

## 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

Epta S.p.A., with registered office at Via Mecenate, 86, 20138 Milan (MI), represented by its legal representative and EPTA Company, represented by its legal representative pro tempore, will act as Independent Data Controllers in relation to the Report involving or referring to Epta S.p.A. and/or the relevant EPTA Company, in accordance with applicable local data protection laws. The list of EPTA Companies is available at the following link: <https://www.eptarefrigeration.com/en/contacts>.

## 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 disclosed will be retained for the period necessary to manage the Report and verify its validity and, in any case - unless otherwise provided by applicable local laws - for no longer than six months from notification to the Whistleblower that the Report has been closed. After this period, the Data will be deleted, without prejudice to the possible initiation of legal proceedings, for which the Data may be retained for the duration of the proceedings and until the relevant judgment becomes final.

Personal Data that is clearly not useful for managing the Report will be deleted immediately.

With regard to the following EPTA Companies, the following retention periods will apply, without prejudice to the possible initiation of legal proceedings, for which the Data may be retained for the duration of the proceedings and until the relevant judgment becomes final:

- Epta Baltics OU: for the period necessary to manage the Report and, in any case, for no longer than 3 years from the date on which the Whistleblower has received a feedback on the Report.
- Epta International Kft: for the period necessary to manage the Report and, in any case, until the Report is closed.
- Epta Iberia SAU: for the period necessary to manage the Report and, in any case, for no more than 6 months from the notification to the Whistleblower that the Report has been closed; 3 months from the collection of the Data in the case of Reports that, after being received, are not further investigated and therefore closed, unless in the meantime it becomes necessary to retain such Data for additional periods (for example, another report on the same individual that was previously deemed unfounded and subsequently closed).
- Epta Polska sp. Zoo: for a period of 3 years from the end of the calendar year in which the investigation and management actions of the Report were completed or the proceedings initiated by these actions were closed.
- DAAS Impex Srl: for the period necessary to manage the Report and, in any case, for a maximum period of 5 years from receipt of the Report.

## 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.

## 8. Data transfer

As part of the Processing activity, the Personal Data reported may be transferred to countries outside the European Economic Area (EEA) (Saudi Arabia, Argentina, Australia, Chile, China, Colombia, Costa Rica, El Salvador, Guatemala, India, Mexico, New Caledonia, Peru, Philippines, Singapore, Thailand, Turkey, United Arab Emirates, UK, USA, Vietnam, Honduras), depending on the EPTA Company involved or to which the Report refers.

In the event of Data transfer outside the EEA to countries not already recognized as adequate by decision of the European Commission, the Data Controller ensures compliance with applicable legal provisions by entering into agreements that guarantee an adequate level of protection and/or by adopting standard contractual clauses provided by the European Commission (pursuant to Article 45 of the GDPR). To this end, the Data Controllers have entered into an Intercompany Data Protection and Transfer Agreement (IDPA) that regulates, among other things, the transfer of Personal Data outside the EEA for the purposes of managing the Report, as clarified in this Privacy Policy.

In the case of Epta UK Limited, specific Standard Contractual Clauses (SCCs) have been entered into with the importing companies in those countries (pursuant to Article 46, paragraph 2, letter c, of the GDPR) for

transfers to those countries whose adequacy has not already been recognized by the UK Government (pursuant to Article 45 of the UK GDPR), via an Addendum to the IDPA.

You can obtain further details on such transfers by sending a written request to the email address indicated in Section 9 - Rights of the Data Subject, below.

### **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.

To exercise these rights and for any information regarding the Processing of Personal Data, you can send an email at any time to [compliance@eptarefrigeration.com](mailto:compliance@eptarefrigeration.com) or write to the Data Controller, whose references are available at the following link: <https://www.eptarefrigeration.com/en/contacts>.

### **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.