

TERMS AND CONDITIONS FOR THE ACCESS AND USE OF THE KYOTO NATIONAL REGISTRY

Pursuant to Article 11 of the Commission Regulation (EU) 389/2013, the National Administrator may require the Account Holders and their Authorized Representatives to comply with reasonable terms and conditions having regard to the issues set out in Annex II of the Regulation.

By signing this document, the user confirms that he has read the following main reference documents and agrees to be bound by them:

- [Commission Regulation \(EU\) n. 389/2013](#)
- [Legislative Decree 9 June 2020 n. 47](#), along with the relevant decrees and resolutions of the National Competent Authority - i.e. *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 on the website of the Ministry for the Environment and for Energetic: <https://www.mase.gov.it/pagina/emission-trading>

In order to take the necessary precautions for unauthorized use of the account, the Account Holders and their Authorized Representatives shall conform to the [Security Measures](#) of the Italian Registry for Emission Trading.

Definitions

Pursuant to these Terms and Conditions, the definitions set out in the European and national law provisions shall apply, and in particular the following definitions:

- "Regulation": Commission Regulation (EU) 389/2013 of 2 May 2013;
- "Account Holder": a person (legal or natural) who holds an account in the registry system;
- "Authorized Representative": the natural person referred to in Article 23 of the Regulation designated by the Account Holder pursuant to art. 25 of the Regulation;
- "EU Login": European Commission authentication service;
- "EUTL": Log of the European Union transactions referred to in Article 5 of the Regulation;
- "ITL": International Transaction Log of transactions in the Kyoto registries;
- "Kyoto Unit": AAU, ERU, CER or RMU;
- "National Administrator": the administrator of the Italian section of the Union Registry and the National Kyoto Registry (ISPRA);
- "Transaction": a process for the transfer of Kyoto units from one account to another

Payment of fees

For establishing and maintaining accounts and in the Registry, the National Administrator charges the fees indicated on the informative website in the section [Fees](#) which must be paid by the Account Holder according to the modalities there indicated.

Modification of the essential terms and conditions

The National Administrator is authorized to modify the Terms and Conditions at any time to take into account the changes made to the Regulations or national legislation. The change will be made public.

The Account Holder is assumed to have accepted the amended Terms and Conditions if within four weeks he has not submitted a written objection to the amendment.

Dispute Resolution

Any dispute arising between the National Administrator and an Account Holder or Verifier shall be brought before the competent court of Rome.

Responsibility and liability

1. Account Authorized Representatives are responsible for managing their EU Login account.
2. The National Administrator is not liable for the consequences of unauthorized usage of an account that took place prior to the notification by the Account Holder in accordance with paragraphs 4 and 5 of art. 95 of the Regulation.
3. Save in the event of malice or grave negligence, the National Administrator is not liable for any loss or damages resulting from:
 - a. The suspension of access of an authorised representative to an account or allowances to which he would otherwise have access for the reasons stated in Articles 96 and 97 of the Regulation;
 - b. The non availability of the Kyoto Registry or the Union Registry, the ITL or the EUTL in the event of a suspension of processes or the detection of discrepancies or inconsistencies as mentioned in Articles 99, 101, 102 and 103.
 - c. The non or non-timely execution of a request by the Registry as a result of an abortion of its execution pursuant to paragraph 1 of art. 104 of the Regulation.
4. The National Administrator is not liable for any loss or damage as a result of computer viruses, trojans, worms, logic bombs or other material which is malicious or technologically harmful.
5. The National Administrator is not liable for the entering of faulty data by the account representative, nor the validity or appropriateness of a transfer order or any other action.
6. The National Administrator is not liable for indirect or consequential loss or damage, including but not limited to loss of profits, business or revenue.

Help Desk

Assistance and support to account holders and account representatives in the Registry is provided through the [ARIET](#) website, which allows users to communicate with the national administrator, find out how to open and manage an account and keep up-to-date with news, deadlines and system availability.

Access to the reserved area of ARIET (MyAriet) is necessary to submit any request to the national administrator (information, technical assistance and procedures for account and user management in the Registry).

The e-mail address of the Helpdesk is ARIET@isprambiente.it (send-only address, not enabled to receive), while the certified mailbox of the national administrator is amministratore.registro-ets@ispra.legalmail.it

E-mail addresses sending automated messages are:

- no-reply.ARIET@isprambiente.it notifications by ARIET;
- CLIMA-EU-ETS-REGISTRY-PROD@ec.europa.eu notifications by the Union Registry;
- automated-notifications@nomail.ec.europa.eu notifications by EU Login (European Commission Authentication Service).

Official and general communications are sent only from the above e-mail addresses.

The national administrator or the central administrator shall never ask the users to provide their credentials.

In the event of any suspected abuse of the login data or e-mail addresses, account holders are obligated to notify the Registry Administrator without undue delay.

The address of the national administrator is:

ISPRA - Istituto Italiano per la Protezione e la Ricerca Ambientale
Via Vitaliano Brancati
00144 Rome, Italy