PRIVACY NOTICE - WHISTLEBLOWWING REPORTING PROCEDURE

This Privacy Notice is provided to users who interact with the reporting system of KW Apparecchi Scientifici S.r.l. and the Tecniplast Group Companies (also accessible electronically through the Company's website) for the purpose of submitting reports regarding potential wrongdoing or irregularities that they have become aware of in the course of their employment activities or, more generally, in the context of business relationships with the Tecniplast Group, with the aim of promoting a culture of ethics and legality when witnessing improper conduct.

The following information is provided pursuant to:

- Article 13 of Regulation (EU) 2016/679 (GDPR);
- Provision No. 229 of 8 May 2014 issued by the Italian Data Protection Authority (Identification of simplified procedures for information notices and the acquisition of consent for the use of cookies);
- The WP29 Guidelines of 10 April 2019, endorsed by the European Data Protection Board and subsequently replaced by the Guidelines 05/2020 on Consent under Regulation 2016/679, adopted on 4 May 2020;
- Provision No. 231 of 10 June 2021 issued by the Italian Data Protection Authority (Cookie Guidelines and Other Tracking Tools), which supplements Provision No. 229/2014 and provides important clarifications to facilitate data controllers in the correct application of the current regulatory framework;
- Recommendation No. 2/2001 of the Article 29 Working Party concerning minimum requirements for the collection of personal data online within the European Union;
- Directive 2009/136/EC amending Directive 2002/58/EC (the so-called e-Privacy Directive) concerning the processing of personal data and the protection of privacy in the electronic communications sector;
- Law No. 179 of 30 November 2017, "Provisions for the Protection of Individuals Reporting Crimes or Irregularities Learned in the Context of a Public or Private Employment Relationship," which entered into force on 29 December 2017 and introduced, for the first time in the Italian legal system, specific protection measures for whistleblowers in the private sector, by adding paragraph 2-bis to Article 6 of Legislative Decree No. 231 of 8 June 2001. Said paragraph 2-bis was subsequently replaced by Article 24 of Legislative Decree No. 24 of 2023, which requires Organizational Models pursuant to Legislative Decree 231/2001 to include internal reporting channels, a prohibition of retaliation, and a disciplinary system;
- The Opinion of the Italian Data Protection Authority dated 4 December 2019 (web document No. 9215763) on the draft ANAC Guidelines concerning the protection of individuals reporting crimes or irregularities learned through an employment relationship pursuant to Article 54-bis of Legislative Decree No. 165/2001 (so-called whistleblowing);

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- Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law (OJ EU L 305, 26.11.2019, pp. 17-56), which had to be transposed by 17 December 2021;
- Legislative Decree No. 24 of 2023, which repealed paragraph 2-bis of Article 6 of Legislative Decree 231/2001 and specifically introduced, under Article 13, the obligation to provide privacy notices to reporting persons and to the individuals involved in reports.
- Article 12 of Legislative Decree No. 24/2023 requires the protection of the identity of the reporting person and any information from which such identity may be directly or indirectly inferred, unless the reporting person has given consent for the disclosure of their personal data to third parties.

Within disciplinary proceedings against the reported individual, the identity of the reporting person may not be disclosed if the disciplinary charges are based on findings obtained independently of the report.

Please note that where knowledge of the reporting person's identity is indispensable for the defence of the reported individual, the report may be used in disciplinary proceedings only if the reporting person expressly consents to the disclosure of their identity.

This Privacy Notice is also provided pursuant to Article 12, paragraphs 5 and 6, of Legislative Decree No. 24/2023. For information regarding the circumstances in which disclosure of the whistleblower's identity may become necessary, reference should be made to the Whistleblowing Reporting Procedure adopted by the Data Controllers.

For the protection of confidentiality, whistleblowing reports are excluded from the access procedures established under Law No. 241/1990 and from civic access procedures.

TYPES OF DATA PROCESSED AND PURPOSES OF PROCESSING

Purpose of Processing

The reporting system allows reports to be submitted completely anonymously. However, the reporting person (whistleblower) may choose to disclose their identity, whereas the identity of the reported person is always required. Therefore, the processing of personal data concerns the identity of the reported individual and, only if the reporting person so decides, the identity of the reporting person and any other individuals involved in the reported events, with respect to whom the highest possible level of confidentiality will be maintained.

Personal data are processed for the following purposes:

To comply with all obligations established by Legislative Decree No. 24/2023 concerning whistleblowing, which implements Directive (EU) 2019/1937;

To initiate the necessary investigation activities aimed at verifying the validity of the reported facts, learned in the context of an employment or business relationship, relating to unlawful or fraudulent conduct as defined by Legislative Decree No. 24/2023, including:

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a. Violations of national legislation relating to offences under Legislative Decree 231/2001 and breaches of the Organizational Model 231, where applicable;

b. Misconduct relating to the following sectors: public procurement, financial services, money laundering and terrorist financing, product safety, transport safety, environmental protection, personal data protection, and information systems security;

c. Administrative, accounting, civil, or criminal offences;

d. Violations of European Union legislation;

e. Acts or omissions that affect the financial interests of the European Union;

f. Acts or omissions concerning the internal market that undermine the free movement of goods, persons, services, and capital;

g. Acts or conduct that defeat the object or purpose of the European Union provisions listed above.

To ensure compliance with the prohibition of retaliatory or discriminatory acts, whether direct or indirect, against the reporting person and facilitators pursuant to Article 19 of Legislative Decree No. 24/2023, where such acts are connected, directly or indirectly, to the report, including through communications to INPS (Italian National Social Security Institute);

To apply disciplinary sanctions established by the employer in accordance with the Organizational Model pursuant to Legislative Decree 231/2001, both against persons who violate the protection measures afforded to reporting persons and against those who intentionally or through gross negligence submit reports that prove to be unfounded (applicable only to Group companies that have adopted an Organizational Model).

