: in order to report the Account number code requested to finalize the payment, please refer to the PDF document generated by the system at the end of the online account request (in the format EU-100-NNNNNNN-0-NN)	<input type="checkbox"/>
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* tick for a preliminary check of completeness

Additional documents required for new holders (or holders of other types of account, such as operator or aircraft operator)		Check *
10	Copy of the instruments establishing the legal entity and a copy of a document proving the registration of the legal entity.	<input type="checkbox"/>
11	Bank account details as proof that the legal person has a bank account opened in a member state of the European Economic Area (<i>original document on headed paper of the Banking Institute signed by an official whose contact details are provided</i>).	<input type="checkbox"/>
12	Confirmation of VAT registration .	<input type="checkbox"/>
13	Information on the legal entity's beneficial owner as defined in Directive 2005/60/EC including the type of ownership or control they are exercising.	<input type="checkbox"/>
14	List of directors .	<input type="checkbox"/>
15	Copy of the annual report or of the latest audited financial statements , or if no audited financial statements available, a copy of the financial statements stamped by the tax office or the financial director.	<input type="checkbox"/>
16	Evidence to support the registered address of the legal person account holder, if this is not clear from the documents submitted.	<input type="checkbox"/>
17	Criminal records of the legal representative of the account holder.	<input type="checkbox"/>
For commercial organizations, points 10, 14 and 16 are attributable to the extract of Chamber of Commerce mentioned at point 6		

* tick for a preliminary check of completeness

ATTENTION:

ONLY PERSON HOLDING ACCOUNTS whose prospective holders are registered in ITALY (art. 18.2 of the EU Regulation 389/2013) and are registered for VAT in ITALY (art. 18.3 of the EU Regulation 389/2013) WILL BE APPROVED

Template for the statement

I, the undersigned <NAME AND SURNAME OF THE LEGAL REPRESENTATIVE>, as legal representative and on behalf of <NAME OF THE ACCOUNT HOLDER> holder of the account identified by number <ACCOUNT ID>

authorize

<NAME AND SURNAME OF THE FIRST AUTHORIZED REPRESENTATIVE> and <NAME AND SURNAME OF THE SECOND AUTHORIZED REPRESENTATIVE> to operate in the Italian part of the Union Registry as Authorized Representatives of the account, in accordance with Commission Regulation (EU) 389/2013, with the right to **initiate** transactions on behalf of <NAME OF THE ACCOUNT HOLDER>;

authorize as well

< NAME AND SURNAME OF THE ADDITIONAL AUTHORIZED REPRESENTATIVE> to operate in the Italian part of the Union Registry as Additional Authorized Representatives of the account, in accordance with Commission Regulation (EU) 389/2013, with the right to **approve/reject** the transactions proposed by an authorized representative on behalf of <NAME OF THE ACCOUNT HOLDER>.

Place, date

Signature

If the documentation is **correct and complete**, the national administrator will approve the account opening request within **20 working days** of the receipt of such documentation.

Sending the enrolment key

Following the approval of the account opening request, the registry administrator will send to each *newly registered* representative an SMS with the **enrolment key** to activate the user (please refer to video-tutorial **User enrolment**).

Please note that account representatives already operational as representatives in other accounts do not need to enter again the enrolment key since their user is already activated.

3. AUTHENTICATION OF DOCUMENTS

As provided in Commission Regulation (EU) n. 389/2013 Annex VIII.6, any copy of a document submitted as evidence (**points 3, 4 and 5** of the list in paragraph 2) must be certified as a true copy by a **notary public** or other similar person specified by the national administrator.

The administrator of the Italian part of the Union Registry identifies as “*similar person*” the following subjects:

- a public officer (e.g. employees of Municipalities, clerks at the Court or other heads of administrative proceedings);

*N.B. references of the public notary/legalization office must be visible on the copy or be attached to the documentation. The date of certification or legalization cannot be more than **three months** prior to the date of the request.*

As regards documents issued **outside the European Union**, the copies must be legalized by Italian diplomatic-consular representations abroad (*).

