
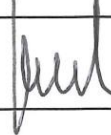



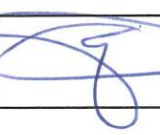
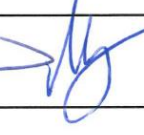

	<p style="text-align: center;">PROCEDURE</p> <p style="text-align: center;">WHISTLEBLOWING REPORTS RECEIVED (INCLUDING ANONYMOUSLY) BY TESMEC SPA AND BY ITS SUBSIDIARIES</p>		<p style="text-align: center;">Procedure PRO 19</p>
<p>Issued by: Internal Audit</p>	<p>Approved by: CEO</p>	<p>Revision of the document: 00</p>	<p>Date: 10/05/2023</p>

PROCEDURE

WHISTLEBLOWING REPORTS RECEIVED (INCLUDING ANONYMOUSLY) BY TESMEC SPA AND BY ITS SUBSIDIARIES

Prepared	Checked					Approved
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<p>Revision Summary</p>
<p>Description of Revision 00</p>
<p>This Procedure cancels and replaces the document: "Policy Group – Whistleblowing reports" of 24/09/2018.</p>



	PROCEDURE WHISTLEBLOWING REPORTS RECEIVED (INCLUDING ANONYMOUSLY) BY TESMEC SPA AND BY ITS SUBSIDIARIES		Procedure PRO 19
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1. INTRODUCTION

1.1 OBJECTIVES OF THE DOCUMENT

This document regulates the process of receiving, analysing and processing Whistleblowing Reports, whomsoever sends them, whether they be Third Parties or employees, even if sent anonymously or in confidence.

This Procedure complies with obligations set forth in the Organisational, Management and Control Model Legislative Decree No. 231 of 2001.

1.2 AREA OF APPLICATION

This Procedure applies to Tesmec S.p.A. and to all its Subsidiaries.

1.3 IMPLEMENTATION

This Procedure is for immediate application for Tesmec S.p.A. and for all its Subsidiaries.


1.4 REFERENCE DOCUMENTS

1.4.1 Internal References

- Tesmec Group Code of Ethics;
- “Model 231” of Tesmec S.p.A. or “Organisational, Management and Control Model” defined by the individual subsidiaries (hereafter, both referred to as “Model”);
- Policy Group - Anti-Corruption.

1.4.2 External References

- Italian Legislative Decree No. 231/2001 “Administrative Responsibility”;
- Italian Legislative Decree No. 196/2003 “Personal Data Protection Code” and Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, concerning the protection of individuals with regard to the processing of personal data, as well as the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation);
- ISO 37001:2016 Anti-bribery management systems;
- Italian Law No. 179/2017 “Provisions for the protection of authors of reports of crimes or irregularities of which they have become aware in the context of a public or private employment relationship”;
- 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;
- Italian Legislative Decree No. 24/2023 “Protection of persons who report breaches of Union and National law”;

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1.5 PRINCIPLES

Traceability – the persons involved in the activities regulated by this Procedure ensure - each within their own sphere of responsibility - that the activities and documents pertaining to the process remain traceable, by seeing to it that the respective sources, information and checks can be identified and reconstructed. Furthermore, all documents shall be archived and stored, in compliance with current applicable legislation, using dedicated information systems, whenever available.

Confidentiality – without prejudice to the transparency of the tasks performed and the obligations of disclosure imposed on applicable provisions, including those relating to the keeping and updating of lists of persons with access to privileged and significant information, all persons involved in the activities regulated by this Procedure are under obligation to ensure the appropriate degree of confidentiality for all information that may come to their attention by virtue of their position.


Segregation of duties – in the activities regulated in this Procedure, a segregation of duties and responsibilities must be provided, in order to prevent situations in which activities are concentrated on specific parties, which may contribute to creating conditions of risk with regard to the reliability of the information and the correct performance of duties. In dividing / assigning the activities, incompatible duties between and within the functions shall be segregated in accordance with the segregation principles prescribed by the internal control system applicable to the different entities. In practice, the principle is applied in relation to the nature of the activity concerned and the type and degree of risk associated with it, with a view to preventing the formation of unduly cumbersome organizational structures, especially in entities of moderate size.

