

**WHISTLEBLOWING POLICY**  
Snaitech Foundation

September 2024

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## 1. DEFINITIONS

- a) **Whistleblowing Committee or Committee:** a body in collegiate form specifically set up for the purpose of managing the reports referred to in Articles 4 and 5 of Legislative Decree 24/2023. The Committee is composed of the Foundation's monocratic Supervisory Board and three members from outside the Foundation who are experts in the field.
- b) **Whistleblowing** (or IT Channel): the IT platform enabling the whistleblower to send reports.
- c) **Legislative Decree 231/2001 and subsequent amendments and supplements or Decree 231:** Legislative Decree No. 231 of 8 June 2001, containing the "*Regulations on the administrative liability of legal persons, companies and associations, including those without legal personality*" and subsequent amendments and additions.
- d) **Legislative Decree 231/2007 or AML Decree:** Legislative Decree No. 231 of 21 November 2007 implementing Directive 2005/60/EC on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing and Directive 2006/70/EC laying down implementing measures thereof.
- e) **Legislative Decree 24/2023 or WB Decree:** Legislative Decree No. 24 of 10 March 2023 laying down provisions concerning the protection of persons who report breaches of national laws, implementing Directive (EU) No. 2019/1937.
- f) **SNAITECH Group or Group:** the SNAITECH Group consisting of SNAITECH and its subsidiaries in Italy and abroad, including the non-profit foundation 'Fondazione Snaitech'.
- g) **Snaitech ETS Foundation or Snaitech Foundation or Foundation:** a third-sector philanthropic organisation registered with the RUNTS that exclusively pursues social solidarity purposes in the fields of social assistance and charity, education and training, promotion of culture and art and scientific research.
- h) **ANAC Guidelines:** the Guidelines on the protection of persons who report violations of Union law and the protection of persons who report violations of national laws - procedures for the submission and handling of external reports approved by ANAC with Resolution No. 311 of 12 July 2023.
- i) **Model 231 or MOGC:** the Organisational, Management and Control Model of the Snaitech Foundation pursuant to Legislative Decree 231/2001, including the special parts and any annexes, as supplemented or amended from time to time. All the measures in place to contain the risk of offences, such as rules and procedures, controls on personnel and processes, training activities aimed at prevention, and the control environment, are referred to in the Model 231.
- j) **Supervisory Body or SB:** the single-member Supervisory Body of the Snaitech Foundation endowed with autonomous powers of initiative and control in compliance with Legislative Decree 231/2001, established in accordance with the provisions of the Confindustria Guidelines for the preparation of MOGCs, as well as the subject in charge of managing internal Reports

pursuant to the WB Decree; for the purposes of this Policy, the SB takes on the role of member of the *Whistleblowing* Committee;

- k) Procedures: the term "procedures" is to be understood in a broad sense to include all the operating procedures, *policies*, manuals, regulations, guidelines and operating instructions in force within the Foundation and the Snaitech parent company, referred to in the 231 Model, the SNAITECH Group Anti-Corruption Policy or put in place to protect against the commission of the offences indicated in points i) and ii) of the definition of "Reporting" below.
- l) **Whistleblowing Contact Person (or Contact Person or Whistleblowing Reference):** is a member of the *Whistleblowing* Committee who maintains communication with the *Whistleblower* and operates, at all stages of the management of the report, in agreement with the other members of the Committee.
- m) **Report:** a circumstantiated communication based on precise and concordant elements of fact concerning
  - i. the commission, attempted commission or reasonable danger of commission of one of the crimes and/or offences relevant under Legislative Decree No. 231/2001, such as, by way of example, corruption;
  - ii. violation, attempted violation or reasonable danger of violation of: Model 231, Anti-Bribery Policy as well as the Procedures (as defined in this Policy);
  - iii. any irregular or anomalous conduct or event that is symptomatic of "maladministration" and/or that may entail risks for Snaitech Foundation, SNAITECH and/or the Group or the companies that are part of it, of which the Whistleblowers may have become aware by reason of the functions performed.
- n) **Internal Reporting:** the Report made to the *Whistleblowing* Committee.
- o) **Report in "bad faith":** a report which, on the basis of the results of the preliminary investigation phase, proves to be groundless on the basis of objective elements and which reveals the proven bad faith of the person making the report, made for the purpose of causing unjust damage to the person and/or to the reported Company/Foundation.
- p) **Alerts:** those who make the Alert.
- q) **Reported:** those who are the subject of a Report.

