

INFORMATION REGARDING THE PROCESSING OF PERSONAL DATA PURSUANT TO ARTICLES 13 AND 14 OF (EU) REGULATION 2016/679 IN RELATION TO WHISTLEBLOWING REPORTS

This information is provided by **Metalcastello SpA** with respect to the processing of the personal data of the interested parties (interested parties - or "data subjects" - meaning the whistleblower, the person being reported and any other natural person involved in the report) in the context of the management of reports of alleged illicit conduct of which he/she has become aware due to his/her employment relationship, service or supply/consultancy with the Data Controller (so-called whistleblowing reports, hereinafter only "**Reports**"), received through the channels foreseen in the Company's Whistleblowing Procedure ("**Procedure**").

1. Data Controller and Data Protection Officer

Metalcastello SpA which can be reached at the e-mail address: hr@metalcastello.com

The Data Controller has appointed a Personal Data Protection Officer ("DPO"), who is available for all questions relating to the processing of your personal data and the exercise of rights deriving from data protection legislation. The DPO can be contacted, not only at the physical address of the registered office, but also by e-mail sent to dpo@metalcastello.com

2. Type of data processed

The personal data collected and processed by the Data Controller as part of the reception and management of Reports received through the channels foreseen in the Company's Whistleblowing Procedure are those contained in the Report, as well as those acquired during the preliminary investigation. This data may belong to the following categories:

- common personal data e.g. the details of the person making the report, with an indication of their qualification or position; a clear and complete description of the facts being reported and the way in which they became known; the date and place where the event occurred; the name and role - qualification, position or department in which the activity is carried out - which allow identification of the person(s) who has/have committed the facts being reported; an indication of the names and roles of any other persons who are aware of the facts being reported; information relating to any documents that can confirm the validity of the facts being reported; the progress of your report and any other information contained in the reports or provided during use of the messaging tools that form part of the Platform relating to the whistleblower, those being reported and any other third parties involved based on the company procedure (hereinafter, collectively, "**interested parties**").
- personal data belonging to so-called "particular" categories as per art. 9, para. 1 of the Regulation ("*racial and ethnic origin, religious, philosophical or other beliefs, political opinions, membership of parties, trade unions, associations or organisations of a religious, philosophical, political or trade union nature, as well as personal data that might reveal the person's health situation and sexual preferences*") referable to any interested parties mentioned by the whistleblower.
- data relating to criminal convictions and crimes or related security measures contained and/or emerging within the scope of the report pursuant to art. 10 of the Regulation.

All of the personal data indicated above will hereinafter be referred to collectively as "**personal data**".

Furthermore, note that in compliance with applicable laws the Data Controller can process personal data, including those relating to third parties, which are already available to the Data Controller.

3. Purpose of the processing, legal basis and nature of the provision

The personal data provided to report alleged illicit conduct of which he or she became aware as a result of his/her employment, service or supply/consultancy relationship with the Data Controller, in accordance with the provisions of the Procedure adopted, will be collected and processed by the Data Controller to allow the Company's Supervisory Body ("**SB**") to perform its functions in compliance with the Procedure and carry out the necessary investigative and related activities to verify the validity of the fact which is the subject of the Report and, if necessary, the adoption of corrective measures and undertake the appropriate disciplinary and/or judicial proceedings against those responsible for the illicit conduct ("**Report management purposes**").

The legal basis for the processing of this data is:

- for common personal data, processing for the aforementioned purpose is necessary to fulfil a legal obligation to which the Data Controller is subject, pursuant to art. 6, para. 1c) of the Regulation, taking into account Legislative Decree 24 of 10 March 2023, entitled "*Implementation of (EU) Directive 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons reporting breaches of EU law and laying down provisions concerning the protection of persons reporting breaches of national law*;
- for personal data belonging to the so-called "particular" categories, such processing is legitimate pursuant to art. 9, para. 2b) of the Regulation. In any case, the whistleblower is invited not to provide personal data belonging to so-called "particular" categories as per art. 9, para. 1 of the Regulation where this is not strictly necessary.