Conflict of interest – The relationship of personnel involved in the activities regulated in this Procedure with their counterparts shall aspire to the highest standards of ethical behavior in compliance with the Tesmec Code of Ethics. Every effort must therefore be made to avoid all situations and activities which could give rise to a conflict with the company's interests or which could interfere with a person's ability to take decisions impartially in the best interests of the company and in full observance of the principles and contents of the Code of Ethics and of the company's Model, the Anti-Corruption Policy and, in general, with the correct performance of their duties and responsibilities. Every situation that may constitute or determine a conflict of interest shall be reported and managed in accordance with the Code of Ethics and with the Anti-Corruption Policy.

Anti-corruption policy – Tesmec prohibits all forms of corruption, without exception. In particular, Tesmec prohibits: (a) offering, promising, giving, paying, authorizing anyone to give or pay, directly or indirectly, a financial or other benefit to a Public Official or private party (Active Bribe); (b) accepting, or authorizing someone to accept, directly or indirectly, financial or other benefits or the requests or entreaties for financial or other benefits from a Public Official or private party (Passive Bribery), when the intention is: (i) to induce a Public Official or private party to perform improperly any function of a public nature or any activity connected with a business or to reward them for the improper performance of such a function or activity; (ii) to influence any official act (or failure to act) by a Public Official or any decision in violation of any his/her official duty; (iii) to obtain or secure an improper advantage in the conduct of business; or (iv) in any case, to violate the applicable laws. Prohibited conduct includes financial or other benefits offered to or received by Tesmec employee (Direct Bribery).

Transparency – the persons engaged in the activities regulated by this Procedure shall operate in such a way as to guarantee the utmost transparency in the performance of their duties and to provide full and truthful disclosure.

Independence and professionalism of the internal audit activities: the Internal Audit Function performs its activities ensuring that necessary independence conditions are maintained as well as the required objectivity, competence and professional diligence, as set forth in international standards for the practice of internal auditing and in the code of ethics issued by the Institute of Internal Auditors (IIA), as well as the Tesmec Code of Ethics.

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Obligation of presentation and transmission of the Whistleblowing Reports: Tesmec employee, directors, statutory auditors, members of the control and supervisory bodies, management and the Third Party and those who collaborate with have the obligation to:

- 1) promptly present reports of illicit conduct that, in good faith, on the basis of reasonable conviction based on facts, believe that have occurred, through the communication channels provided for in this procedure (ref. 2.1.1);
- 2) immediately transmit to the Internal Audit Function any communication, information, news, fact or behaviour in any way arrived to the knowledge of Tesmec employee, directors, statutory auditors, members of the control and supervisory bodies, management or of Third Party concerning behaviours (of any nature, even merely omissive) referable to Tesmec employee, directors, statutory auditors, members of the control and supervisory bodies, management or Third Party put in place in violation (i) of the Code of Ethics, (ii) of laws or regulations or provisions of the authorities or internal regulations or otherwise suitable for causing damage or prejudice, even if only of image, to Tesmec.

Guarantee of confidentiality and anonymity: all Tesmec employee, directors, statutory auditors, members of the control and supervisory bodies, management or Third Party who receive a Report and/or are involved, in any capacity, in the preliminary investigation and processing of said Report, are required to guarantee strict confidentiality on the persons and facts reported, using to this end, criteria and methods of communication that are adequate to safeguarding the identity and integrity of the people mentioned in the Reports, as well as the anonymity of the whistleblower, so that the person making the Report is not subject to any form of retaliation or discrimination, in any case preventing notification of the acquired data to third parties that are not part of the preliminary investigation and processing of the Reports regulated in this Procedure. Notwithstanding this, the notification of such information by the Internal Audit function for preliminary investigation and processing of the Report, is allowed:

- to the following individuals/organizations:

- a) General Counsel;
- b) top-level positions of the areas of activity covered by the Report;
- c) organisational positions responsible for carrying out checks on the Report; and

- in cases where their knowledge is essential for the understanding of the reported facts and/or for the conduct of the corresponding preliminary investigations and/or processing.


Protection against Whistleblowing Reports done with Wilful Misconduct and Gross Negligence: Tesmec guarantees adequate protection against Reports made with wilful misconduct and gross negligence, reprimanding such conduct and informing those persons/companies concerned in proven cases of reports made with wilful misconduct and gross negligence.