**SNAITECH:** SNAITECH S.p.A., Sole Shareholder of the Snaitech Foundation.

## 2. APPLICABLE RULES AND PROCEDURES

- Directive (EU) No 2019/1937 - Directive on the protection of persons who report breaches of Union law.
- Legislative Decree No. 24 of 10 March 2023 laying down provisions concerning the protection of persons who report breaches of national regulatory provisions, implementing Directive (EU) No. 2019/1937 (WB Decree).
- Opinion on the draft legislative decree implementing Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law (so-called *Whistleblowing* Directive) - 11 January 2023.
- Guidelines on the protection of persons who report breaches of Union law and the protection of persons who report breaches of national laws - procedures for the submission and handling of external reports approved by ANAC with Resolution No. 311 of 12 July 2023.
- Legislative Decree No. 231/2001 - Administrative Liability of Companies and Entities (Decree 231).
- Criminal Code.
- Legislative Decree No. 196/2003 - Personal Data Protection Code as amended by Legislative Decree 101 of 2018.
- Regulation (EU) No 2016/679 - *General Data Protection Regulation* (or GDPR).
- Applicable National Collective Labour Agreements.

### INTERNAL REGULATIONS

- Model 231.
- SNAITECH Group Anti-Corruption Policy.
- Confindustria Guidelines for the construction of Organisation, Management and Control Models pursuant to Legislative Decree 231/2001 (June 2021).
- Privacy Organisational Model (MOP).
- Procedures (as defined in this Policy).
- Confindustria *Whistleblowing* Operational Guide for Private Entities (October 2023)

## 3. PURPOSE AND OBJECT

### 3.1 PURPOSE

The purpose of the *Whistleblowing* system is to allow the Snaitech Foundation to become aware of situations of risk or damage and to deal with the reported problem as promptly as possible. The *Whistleblowing* system therefore contributes to identifying and combating corruption or other forms of wrongdoing, to protecting Fondazione Snaitech from economic and image damage, to spreading a culture of ethics, legality and transparency and to strengthening the system of internal controls and risk management.

The *Whistleblowing* system therefore constitutes a tool through which *Whistleblowers* can report to the Committee any unlawful or anomalous conduct or one of the offences relevant under Decree 231, Model 231, the Procedures, committed by individuals belonging to or connected to the Snaitech Foundation (employees of the Foundation or SNAITECH, but also, volunteers of associations, self-employed workers, freelancers, consultants, volunteers, trainees, directors and supervisory bodies).

This document, in summary:

- identifies the persons who may make Reports;
- circumscribes the scope of conduct, events or actions that may be the subject of a Report;
- identifies and prescribes the general principles and rules governing the reporting process, including the protection of the reporter and the reported person.

### 3.2 WHAT IS A REPORT

The Snaitech Foundation envisages the possibility of making Reports in order to effectively prevent and combat fraudulent, illegal or irregular conduct, violations and to support the effective application and operation of Model 231, the SNAITECH Group's Anti-Corruption Policy and the Procedures. Violations, attempted violations or circumstances involving a reasonable danger of violations may be reported, both when such violations are in the interest or to the benefit of the Foundation and when they are contrary to such interest or to its disadvantage.

### 3.3 OBJECT OF THE ALERT

Under the WB Decree, the whistleblower may make reports on

- Violations of the Foundation's Organisation, Management and Control Model pursuant to Legislative Decree 231/2001;
- Violations of Legislative Decree 231/2001 and subsequent amendments and additions.

Reports may also relate to well-founded suspicions or events that have not yet occurred that the *whistleblower* reasonably believes may involve a breach.

