

INFORMATION ON THE PROCESSING OF PERSONAL DATA
CARRIED OUT IN THE HANDLING OF WHISTLEBLOWING REPORTS
GOVERNED BY THE WHISTLEBLOWING POLICY
EU Reg 2016/679

1. Data Controller

This information is provided by the company **Chimar srl**, with registered office in Cadoneghe (PD) via E. Majorana n. 24 - 35010, tel. 049 8885211, e-mail amministrazione@chimar.com, pec (certified e-mail address) chimar@cert.neispa.com hereinafter for brevity referred to as the "**Company**" or the "**Data Controller**" (or even just the "**Controller**") in relation to the processing of personal data of the reporting party, the reported persons, the facilitators of the report and any other third parties involved or mentioned in the report (hereinafter, "**Interested Parties**") carried out in the management of reports of offences addressed to the Company falling within the scope of application of the "**Whistleblowing Policy**" by Legislative Decree no. 10 March 2023, No. 24, implementing Directive (EU) 2019/1937 and concerning the protection of persons who report breaches of Union and national law and published on the corporate website.

2. Type of data processed

The following personal data are collected and processed:

- (i) Personal data of a common nature (e.g. personal details, contact details, etc.) of the reporting party, the reported person, the facilitators of the report and any other third parties involved in or mentioned in the report.
- (ii) If included in the report or subsequently acquired in the course of handling the report and conducting the relevant investigation, data revealing racial or ethnic origin, political opinions, religious and/or philosophical beliefs, trade union membership, as well as genetic data, biometric data, data relating to the health or sexual life or sexual orientation of the data subjects and judicial data relating to offences and criminal convictions may also be processed.

The relevant persons are (or may be): the author of the report (the reporting person), the person(s) concerned by the report (the reported person(s)), the natural person assisting the reporting person in the reporting process, operating within the same work environment as the reporting person and whose assistance is to be kept confidential (the report facilitator), and any other third parties involved or mentioned in the report that may be mentioned in the report or that may come to light in the course of the investigation following the report.

3. Source of personal data

The Data Controller collects data through the reports addressed to the Company and, subsequently, in the course of the investigation following the report. The data of the persons concerned, contained in the report, are provided directly by the reporter. Whistleblowers may be employees and/or collaborators, trainees, consultants, shareholders, persons with functions of administration, management, control, supervision or representation, and, in general, all stakeholders of the Controller, or any person with a legitimate interest. Reports may be named or anonymous.

In order to preserve investigative purposes, in the cases provided for by law, the reported person, pursuant to Art. 14, para. 5(d) of the GDPR, he/she may not immediately be made aware of the processing of his/her data by the Controller, as long as there is a risk of jeopardising the possibility of effectively verifying the merits of the complaint or gathering the necessary evidence.

4. Purpose and legal basis for processing

The personal data of the data subjects are processed for purposes related to the application of the Whistleblowing Policy, prearranged to manage - in accordance with the provisions of Law no. 179 of 30 November 2017 and Legislative Decree no. 24 of 10 March 2023, implementing Directive (EU) 2019/1937 on the protection of persons who report breaches of Union law and national regulatory provisions - of reports of possible breaches of national or European Union regulatory provisions that harm the public interest or the integrity of the Company, as well as of unlawful conduct relevant under Legislative Decree no. 231 of 8 June 2001, by anyone who has become aware of it in the course of their employment or collaboration with the Company or, in any case, in the context of their work.

The adoption of the Whistleblowing Policy and the processing of personal data resulting from the receipt of reports therefore take place on the basis of a legal obligation to which the Data Controller is subject.

With regard to any processing of personal data after the closure of the investigation into the report, the legal basis is represented by the legitimate interest of the Data Controller in exercising its rights and possibly defending itself in court in all cases where necessary (e.g. reopening of legal proceedings, claims for damages related to the report), pursuant to Article 6(6) of the Directive. 1(f) and Art. 9, para. 2(f) of the GDPR.

5. Communication of data to third parties - Data recipients

Reports and personal data of data subjects will be communicated to external parties (external law firm - appointed Data Processor pursuant to Art. 28 Reg. EU 2016/679), involved in the handling of the report in compliance with the legal provisions on the protection of personal data

Pursuant to Articles 28 and 29 of the GDPR, the Controller provides the Data Processor with operational instructions to ensure the confidentiality and security of the processing of personal data, to guarantee compliance with applicable legislation and the protection of Data Subjects.

