

WHISTELBLOWING

PRIVACY POLICY STATEMENT FOR WHISTLEBLOWER AND PEOPLE CONCERNED

PURSUANT TO ARTICLES 13 AND 14 OF REGULATION (EU) 2016/679 CONCERNING THE PROTECTION AND PROCESSING OF PERSONAL DATA (GDPR)

1. IDENTITY OF THE DATA CONTROLLER

The Data Controller is Emilceramica s.r.l., with registered office at Via Ghiarola Nuova 29, 41042 Fiorano Modenese (Modena) Italy, in the person of its current legal representative (the "**Data Controller**" or "**Emilceramica**").

To exercise your rights, or for any information concerning them and/or this Privacy Policy Statement, you may contact the Data Controller at: privacy@emilceramicagroup.it Tel. +39 0536 835111.

The Data Controller has appointed a Data Protection Officer ("DPO"), whom you can contact to exercise your rights, as listed in point 7 below, as well as to receive any information concerning them and/or this Privacy Policy Statement, by writing to: dpo@emilceramicagroup.it.

2. WHICH PERSONAL DATA WE PROCESS AND WHERE WE OBTAIN THEM

For the purposes stated in this Privacy Policy Statement, the Data Controller will process your personal data, supplied directly by you or by third parties, comprising ordinary, identification and contact data (such as your first name, surname, telephone number, email address and other contacts), your professional data (such as the company to which you belong, your department within the company, etc.). The data processed relating to the people concerned are those provided by the whistleblower in the description of the offence reported. In this case Emilceramica is unable to predict the categories of data covered by the report, which may also include special data or those relating to previous criminal offences and crimes.

3. PURPOSES AND LEGAL BASIS OF THE PROCESSING

The Data Controller collects and processes personal data for the following purposes:

- a) purposes strictly related to and useful for verification of the merits of, and for dealing with, whistleblowing reports received with regard to behaviours, actions or dereliction of duty damaging to the public interest or the integrity of a private entity as defined by Italian Law no. 179 of 30 November 2017 ("Provisions to safeguard whistleblowers reporting offences or misconduct which has come to their knowledge through employment in the public or private sector") and Italian Legislative Decree no. 24 of 10 March 2023 implementing Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 ("D.Lgs 24/23"), on the protection of people who report breaches of Union law and of national legislation, especially with regard to compliance with legal obligations and measures issued by legally constituted Authorities. The legal basis for this purpose is the fulfilment of a legal obligation to which the Data Controller is subject under article 6, para 1, subsection c) of the GDPR, and D.Lgs 24/23. The contribution of your personal data for this purpose is not compulsory, since reports may also be made anonymously.
- b) purposes related to the disclosure of your identity, to people other than those assigned to receive or follow up reports (para 2 of art. 12 D.Lgs 24/2023) or in the context legal action based entirely or partially on the whistleblowing report if knowledge of your identity is essential for the defence of the accused (para 5 of art. 12 D.Lgs 24/2023). The legal basis for this purpose is consent under article 6, para 1, subsection a) of the GDPR, and D.Lgs 24/23.

4. DATA STORAGE PERIOD, NATURE OF CONTRIBUTION AND PROCESSING PROCEDURES

Your personal data will be stored for the period of time necessary to process the report and in all cases for no more than 5 years after the date of notification of the final outcome of the whistleblowing procedure, unless a different storage time is envisaged. Personal data obviously not useful for the processing of a specific report are not collected, or if they are accidentally collected they are erased immediately.

Your personal data will be processed, in compliance with the provisions of the GDPR, by paper, IT, telematic and telephonic means, for the stated purposes, and in all cases by procedures which guarantee an appropriate level of security and confidentiality, in accordance with the provisions of article 32 of the GDPR and art. 4 of D.Lgs 24/23.

5. RECIPIENTS OF YOUR PERSONAL DATA, AND PARTIES WHO MAY GAIN KNOWLEDGE OF THEM

For the pursuance of the purposes set forth in point 3 above, the personal data processed will become known to the company staff assigned to manage reports and/or external parties designated as Data Processors under appropriate contracts and bound by the same confidentiality obligations, and if necessary will be disclosed to third parties (e.g. National Anti-Corruption Authority, Judicial Authorities, Police) authorised by law to access personal data and with the status of independent Data Controllers. The complete, updated list of the entities to which your personal data may be disclosed can be requested from the Data Controller using the contacts provided in point 1 of the Privacy Policy Statement.

Your personal data will not be disseminated.

6. TRANSFER OF PERSONAL DATA OUTSIDE THE EUROPEAN UNION

For technical and organisational purposes, your data may be transferred to non-European Union member states: this transfer is, in any case, lawful since it is covered by adequacy decisions issued by the European Commission and/or standard data protection clauses based on the models adopted by the European Commission pursuant to art. 46 of the GDPR.

In this specific case, the non-European member state is the United States of America.

In all cases, you may request a copy of the safeguards adopted for transfer of your personal data outside the EU, and precise information concerning the places where they have been made available, by sending a specific request to the Data Controller at the email address privacy@emilceramicagroup.it.

7. YOUR RIGHTS AS DATA SUBJECT

With regard to the data processing described in this Privacy Policy Statement, as data subject, on the conditions set forth by the GDPR, you may exercise the rights provided by articles 15 – 22 of the GDPR, within the limits established by article 2, subsection 11 of Italian Legislative Decree no. 196 of 30 June 2003. The data subject also has the right to lodge a complaint with the Data Protection Authority of their member State of residence or work, or where the alleged breach occurred.

To exercise these rights, you may contact the Data Controller, addressing any requests to the DPO using the contacts provided above. In this case, the identification and contact data essential to identify you as applicant and fulfil your request must be provided.

The “people concerned” as defined by art. 2, para 6, subsection I) of D.Lgs 24/23 may exercise the rights set forth in articles 15 et. seq. of the GDPR by addressing a specific request to the Italian Data Protection Authority: Garante per la protezione dei dati personali Piazza Venezia n. 11 - 00187 Rome Switchboard: (+39) 06.696771 Fax: (+39) 06.69677.3785. Email: protocollo@gdpd.it, certified email: protocollo@pec.gdpd.it.

Please also note that the Data Controller may request further information necessary to confirm the identity of the data subject.

Emilceramica s.r.l..

(Data Controller)

Sassuolo 15 July 2023