Protection of the whistleblower from threats or acts of retaliation or discriminatory: it is forbidden to carry out threats or acts of retaliation or discriminatory, direct or indirect, against the whistleblower for reasons directly or indirectly connected to the Whistleblowing Report.

2 DESCRIPTION OF ACTIVITIES

2.1 OPERATING METHODS

The process of managing Whistleblowing Reports is described in the following paragraphs.

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2.1.1 Receipt

Tesmec, in order to facilitate the receipt of Whistleblowing Reports, prepared in an exclusive way the following communication channels and, in particular:

- oral communication to the Supervisory Body;
- voicemail (number: +39 035 4232911)
- regular mail (address: Tesmec S.p.A., Organismo di Vigilanza, Via Zanica, 17/O, 24050, Grassobbio (BG), Italy or Piazza Sant' Ambrogio, 16, 20123, Milano (MI), Italy);
- ordinary e-mail address direct to Tesmec S.p.A., Tesmec Rail S.r.l. and Tesmec Automation S.r.l. Supervisory Bodies at odv@Tesmec.com;
- communication tools on Tesmec's Intranet/Internet sites.

Anonymous or non-anonymous Whistleblowing Reports through:

- for Tesmec S.p.A.: access to TSPAwhistleblower@gmail.com with the following password **TesmecSPA_violations**, and addressing the email to TSPAwarning@gmail.com. The whistleblower could cancel the email from "sent-items" folder and from "deleted-items folder" in order to maintain privacy;
- for Tesmec Rail S.r.l.: access to TRAILwhistleblower@gmail.com with the following password **TesmecRAIL_violations**, and addressing the email to TRAILwarning@gmail.com. The whistleblower could cancel the email from "sent-items" folder and from "deleted-items folder" in order to maintain privacy;
- for Tesmec Automation S.r.l.: access to TAUTOwhistleblower@gmail.com with the following password **TesmecAUTO_violations**, and addressing the email to TAUTOwarning@gmail.com. The whistleblower could cancel the email from "sent-items" folder and from "deleted-items folder" in order to maintain privacy.

Tesmec has a standard "no-reply" answer from the indicated email address¹ to inform whistleblower(s) of (i) the acceptance of reports, (ii) the possibility of being contacted to gain any useful elements for the investigation stage, as well as (iii) the possibility of sending additional information/items which become known later, with the purpose of integrating/updating the facts contained in the initial report².


It is forbidden to set up new channels for receiving reports without the prior opinion of the Internal Audit Function.

The provision and maintenance of these channels of communication is guaranteed by the Internal Audit Function with the exception of the "dedicated channels" created in compliance with Model 231. The Internal Audit function and the Supervisory Body guarantee that they will share Whistleblowing Reports received as per their responsibilities.

Tesmec employees, directors, statutory auditors, members of the control and supervisory bodies, management and third parties receiving a Whistleblowing Report from outside the channels provided shall promptly forward the original and any attachments to the Internal Audit Function, in accordance with the highest standards of confidentiality and with appropriate procedures to protect the whistleblower and the identity and integrity of the individuals reported, without prejudice to the effectiveness of subsequent verification.

¹ The e-mail address: TSPAwarning@gmail.com, TRAILwarning@gmail.com, TAUTOwarning@gmail.com are the only addresses for which notification is provided.

² As for the Italian Legislative Decree No. 24/2023 on the protection of persons who report breaches of Union and National law, an acknowledgment of receipt of the report is issued to the whistleblower within 7 (seven) days of the date of receipt.

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2.1.2 Investigation

The Internal Audit function will ensure that all the appropriate checks are carried out on the facts outlined in the Whistleblowing Reports received, by doing one or more of the following activities and guaranteeing that these phases are carried out as quickly as possible and in accordance with the completeness and accuracy of the preliminary investigations³.

2.1.2.1 Preliminary investigation

The objective of the preliminary verification is to classify and communicate the Reports received in order to identify the Whistleblowing Reports to be treated in the application of this internal document, as well as assess the presence of the conditions necessary for starting the subsequent phase.