Reports based on "rumours", grievances, demands, claims or requests of a personal nature of the Whistleblower are excluded. Should such reports nevertheless be received, they will be dismissed by the Committee, after informing the reporter that they are not relevant to the legal provisions.

In summary, it is necessary that:

- the Report is circumstantiated and based on precise and concordant elements of fact such as to suggest that a fact relevant to the Report may have occurred;
- the Whistleblower has reasonable grounds, in the light of the circumstances and information available to him/her at the time of the Report, to believe that the facts reported are true, or has direct or otherwise sufficient knowledge of such facts, by reason of his/her duties.

The Report must be made in good faith and must not take an insulting tone or contain personal insults or moral judgments intended to offend or harm the honour and/or personal and/or professional decorum of the person or persons to whom the facts reported are attributed.

Reporting in 'bad faith' and more specifically:

- the submission of Reports for purely defamatory or slanderous purposes;
- the submission of Reports that relate exclusively to aspects of private life, without any direct or indirect connection with the reported person's business activity;
- the submission of Reports of a discriminatory nature, insofar as they refer to sexual, religious or political orientation or to the racial or ethnic origin of the reported person;
- the submission of reports in violation of the law.

Bad faith", insulting, offensive, defamatory, slanderous and discriminatory reports may give rise to civil and/or criminal liability for the reporter and to the application of sanctions as set out below.

Furthermore, the Whistleblowing Committee is not obliged to consider "bad faith" Reports and anonymous, unsubstantiated Reports, as well as those that do not fall within the perimeter provided for by the legislation and by this Policy, or those that are not supported by elements capable of highlighting facts and situations linked to specific contexts. Such reports shall be filed by the

Committee, after informing the Whistleblower that they are not relevant to the regulatory provisions.

The reports referred to in Article 48, paragraph 1 of Legislative Decree no. 231 of 2007 are not governed by this Policy: the special section of the IT Channel referring to them, in accordance with the regulations in force, is available only to employees of the Foundation or of Snaitech who act for Snaitech Foundation by virtue of the *intercompany* services contract and to persons in comparable positions.

For the handling of these types of reports, please refer to the provisions of the internal procedures on the handling of offences and irregularities set out in Legislative Decree 231/2007.

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## 4. ACTORS INVOLVED

This document applies to the Snaitech Foundation.

The main parties involved in the execution of this Policy are the following.

### 4.1 WHISTLEBLOWERS

The whistleblowers, as identified in the WB Decree, may be (i) **internal subjects**, which include, in addition to Snaitech employees working for the Company by virtue of the *intercompany* services contract specified above, also

- persons with functions of administration, management, control, supervision or representation, even where such functions are exercised on a de facto basis;
- persons whose employment relationship has not yet commenced in cases where information concerning a breach has been acquired during the selection process or other stages of pre-contractual negotiations;
- possible volunteers;
- trainees.

and (ii) **external parties**, including but not limited to:

- consultants, procurers, business partners, intermediaries;
- any person working under the supervision and direction of contractors, and subcontractors;
- workers or collaborators working for entities that provide goods or services or carry out works for the company;
- former employees;
- customers or users of Snaitech Foundation's services and limited to violations encountered within the scope of their employment relationship.

Reporting persons may also be persons who were or will be in one of the above positions in the future.

### 4.2 WHISTLEBLOWERS AND THE MANAGEMENT OF POSSIBLE CONFLICTS OF INTEREST

The Reports may concern members of corporate bodies or organs, *management*, employees of the Foundation or SNAITECH, external collaborators, non-subordinate collaborators of the Foundation, as well as associations, business partners, consultants, intermediaries and all those who have relations with the Snaitech Foundation and refer to any type of illicit or irregular conduct of which they have become aware by reason of the functions performed.

The management of the Report must be entrusted exclusively to persons who are not in a situation of conflict of interest. Therefore, if the Report refers to one or more members of the Committee, they shall refrain from handling the Report, which shall be handled by the remaining members who are not involved in the conflict situation.

### 4.3 RECIPIENTS OF INTERNAL REPORTS

The Committee receives and handles internal Reports.

The *Whistleblowing* Contact Person, following receipt of the report, sends a "taking charge" notice to the *whistleblower*, informing the remaining members of the *Whistleblowing* Committee.

