

Pursuant to articles 13 and 14 of Regulation (EU) 2016/679 of the European Parliament and of the Council (hereinafter the 'REGULATION'), Immergas S.p.A. hereby provides the following information on the processing of personal data of reporting persons, where identified or identifiable (hereinafter the "REPORTERS"), of reported persons (hereinafter the 'REPLIERS') and of any other third parties involved, carried out in relation to the management of Whistleblowing reports pursuant to Legislative Decree 24/2023.

## **1. WHO IS THE DATA CONTROLLER**

The Data Controller is Immergas S.p.A. with registered office in Brescello - Via Cisa Ligure, 95 - 42041 Reggio Emilia (ITALY), C.F. / P.IVA 00932830359 (hereinafter "Data Controller" or "Immergas").

## **2. TYPES OF PERSONAL DATA PROCESSED**

The processing shall only concern personal data that are strictly pertinent and functional to the pursuit of the purposes set out in point 3 below. In particular, the following personal data (hereinafter collectively referred to as 'PERSONAL DATA') may be processed:

**2.1** Personal data and contact details of the REPORTER (such as name, surname, telephone number, e-mail address) if provided voluntarily through the computer reporting platform;

**2.2** Personal identification data of the SUBJECT OF THE REPORT and of other third parties who may report on the facts that are the subject of the report, in addition to any other personal data that may be derived from the description of the facts, documents and files that may be attached;

**2.3** Personal data collected by the Data Controller as part of the activities of verifying the validity of the reports and any related investigations.

**2.4** Personal data belonging to the so-called 'special categories' (i.e. data that may reveal religious beliefs, political opinions, membership of political parties, trade unions, etc.) or so-called 'judicial data' such as personal data relating to criminal convictions and offences may also be processed. These data will be used only if strictly necessary for the management of the Whistleblowing report, in full compliance with the principles of proportionality and necessity and, if deemed irrelevant for the purposes of the report, will not be further processed. In general, the Whistleblower is requested not to provide such categories of data, his own or of third parties, unless strictly necessary for the purposes of the report.

All data not needed for the purposes of handling the whistleblowing report are deleted.

## **3. SOURCE OF PERSONAL DATA**

The identification data of the Whistleblower are collected directly from the Data Subject, unless he/she submits a Whistleblowing report anonymously. Any other data (content of the report, identity of the Whistleblower, etc.), if not directly provided by the Whistleblower, may also be collected from third parties, such as, for example, any individuals who may report on the facts that are the subject of the report.

## **4. WHAT ARE THE PURPOSES OF THE PROCESSING**

**4.1** The DATA CONTROLLER may process the PERSONAL DATA for the purpose of complying with the management of Whistleblowing reports (as regulated pursuant to Legislative Decree. 24/2023), to verify the existence of unlawful acts and other violations of the obligations of law, regulations or European legislation - as well as of rules of professional conduct and/or ethical principles referred to by the rules and regulations in force - referring to employees, members of corporate bodies, group companies or third parties (customers, suppliers, consultants, collaborators), which may determine - directly or indirectly - an economic, patrimonial and/or image damage to the DATA CONTROLLER, and to take appropriate corrective measures and disciplinary and/or judicial actions against those responsible for the unlawful conduct.

The legal basis for the processing, pursuant to the REGULATION, is the performance of a legal obligation to which the DATA CONTROLLER is subject (Article 6(1)(c) of the REGULATION).

With specific reference to personal data belonging to the so-called 'special categories', the legal basis of the processing, pursuant to the REGULATION, is the relevant public interest (Article 6 (1)( c) of the REGULATION).

**4.2** The DATA CONTROLLER may also process the PERSONAL DATA to exercise and defend its rights in judicial and/or administrative proceedings. In this case, the processing is based on the legitimate interest of the DATA CONTROLLER to protect its own interests in judicial or extrajudicial proceedings, or in disciplinary and sanctioning proceedings also in the forms provided for by the Whistleblowing regulations (Article 9 (2) (f) of the REGULATION).

## **5. NATURE OF THE PROVIDING OF DATA AND CONSEQUENCES OF REFUSAL**

Providing the personal data of the Whistleblower is optional, since 'anonymous whistleblowing' is always possible and the confidentiality of the Whistleblower is protected unless he/she gives his/her specific consent. With regard to the identity of the REPORTED person, the provision of his/her data is similarly optional but, if the data is not provided, the Whistleblowing report may not be taken into account to the extent that the DATA CONTROLLER does not have the minimum necessary information available.

## 6. METHODS OF PROCESSING

**6.1** The processing of PERSONAL DATA may involve any of the operations indicated in Article 4(2) of the REGULATION. In any event, the principles applicable to the processing of data set out in Article 5 and, in particular, the principles of necessity, proportionality, relevance and non excess shall be complied with.

**6.2** In application of the aforesaid principles, the DATA CONTROLLER, in order to handle Whistleblowing reports, shall generally choose the methods least prejudicial to the rights of the data subject, favouring the omission of any personal data in the documents, where the need for investigation can be achieved without involving the processing of personal data.

**6.3** In any case, data shall be processed in a manner that guarantees their security and confidentiality, through the adoption of appropriate measures to prevent their alteration, deletion, destruction, unauthorised access or processing that is not permitted or does not conform to the purposes of collection.