The **Internal Audit** function, eventually with the support of the relevant corporate functions:

- a) examines the reports received to identify the Whistleblowing Reports that fall within the area of application of this regulatory document. At the end of this phase the Internal Audit function sends the reports that are not identified as Whistleblowing Reports to the relevant company departments for processing based on their internal regulations;
- b) identifies, those classified as verifiable detailed reports and unverifiable detailed reports;
- c) may conduct checks at the company structures involved or for the personnel concerned;
- d) proposes the dismissal of Reports that: (i) do not qualify as detailed whistleblowing reports (ii) are clearly unfounded and Wilful Misconduct and Gross Negligence Reports⁴; (iii) contain facts already covered in past specific preliminary investigations, that are already archived where from the preliminary investigations conducted no new information was revealed that requires additional verification; (iv) the verifiable detailed whistleblowing reports for which, in light of the results of preliminary tests conducted in accordance with letter c) above, do not consider starting the next assessment phase referred to in paragraph 2.1.2.2. to be necessary.

The **Internal Audit** Function:


Regarding verifiable detailed whistleblowing reports remaining after point d) above:

- e) forwards the Reports to the Supervisory Body established in the Subsidiaries that, based on their contents, are responsible even as Guarantees of the Code of Ethics, for their preliminary investigations and processing; these, in compliance with applicable provisions of the Organization, Management and Control Model and the Code of Ethics, promote proper verification, evaluate the corresponding results and give information to the Internal Audit function regarding the results of the activities, including the definition, sharing and monitoring of corrective actions, as well as successful dismissal of the Reports themselves;
- f) after evaluation of the existence of any conflicts of interest, assesses any impact on corporate / administrative responsibility and anti-corruption regulations / policies.

The preliminary investigations related to facts reported for which on-going investigations by public authorities are known to exist, (such as judicial authority, ordinary and special, administrative bodies and independent authority vested with powers of supervision and control) as well as sending audit reports to said authorities, are subject to prior assessment by the General Counsel Tesmec S.p.A. which could order the suspension.

³ As for the Italian Legislative Decree No. 24/2023 on the protection of persons who report breaches of Union and National law, the timing can be deferred by request for further information. As a rule, Reports must be processed within 90 (ninety) days of the receipt.

⁴ Excluding, for the latter, actions described in paragraph 7 "Disciplinary Provisions".

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2.1.2.2 Investigation

The objective of the investigation of the Reports is to proceed with checking, analysing and evaluating in detail the reliability of the facts reported as well as formulating possible recommendations for adopting necessary corrective measures for the areas/company processes involved by the Report, on the basis of which the managers will prepare a specific action plan.

The Internal Audit Function (or the Supervisory Body in the event of Report pertain the Organization, Management and Control Model and the Code of Ethics) will ensure that necessary checks are performed: (i) directly collecting the information necessary for the evaluations from the company structures, or (ii) from the relevant Tesmec functions, after evaluation of the existence of any conflicts of interest, concerning an organisational level that ensures independence of judgement, also as well for the Subsidiaries, or (iii) from the QHSE function if the Reports contain QHSE⁵ issues. In case of ii) and iii) the responsible structures shall promote and coordinate proper checks, also relying on the relevant functions/offices, sending the Internal Audit Function a concluding report with supporting documentation. In the event that the competent functions involved in the report do not guarantee independent judgment, the checks will be carried out by the Internal Audit Function.

During the investigation, the Tesmec Internal Audit Manager assesses, after the opening of the Whistleblowing Report file the possibility to activate a “spot”⁶ audit taking into account the principles and the methods of implementation governed by the regulatory framework in relation to Internal Audit Activities⁷ and reporting to the Chairman, the Chief Executive Officer, Control Bodies of Tesmec S.p.A. and to the relevant Supervisory Body.

2.1.2.3 Dismissal

At the end of the investigations the Internal Audit function (or the Supervisory Body in the event of Report pertain the Organization, Management and Control Model and the Code of Ethics) will draft the dismissal proposal of the Whistleblowing Reports.

The Whistleblowing Report is submitted for approval to Tesmec S.p.A.'s Supervisory Body, who, for “matters concerning company administrative responsibility under Italian Legislative Decree 231/01”, may request the Internal Audit function to carry out further investigations.

The dismissal proposal of a Report is approved by the Internal Audit Manager or by the Supervisory Body in the event of Report pertain the Organization, Management and Control Model and the Code of Ethics.

The Whistleblowing Report will be shared with Tesmec's Audit and Risk Committee if considered relevant for impact on the Internal Control System and Risk Management.

