

PERSONAL DATA PROCESSING INFORMATION PROVIDED IN RELATION TO WHISTLEBLOWING PURSUANT TO ARTICLES 13 AND 14 OF REGULATION (EU) 2016/679

This information is provided by **Eli S.r.l.** with respect to the processing of personal data of the data subjects ('data subjects' comprising, in this case, reporting persons, reported parties, and any other natural person, i.e. individual, involved in the report) when managing concerns raised thereby with the data controller about alleged misconduct which has come to their attention through their work-related activity - as an employee, when providing a service, or in a supply/advisory role - (referred to hereinafter as simply "**Whistleblowing**" or "**Reports**"), when the said concerns have been raised through the channels provided for by the whistleblowing procedure adopted by the company (referred to hereinafter as the "**Procedure**").

1. Data controller and data protection officer

Eli S.r.l., Via Gobetti, 118, Civitanova Marche (MC) (hereinafter also referred to as the "Company" or the "Data Controller"), reachable at the following email address: privacy@eligroup.it.

The Data Controller has appointed a personal data protection officer ("DPO"), who may be contacted for any matters relating to the processing of your personal data and the exercise of rights originating from data protection legislation and can be reached, as well as at the physical premises, at the following email address: dpo@eligroup.it.

2. Type of data processed

The personal data collected and processed by the Data Controller when receiving and handling Whistleblowing concerns raised through the channels provided for by the Whistleblowing Procedure adopted by the company consists of the data contained in the Report made to raise a concern as well as data acquired during the respective investigations. This data may belong to the following categories:

- common personal data (e.g. the personal details of the whistleblower, also known as the Reporting Person, including specification of the role or position held thereby); a full, clear description of the concern raised in the Report and the ways in which the matter came to the Reporting Person's attention; the date and place of the matter reported; the name and the role, position, or department in which the work-related activity is carried out which allow the person(s) responsible for the matter reported to be identified; the details of any other parties (their names and roles or positions) who could provide information on the matter reported; information about any documents that can confirm the validity of the matter reported; the status of any Reports made via the Whistleblowing Procedure and any other information contained in the Reports or provided when using the messaging tool integrated into the platform about Reported Parties, Reporting Persons, and any other third parties involved according to the Company's Procedure (referred to hereinafter as, collectively, the "**Data Subjects**");
- personal data provided by the Reporting Person and falling into the categories referred to, pursuant to art. 9.1 of the Regulation, as "special" ("*data revealing racial or ethnic origin, religious, philosophical or other beliefs, political opinions, membership of political parties, trade unions, associations or organisations of a religious, philosophical, political or trade union nature, as well as personal data concerning the subject's health or sex life*");
- data relating to criminal convictions and offences or related security measures which are either contained in and/or emerge as a result of the Whistleblowing, pursuant to art. 10 of the Regulation.

Hereinafter, all of the aforesaid personal data will be referred to overall as simply "personal data".

Furthermore, it must be noted that, in compliance with applicable laws, the Data Controller may process personal data, including data relating to third parties, which is already available to the Data Controller.

3. Purposes for which personal data is processed, lawful basis, and nature of the provision

The personal data provided when reporting alleged misconduct - which has come to the Reporting Person's attention as a result of work-related activities as an employee, or when providing a service, or in a supply or advisory role with the Data Controller, in accordance with the provisions of the Procedure adopted - will be collected and processed by the Data Controller to allow the Party tasked with managing the Report - i.e. an appointed external party - to carry out their duties in

accordance with the Procedure, including carrying out the necessary investigations and other activities required to establish whether the Report is founded and, if necessary, taking corrective measures and the appropriate disciplinary and/or judicial action against those responsible for the misconduct ("**Whistleblowing management purposes**").

The lawful basis for processing the aforesaid data is as follows:

- for common personal data: data processing performed for the aforesaid purpose is necessary to fulfil a legal obligation imposed on the Data Controller, pursuant to art.6.1.c) of the Regulation, taking into account Italian Legislative Decree n. 24 dated 10 March 2023 for the "Transposition of Directive (EU) 2019/1937 of the European Parliament and the Council, dated 23 October 2019, concerning the protection of people who report concerns about breaches of Union law and providing for the protection of people who report concerns about breaches of national legislative provisions".
- for personal data belonging to what are referred to as 'special' categories: data processing is legitimate pursuant to art. 9.2.b) of the Regulation. In any case, the Reporting Person is urged not to provide personal data to what are referred to as 'special' categories, pursuant to art. 9.1 of the Regulation unless it is strictly necessary.

