

ADVISORY NOTICE ON THE PROCESSING OF PERSONAL DATA EX ART. 13-14 OF REGULATION (EU) 2016/679 AS PART OF THE WHISTLEBLOWING POLICY

With this notice, Ghibli & Wirbel SpA (hereinafter the "Company") intends to provide the indications provided for by Articles 13 and 14 of Regulation (EU) 2016/679 (or "*General Data Protection Regulation*" - "*GDPR*"), regarding the processing of personal data carried out by the Company within the scope of its "Whistleblowing Policy", adopted in compliance with Legislative Decree no. 10 March 2023 no. 24¹ and, in particular, of all activities and fulfilments related to the operation of the corporate system for handling *whistleblowing* reports.

The information below is provided to "whistleblowers" and to all other persons potentially "concerned", such as, for example, persons indicated as potentially responsible for unlawful conduct, any "facilitators" (as defined by the reference legislation), and any other person involved in the "Whistleblowing Policy" in various ways.

1. Data controller

The data controller is RIELLO DGR Srl with registered office in Via Enrico Fermi, 43 - 37136 Verona (VR) Italy - in the person of its legal representative pro tempore.

2. Categories of personal data processed and purpose of processing

According to this Policy, personal data may be acquired by the Company insofar as they are contained in *whistleblowing* reports, or in the acts and documents annexed thereto, received by it through the channels envisaged by the aforementioned Policy.

The receipt and handling of such reports may give rise to the processing of the following categories of personal data, depending on their content:

- a) common personal data referred to in Art. 4(1) of the GDPR, including, for example, biographical data (name, surname, date and place of birth), contact data (landline and/or mobile telephone number, postal/email address), job role/occupation;
- b) 'special' personal data referred to in Art. 9 of the GDPR, including, for example, information relating to health conditions, political opinions, religious or philosophical beliefs, sexual orientation or trade union membership;
- c) 'judicial' personal data referred to in Art. 10 of the GDPR, relating to criminal convictions and offences, or to related security measures.

¹ Legislative Decree implementing Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019.

With regard to the aforementioned categories of personal data, **we stress the importance that the reports forwarded should be free of information that is clearly irrelevant for the purposes of the reference rules**, inviting the whistleblowers in particular to refrain from using personal data of a 'particular' and 'judicial' nature unless deemed **necessary and unavoidable** for the purposes of the reports, in compliance with Art. 5 of the GDPR.

The aforementioned information will be processed by the Company - the Data Controller - in accordance with the provisions of Legislative Decree no. 24/2023 and, therefore, as a general rule, in order to **carry out the necessary investigative activities aimed at verifying the validity of the reported facts and the adoption of the consequent measures**.

In addition, the data may be used by the data controller for **purposes related to the need to defend or ascertain one's rights** in the context of judicial, administrative or extrajudicial proceedings and in the context of civil, administrative or criminal litigation arising in connection with the report made.

3. Legal bases of personal data processing

The legal basis for the processing of personal data is mainly the **fulfilment of a legal obligation** to which the data controller is subject - Art. 6, par. 1(c) of the GDPR - which, in particular, under the aforementioned legislation, is required to implement and manage information channels dedicated to receiving reports of unlawful conduct detrimental to the integrity of the Company and/or the public interest.

In the cases covered by the same rules, a **specific and free consent** may be requested **from the whistleblower** - pursuant to Art. 6, par. 1(a) of the GDPR - and, in particular, where there is a **need to disclose the identity of the person concerned**, or where a record of **the reports collected orally**, by telephone, or through direct meetings with the person responsible for handling the reports is to be **drawn up**

The processing of '**special**' personal data, which may be included in reports, is based on **the fulfilment of obligations and the exercise of specific rights of the data controller and the data subject under employment law**, pursuant to Art. 9, par. 2(b) of the GDPR.

As for the purpose of establishing, exercising or defending a right in court, the relevant legal basis for the processing of personal data is the **legitimate interest of the Data Controller** in doing so, as referred to in Art. 6, par. 1(f) of the GDPR; for the same purpose, processing of personal data of a '**special**' nature, if any, is based on Art. 9, par. 2(f) of the GDPR.