Any processing of personal data relating to potential crimes or convictions being reported is carried out in accordance with the provisions of art. 10 of the GDPR as authorised by specific regulations on whistleblowing, as well as for the protection or defence of rights in court [see. art. 2-*octies* para. 3e) of Legislative Decree 196/2003 – the so-called "Privacy Code"].

The provision of personal data for this purpose is mandatory - with the exclusion of references to the name and surname, as it is possible to make anonymous reports where adequately substantiated, detailed and based on precise and consistent factual elements (not generic or confusing), in order to allow the evaluation and investigations of the case - and in case of failure to provide them it will not be possible to accept and manage the Report. If the whistleblower still wishes to proceed with an anonymous report, it will be handled exclusively.

Once provided, your personal data may also be processed:

- to fulfil any other obligations established by law, regulations and European legislation as well as by provisions issued by the jurisdictional authorities in the exercise of their functions on the basis of art. 6, para. 1c) of the Regulation and, with regard to personal data belonging to particular categories, art. 9, para. 2g) of the Regulation ("**Compliance purposes**");
- to satisfy any needs of a defensive nature on the basis of art. 6, para. 1f) and art. 9, para. 2f) of the Regulation ("**Defensive purposes**").

4. Recipients of personal data

The personal data contained in the Reports received by the Data Controller will not be communicated to third parties or disclosed, except within the limits of the provisions of national and EU law and in compliance with the procedure adopted by the Data Controller; in particular, your data may be shared with the following subjects, in compliance with the provisions of the legislation on the processing of personal data:

- specifically identified personnel authorised to process personal data and duly trained pursuant to art. 29 of the Regulation and art. 2-*quaterdecies* of Legislative Decree 196/2003 ("**Privacy Code**") as well as the Code and/or the operating

procedures that make up the Organisation, Management and Control Model (specifically the Controller's Supervisory Body as the entity responsible for receiving and examining reports);

- persons external to the Data Controller's company who act as data controllers pursuant to art. 28 of the Regulation, if appointed;
- public and/or private bodies and authorities, as autonomous data controllers, to whom it is mandatory to communicate personal data pursuant to legal provisions or orders of the authorities, particularly for investigative activities relating to reported facts on which it is known that there are investigations underway by public authorities.

A complete and updated list of data recipients can be requested from the Data Controller and/or the DPO, at the addresses indicated above.

In any case, maximum confidentiality of your identity will be guaranteed, as the whistleblower, in compliance with company procedures. In particular, in the case of transmission of the report to other structures/bodies/third parties to carry out investigation activities, priority will be given to forwarding only the content of the report, eliminating all references from which it is possible to trace the identity of the whistleblower, even indirectly. If, for investigation purposes, it is necessary to disclose the identity of the whistleblower to persons other than those authorised to receive and follow up on reports, the whistleblower's consent to disclosure of his or her identity will be expressly requested.

In the context of disciplinary proceedings, the identity of the whistleblower will not be revealed in all cases in which notification of a disciplinary charge is based on investigations that are distinct and additional to the report, even if consequent to it, whereas it may be revealed where three assumptions contribute together, namely (a) that the charge is based, in whole or in part, on the report, (b) that knowledge of the identity of the whistleblower is indispensable for the defence of the person accused and that (c) the whistleblower has expressed specific consent to disclosure of his or her identity.