If the reporting person turns to a third party other than the Committee, the latter has a duty:

- to advise him to address the Committee;
- alternatively, to direct him to use the computer channel set up for this purpose.

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## 5. MINIMUM CONTENTS AND MODALITIES OF THE REPORT

### 5.1 MINIMUM CONTENTS

In order to allow a fruitful use of the Report, it should contain all the elements that are useful to ascertain the validity of the facts that are the subject of the report and, in particular, have the following essential elements:

- **subject:** a clear and complete description of the facts that are the subject of the Report, with an indication (if known) of the circumstances of time and place in which the reported facts were allegedly committed or omitted (by way of example only: contract, transaction, place);
- **Reported subject and other persons involved:** any element (such as the company management/function/role) that allows easy identification of the alleged author(s) of the reported conduct and of other persons potentially aware of the reported facts;
- **company involved:** Snaitech Foundation or SNAITECH Group company possibly involved in the Report together with the same. Reports exclusively concerning other Group companies shall be made and handled in compliance with the Policy/procedure adopted by the respective companies.

In addition, the reporter may indicate the following further elements:

- your personal details (e.g. first name - surname), if you do not wish to be anonymous;
- an indication of any documents that may confirm the facts reported;
- the type of relationship with the Foundation;
- any other information that may facilitate the gathering of evidence on what has been reported;
- an indication of any other persons who may report on the facts that are the subject of the Report;
- any indications of a previous Report concerning the same violation and any feedback received;
- any other information that may facilitate the gathering of evidence on what has been reported.

### 5.2 REPORTING MODALITIES

Whistleblowing reports can be made through the computer channel described below or, alternatively, with a meeting in person with the Committee (or one of its members) who will take charge of handling them, in line with the provisions of this Policy. The methods of reporting and, more generally, the rules on *Whistleblowing*, are the subject of specific training courses periodically organised and addressed to employees of the Foundation or of SNAITECH who act for the Snaitech Foundation by virtue of the *intercompany* services contract stipulated with SNAITECH.

The preferred channel for sending reports is the computerised one, as it ensures maximum confidentiality and effective handling of reports.

It should be noted that, since the Foundation has not reached the average number of 50 workers in the last year, reports may only concern unlawful conduct relevant pursuant to Legislative Decree 231/01 or violations of Model 231, the Snaitech Group's Anti-Corruption Policy, and may only be made through the internal channel.

### **IT channel - preferred channel**

For the transmission of reports in written form or by voice messaging, with voice encryption, the Snaitech Foundation has set up a computerised *Whistleblowing* channel, which complies with the ANAC Guidelines and the indications of the Privacy Guarantor, which ensures the confidentiality of the identity of the Whistleblower, and also offers the possibility of making Reports anonymously in accordance with the procedures described in more detail below and in the Operating Manual.

The application is accessible to staff and external parties through a specific section '*Governance - Whistleblowing*' - on the institutional *website* of SNAITECH S.p.A. ([www.snaitech.it](http://www.snaitech.it)).

Employees were informed of the establishment of this channel both through specific awareness-raising communications and through communications on the discipline and methods of reporting.

The reporting person accesses the application anonymously without prior registration. The platform allows the Whistleblower to transmit the report completely anonymously or to provide his or her personal details (the confidentiality of the information transmitted is however ensured in accordance with the WB Decree).

Each report is associated with a unique code (*ticket*) - to be kept with extreme diligence - which allows the *Whistleblower* to consult the status of the report and/or check whether there are any messages and requests for clarification from the *Whistleblowing* Contact Person.

The application, in order to allow in-depth analysis of the reported facts, allows the establishment of a "dialogue" as well as the possible sending of attached electronic documents, all always in confidential form, between the *Whistleblower* and the *Whistleblowing* Contact Person.

The system guarantees that the Reporting Officer will be informed of the outcome of the submission of the Report, that he/she will be "taken in charge", that he/she will be contacted in order to acquire useful elements for the investigation phase, and that he/she will be given the opportunity to send further information of which he/she may become aware in order to supplement the facts reported.