(In countries that have signed the Hague Convention concerning the abolition of legalization of foreign public acts, the legalization of acts and documents issued by foreign authorities is replaced by the affixing of the "postilla" (or apostille). Therefore, a person from one of these countries can go to the competent internal authority designated by each state (normally this is the Ministry of Foreign Affairs) to obtain the affixing of the apostille on the document.*

Copies of documents submitted as evidence shall be in Italian, English, French or Spanish. If the original copy is in another language it shall be accompanied by a certified translation to Italian (the translation must bear the stamp "certified translation").

4. HOW TO SEND THE DOCUMENTS

In order to complete your request to open a person holding account, please send:

- 1) all original documents **in paper format** (except the extract from Chamber of Commerce)
- 2) form 9 and the extract from Chamber of Commerce **in electronic format** on CD-ROM

to the following address:

ISPRA - Istituto Superiore per la Protezione e la Ricerca Ambientale

Registro Italiano per l'Emission Trading

Via Vitaliano Brancati 48 - 00144 Roma

Please include in the submission a list of all the documents you are sending ("**dispatch list**") on headed paper of the account holder.

5. FORMS

In this section, you may find the following forms:

- ✓ Acknowledgement of the information on personal data processing
- ✓ Acceptance of Terms and Conditions

The forms need to be printed and signed by all those appointed as account representatives.

Acknowledgement of the information on personal data processing

I, the undersigned, hereby declare that I have read and understood the information below concerning the processing of personal data pursuant to art. 13 of EU Regulation 2016/679.

Place and date

Name and surname

Declarant's signature

Name and surname

Declarant's signature

Name and surname

Declarant's signature

Name and surname

Declarant's signature

Name and surname

Declarant's signature

Name and surname

Declarant's signature

Information on the processing of personal data pursuant to art. 13 of EU Regulation 2016/679 for users of the Italian part of the Union Registry

1. WHY THIS INFORMATION

By providing the following information we wish to offer a clear and transparent view of the personal data collected and processed by the Italian Institute for Environmental Protection and Research for the purpose of managing the users of the Italian part of the Union Registry and its related Services, according to the provisions of EU Regulation 2013/389 and, in compliance with the General Regulation on the Protection of Personal Data 2016/679 (hereinafter, "GDPR" or "Regulation"), which applies in all Member States of the European Union as of the 25th May 2018. In particular, the parties concerned by data processing are natural persons, specifically the representatives designated by the account holder, who submit their personal data and those of the account holder (in case the account holder is a natural person) in order to complete the online registration application for the aforementioned Registry and its related Services.

2. THE DATA CONTROLLER

The data controller is the Italian Institute for Environmental Protection and Research –Ispra, a national public research body subject to the supervision of the Ministry for the Environment, Land and Sea, with its legal head office at Via Vitaliano Brancati, 48 - 00144 Rome. You can contact the data processor by writing to the address above or by sending an e-mail to the following e-mail address: urp.ispra@ispra.legalmail.it, or, by contacting the switchboard: 06.50071.

3. DATA PROTECTION OFFICER

The Data Protection Officer is the person, designated by Ispra, who you may contact for all matters related to the processing of your personal data and the exercise of related rights, in the following ways:

- by mail, sending a registered letter with return receipt to the address: ISPRRA - Via Vitaliano Brancati, 48 - 00144 Rome (Italy) to the attention of the Data Protection Officer;

- by certified e-mail (PEC), to the institutional address protocollo.ispra@ispra.legalmail.it and in cc to rpd@isprambiente.it attaching the dedicated form that can be downloaded in the section on Privacy of the institutional website at the following link:

http://www.isprambiente.gov.it/files2018/privacy/MODELLO_esercizio_diritti_in_materia_di_protezione_dati_personali_SM.pdf

4. LEGAL BASIS OF DATA PROCESSING

According to art. 6 of GDPR, the conditions of lawfulness for the processing of your personal data are as follows:

- Processing is necessary for compliance with a legal obligation to which the controller is subject (Article 6, paragraph 1, letter c of the GDPR). The legal obligations are those deriving from the EU Regulation 389/2013 and from Legislative Decree 30/2013: specifically, the management of the data transmitted through the online registration process in the Italian part of the Union Registry and the data in the documents eventually transmitted to request the association of the user to an account, as well as the update the user data;
- 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 controller (Article 6, paragraph 1, letter e of the GDPR). In particular, the institutional tasks for the administration of the Italian part of the Union Registry resulting from the enforcement of EU Regulation 389/2013 and Legislative Decree 30/2013.

