

## Notice to the Concerned Person on the Processing of Personal Data ("Privacy Notice")

### Art. 14, EU Regulation 2016/679 on data protection

Pursuant to EU Regulation 2016/679 and national regulations on the protection of personal data, Epta S.p.A., part of the Epta Group (the "**Group**"), invites you to carefully read this Privacy Notice which contains important information on the processing of your personal data. We inform you that the Data provided will be processed by the Data Controller according to the methods indicated below.

#### 1. Definitions

The meaning of certain terms used in this Privacy Policy is set out below in order to facilitate understanding:

- **Special Categories of Personal Data:** Personal Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, as well as genetic data, biometric data intended to uniquely identify a natural person, data concerning a person's health or sex life or sexual orientation.
- **Data:** shall mean Personal Data and Special Categories of Personal Data.
- **Personal Data:** shall mean any information relating to an identified or identifiable natural person ("**Data Subject**"); an identifiable person is any natural person who can be identified, directly or indirectly, by reference in particular to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to his physical, physiological, genetic, mental, economic, cultural or social identity.
- **Directive:** means the EU Directive 2019/1937 on the protection of persons who report breaches of EU law.
- **Directive Transposition Laws:** means the laws transposing the Directive adopted by the EU Member States, including the Italian Legislative Decree of 10 March 2023, no. 24.
- **Supervisory Body or OdV:** means the body set up by Epta S.p.A. with the task, inter alia, of (i) supervising the functioning, compliance, effectiveness and adequacy of the Organisation, Management and Control Model of Epta S.p.A. pursuant to Italian Legislative Decree no. 231/2001, and (ii) ensuring that it is updated.
- **EU Regulation No. 2016/679 ("GDPR"):** means the Regulation of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation).
- **Processor:** the natural or legal person, public authority, service or other body that processes Personal Data on behalf of the Data Controller.
- **Whistleblower or Interested Party:** the person who makes a Report.
- **Concerned Person or Data Subject:** any subject potentially referred into a Report.
- **Report:** any report made in good faith and to the direct knowledge of the Whistleblower, based on precise and consistent factual elements as well as reasonable suspicions, acquired in the work context, that are or may reasonably be related to the violation of: (i) Code of Ethics of the Epta Group, (ii) company policies, directives, procedures, (iii) applicable laws and regulations, (iv) (limited to Epta S.p.A.) violations of Legislative Decree 231/2001 and the Organisation, Management and Control Model pursuant to Legislative Decree 231/2001 ((i), (ii), (iii) and (iv) collectively defined as "**Reported Subject Matters**").
- **EPTA Company:** means any company controlled by Epta S.p.A. "Control" means the possession, direct or indirect, of the majority of shares with voting rights in that company or the possession, direct or indirect, or the power to direct or cause the direction of the management of the subsidiary company.

- **Controller:** means Epta S.p.A., which determines the purposes and means of the processing of the Personal Data of the Data Subject, or the EPTA Company, in the person of its pro-tempore legal representative, for the Personal Data of which the EPTA Company is the Data Controller in relation to a Report that involves or concerns the EPTA Company in question.
- **Processing:** means any operation or set of operations, carried out with or without the aid of computerised processes, applied to Personal Data or to a set of Personal Data, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination, or any other form of making available, comparison or interconnection, restriction, erasure or destruction.
- **Whistleblowing Committee ("WC"):** this is an ad hoc committee set up by Epta S.p.A., with the task of providing support and assistance in the analysis and evaluation of Reports and to take the final decision on the Report made, with the obligation of confidentiality on the information acquired. The WC is composed of the Group Chief Human Resources Officer, the Group General Counsel, the Epta Group Head of Internal Audit and of the other members of the Supervisory Board.

## 2. Controller

The Controller is:

- Epta S.p.A., with registered office at Via Mecenate, 86, 20138 Milan (MI), in the person of its pro-tempore legal representative, for the Personal Data of which Epta S.p.A. is the Data Controller.
- EPTA Company, in the person of its pro-tempore legal representative, for the Personal Data of which it is the Data Controller in relation to a Report involving or concerning the relevant EPTA Company.

## 3. Personal data processed and source of collection

Personal Data relating to the Concerned Person are collected through the Report and related documentation provided by the Whistleblower. The Personal Data relating to the Concerned Person are included in the following categories:

- personal details (e.g. name, surname, place and date of birth);
- contact data (e.g. e-mail address, telephone number, postal address);
- data of a professional nature (e.g. hierarchical level, company area of belonging, company role, type of relationship with EPTA Companies or other third parties, profession);
- any other information referring to the Concerned Person that the Whistleblower decides to share with the Data Controller in order to better circumstantiate his/her Report, in relation to the Reported Subject Matters.

It should be noted that the Concerned Person's Personal Data cannot be known in advance by the Data Controller but, on the basis of the systems used and the instructions set out in the Epta Group Whistleblowing Procedure, which is available on the IT platform made available to the Whistleblower submitting the report and on Epta's website at <https://www.eptarefrigeration.com/en/about-us/organisation/corporate-governance-system/business-ethics>, it is presumed that they fall within the categories listed above. In addition to the above, and within the limits set out in greater detail below, it should be noted that the Data Controller will inform the Concerned Person again when a Report concerning him or her is received.