The application is also used to notify the reporter of the closure of the checks.

The information collected is stored electronically on the platform, which has defined access profiles for management personnel only, who are subject to compulsory authentication and automatic tracking of operations performed.

The platform also fulfils the *database* function of the reports received, listing their essential data.

## Oral" reporting through personal meetings

As an alternative to the reporting channel mentioned above, the reporting person may also request a meeting in person from one of the members of the Committee or from the Committee itself, in which case, subject to the consent of the reporting person, the following procedure is followed:

1. the *Whistleblowing* Report is documented by simultaneous entry of the same on the Computer Channel by the *Whistleblowing* Contact Person;
2. the reporter can confirm or rectify and the content of the report entered (as provided for in the Operations Manual);
3. minutes will be taken during the meeting; the printed minutes will then be submitted to the reporter for his signature;
4. downstream of the signature, the report must be uploaded on the Computer Channel and associated with the report entered; this activity is carried out by the *Whistleblowing* Contact;
5. The whistleblower may manage the report uploaded on the IT Channel using the unique code returned by the IT platform, which will be made known to him/her by the *Whistleblowing* Contact Person.

The WB Decree also recognises the possibility for persons entitled to report to the competent judicial authorities to file a complaint of unlawful conduct of which they have become aware in the work context.

## 6. INTERNAL REPORTING PROCESS

The Snaitech Foundation guarantees a systematic, accurate, transparent, impartial, objective and timely management of Reports, also ensuring the traceability of the entire process.

The *Whistleblowing* process is based on the principles of trust, impartiality and protection of the Whistleblower and consists of the following steps:

- (a) Receipt and assessment of the Report;
- (b) Management of the Report;
- (c) finalisation of the Report and conclusion of the case.

The handling of reports, in all its phases, is carried out in compliance with the WB Decree and this Policy and is divided into the phases described below.

### 6.1 RECEIVING AND EVALUATING REPORTS

Upon receipt of the Report, the *Whistleblowing* Contact Person performs, in summary, the following activities:

- takes charge of the Report;
- sends the reporting agent a confirmation of receipt of the Report within seven working days of its receipt;
- initiates, also availing itself of the expertise of the *Whistleblowing* Committee, the preliminary verification of the existence of the prerequisites necessary for the evaluation of the Report on the basis of what is reported in the same and of any initial information already available, for example, evaluating (i) whether the Report has the purpose of drawing attention to conduct that places the Foundation and/or third parties at risk and not a mere complaint of a personal nature (ii) the seriousness of the risk for the Foundation and/or third parties, including reputational, financial, environmental, and human damage; (iii) whether the Report contains sufficient evidence or whether, on the contrary, it is too general and lacks the elements necessary for a subsequent investigation, proceeding, if not, to further investigation and requesting the necessary clarifications from the Reporting person.

During this phase, the Committee guarantees the confidentiality of the information contained in the report (e.g. data of the *whistleblower/reported* person): the prohibition to disclose the identity of the *whistleblower* refers not only to the name of the *whistleblower* but also to all the elements of the report, from which the identification of the whistleblower can be derived, even indirectly.

The identity of the reporting person and any other information from which this identity may be inferred, directly or indirectly, may not be disclosed, without the express consent of the reporting person himself/herself, to persons other than those competent to receive or follow up the reports.

## **6.2 HANDLING ALERTS**

The *Whistleblowing* Committee, following the activities carried out by the Contact Person, analyses the Report and carries out a full investigation, promoting the relevant checks and verifications, in order to assess the relevance and justification of the Report.

Internal investigations are conducted in a confidential, accurate and impartial manner, with a view to preserving the confidentiality of the reporter.

In order to carry out the aforesaid activities, the Committee may (i) request further information and/or documentation from the Whistleblower; (ii) acquire information and documents from the competent Departments/Functions/Corporate Areas<sup>1</sup> of the Foundation or of SNAITECH; (iii) avail itself of the support of external professionals, also in order to guarantee the contribution of specialist skills and ensure impartiality and independence in the relative assessments. Relations with the *Whistleblower* are conducted by the *Whistleblowing* Contact.