2.1.3 Monitoring corrective measures


If the investigative phases reveal the need for corrective actions on the Internal Control System and Risk Management⁸, it is the responsibility of the audited functions/process managers to draw up a corrective action

⁵ Quality, health, safety, environment and public health issues

⁶ The Internal Audit function will initiate checks on the content of whistleblowing reports through audits beginning with: i) checking if an audit is planned or already in effect for the area affected by the report; ii) if no audit is planned or in effect, then a spot audit will be launched or, if there is time, an audit will be added to the following year's schedule; iii) if an audit is planned or in effect, evaluate the possibility of including the analysis of the report's content in the audit, taking into consideration the pertinence of those contents with the audit and the number/weight of the reports to be reviewed.

⁷ “Internal Audit Charter”, approved by the Board of director of Tesmec S.p.A. on 16 May 2019.

⁸ Please note that corrective measures following whistleblowing reports, in addition to improving the internal control system, may include managerial/disciplinary measures taken against employees and/or managerial measures taken against third parties.

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plan for the removal of critical issues. The Internal Audit Function will monitor the status of their implementation.

3. ROLES AND RESPONSIBILITIES

Internal Audit Function –Tesmec S.p.A. function responsible for independently reviewing and assessing the internal control system, ensures the preparation and maintenance of dedicated information channels, checks that Tesmec functions, departments and personnel involved in activities described in this procedure act in compliance with its provisions. Specifically, for the purposes of this procedure, Internal Audit Function receives the Whistleblowing Reports and ensures that all necessary checks are performed on the events reported, guarantees necessary Audits, monitors the implementation of any corrective measures and makes the related reporting available.

QHSE Function – Quality, Health, Safety and Environment function of Tesmec S.p.A. which, for the purposes of this procedure, is responsible for the verification of Reports regarding QHSE Issues promoting and coordinating the most necessary checks to confirm whether there is any basis to the events reported.

4. DEFINITIONS, ABBREVIATIONS AND ACRONYMS

The following terms are defined as follows:

Whistleblowing Report/s Any communication, information, news, fact or behaviour in any case received by Tesmec's people, concerning the conduct (of any kind, even merely omissions) of Tesmec employee, directors, statutory auditors, members of the control and supervisory bodies, management or third party in violation (i) of the Code of Ethics, (ii) any laws or regulations or provisions of the authority or internal regulations or in any case those that may cause damage or prejudice to Tesmec, even if only to its public image.

Anonymous Whistleblowing Reports Any Whistleblowing Report that comes from an individual whose personal details are unknown or not clearly identifiable.

Wilful Misconduct and


Gross Negligence Reports Any Whistleblowing Report that, from the outcome of the preliminary investigation phase, is revealed to be unfounded on the basis of objective evidence proving the wilful misconduct and gross negligence of the whistleblower, with the aim of causing undue damage to the person and/or company reported.

Third Parties External parties that are in a business relationship with Tesmec (e.g., business partners, clients, contractors, independent auditors for Tesmec, consultants, associates, intern, volunteer and, in general, stakeholders).

5. DOCUMENT MONITORING, STORAGE AND TRACEABILITY

All the functions involved in the activities falling under this regulatory document shall ensure the traceability of the information, each for the parts under its responsibility and using pertinent IT systems, and are responsible for filing and storing all documents produced, whether on paper or in electronic format, so that every step in the process may be properly tracked.

To that end, the Internal Audit Function guarantees that original report documentation is archived and preserved in specially provided paper/electronic archives with the highest security/confidentiality levels used, in accordance with the applicable legislation.

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The original, hard copy and/or electronic documentation shall be archived and preserved for a minimum of 10 years.

The worksheets relative to audits arising from whistleblowing reports are archived in the general Internal Audit function archive.

The privacy and processing of personal details of persons involved in and/or referred to in reports is protected in accordance with current legislation and company procedures on privacy.

6. VIOLATION REPORTS

Any suspected or known violation of laws and regulations or of this Procedure shall be reported immediately through the dedicated channels indicated in the paragraph 2.1.1.

After the received of the report as indicated in the paragraph 2.1.2.2, the direct superior, the Internal Audit Function and the competent Human Resources Function shall consult to identify the best way to proceed, including the possible enforcement of appropriate disciplinary measures.