Any processing of personal data relating to potential offences or convictions which may have been reported through the Whistleblowing channel, is carried out based on the provisions of art. 10 of the GDPR, as authorised by specific whistleblowing legislation, as well as to protect or defend rights in court [see. art. 2-*octies*.3.e) of Italian Legislative Decree n. 196/2003, which is also known as the "**Privacy Code**" or "**Data Protection Code**"].

As matters may be reported anonymously – provided that adequately substantiated, detailed, and based on consistent, accurate information is given (therefore, neither general or imprecise information) in order to allow the matter to be examined and investigated - provision of personal data for this purpose (with the exception of data such as first names and surnames) is compulsory. Hence, in the event of failure to provide this data, it will not be possible to accept and process the Report. In the event that the Reporting Person still wishes to proceed with an anonymous Report, the matter will be handled separately.

Once provided, your personal data may also be processed for the following purposes:

- to fulfil any other obligations required by law, regulations, or European legislation, as well as by provisions by competent authorities when carrying out their duties on the basis of art. 6.1.c) of the Regulation and - with regards to personal data falling into special categories - of art. 9.2.g) of the Regulation ("**Compliance purposes**");
- to meet defence needs, as established in arts. 6.1.f) and 9.2.f) of the Regulation ("**Defence purposes**").

4. Categories of personal data recipients

The personal data contained in the Reports received by the Data Controller will not be disclosed to third parties or disseminated, except where provided for and within the limits of national and European Union law and in compliance with the procedure adopted by the Data Controller; more specifically, your data may be shared - in compliance with the provisions of personal data processing legislation - with the following parties:

- specifically identified personnel authorised and duly trained to process personal data pursuant to arts. 29 of the Regulation and 2-*quaterdecies* of Italian Legislative Decree 196/2003 ("**Privacy Code**" or "**Data Protection Code**") as well as the operating code and/or procedures that make up the Organisation, Management, and Control Model (specifically the Data Controller's supervisory body, as the authority responsible for receiving and examining Reports);
- parties outside the Data Controller's company that act as Data Controllers pursuant to art. 28 of the Regulation (the provider of the IT platform for managing breaches), such as the platform service provider and the party tasked with managing the Report;
- public and/or private organisations and authorities, as independent Data Controllers, to which personal data must be disclosed in compliance with legal provisions or orders issued by authorities, in particular in relation to investigations into matters reported when it is known that there are related investigations underway by public authorities.

A complete, up-to-date list of data recipients may be requested from the Data Controller and/or the DPO, at the addresses stated above.

In any case, Reporting Persons are guaranteed maximum confidentiality as regards their identity, as provided for in company procedures. More specifically, in the event that Reports are sent to organisations/bodies/third parties for investigations, action will be taken to ensure only the content of the said Reports is sent on and all references which could reveal, even

indirectly, the Reporting Person's identity will be removed. If, for investigations purposes, the Reporting Person's identity must be disclosed to parties other than those authorised to receive and follow up on the Whistleblowing, consent to disclose the Reporting Person's identity will be expressly requested therefrom.

In disciplinary proceedings, the identity of the Reporting Person will not be revealed if the disciplinary action is based on investigations which are separate from and further to the Report, even if they are a consequence of the Report. However, it may be disclosed if three requirements are met, i.e. (a) the action is based, in whole or in part, on the Report, (b) knowledge of the identity of the Reporting Person is indispensable for the defence of the person subjected to disciplinary proceedings, and (c) the Reporting Person has consented to the disclosure of their identity.