## 7. RECIPIENTS OF THE PERSONAL DATA

**7.1** Within the organisational structure of the DATA CONTROLLER, the PERSONAL DATA may be accessed, within the limits and according to the modalities set out in the respective assignments and exclusively for the pursuit of the purposes set out in point 4 above, by the contact persons in charge of the management of the whistleblowing channel, as identified in the Whistleblowing Procedure adopted by the DATA CONTROLLER.

**7.2** The processing of the PERSONAL DATA may be entrusted by the DATA CONTROLLER to external companies which carry out on behalf of the DATA CONTROLLER specific activities related to the purposes set out in point 4 which, due to their experience, capacity and reliability, guarantee full compliance with the applicable provisions on data processing and data protection, including the security profile and which shall, in such case, be appointed as Data Processors in accordance with the provisions of Article 28 of the REGULATION.

**7.3** The PERSONAL DATA may also be disclosed to external subjects, public or private, acting as autonomous data controllers, where they are legitimately entitled to request/receive such data.

**7.4** Pursuant to the applicable legislation, the identity of the SUBJECT shall be disclosed only where this represents a legal obligation, for example, in the context of investigations by the competent authorities or in the event of legal proceedings also in order to safeguard the rights of defence of the SUBJECT.

## 8. TRANSFER OF PERSONAL DATA OUTSIDE THE EUROPEAN UNION

PERSONAL DATA shall not be subject to transfer by the DATA CONTROLLER to third countries or international organisations outside the European Union if the safeguard mechanisms provided for in CHAPTER V, Articles 44 et seq. of the REGULATION have not been adopted or are not in force.

## 9. PERIOD OF STORAGE OF PERSONAL DATA

PERSONAL DATA may be processed and stored for a period of time no longer than is necessary for the purposes for which the data were collected or subsequently processed, for the duration of the verification procedures and any subsequent events, including those of a contentious nature, and subsequently stored within the maximum time limits provided for by the legal obligations in force. If the report is archived, the data are deleted within a maximum period of 12 months from the date of communication of the final outcome of the reporting procedure.

## 10. DATA SUBJECT'S RIGHTS

In relation to the processing operations described in this Policy you may, under the conditions provided for in the Regulation, exercise the rights set out below by contacting the Data Controller:

- by registered mail with return receipt: Immergas S.p.A., Via Cisa Ligure, 95 - 42041 Brescello (R.E.) - ITALY
- by e-mail: [privacy@immergas.com](mailto:privacy@immergas.com)
- by certified e-mail: [immergas@legalmail.it](mailto:immergas@legalmail.it)

**Art. 7 - Right to withdraw consent:** the data subject has the right to withdraw your consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

**art. 15 Right of access:** the data subject shall have the right to obtain from the data controller confirmation as to whether or not personal data concerning him or her are being processed and, if so, to obtain access to the personal data. At the request of the data subject, the data controller shall provide the data subject with a copy of the personal data being processed.

**art. 16 Right of rectification:** the data subject has the right to obtain from the data controller, without undue delay, the rectification of inaccurate personal data concerning him/her and, therefore, the integration of incomplete personal data.

**art. 17 Right to erasure (so-called "Right to be forgotten"):** the data subject has the right to obtain the erasure of personal data concerning him/her without undue delay, and the data controller has the obligation to erase without undue delay the personal data for the reasons and within the limits of the provisions.

**art. 18 Right to limitation of processing:** the data subject has the right to obtain from the data controller a limitation of the processing of his or her data in the cases provided for in Article 18 of the Regulation.

**art. 19 Obligation to notify in the event of rectification or erasure of personal data or restriction of processing:** in the event of the

exercise of the right to rectification, erasure and restriction, the controller shall notify each of the recipients to whom the personal data have been transmitted of any rectification or erasure or restriction of processing, unless this proves impossible or involves a disproportionate effort. The data controller shall inform the data subject of such recipients if the data subject so requests.

**art. 20 Right to data portability:** the data subject has the right to receive the personal data concerning him or her, which he or she has provided to a data controller, in a structured, commonly used and machine-readable format and has the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, if the processing is based on consent or a contract or if the processing is carried out by automated means.

**art. 21 Right to object:** the data subject has the right to object at any time, for reasons related to his / her particular situation, to the processing of personal data concerning him / her. The data controller shall no longer process the personal data unless demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

**art. 22 Automated individual decision-making, including profiling:** the data subject has the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.

Pursuant to Article 13.2 letter d) of the Regulation, we inform you that, as a data subject, you have the right to lodge a complaint with the Data Protection Authority by following the procedures and directions published on the Authority's website ([www.garanteprivacy.it](http://www.garanteprivacy.it)) if you believe that your personal data have been processed in violation of the data protection regulations.

Pursuant to Article 2-undicies of Legislative Decree No. 196 of 30 June 2003 as amended and supplemented, the REPLAINED person alleged to have committed the offence may not exercise the rights provided for in Articles 15 to 22 above, including the right to Complaint (Article 77). This is without prejudice to the possibility for the REPORTED person alleged to have committed the offence to exercise his/her rights in the manner provided for in Article 160 of Legislative Decree No. 196/2003 and subsequent amendments and additions. (possibility for the person concerned to request the Garante to verify the conformity of the processing of his data). Similarly, revocation of consent does not apply when the reporting party has given it for the purpose of disclosing his/her identity, even to persons other than those competent to receive or follow up the reportdata

The Data Controller

Immergas S.p.A.