7. DISCIPLINARY MEASURES

Tesmec will sanction any illegal conduct attributable to Tesmec employee, directors, statutory auditors, members of the control and supervisory bodies, management or Third Party that emerges as a result of the verification of Whistleblowing Reports carried out pursuant to this regulatory document, in accordance with the following sections of this paragraph. Tesmec, shall in any case make all reasonable efforts to prevent any conduct in violation of laws and regulations and/or this procedure by said Tesmec personnel.

With reference to the application of this regulatory document, in the event that, from the results of the preliminary investigation phase:

- Wilful Misconduct and Gross Negligence Reports arise,
- alleged unlawful or irregular behaviour by one or more Tesmec employees emerges;
- the breach of the confidentiality obligations of the whistleblower's identity and information or the performance of retaliation or discriminatory acts against the whistleblower is highlighted,

Tesmec shall take suitable disciplinary measures, towards employees, managers, directors statutory auditors, members of the control and supervisory bodies in accordance with the provisions of Model and the collective labour agreements or other applicable national laws that: (i) as a result of the verification of Whistleblowing Reports, is responsible for violating anti-corruption laws and/or other internal or external regulations relevant to the Whistleblowing Reports, (ii) bring actions contrary to this procedure and/or (iii) intentionally fails to detect or report any breaches or threats or takes reprisals against others who report violations. Disciplinary measures will be proportionate to the extent and severity of the misconduct found and may go as far as termination of employment.

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8. ATTACHMENTS


The following attachments are integral parts of this Procedure:

Attachment A: Poster

Attachment B: Locandina

Attachment C: Privacy Policy relative to the Whistleblowing Procedure

Attachment D: Informativa in materia di Trattamento dei Dati Personali nell'ambito della Procedura Segnalazioni

	<p style="text-align: center;">PROCEDURE</p> <p style="text-align: center;">WHISTLEBLOWING REPORTS RECEIVED (INCLUDING ANONYMOUSLY) BY TESMEC SPA AND BY ITS SUBSIDIARIES</p>		<p style="text-align: center;">Procedure PRO 19</p>
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ATTACHMENT A

POSTER

Do you have a Whistleblowing report that you would like to forward to Tesmec?

Who can report? All: workers, suppliers, contractors, customers, members of local communities, etc.

What you can report: any fact that could damage the reputation and respectability of Tesmec and its partners, including the conduct of Tesmec employee, directors, statutory auditors, members of the control and supervisory bodies, management or external parties in relation to Tesmec's interest that violate the Tesmec Code of Ethics, internal laws or regulations or which in any case may damage or harm, even if only the image of, Tesmec.

How: through one of the following channels:

- oral communication to the Supervisory Body;
- voicemail (number: +39 035 4232911)
- regular mail (address: Tesmec S.p.A., Organismo di Vigilanza, Via Zanica, 17/O, 24050, Grassobbio (BG), Italy or Piazza Sant' Ambrogio, 16, 20123, Milano (MI), Italy);
- ordinary e-mail address direct to Tesmec S.p.A., Tesmec Rail S.r.l. and Tesmec Automation S.r.l. Supervisory Bodies at odv@Tesmec.com;
- communication tools on Tesmec's Intranet/Internet sites.

Anonymous or non-anonymous whistleblowing reports through:


- for Tesmec S.p.A.: access to TSPAwhistleblower@gmail.com with the following password **TesmecSPA_violations**, and addressing the email to TSPAwarning@gmail.com. The whistleblower could cancel the email from "sent-items" folder and from "delated-items folder" in order to maintain privacy;
- for Tesmec Rail S.r.l.: access to TRAILwhistleblower@gmail.com with the following **TesmecRAIL_violations**, and addressing the email to TRAILwarning@gmail.com. The whistleblower could cancel the email from "sent-items" folder and from "delated-items folder" in order to maintain privacy;
- for Tesmec Automation S.r.l.: access to TAUTOwhistleblower@gmail.com with the following **TesmecAUTO_violations**, and addressing the email to TAUTOwarning@gmail.com. The whistleblower could cancel the email from "sent-items" folder and from "delated-items folder" in order to maintain privacy.

You can also do it anonymously: Tesmec will guarantee you maximum confidentiality and anonymity

What does Tesmec do once the report has been received? A group of Tesmec professionals works on the reports in order to verify the information contained therein and take the most appropriate measures (adoption of prevention, mitigation, sanctioning measures, etc.)