5. Processing methods

The data will generally be processed with computerised tools, applying organisational and processing rationale strictly related to the purposes stated above and in any case in such a way as to guarantee the security, integrity, and confidentiality of the said data in compliance with the organisational and physical measures and the rationale envisaged by the provisions in force. The dedicated channels used for raising concerns in compliance with the internal procedure adopted by the Data Controller offer a high guarantee of information confidentiality through the use of technologies which encrypt the data in transit between servers. The Data Controller takes suitable measures to ensure the data provided is processed appropriately and in accordance with the purposes for which it is managed. The Data Controller employs suitable organisational, technical, and physical security measures to protect the information from alteration, destruction, loss, or theft and from misuse or unlawful use. Personal data that is clearly not useful for processing a specific Report is not collected or, if collected accidentally, is promptly deleted.

6. Personal data retention period

Personal data will only be stored for as long as is necessary to achieve the purposes for which it was collected, and in compliance with the principle of minimisation and the principle of limitation of storage stated in art. 5.1.c) and in art. 5.1.e) of the Regulation

More specifically, the personal data contained in the Report and in the related accompanying documentation is kept in a form that allows identification of the data subjects only for as long as is necessary to process the Report in question and in any case no longer than five (5) years as of the date of notification of the final outcome of the procedure. The Data Controller reserves the right, however, to retain the said personal data for as long as necessary to fulfil regulatory obligations and to satisfy any defence needs. It is understood that in the event that a court proceeding is begun, the terms stated above may be extended until the completion of such proceedings, in which case the statute of limitations applies accordingly. Once the aforesaid terms have lapsed, the Reports and any accompanying documentation will be deleted and/or anonymised.

Further information may be obtained from the Data Controller and the DPO at the addresses stated above.

7. Transfer of personal data outside the EU

You are likewise informed that your personal data will be processed by the Data Controller within the European Union. If, for technical and/or operational reasons, the services of parties located outside the European Union are required or if some of the data collected needs to be transferred to cloud-based technical systems and services managed outside the European Union, processing activities will be governed in accordance with the provisions of Chapter V of the Regulation and authorised on the basis of specific decisions by the European Union. The Data Controller hereby guarantees that any processing of your personal data carried out by these recipients will comply with the GDPR. More specifically, data transfers will be carried out based on an adequacy decision by the European Commission, or any data transfer certification mechanisms which the data recipient applies (e.g. *Data Privacy Framework*) or on the Standard Contractual Clauses approved by the European Commission or on any other suitable lawful basis, in compliance with Recommendations 01/2020 adopted on 10 November 2020 by the European Data Protection Board.

Further information maybe obtained on request from the Data Controller and/or the DPO using the contacts details stated above.

8. Your data rights

You are entitled to access the data concerning you at any time, as provided for by arts. 15-22 of the Regulation. More specifically, you may request the rectification, erasure and/or restriction of data processing in the cases provided for by art. 18 of the Regulation, and may withdraw consent given pursuant to art. 7 of the Regulation, and you have the right to data portability in the cases provided for by art. 20 of the Regulation.

You may object to the processing of your data pursuant to art. 21 of the Regulation, highlighting the reasons for your objection, in which case the Data Controller reserves the right to examine your request. However, if there are compelling legitimate reasons to proceed with the processing which override your interests, rights, and freedoms, your objection will not be upheld.

Pursuant to art. 77 of the Regulation, you also have the right to lodge a complaint with the competent supervisory authority (Italian Data protection authority, known as the *Garante per la protezione dei dati personali*) or to take action before the appropriate legal authorities as stated in art. 79 of the Regulation.

Requests to exercise your rights must be sent in writing to the Data Controller or to the DPO at the addresses stated above.

Please consider that, in order to protect the confidentiality of the identity of the Reporting Person, the possibility of exercising the rights provided for by arts. from 15 to 22 of the Regulation may be precluded if the exercise of these rights could effectively jeopardise the confidentiality concerning the identity of the Reporting Person, pursuant to art. 23.1.i) of the Regulation and of art. 2-undecies.1.f) of the Italian Data Protection Code.

You are furthermore advised that the Reported Party will be able to exercise their rights, as set out in arts. 15 to 22 of the Regulation through the Italian data protection authority , in the manner set out in art. 160 of the said code. In this case, the data protection authority will inform the data subject when it has completed all the necessary checks or has reviewed the matter, and will likewise inform them of their right to file an appeal with the jurisdictional authority.