Legal Basis for Processing

The legal basis for processing is the necessity to comply with a legal obligation to which the Data Controller is subject, pursuant to:

- Legislative Decree No. 24/2023 implementing Directive (EU) 2019/1937 on whistleblowing;
- Law No. 179 of 30 November 2017, “Provisions for the Protection of Individuals Reporting Crimes or Irregularities of Which They Have Become Aware in the Context of a Public or Private Employment Relationship”;
- Legislative Decree No. 231 of 8 June 2001, “Regulations on the Administrative Liability of Legal Entities, Companies and Associations, Including Those Without Legal Personality, Pursuant to Article 11 of Law No. 300 of 29 September 2000.”

The personal data of reported individuals may also be processed to comply with applicable legal obligations.

The personal data of reporting persons may only be processed in the cases expressly provided for under the applicable legislation.

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NAVIGATION DATA

Some of the reporting channels made available through the Tecniplast Group reporting system collect, during their normal operation, certain personal data whose transmission is implicit in the use of Internet communication protocols.

This information is not collected in order to be associated with identified individuals. However, by its very nature, it could, through processing and association with data held by third parties, enable the identification of users, solely upon an explicit request from the Judicial Authority.

LINKS TO OTHER WEBSITES

Browsing the Tecniplast Group web platform may allow users to access third-party websites through hyperlinks. These websites may collect personal information relating to the user. The Tecniplast Group does not control such websites and cannot be held responsible for their practices or conduct.

The privacy and personal data security provisions applicable to websites linked to or from the Tecniplast Group website are not covered by this Privacy Notice. Therefore, the Tecniplast Group Companies are not responsible for the privacy practices adopted by such websites.

METHODS OF PROCESSING AND DATA RETENTION

Personal data are processed by means of digital tools (for example, electronic systems and procedures) and/or manually (for example, paper-based records) for the time strictly necessary to achieve the purposes for which they were collected and, in any event, in compliance with the applicable legal requirements and no longer than five years, as provided for by Article 14 of Legislative Decree No. 24/2023.

Specific security measures are implemented to prevent data loss, unlawful or improper use, and unauthorized access.

No automated decision-making process or profiling activities will be applied to the collected data.

Upon expiry of the retention period, the data will be deleted or anonymized unless further retention is required to comply with legal obligations, to comply with orders issued by Public Authorities, or to establish, exercise, or defend legal claims.

DATA CONTROLLER, DATA PROTECTION OFFICER (DPO), AND AUTHORIZED PERSONNEL

The Data Controller of the personal data relating to identified or identifiable individuals collected through this system is: KW Apparecchi Scientifici S.r.l.

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Processing activities connected with the reporting channels are carried out exclusively by technical personnel who have been duly appointed, authorized, and trained in the proper processing of personal data. Under no circumstances will such data be publicly disclosed.

For the management of the whistleblowing procedure, specific individuals have also been designated and authorized to process personal data. These individuals are the members of the Whistleblowing Report Management Office, appointed pursuant to Article 2-quaterdecies of the Italian Privacy Code.

DISCLOSURE AND/OR COMMUNICATION OF DATA

Where required, the recipients of the data collected following a report may include the Judicial Authority, the Court of Auditors, and ANAC (Italian National Anti-Corruption Authority).

In particular, personal data may be disclosed to:

- External consultants (e.g., law firms) involved in the investigation phase of the report;
- Members of the Whistleblowing Report Management Office and company departments (including departments belonging to other Tecniplast Group companies) involved in the examination and assessment of reports;
- Organizational roles entrusted with conducting investigations where their involvement is necessary to understand the reported facts and/or to carry out the related investigative and assessment activities;
- Public institutions and authorities, Judicial Authorities, Police Authorities, and investigative agencies;
- The Supervisory Body appointed pursuant to Legislative Decree No. 231/2001 (where established), where the report concerns a predicate offence or a breach of the Organizational Model 231;
- The reported person, where disclosure of the whistleblower's identity is necessary for the defence of the reported person;
- ANAC and the National Labour Inspectorate, where retaliatory acts against the reporting person have been established.

Personal data collected will not be publicly disclosed and will not be transferred to third countries outside the European Union.

DATA SUBJECT RIGHTS

Data subjects, namely the natural persons to whom the personal data relate, have the right at any time to access information concerning them and to request its updating, rectification, supplementation, erasure, anonymization, blocking, restriction of processing, and data portability. They also have the right to object, in whole or in part and on legitimate grounds, to the processing of their personal data, pursuant to Articles 15 to 22 of Regulation (EU) 2016/679 (GDPR).

Furthermore, where processing is based on consent, data subjects may withdraw such consent at any time (for example, with regard to disclosure of the reporting person's identity to the reported person, where such disclosure is not essential for the defence of the reported person).

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Withdrawal of consent shall not affect the lawfulness of processing carried out prior to such withdrawal. It should be noted that the Data Controller may still disclose data to the reported person and to other individuals involved where such disclosure is necessary for the exercise of the right of defence of the reported person and/or other parties involved in the report.

Processing activities carried out for cybersecurity purposes or for the establishment, exercise, or defence of legal claims are based on the legitimate interests of the Data Controller. In such cases, the data subject may object only on grounds relating to their particular situation, which will be assessed by the Data Controller, without prejudice to the pursuit of the relevant defensive purposes.

For any information concerning the processing of personal data, as well as for the exercise of the rights provided under Articles 15 to 22 of Regulation (EU) 2016/679, users may contact: privacy@kwkw.it

Data subjects also have the right to lodge a complaint with the Italian Data Protection Authority or any other competent supervisory authority regarding the processing of their personal data.

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