The identity of the reporting person and any other information from which that identity may be inferred, directly or indirectly, may not be disclosed, without that person's express consent, to persons other than those mentioned above.

The disclosure of the personal data of the persons concerned to public bodies and public authorities (including administrative, judicial and public security authorities) is subject to the disclosure of the data if the conditions are met or if the disclosure is necessary to comply with an order of the authority or with a legal obligation.

The identity of the person making the report may not be disclosed even in the context of disciplinary proceedings arising from the report, if the disciplinary charge is based on investigations that are separate from and additional to the report itself, even if they follow it. If, on the other hand, the disciplinary charge is based, in whole or in part, on the report and knowledge of the identity of the person making the report is indispensable for the accused's defence, the report will only be usable for the purposes of disciplinary proceedings if the person making the report expressly consents to the disclosure of his/her identity. In the latter case, the reporting person will be informed in writing of the reasons for the disclosure of the confidential data; a similar communication will be provided to the reporting person if the disclosure of his/her identity and the information from which it can be inferred, directly or indirectly, is also indispensable for the defence of any person involved.

6. Processing methods, data retention period and criteria

The data will mainly be processed on paper and digitally.

The data will be processed for the time necessary for the management of the specific report and, in any case, no longer than five years from the date of the communication of the final outcome of the reporting procedure (Art. 14 of Legislative Decree 24/2023).

7. Provision of data

The provision of the reporting party's data is compulsory in 'named reporting' (with confidential identity management). A refusal to provide the data in the 'named report' makes it impossible to follow the procedure described in the Whistleblowing Policy. Providing the reporting party's data is optional in 'anonymous reporting' (which does not require prior registration and identification). However, anonymous reports will only be taken into account if they are properly substantiated and refer to specific facts and situations.

8. Transfer of data to third countries

Processed data is not transferred by the Controller to third countries. However, in the event of any transfer of data to third countries, the transfer itself will take place in compliance with the regulations in force from time to time on the transfer of data to third countries.

9. Profiling and automated decision-making processes

Processing is not carried out by means of automated decision-making processes (e.g. profiling).

10. Rights of the data subject, Withdrawal of Consent and Complaint to the Supervisory Authority

With the exception of what is stated in the following paragraph, data subjects may request from the Controller access to the data concerning them, their rectification, integration or deletion, as well as the restriction of the processing or any other right referred to in Articles 15 to 22 of the GDPR, if the conditions are met, which must be highlighted in the request. The exercise of such rights may, however, be limited if there are legitimate interests that prevail over the interests, rights and freedoms of the data subject, also in connection with the ascertainment, exercise or defence of a right in court or other legal obligations to be fulfilled by the Data Controller or any provisions of the Public Authorities or the Judicial Authorities or the Police.

The person involved or the person mentioned in the report cannot exercise the rights that the GDPR recognises for data subjects with regard to their personal data processed in the context of the report (the right of access to personal data, the right to rectification, the right to obtain erasure or the right to be forgotten, the right to restriction of processing, the right to portability of personal data and the right to object to processing). This is because the exercise of such rights could result in actual and concrete prejudice to the protection of the confidentiality of the identity of the reporting person. In such cases, therefore, the reported person or the person mentioned in the report is also precluded from addressing the data controller and, in the absence of a reply from the latter, from lodging a complaint with the Garante della protezione dei dati personali (Italian Data Protection Authority) if they consider that the processing that concerns them infringes these rights.

In cases other than the above, data subjects have the right to lodge a complaint with the Data Protection Authority in the event of unlawful or illicit processing of their data by the Controller.

Where the processing is based on consent, the data subject has the right to withdraw his or her consent to data processing at any time, without prejudice to the lawfulness of the processing based on the consent given before the withdrawal.

11. Contacts and requests

To find out the full list of the Privacy Contact Persons appointed for each area and activity and the Data Processors/to obtain more information on the transfer of data to non-EU countries, the mechanisms and safeguards for data transfer pursuant to art 44 et seq. GDPR/to exercise the revocation of any consent given/to exercise your rights (access, rectification, cancellation, restriction, opposition, portability) you can send a request to the email contact: segreteriaab@bignottiedacquarone.it