Investigations must not interfere, directly or indirectly, with a judicial investigation; instead, it is appropriate to offer cooperation to the prosecuting authority.

The Committee, through the *Whistleblowing* Contact Person, sends the *Whistleblower* appropriate updates on the activities carried out (notice of intake within seven days and closure within three months. If more in-depth investigations are necessary for the closure of the investigation to be carried out over a longer period of time, the Whistleblower will be given feedback within three months).

## **6.3 DEFINITION OF THE REPORT AND CONCLUSION OF THE CASE**

The *Whistleblowing* Contact Person, at the outcome of the appropriate checks and preliminary investigation carried out by the Committee, dismisses Reports in "bad faith", insufficiently detailed or unfounded (Reports not pertaining to the WB Decree and/or unverifiable Reports), as well as those containing facts which have already been the subject of preliminary investigation activities in the past, unless the Report contains new elements such as to make further verification activities appropriate.

In relation to well-founded *Whistleblowing* Reports (insofar as they are verifiable and detailed), the *Whistleblowing* Committee formulates such recommendations as it deems appropriate, without prejudice to the decision as to whether disciplinary measures should be taken by the competent structures.

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<sup>1</sup> It is specified that all the SNAITECH Departments/Functions/Areas involved must guarantee absolute confidentiality on the reporter and the reported person during the performance of the verification activities, as well as on the subject of the report.

At the conclusion of the above-mentioned investigations and activities, the *Whistleblowing* Committee, through the Contact Person, informs the Whistleblower of the outcome or the status of the same.

The maximum indicative time limit for the conclusion of the procedure is set at three months, without prejudice to possible extensions of the time limits justified by the specific circumstances of the case and, in particular, by the nature and complexity of the subject of the Report (e.g. in the case of lengthy investigations).

#### **6.4 SANCTIONS OR LEGAL MEASURES**

The Snaitech Foundation reserves the right to take the appropriate disciplinary and/or sanctioning and/or legal action in order to protect its staff, its rights and its image against any person who has made reports in bad faith, unfounded reports or reports intended to slander, defame or cause prejudice to the person reported or to other persons cited in the report. The Foundation, therefore, reserves the right to take appropriate action against anyone who makes, or threatens to make, acts of retaliation against persons who have made reports in conformity with this Policy.

In particular, if the outcome of the checks carried out reveals that the report is well-founded, the *Whistleblowing* Committee reports to the BoD so that the latter can assess any appropriate action to be taken, including, where appropriate, involving the Human Resources and Organisation Department .

Also at this stage, the Corporate Bodies/Departments must ensure absolute confidentiality on the identity of the reporter and the reported person as well as on the subject of the report.

If the report concerns a member of the Board of Directors, the Committee forwards the results of its investigations to the Chairman of the Board of Directors.

If, on the other hand, the report concerns the entire Board of Directors or its Chairman, the Committee forwards the results of its checks to the Board of Auditors.

In the same way, the Committee shall, by forwarding an appropriate report to the Human Resources and Organisation Department and, for information, to the Board of Directors if it ascertains that the report, which turns out to be unfounded at the outcome of the checks, appears to be characterised by wilful misconduct or serious misconduct, so that it can assess the most appropriate disciplinary measures to be taken against the reporter, in accordance with the provisions of the applicable National Collective Labour Contract and the reference legislation.

In disciplinary proceedings:

- the identity of the reporting person may not be disclosed, in the event that the allegation of the disciplinary charge is based on investigations that are separate from and additional to the report, even if consequent to it;



- where the accusation 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 shall be usable for the purposes of disciplinary proceedings only if the person making the report expressly consents to the disclosure of his identity.

The *Whistleblowing* Decree provides for administrative sanctions, which can be imposed by ANAC in the event of violations of the rules on reporting offences and irregularities: abuses of the *whistleblowing* system by *whistleblowers* who use the tool to slander or defame another person are punishable.