5. TYPES OF DATA PROCESSED AND PURPOSE OF THE PROCESSING

The personal data processed in the context of user registration and management, as explained in paragraphs 1 and 4, are common data entered in the online application form during the registration process in the Italian part of the Union Registry and/or transmitted later, within the documents requested in the procedures set up by the Registry administrator (for example: personal data relating to the residence and identity, contact details), as well as special categories of data pursuant to Article 10 of the GDPR (judicial data related to criminal convictions), necessary for the fulfillment of the legal investigations relating to the integrity requirements (criminal records).

Common data of natural persons may also be processed, although not referring to users of the Registry but transmitted as part of the documents requested in the procedures related to user management (for example contact details of any person listed in the certificate of incorporation).

The provision of such data is required to approve the registration process, to enroll the user in the Registry and eventually update the user data when needed; therefore, failure to provide such data will preclude the registration and enrollment in the Italian part of the Union Registry and its services. Once your user profile has been created and enrolled, Ispra may process your personal data also for purposes of scientific research and archiving in the public interest.

6. METHOD OF PROCESSING

Ispra, as Data Controller, collects your personal data (and those of other persons indicated in the documents requested, including the contact person of the account holder) directly, through the acquisition of the online application form for the registration in the Italian part of the Union Registry and through the acquisition of the documents requested for appointing the user to an account or for updating user data.

The processing of your personal data is carried out, both on paper and electronically, with the following activities: collection, registration, organization, structuring, storage, consultation, adaptation or modification, use, internal communication, extraction, comparison, interconnection, limitation, cancellation and destruction of data.

In any case, we process your personal data in compliance with the principles of lawfulness and fairness pursuant to art. 5 of the GDPR and we always operate in such a way as to guarantee the confidentiality and security of information.

We are also committed to ensure that the information and data collected and used are adequate, relevant and stored for the time necessary to achieve the treatment purposes described above, and that your personal data are processed in a manner that guarantees their security, through adequate and effective technical and organizational measures implemented by the Data Controller, in compliance with the principle of Accountability prescribed by GDPR, which avoid the risk of loss, unauthorized access, illicit use and dissemination.

7. RECIPIENTS OF DATA

The personal data collected as a result of this procedure are processed exclusively by the staff of the Unit of ISPRA responsible for the administration of the Italian Registry for Emissions Trading (who has been previously authorized and trained by the Institute regarding the purposes and methods of processing) and could possibly be communicated to third parties for the fulfillment of legal obligations related to the procedure.

In particular, the subjects or categories of subjects (natural persons or legal persons, supervisory authorities) to whom your data will be or could be communicated are:

- a) the Judicial Authority;
- b) Finance Police -Tax Police Unit;
- c) Customs Agency;
- d) National Committee for the management of Directive 2003/87/EC;
- e) European Commission;
- f) Other European Registry administrators.

8. RIGHTS OF INTERESTED PARTIES

Register users, as "data subject" have the right to obtain from Ispra, in the provided cases: access to their personal data, rectification, deletion or limitation of the processing or to oppose the processing (articles 15 and subsequent of GDPR). [The specific request](#) for the exercise of the rights related to the processing of personal data is forwarded to the Data Protection Officer of the Institute in the following ways:

- by mail, sending a registered letter with return receipt to the address: ISPRA - Via Vitaliano Brancati, 48 - 00144 Rome (Italy) to the attention of the Data Protection Officer;

- by certified e-mail (PEC), to the official address protocollo.ispra@ispra.legalmail.it and in cc to ripd@isprambiente.it attaching the dedicated form that can be downloaded in the section on Privacy of the official website at the following link:

http://www.isprambiente.gov.it/files2018/privacy/MODELLO_esercizio_diritti_in_materia_di_protezione_dati_personali_SM.pdf

With specific reference to the right to rectify your personal and contact data, you shall in any case follow the procedures for updating data indicated by the Registry administrator.