#### **4. Purpose and legal basis of the Processing**

The Processing shall be carried out in order to (i) collect and manage Reports from a Whistleblower in relation to the Reported Subject Matter; (ii) allow internal investigations to be carried out to verify their validity and (iii) take appropriate action to mitigate/eliminate their effects, submit requests, questions, expose and/or add information to the Report made.

If the Report is well-founded, further information may be requested to the Whistleblower.

The legal basis for the Processing is the fulfilment of a legal obligation. In particular, the compliance with the Directive and the Directive Transposition Laws.

The internal investigation activity carried out following a Whistleblowing Report is also carried out on the basis of the legitimate interest of the Data Controller in combating the cases covered by the Reported Subject Matters, including violations of the law.

#### **5. Ways of processing**

Your Personal Data will be processed in accordance with the applicable legal provisions on the processing of Personal Data, both electronically and by automated and manual means. Your Data will be processed using appropriate procedures to ensure maximum security and confidentiality and only by the Processors and authorised to carry out the Processing activities. The Data Controller adopts appropriate technical and organisational measures to ensure a level of security appropriate to the risk.

#### **6. Data retention period**

Any Personal Data communicated will be kept for the time needed to manage the Report and to verify its validity, and in any case - unless otherwise provided for by the applicable local laws - for no longer than six months from the notification to the Whistleblower of the closure of the Report, after which it will be deleted, without prejudice to the possible establishment of a judicial proceeding for which the Data may be kept for the entire duration of the proceeding and will be kept for 10 years from the closure of the inquiry. They may also continue to be processed as part of proceedings in order to ascertain the facts reported or be kept as proof of the functioning of the Epta Group's offence prevention model.

#### **7. Data recipients**

Your Personal Data will be transmitted exclusively to:

- Epta Group Head of Internal Audit;
- Whistleblowing Committee;
- Relevant EPTA Company, in relation to a Report involving or concerning the same EPTA Company.

Your Data shall be transmitted to the company EQS Group Srl, with registered office in Corso Vercelli, 40, 20125, Milan, as Data Processor, which guarantees adequate technical and organisational measures in relation to the IT platform made available to the Whistleblower to forward his/her Whistleblowing Report to the Head of Internal audit of the Epta Group, as better detailed in the Epta Group Whistleblowing Procedure, to which you are referred.

Please note that your Data communicated through this platform will be stored within the European Union.

Your Data may be disclosed to law firms and external consultants as well as to local Public Authorities, in both cases where provided for and/or permitted by specific national and/or international regulations.

Epta S.p.A. or the relevant EPTA Company will promptly inform the Data Subject about the processing of his/her Data, except where it is necessary to delay the notice to guarantee the integrity of the investigation and the preservation of the relevant information.

The EPTA Companies will act as autonomous data controllers according to the applicable local data processing law.

## **8. Data transfer**

In the context of the Processing activity, the Personal Data subject to Report may be transferred to countries outside the European Union, including the United States, China, Argentina, Singapore, Australia, Chile, Costa Rica, Turkey, Peru, Philippines, Saudi Arabia, United Arab Emirates, United Kingdom, Vietnam, Thailand, Mexico, New Caledonia, depending on the EPTA Company involved or to which the Report relates.

In the event of transfer of Data outside the European Union, the Data Controller shall ensure compliance with the applicable legal provisions by entering, if necessary, into agreements guaranteeing an adequate level of protection and/or the adoption of standard contractual clauses provided for by the European Commission.

## **9. Data subjects rights and ways to exercise them**

Generally speaking, under the GDPR, the Data Subject has the right to access his or her Data, in particular to obtain confirmation of its existence or non-existence at any time and to know its content, origin, geographical location and to request a copy. The Data Subject also has the right to verify the accuracy of the Data or request that it be supplemented, updated, rectified, limited, erased, transformed into an anonymous form or blocked if processed in breach of the law, as well as to oppose its processing in any case. Furthermore, the Data Subject has the right to request the portability of his or her Personal Data.

However, in the present case and in your capacity as a Concerned Person, the rights under Articles 15 to 22 GDPR may not be exercised (by request to the Data Controller or by a complaint pursuant to Article 77 GDPR) if actual and concrete prejudice to the confidentiality of the identity of the Whistleblower (see. Article 23 GDPR) and/or to the pursuit of the objectives of compliance with the legislation on reporting unlawful conduct, as set out in the Directive, the Directive Transposition Laws and/or in other relevant local laws on reporting unlawful conduct, may arise.

In particular, the Concerned Person is informed that the exercise of such rights:

- shall be carried out in accordance with the provisions of the law or regulations governing the sector (including the Directive and the Directive Transposition Laws);
- may be delayed, limited or excluded by reasoned notice given without delay to the Data Subject, unless such notice might jeopardise the purpose of the Report, for such time and to the extent that this constitutes a necessary and proportionate measure, having regard to the fundamental rights and legitimate interests of the Data Subject, in order to safeguard the confidentiality of the identity of the Whistleblower.

The exercise of the Concerned Person rights (including the right of access) may therefore be exercised to the extent permitted by the applicable law and, in particular, it should be noted that the request will be analysed by the bodies in charge in order to reconcile the need to protect the rights of individuals with the need to fight and prevent violations of the Reported Subject Matters.

## **10. Timing of disclosure**

In accordance with the indications of the European Supervisory Authorities, it is specified that the specific information notice with respect to the personal data processed by the Data Controller as a result of the specific Report may also be provided after the 30-day period referred to in Article 14(3) GDPR if providing the information notice would jeopardise internal investigations.