

Privacy Policy - Whistleblowing

Pursuant to Article 13 of Regulation (EU) No. 2016/679 (General Data Protection Regulation, hereinafter “**GDPR**”) and Legislative Decree 24/2023 Terminale GNL Adriatico S.r.l. (hereinafter or “**Data Controller**”) provides, below, the information on the processing of personal data carried out in relation to the management of Reports, governed by the *Whistleblowing Procedure* of Terminale GNL Adriatico.

1) Categories of personal data

- a) Common personal data referred to in art. 4, point 1, of the GDPR, of the Whistleblower (in the case of non-anonymous **Reports**) as well as any Persons involved or mentioned in the Report and Facilitators, as defined by the *Whistleblowing Procedure* (hereinafter “**Data Subjects**”), such as, by way of example: personal data (e.g. name, surname, date and place of birth), contact details (e.g. landline and/or mobile telephone number, postal/email address);
- b) Special categories of data referred to in art. 9) of the GDPR, if included in the report.

2) Purpose of the processing and its legal basis

The aforementioned personal data are processed by the Data Controller for the following purposes:

- a) management of the Report made pursuant to Legislative Decree no. 24/2023;
- b) fulfilment of obligations provided for by national or European legislation;
- c) establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity, in civil, administrative or criminal matters. The legal basis for the processing is:
 - for the purposes referred to in letter a), from the fulfilment of a legal obligation to which the Data Controller is subject (art. 6, par. 1, lett. c) of the GDPR); in addition, for recorded reports collected by telephone or through voice messaging systems or in any case in oral format, by the consent of the Whistleblower (art. 6, par. 1, letter a) of the GDPR);
 - for the purposes referred to in letter b), from the fulfilment of a legal obligation to which the Data Controller is subject (art. 6, par. 1, letter c) of the GDPR);
 - for the purposes referred to in letter c), from the legitimate interest of the Data Controller (art. 6, par. 1, letter f) of the GDPR).

The provision of data is necessary for the achievement of the aforementioned purposes; failure to provide the data, or partial or incorrect communication of the data, could result in the impossibility of managing the Report.

3) Retention of personal data

Terminale GNL Adriatico S.r.l stores personal data according to the terms provided for by art. 14 of Legislative Decree no. 24/2023, i.e. for the time necessary to process the Report and in any case for no more than 5 years from the date of communication of the final outcome of the Report to the Supervisory Body 231.

Personal data that are manifestly not useful for the processing of a specific Report are not collected or, if collected accidentally, are deleted immediately.

4) Processing methods and logic

The processing of personal data relating to the receipt and management of Reports is carried out by the subjects referred to in Article 4 of Legislative Decree 24/2023, as data controllers, in compliance with the principles set forth in Articles 5 and 25 of Regulation (EU) 2016/679 or Articles 3 and 16 of Legislative Decree No. 51 of 2018. They will provide suitable information to the reporting persons and to the persons involved, pursuant to articles 13 and 14 of the same regulation (EU) 2016/679 or article 11 of the aforementioned Legislative Decree no. 51 of 2018, and also adopt appropriate measures to protect the rights and freedoms of Data Subjects. Data processing is carried out through automated computer and telematic tools with logic related to the purposes indicated above and, in any case, in order to guarantee its security and confidentiality.

The Whistleblower management system guarantees, at each stage, the confidentiality of the identities of the Whistleblower, the Persons involved and/or in any case mentioned in the Whistleblower’s Report, the content of the Report and the related documentation, without prejudice to the provisions of art. 12 of Legislative Decree no. 24/2023.

5) Data Controller and categories of persons authorised to process data in Terminale GNL Adriatico S.r.l.

The Data Controller of personal data is Terminale GNL Adriatico S.r.l., with registered office in Via Santa Radegonda 8, 20121, Milan (MI)

The Data Controller has introduced the role of *Compliance Officer* who fulfils the role of the monocratic Supervisory Body, appointed pursuant to art. 6, point 1, letter b) of Legislative Decree no. 231/2001, with autonomous powers within the reporting management process, regarding the investigation phase in the event of reports relating to relevant illegal conduct pursuant to Legislative Decree no. 231/2001 or such as violations of the Company's Organisation and Management Model. This role is governed by the *Whistleblowing Procedure* and authorised to process personal data.

The Data Controller has identified an external Advisor, acting as Internal Reporting Manager and External Data Processor pursuant to the GDPR, who is entrusted with all the reporting management phases. This role is governed by the *Whistleblowing Procedure* and authorised to process personal data.

6) Categories of third parties to whom the data may be disclosed

Some processing of personal data may be carried out by the Terminale GNL Adriatico S.r.l., also abroad, in EU or non-EU countries; in the latter case, the transfer of data will be carried out by virtue of the existence of a decision of the European Commission on the adequacy of the level of data protection of the non-EU country or on the basis of the appropriate safeguards provided for by Articles 46 or 47 of the GDPR (e.g. the "standard clauses" adopted by the European Commission) or the additional conditions of legitimacy of the transfer provided for by art. 49 of the GDPR.

In addition, some processing may be carried out by other third parties, acting as service providers of Terminale GNL Adriatico S.r.l. for the purposes referred to in point 2); these subjects will operate as independent Data Controllers or will be designated Data Processors and are essentially included in the following categories:

- a) Consultants (Organisation, Litigation, Law Firms, etc.);
- b) Companies in charge of personnel administration and management;
- c) Auditing firms;
- d) Investigative agencies;
- e) Institutions and/or Public Authorities, Judicial Authorities, Police.

In the context of any criminal proceedings, the identity of the whistleblower will be maintained secret in the manner and within the limits provided for by art. 329 of the Code of Criminal Procedure; in the context of proceedings before the Italian Corte dei Conti (the Court auditing public administrations and offices), the identity of the reporting person will not be revealed until the end of the investigation phase; in the context of disciplinary proceedings, the identity of the reporting person will not be revealed in all cases in which the dispute on the disciplinary charge can be grounded on separate and additional findings, other than the Report and even if such findings are consequent to the same Report, while it may be revealed where three conditions concur, in particular:

- (a) the dispute is based, completely or partially, on the Report,
- (b) the knowledge of the identity of the whistleblower is essential for the defence of the accused person; and
- (c) the whistleblower has given his/her consent to the disclosure of his/her identity.

7) Rights of Data Subjects

At any time, the Data Subject, in the person of the Whistleblower or the Facilitator, has the right to access the data concerning him or her and to exercise the rights provided for in Articles 15 to 22 of the GDPR, as applicable (right of access to personal data, right to rectify them, right of erasure or so-called right to be forgotten, right to restriction of processing, right to portability of personal data or right to object to processing), by sending an email to: terminale.gnl.adriatico@pcert.postacert.it In addition, the Data Subject has the right to lodge a complaint with the Data Protection Authority.

The aforementioned rights cannot be exercised by the person involved or by the person mentioned in the Report, for the time and to the extent that this constitutes a necessary and proportionate measure, pursuant to art. 2- *undecies* of the Privacy Code as the exercise of these rights could result in an effective and concrete prejudice to the protection of the confidentiality of the identity of the reporting person.