5. Method of processing your data

Your data will be processed mainly using IT tools, with organisation and processing logic strictly related to the purposes indicated above and, in any case, in such a way as to guarantee the safety, integrity and confidentiality of the data in compliance with the organisational, physical and logical measures envisaged under current provisions. The dedicated channels used for sending reports according to the internal procedure adopted by the Data Controller guarantee a high level of confidentiality of information by using encryption technologies for data passing through our servers. The Data Controller applies appropriate measures to ensure that the data provided is processed adequately and in accordance with the purposes for which it is being managed; the Data Controller uses suitable security, organisational, technical and physical measures to protect the information from alteration, destruction, loss, theft or improper or illegal use. Personal data that is clearly not useful for the processing of a specific Report is not collected or, if collected accidentally, promptly deleted.

6. Period for which personal data is stored

Personal data will only be stored for the time strictly necessary for the purposes for which it is collected, respecting the principles of minimisation and limitation of storage referred to in art. 5, para. 1c) and e) of the Regulation.

In particular, personal data contained in the Report and in the accompanying documentation is kept in a form that allows the identification of interested parties for the time necessary to process the specific Report and, in any case, for not more than five (5) years from the date of communication of the final outcome of the whistleblowing procedure. However, the Data Controller reserves the right to keep personal data for as long as is needed to fulfil regulatory obligations and to satisfy any defence requirements. It is understood that in the event that a judgement is initiated, the terms indicated above may be

extended until the conclusion of the judgement and the consequent limitation periods of the rights. After the times indicated above, the reports and any accompanying documentation will be deleted and/or rendered anonymous.

Further information is available from the Data Controller and the DPO at the addresses indicated above.

7. Transfer of personal data outside the EU

We can also inform you that your personal data will be processed by the Data Controller inside the European Union. If for technical and/or operational reasons it is necessary to make use of subjects located outside the European Union or it is necessary to transfer some of the data collected to technical systems and services managed in cloud and located outside of the European Union, the processing will be regulated in accordance with the provisions of Chapter V of the Regulation and authorised on the basis of specific decisions of the European Union. The Data Controller can ensure you that the processing of your personal data by these recipients takes place in compliance with the GDPR. In particular, the transfers will be based on an adequacy decision by the European Commission, or on the adhesion of the recipient of the data to certification mechanisms for the transfer of data (e.g. Data Privacy Framework) or on the Standard Contractual Clauses approved by the European Commission or some other suitable legal basis, in compliance with recommendations 01/2020 adopted on 10 November 2020 by the European Data Protection Board.

It is possible to obtain further information, on request, from the Data Controller and/or the DPO at the contacts indicated above.

8. Your privacy rights

You have the right to access data concerning you at any time, pursuant to arts. 15-22 of the Regulation. In particular, you may request rectification, cancellation, limitation of data processing in the cases provided for in art. 18 of the Regulation, revocation of the consent given under art. 7 of the Regulation, to obtain data portability in the cases envisaged in art. 20 of the Regulation.

You can object to the processing of your data under art. 21 of the Regulation, explaining the reasons justifying the objection: the Data Controller reserves the right to evaluate your request, which would not be accepted if there are compelling and legitimate reasons to proceed with the processing, which prevail over your interests, rights and freedoms.

You also have the right to lodge a complaint with the competent supervisory authority under art. 77 of the Regulation (Italian Data Protection Authority) or to take action in the appropriate judicial offices under art. 79 of the Regulation.

Requests must be sent in writing to the Data Controller or to the DPO at the addresses indicated above.

Please note that, in order to protect the confidentiality of the whistleblower's identity, the possibility of exercising the rights envisaged in arts. 15-22 of the Regulation may be precluded, if exercising these rights could result in an effective and concrete prejudice against the confidentiality of the whistleblower's identity under art. 23, para. 1i) of the Regulation and art. 2-undecies, para. 1f) of the Privacy Code.

We would also inform you that the person being reported will be able to exercise his or her rights referred to in arts. 15-22 of the Regulation through the Italian Data Protection Authority, with the methods set out in art. 160 of the Privacy Code. In this case, the Italian Data Protection Authority will inform the interested party that it has carried out all the necessary checks or carried out a review, also explaining the interested party's right to lodge a judicial appeal.