

WHISTLEBLOWING SYSTEM · TECNORD S.R.L.

WHISTLEBLOWING PRIVACY NOTICE

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Whistleblowing

Notice on the processing of personal data

art. 13 and 14 of EU Regulation of 27 April 2016 No. 679 on the protection of personal data (GDPR)

The undersigned company hereby provides the following notice regarding the processing of personal data in the context of managing reports received, as governed by the Whistleblowing Procedure, adopted pursuant to Legislative Decree 10/03/23 No. 24.

Identity and contact details of the Data Controller

The Data Controller is the company Tecnord S.r.l., with registered office in Modena (MO), Via Fernando Malavolti n. 36, Tax Code 03098290376 and VAT No. 01914150360, Tel: 059 254895, Mail: info@tecnord.com, Pec: tecnord@pec-mail.it, in the person of its *pro tempore* legal representative.

Subject matter of the processing

The personal data subject to processing are those voluntarily provided by the Reporting Person through the use of the dedicated platform "WHISTLEBLOWING IT", or through other channels specifically made available by the undersigned company.

Such data - mandatory or optional for the purposes of managing the Report – are:

- common data, within the meaning of art.4 point 1 GDPR, such as personal identification data (e.g. name, surname, date and place of birth) and contact data (e.g. landline and/or mobile telephone number, postal address/e-mail);
- special categories of data referred to in art. 9 GDPR, including personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, as well as biometric data, data concerning health, or sex life, or the sexual orientation of the person, where included in the Report;

relating to the Reporting Person (in the case of non-anonymous reports), to Facilitators, to any persons concerned or mentioned in the Report, as defined by the Whistleblowing Procedure.

Purposes of the processing and legal basis

The 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 and, accordingly, in the various stages of receipt, analysis, investigation and any consequent action on the Report itself, such as establishing the reported facts and adopting any measures;
- b) fulfilment of obligations laid down by law or European Union legislation, or in response to requests from Institutions and/or Public Authorities, the judicial authority, or Police Forces;
- c) defence or establishment of a right in legal proceedings (civil, administrative or criminal disputes).

The legal basis for the processing lies respectively in:

- for the purposes referred to in points a) and b): performance of a legal obligation to which the Data Controller is subject (art. 6, par. 1, lett. c) GDPR); in addition, for reports collected orally, the consent of the Reporting Person (art.6, par. 1, lett. a) GDPR), which is instead deemed implicit where the Report is made

using the platform;

- for the purpose referred to in point c): the legitimate interest of the Data Controller (art. 6, par. 1, lett. f) GDPR).

Means of processing and data retention period

The processing of personal data is carried out by means of the operations referred to in art. 4 n. 2 GDPR, namely: collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

The above processing operations are carried out using IT and paper-based tools that ensure their security and confidentiality. Paper documentation is kept to the minimum necessary and is filed and kept in locked cabinets or secure premises. The confidentiality of data processed electronically is guaranteed by the encryption protocols of the "WHISTLEBLOWING IT" platform.

Reports and the related documentation are retained for the time strictly necessary to process the Report itself and, in any event, for no longer than five years, running from the date on which the final outcome of the Reporting procedure is communicated, in compliance with the confidentiality obligations set out in Legislative Decree 24/2023.

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

Recipients of the data collected

The personal data collected are accessible only to the Report Managers, that is, those persons formally appointed and specifically trained to receive and manage Reports.

On completion of the investigative activity, the data may be transmitted to persons within the corporate Organisation who may take follow-up action on the Reports, such as the Management Body, the Supervisory Body, etc.

The data may also be processed by external consultants and third parties performing technical functions (for example, the provider of the IT platform, professionals, investigation agencies), acting as Processors/Sub-Processors, or as Authorised Third Parties for processing, pursuant to arts. 28 and 29 GDPR.

Finally, the personal data may also be transmitted to other external parties, on the basis of laws or regulations (e.g. Public Authorities, the judicial authority, etc.).

The identity of the Reporting Person and any other information from which that identity may be inferred, directly or indirectly, may be disclosed to persons other than those competent to receive or follow up Reports only with the express consent of the Reporting Person, in accordance with Legislative Decree No. 24/2023.

The personal data subject to processing will never be published, disclosed or made available to unspecified persons for consultation.

Data transfers

To the best of the Data Controller's knowledge, the management and storage of personal data will take place on servers located within the European Union, owned by third-party companies responsible for the development and updating of the software.

It remains understood that the Data Controller, should it become necessary, will be entitled to relocate the servers to Italy and/or the European Union and/or non-EU countries. In such a case, the Data Controller assures from now that any transfer of data outside the EU will take place in compliance with applicable legal provisions, entering into, where necessary, agreements ensuring an adequate level of protection and/or adopting the standard contractual clauses provided for by the European Commission.

Nature of the provision of data and consequences of refusal to respond

The provision of data is necessary to enable the Report to be managed pursuant to Legislative Decree No.24/2023 and to benefit from the safeguards it provides; failure to provide the data, or its partial or inaccurate provision, may result in it being impossible to manage the Report.

Reports from which it is not possible to trace the identity of the Reporting Person are considered anonymous and are handled as indicated in the Whistleblowing Procedure.

Rights of the data subject

The data subject, in the persons of the Reporting Person or the Facilitator, is entitled to the rights provided for by EU Regulation 2016/679 (artt. from 15 to 22). In particular:

- access: the data subject may request confirmation as to whether or not processing of data concerning them is taking place, as well as further clarification regarding the information received herein;
- the rectification of inaccurate data and the completion of incomplete data;
- the erasure of data: where the data are no longer necessary for the purposes set out above, in the event of withdrawal of consent or objection to processing, in the event of unlawful processing, or where there is a legal obligation to erase the data;
- the restriction of processing in the cases provided for, such as where the accuracy of the data is contested and its correctness needs to be verified;
- the objection: the data subject may object at any time to the processing of their data, unless there are legitimate grounds for the processing that override those of the data subject, for example for the exercise or defence of legal claims;
- the portability: the data subject may request to receive their data, or to have it transmitted to another Data Controller indicated by them, in a structured, commonly used and machine-readable format.

Where the data subject has given consent to the disclosure of their identity, they shall also have the right to withdraw it at any time, but without prejudicing the lawfulness of the processing carried out before the withdrawal.

All of the above rights may be exercised by sending the Data Controller a communication by ordinary or certified electronic mail, to the addresses indicated above.

Finally, pursuant to art.77 GDPR, the data subject has the right to lodge a complaint with the Garante for the Protection of Personal Data, should they believe that their rights have been infringed.

Pursuant to art. 2-undecies D.lgs. n. 196/2003 and subsequent amendments, and in implementation of article 23 GDPR, please note that the above-mentioned rights may not be exercised by the persons concerned or mentioned in the Report, where the exercise of such rights could cause actual and specific harm to the confidentiality of the identity of the Reporting Person.

Modena, 15 April 2024

The Data Controller