The exercise of rights as data subject is free of charge pursuant to Article 12 of the GDPR, except in the case of manifestly unfounded or excessive character of the request to which paragraph 5 of the same article applies. Participants who believe that the processing of personal data referring to them is in violation of the provisions of the Regulation have the right to lodge a complaint with the supervisory authority, as required by art. 77 of the same Regulation, or to refer to the appropriate judicial Courts (art. 79 of the GDPR).

Acceptance of Terms and Conditions

I, the undersigned, hereby declare that I have read and accept the terms and conditions reported below for the access to and the use of the Italian part of the Union Registry under the European emission trading scheme (EU ETS) established by Directive 2003/87/EC

Place and date

Name and surname

Declarant's signature

Name and surname

Declarant's signature

Name and surname

Declarant's signature

Name and surname

Declarant's signature

Name and surname

Declarant's signature

Name and surname

Declarant's signature

TERMS AND CONDITIONS OF ACCESS TO AND USE OF THE ITALIAN PART OF THE UNION REGISTRY

By signing this form, you accept the conditions of access and use of the Italian part of the Union Registry, for the purpose of participating in the European emissions trading scheme established by Directive 2003/87/EC of the Parliament and of the Council (13 October 2003) and subsequent amendments, in accordance with EU Regulation n.389/2013 of the Commission, under the terms and conditions established by the current legislation and its subsequent amendments. This documentation is available at the address:

<http://www.isprambiente.gov.it/servizi-per-lambiente/Registro-italiano-Emission-Trading>

The aircraft operator or plant operator subject to the Directive, as well as the verifier or the trader, who is willing to open an account in the Italian part of the Union Registry must acknowledge, by means of its authorized account representatives, the rules of the European Emissions Trading Scheme as defined by Legislative Decree 13 March 2013 n. 30, together with the relevant decrees and resolutions of the National Competent Authority - or the "Comitato nazionale per la gestione della Direttiva 2003/87/CE e per il supporto nella gestione delle attività di progetto del protocollo di Kyoto" - published in the dedicated section of the website of the Ministry for the Environment, Land and Sea: www.minambiente.it.

By signing this document, the user confirms s/he has read the main reference documents and agrees to be bound by them. This documentation is available at the address:

<http://www.isprambiente.gov.it/servizi-per-lambiente/Registro-italiano-Emission-Trading>

In order to access and use the Italian part of the Union Registry the acceptance of these terms and conditions is assumed; the Registry Administrator (ISPRA) may update the terms and conditions at any time.

The user is therefore required to regularly check the informative website of the Registry to make sure s/he is aware of the latest version. Each revised version will be clearly marked. All documents, notices and procedures are available on the informative website:

<http://www.isprambiente.gov.it/servizi-per-lambiente/Registro-italiano-Emission-Trading>

Rules for creating username and password and security criteria for access to the Registry

- The password shall NOT include the username, it must consist of at least 10 characters chosen from at least 3 of the following 4 groups of characters: uppercase and lowercase letters, numbers and special characters.

In addition, the password shall not be composed of elements that can be easily traced back to the user (eg name, surname, date of birth, etc.).

- The login password is strictly personal. You must not share the password with anyone, including national administrators, help-desk personnel, or other registry account holders. You will never be asked for the password and you shall never communicate it.