The Decree also provides for possible sanctions that ANAC may impose on the Foundation concerning (i) any retaliation perpetrated against whistleblowers, (ii) breaches of the obligation of confidentiality, (iii) boycott of an attempt to report, (iv) failure to take charge of a report, or (v) insufficient investigative activity initiated as a result of a report.

The following persons are liable to disciplinary action:

- the reporting person commits wilful misconduct or gross negligence;
- Reports that turn out to be unfounded or 'in bad faith';
- the corporate entity that has taken discriminatory or retaliatory measures against the Whistleblower or persons treated as such under the WB Decree;
- individuals who obstruct or attempt to obstruct Reports;
- the person responsible for the verification activities in the event of failure to carry out the verification and analysis of the reports governed by the WB Decree and this Policy;
- those who do not guarantee the general principles of protection with particular reference to respect for the confidentiality of the identity of the Whistleblower;
- the Reported Person who, following the results of the checks carried out by the Snaitech Foundation, is found to have carried out unlawful or irregular acts, or activities not in compliance with the 231 Model or the system of Procedures, also in accordance with the provisions of the company disciplinary system set out in the collective labour agreement.

Lastly, if the outcome of the verifications carried out following the Report reveals the commission of an unlawful act, the Snaitech Foundation may lodge a complaint with the judicial authorities and avail itself of the other remedies and measures provided for by law (dismissal, contractual termination, penalties, etc.). Similarly, should the results of the checks carried out reveal unlawful conduct on the part of a third party (e.g. a supplier), the Foundation may proceed, without prejudice to any other faculty provided for by law and by contract, to suspend/terminate contractual relations.

## 6.5 TRACEABILITY AND ARCHIVING

The documentation relating to each Report received (i.e. all information and supporting documents) is kept, in compliance with confidentiality requirements, for as long as necessary for the performance of the activities relating to the management of the Reports received and, in any case, within the maximum time limits provided for by the currently applicable legislation on *Whistleblowing* and in accordance with the provisions of the GDPR 679/2016.

For more information on the retention time of the documentation produced when receiving and handling reports, please refer to the information on the processing of personal data pursuant to Articles 13 and 14 GDPR 679/2016 available on the IT Channel.

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## 7. PROTECTION OF THE REPORTER AND OTHER PERSONS CONCERNED

Snaitech Foundation intends to strengthen the relationship of trust between the Foundation and its *stakeholders*. For this reason, it protects the *Whistleblower* and the other persons concerned against any retaliatory, damaging, discriminatory or in any case unfair conduct, threatened or actual, direct or indirect, consequent to the *Whistleblowing* and implemented throughout the *Whistleblowing* process and after its conclusion. Whistleblowing may not be prejudicial to the continuation of the employment relationship.

In order to avoid 'across-the-board' retaliatory conduct, protection measures are recognised in respect of the following persons:

- (i) facilitators, i.e. those who assist the reporter in the reporting process and whose assistance must be confidential;
- (ii) third parties connected with the reporting persons (e.g. colleagues or family members);
- (iii) legal entities connected to the reporting person or to the entities referred to in (i) or (ii).

Protection measures also apply when, at the time of the Report or the report to the judicial authorities, the Whistleblower has reasonable grounds to believe that the information on the reported violations is true and falls within the objective scope of this Policy;

Even if the facts reported turn out to be unfounded and/or inconsistent, on the basis of the assessments and investigations carried out, the Whistleblower who made the Report in good faith shall not be prosecuted.

## 8. PROTECTION OF THE REPORTED PERSON

In order to prevent any abuse of *Whistleblowing* and to prevent any delays, defamation, discrimination, retaliation or other disadvantages and/or the disclosure of sensitive personal data of the Whistleblower, which could imply a damage to his/her reputation, pending the ascertainment of his/her responsibility, such a person may not be disciplined in any way on the basis of what is stated in the *Whistleblowing*, without objective evidence and without any investigation of the facts that are the subject of the *Whistleblowing*.

Without prejudice to the obligation of confidentiality of the identity of the Whistleblower, in Internal Reporting procedures, the Whistleblower may be heard, or, at his/her request, is heard, also by means of a paper procedure through the acquisition of written comments and documents.

