

## MANAGEMENT OF REPORTS (so-called "Whistleblowing")

### INFORMATION ON THE PROCESSING OF PERSONAL DATA FOR THE WHISTLEBLOWER

Pursuant to Art. 13 EU Reg. 2016/679 (GDPR)

As part of the process of handling reports of violations, referred to in Legislative Decree No. 24 of March 10, 2023 on "Implementation of Directive (EU) 2019/1937 of the European Parliament and of the Council of October 23, 2019 on the protection of persons who report breaches of Union law and on provisions concerning the protection of persons who report breaches of national laws" (hereinafter "**Whistleblowing**"), the Data Controller processes your personal data in your capacity as a reporting person (hereinafter also "**Whistleblower**").

Below, the Data Controller provides you with information regarding the said processing of personal data, pursuant to Article 13 EU Reg. 2016/679 (hereinafter "**GDPR**").

#### 1. Data Controller

The data Controller is **Nemo Industrie S.p.A.**, based in via

P. Togliatti, 1555, 47025 Cella di Mercato Saraceno (FC), in the person of its legal representative pro tempore and can be contacted at the following addresses: e-mail [nemo@nemoindustrie.com](mailto:nemo@nemoindustrie.com), paper mail via P. Togliatti, 1555, 47025 Cella di Mercato Saraceno (FC).

#### 2. Data Processed

As part of the management of the Reports, the Data Controller may process the personal data of the Reporting Party and in particular,

- Personal data referring to the Reporting Person (except in the case of anonymous Reporting) such as, by way of example but not limited to, the Reporting Person's first name, last name, e-mail address, telephone number, address of residence and domicile, voice and image;
- Personal Data contained in the Reporting and the elements collected in the related verification; in this regard, the Data Controller may also process special categories of Data (i.e., Data apt to reveal racial and ethnic origin, religious, philosophical or other beliefs, political opinions, membership in parties, trade unions, associations or organizations of a religious, philosophical, political or trade union nature, as well as Personal Data apt to reveal health and sex life, ex art. 9 GDPR) and so-called "judicial" Data (i.e. Data relating to criminal convictions and offenses, ex art. 10 GDPR).

We invite you to provide only the data necessary for the management of the Report.

According to the principle of minimization, personal data that are clearly not useful for the management of the Report are not collected or are immediately deleted.

#### 3. Purpose of processing

Personal data will be processed for the sole purpose of receiving, analyzing, and managing the Report, ascertaining the facts that are the subject of the Report, and taking consequent action.

In the event that the Report is found to be well-founded, its contents and related data will be used by the Data Controller in order to continue the investigation activities to ascertain the facts.

#### 4. Legal basis of processing

The legal basis of the processing for the purposes indicated above is the fulfillment of the provisions of Legislative Decree No. 24 of March 10, 2023, and subsequent amendments and additions, pursuant to Art. 6 par. 1 lett. c) GDPR.

In the event that you intend to

- Disclose your identity or provide information from which your identity can be inferred even indirectly to persons other than those competent to receive or handle Reports,

- disclose your identity in the context of disciplinary proceedings where the charge is based, in whole or in part, on the Report and the knowledge of your identity is indispensable for the defense of the accused

the legal basis must be found in your consent, pursuant to Article 6(1)(a) of the GDPR.

## **5. Nature of the conferment**

In transmitting a Report, the provision of your personal data is optional and refusal has no consequences for the Report itself.

The disclosure of your identity or any information from which this may be inferred, even indirectly, to persons other than those competent to receive and follow up the Report, including in the context of disciplinary proceedings, is only possible with your consent.

## **6. Processing methods and storage times**

The Data Controller processes the data in accordance with the principles of lawfulness, transparency, correctness, necessity, relevance and non-excess of the purposes pursued and adopts security measures, technical and organizational, adequate to ensure the integrity, availability and confidentiality of the data. The processing may also take place by means of telematic computer media.

The Report and related data will be kept for as long as necessary for the management and processing of the Report itself, in any case no longer than five years from the date of communication of the final outcome of the Reporting procedure. Once this period has expired, the data will be destroyed or anonymized, using techniques that prevent the identification of the data subject.

## **7. Automated decision-making process**

The Data Controller does not adopt any automated decision-making process or by means of algorithms, including profiling, as referred to in Article 22(1) and (4) of the GDPR.

## **8. Data Confidentiality**

Your data may be stored outside the European Union and in this case the Data Controller prefers countries that have been the subject of an adequacy decision or otherwise ensures that adequate safeguards are in place, including standard contractual data protection clauses.

Under no circumstances will your data be disseminated, but it may be shared as necessary with the following entities:

- Case Manager, a subject assigned to receive and manage the Reports, appointed pursuant to Article 4 paragraph 2 of Legislative Decree 24/2023,

- subjects competent to follow up on the Reports,

- subject who, in his or her capacity as a data processor pursuant to Article 28 GDPR, provides the application used by the Data Controller for the management of Reports and keeps the Report and attached documentation,

- any legal advisors who assist the Data Controller in the management of the Report and its consequences,

- subjects, entities, authorities to whom it is mandatory to communicate your personal data by virtue of legal provisions or orders of Authorities.

## **9. Rights of the data subject**

Pursuant to Articles 15 et seq. GDPR, you may at any time

- a) ask the Data Controller for confirmation of the existence or non-existence of your personal data and access to them;
- b) obtain information about the purposes of the processing, the categories of personal data, the recipients or categories of recipients to whom the personal data have been or will be disclosed and, when possible, the period of storage;

- c) obtain rectification and erasure of data, as well as, where technically possible, portability of data, i.e., receive them from a data controller, in a structured, commonly used and machine-readable format, and transmit them to another data controller without hindrance;
- d) obtain the restriction of the processing and object to the processing at any time, specifying the reasons related to the specific situation justifying such opposition ex art. 21 GDPR;
- e) revoke any consent at any time without affecting the lawfulness of the processing based on the consent given before revocation;
- f) to lodge a complaint with a supervisory authority, which in Italy is the Guarantor Authority for the Protection of Personal Data (at the email address [garante@gpdp.it](mailto:garante@gpdp.it), at the fax number 06.696773785 or by mail at the address Piazza Venezia n. 11 - 00187 Rome)

These rights cannot be exercised if the exercise of such rights could result in actual and concrete harm

- carrying out defensive investigations or exercising a right in court,
- the confidentiality of the identity of the person making a Report pursuant to Legislative Decree 24/2023.

You may exercise these rights by requesting the Data Controller at the following addresses:

e-mail: [nemo@nemoindustrie.com](mailto:nemo@nemoindustrie.com)

paper mail: via P. Togliatti, 1555, 47025 Cella di Mercato Saraceno (FC).

Last update: December 2023