4. Nature of provision of personal data

The provision of personal data is optional, given the possibility of also forwarding anonymous reports to the Company, if they contain precise, consistent and adequately substantiated information, without prejudice to the provisions of the legislation, with regard to this case, on the subject of protection measures for the whistleblower. If provided, personal data will be processed to handle the report in

accordance with the limits and with the guarantees of confidentiality imposed by the relevant legislation.

5. Method of processing and data retention period

The processing of personal data included in the reports forwarded in accordance with the "Whistleblowing Policy" shall be carried out by the persons "authorised" by the Company and shall be based on the principles of lawfulness, fairness and transparency as set out in Art. 5 of the GDPR.

Personal data may be processed by analogue and/or computerised/telematic means for the purpose of storing, managing and transmitting them, in any event in application of appropriate physical, technical and organisational measures to guarantee their **security and confidentiality at every stage of the procedure, including the filing of the report and related documents** - without prejudice to the provisions of Art. 12 of Legislative Decree no. 24/2023 - with particular reference to the identity of the whistleblower, the persons involved and/or in any case mentioned in the reports, the content of the reports and the relevant documentation.

The reports received by the Company, together with the attached acts and documents, will be retained for as long as necessary for their management and, in any case, as provided for by the regulations, **for a period not exceeding five years from the date of the communications of their final outcomes**. After this deadline, reports will either be deleted from the system or stored in anonymised form.

Consistent with the indications given in paragraph 1, personal data included in alerts that are manifestly irrelevant for the purposes of the reports will be deleted immediately.

6. Areas of communication and transfer of personal data

In addition to the aforesaid internal figures specifically authorised by the Data Controller, the personal data collected may also be processed, within the framework of the 'Whistleblowing Policy' and in pursuance of the purposes indicated, by the following third parties, formally designated as Data Processors if the conditions provided for by Art. 28 of the GDPR are met:

- providers of consultancy services and assistance in the implementation of the 'Whistleblowing Policy';
- companies and IT professionals with regard to the application of appropriate technical-informatics and/or organisational security measures on information processed by the company system;

Where applicable, personal data may be passed on to the Judicial Authorities and/or Police bodies who request them in the context of judicial investigations.

Personal data will be processed within the European Economic Area (EEA) and stored on servers located there. However, if the company's 'Whistleblowing Policy' contemplates the use of electronic platforms for the receipt and management of reports, there may be a need for non-EU providers to access the data for purposes strictly related to their contractual obligations, pertaining to the unavoidable implementation and maintenance of the system.

The resulting transfer of personal data outside the EU would in any case only be allowed if there are the conditions and guarantees provided for in Art. 44 et seq. of the GDPR, e.g. in the presence of an EU Commission decision on the adequacy of the recipient country's level of data protection.

Under no circumstances will personal data be disseminated.

7. Rights of the data subject

Each data subject has the right to exercise the rights referred to in Articles 15 et seq. of the GDPR, in order to obtain from the Data Controller, for example, access to their personal data, rectification or erasure of such data or restriction of the processing that concerns them, without prejudice to the possibility, in the absence of a satisfactory response, to lodge a complaint with the Data Protection Authority.

In order to exercise these rights, it is necessary to submit a specific request in free form to the following address of the Data Controller: **gdpr@ghibliwirbel.com** or to send to the same address the form available on the *website* of the Data Protection Authority.

In this regard, we inform you that the aforementioned rights of data subjects to the processing of personal data may be restricted pursuant to and for the purposes of Art. 2-undecies of Legislative Decree no. 30 June 2003, no. 196 ('*PrivacyCode*', as amended by Legislative Decree no. 101/2018), for such time and to the extent that this constitutes a necessary and proportionate measure, where their exercise may result in concrete and actual prejudice to the confidentiality of the identity of the whistleblowers.

In such cases, the persons concerned will in any case have the right to refer the matter to the Data Protection Authority so that the latter may assess whether the prerequisites for taking action under Article 160 of Legislative Decree No. 196/2003 are met.

The Data Controller
RIELLO DGR SRL