## 9. CONFIDENTIALITY AND PRIVACY

In the case of personal Reports (where the identity of the Reporting Party and any other useful information that may enable him/her to be identified are known to the recipient of the Report, but such information is not disclosed), the Foundation guarantees the confidentiality of the Report, its contents, and the identity of the Reporting Party.

The identity of the *Whistleblower* and of other persons in any capacity connected with the *Whistleblowing* is protected at all stages of the *Whistleblowing* process. Therefore, this information cannot be disclosed to persons not directly involved in the assessment or investigation process. All those who receive or are involved in the handling of Whistleblowing Reports are obliged to protect their confidentiality.

This protection also applies to the governing bodies of the Foundation, which may not order investigations or request information in order to trace the identity of the Whistleblower. Therefore, in the case of transmission of the Report to other departments, bodies or third parties for the performance of investigative activities, the *Whistleblowing* Committee will take care to eliminate all references from which it is possible to trace, even indirectly, the identity of the *Whistleblower*.

The confidentiality of the reporter may not be respected when:

- disciplinary action has been taken based in whole or in part on the Whistleblowing, knowledge of the identity of the Whistleblower is indispensable for the Whistleblower's defence, and there is the Whistleblower's express consent to the disclosure of his/her identity. In the absence of such consent, the Internal Report will not be usable for the purposes of disciplinary proceedings;
- criminal liability for defamatory or slanderous contents can be envisaged; in this case the Foundation reserves the right to carry out the necessary investigations against the reporter and to take the measures deemed appropriate;
- anonymity is not enforceable by law and the identity of the reporter is necessary for the purposes of carrying out the investigative activity or is required by the judicial authorities in connection with investigations (criminal, tax or administrative investigations, inspections by supervisory bodies).

## 10. PROCESSING OF PERSONAL DATA

The personal data of Whistleblowers, Whistleblowers and all subjects involved in the Whistleblowing are processed in compliance with the applicable national and European data protection legislation. In particular, Snaitech Foundation and the Companies involved guarantee that the processing of personal data is carried out in compliance with the fundamental rights and freedoms, as well as the dignity of the persons concerned with particular reference to confidentiality and data security.

In addition to the above, please note that:

- the Privacy Policy Statement pursuant to Articles 13 and 14 is made available on the *Whistleblowing* IT Channel and forms an integral and substantive part of this Policy; the same, in compliance with the reference regulatory provisions, contains, inter alia, the purposes, the methods of the processing of personal data, the indication of the Data Controller, the personal data processed, the Persons who may be involved in the processing, the terms of data retention, as well as the rights that may be exercised with reference to one's own personal data;
- in compliance with the 'principle of minimisation', only personal data that are strictly necessary and relevant to the purposes for which they are collected will be processed;
- Personal data that are manifestly not useful for the processing of a specific alert are not collected or, if accidentally collected, are deleted immediately;
- in the event that the report is forwarded to unauthorised persons, if, for investigative reasons, such persons must also be made aware of the content of the report and/or of the documents annexed thereto, it is necessary to proceed with the obscuring of personal data, especially those relating to the person making the report, but also to other persons whose identity must remain confidential pursuant to Legislative Decree 24/2023;
- appropriate technical and organisational measures are put in place to ensure the security of personal data, in compliance with the applicable legislation, and in particular - with reference to the *Whistleblowing* IT Channel - the data indicated in the report forms are encrypted and subsequently sent to the database for storage (this allows the system greater security on the transmission channel, as well as within the servers);
- the subjects involved in the management of the Reports are designated as authorised processors (where internal subjects) pursuant to Art. 29 GDPR 679/2016 or as data processors pursuant to Art. 28 GDPR 679/2016 (external subjects);
- Pursuant to Article 2-undecies of Legislative Decree no. 196/2003 and ss.mm.ii. ("Privacy Code"), the rights referred to in Articles 15-22 GDPR 679/2016, may not be exercised, or, their exercise may be delayed or limited, if the actual and concrete prejudice to the confidentiality of the identity of the reporter may result from their exercise.

11. ANNEXES

N/A

automatic translation