- To access the Registry, the system requires entering the user name and password only once. Any subsequent request for credentials before the expiration of the session could indicate the activation of a software for capturing them.
- In addition to the username and password mentioned above, to access the registry the user is subject to a secondary authentication mechanism, based on receiving a one time password (OTP) via SMS in implementation of art. 95.3 of EU Regulation n. 389/2013.
- The PROCEDURES for registration, access, account opening, personal and account data update, are available in the informative site <http://www.isprambiente.gov.it/it/servizi-per-lambiente/Registro-italiano-Emission-Trading/operare-nel-registro> and updated when necessary. It is therefore recommended to download from this site the most recent procedure - and any form associated with it - and NOT TO USE documents previously saved. It is also recommended to carefully read the procedures before requesting support to the Help-Desk.
- You must not comply with any request for login data from e-mail or web screens with URLs different from the one of the Italian Registry: <https://unionregistry.ec.europa.eu/euregistry/IT/index.xhtml>

In case (possible "Phishing" attempts) you must immediately inform the Registry help-desk.

- If you suspect that other people may know your username and password and have access both to your mobile phone and to your e-mail, having therefore access to your account in the registry, contact the Registry help-desk immediately and suspend your EU Login account at <https://webgate.ec.europa.eu/cas/> after you have logged in.
 - It is your obligation to use and update anti-virus and firewall software regularly, at least on a weekly basis. Perform a complete and thorough virus check at least every two weeks.
 - The Operating System and the other software installed on the machine must be updated with the latest security patches released by the respective software houses.
 - E-mails with links and/or executable attachments will never be sent. Passwords will never be asked and you will never be required to install any kind of software. It is advisable to open the attachments to the e-mails only after a careful examination of their origin and content. Never open the "executable" attachments (e.g. in Microsoft Windows with file name extensions: ".exe", ".com", ".bat", ".vbs", ".wsh", ".zip", etc). If you have any suspicion about received emails containing requests for access data, contact the Registry help-desk.
 - To connect to the Registry it is advisable to use a machine that is accessed as a "user" rather than an "administrator". "Administrator" accounts must be used by trusted persons and only to install authorized and trusted programs. In general, the machine must be protected as well as possible.
 - Do not allow the storage of access credentials in the browser: Identifier and password must be entered by the user at every single access.
- Therefore never use pre-set automatic login systems ("auto log-in"). After starting the operating system and the application software, the password to access the service must always be requested.
- If the session expires, or if you leave the workstation, log out completely before logging in again. In this case the user must log out from the Registry and at the same time from the EU Login site. In case of temporary suspension, the user must activate the temporary block of access to the personal computer using a preset password (in the case of a Microsoft Windows system by simultaneously pressing the "Ctrl + Alt + Del" keys).
 - Avoid the use of Wi-fi connections NOT protected by passwords or in networks that are not high-level protection.
 - In the PC used to connect to the Registry, avoid (using the PC BIOS setup) booting from CD / DVD and / or USB devices. Protect the access to the BIOS with a password different from the password to access the Registry. Avoid sharing the PC used to connect to the Registry with other people.
 - Do not share resources (such as folders and/or printers) or servers (for example in http (s), ftp, etc) and do not use sharing programs, such as "file sharing" (eg BitTorrent).
 - Do not connect any untrusted USB device to the PC.

Availability of the Union Registry, Registry help desk and official communications

- Check regularly - and when requested by the Registry Help Desk - the page of news and notices at <http://www.isprambiente.gov.it/it/servizi-per-lambiente/Registro-italiano-Emission-Trading/avvisi-e-comunicazioni>
 - Users will always be informed of important news by e-mail or by notices posted on the above mentioned webpage.
 - The help desk of the Italian Registry sends the e-mails from the address: info.registro-et@isprambiente.it
- Official and general communications will be sent only from that address. However, in case of suspicious requests for your access credentials, from e-mails coming from this address, the Registry help-desk must be immediately informed.
- Only in cases where the transmission of sensitive information is required e-mails will be sent by the certified personal address of the Registry staff members: however, users should not reply or write to such personal addresses, if not explicitly requested by the staff.
 - If you have any suspect, immediately contact the Registry help desk at the e-mail address: info.registro-et@isprambiente.it