Protection of the whistleblower from threats or acts of retaliation or discriminatory: it is forbidden to carry out threats or acts of retaliation or discriminatory, direct or indirect, against the whistleblower for reasons connected, directly or indirectly, to the report

For further information on the management of the report, read the Standard Procedure on "Wistleblowing Reports received (including anonymously) by Tesmec S.p.A. and by its Subsidiaries" (TESMEC S.p.A. PRO 19_Whistleblowing Report), also available on the website www.tesmec.com

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ATTACHMENT B

LOCANDINA

Hai una segnalazione che vorresti inoltrare a Tesmec?

Chi può segnalare? tutti: lavoratori, fornitori, contrattisti, clienti, membri delle comunità locali, ecc.

Cosa puoi segnalare: qualunque fatto che possa danneggiare la reputazione e la rispettabilità di Tesmec e dei suoi partner, ivi inclusi comportamenti dei dipendenti Tesmec, amministratori, sindaci, componenti degli organi di controllo e vigilanza, management o di soggetti esterni in relazione d'interesse con Tesmec che violino il Codice Etico di Tesmec, leggi o normative interne o che comunque possano danneggiare o recare pregiudizio, anche solo di immagine, a Tesmec.

Come: attraverso uno dei seguenti canali:

- oralmente all'Organismo di Vigilanza;
- telefonicamente (al numero: +39 035 4232911)
- regular mail (address: Tesmec S.p.A., Organismo di Vigilanza, Via Zanica, 17/O, 24050, Grassobbio (BG), Italy or Piazza Sant' Ambrogio, 16, 20123, Milano (MI), Italy);
- via e-mail ordinaria all'Organismo di Vigilanza di Tesmec S.p.A., Tesmec Rail S.r.l. e Tesmec Automation S.r.l. a odv@Tesmec.com
- sui siti intranet ed internet di Tesmec.

Segnalazioni anonime o non anonime attraverso:


- per Tesmec S.p.A.: accedendo a TSPAwhistleblower@gmail.com con la seguente password **TesmecSPA_violations**, ed inviando la mail a TSPAwarning@gmail.com. Il segnalante può cancellare la email da "sent-items" e da "delated-items folder" al fine di mantenere l'anonimato;
- per Tesmec Rail S.r.l.: accedendo a TRAILwhistleblower@gmail.com con la seguente password **TesmecRAIL_violations**, ed inviando la mail a TRAILwarning@gmail.com. Il segnalante può cancellare la email da "sent-items" e da "delated-items folder" al fine di mantenere l'anonimato;
- per Tesmec Automation S.r.l.: accedendo a TAUTOwhistleblower@gmail.com con la seguente password **TesmecAUTO_violations**, ed inviando la mail a TAUTOwarning@gmail.com. Il segnalante può cancellare la email da "sent-items" e da "delated-items folder" al fine di mantenere l'anonimato.

Puoi farlo anche in maniera anonima: Tesmec ti garantirà la massima riservatezza e anonimato

Cosa fa Tesmec una volta ricevuta la segnalazione? Un gruppo di professionisti di Tesmec lavora sulle segnalazioni, al fine di verificare le informazioni riportate nelle stesse e assumere le misure più appropriate (adozione di misure di prevenzione, mitigazione, sanzionatorie, ecc.)

Protezione del segnalante da minacce o atti di ritorsione o discriminatori: è fatto divieto di porre in essere minacce o atti di ritorsione o discriminatori, diretti o indiretti, nei confronti del segnalante per motivi collegati, direttamente o indirettamente, alla segnalazione

Per ulteriori informazioni sulla gestione della segnalazione leggi la Procedura sulle "Wistleblowing Reports received (including anonymously) by Tesmec S.p.A. and by its Subsidiaries" (TESMEC S.p.A. PRO 19_Whistleblowing Report), disponibile anche sul sito www.tesmec.com

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ATTACHMENT C

PRIVACY POLICY RELATIVE TO THE WHISTLEBLOWING PROCEDURE

Whistleblower

Protection relative to processing of personal information

The Data Controller of personal data with regards to the present disclosure is Tesmec S.p.A. ("Controller") with registered office in Milan, Piazza S. Ambrogio, 16 – 20123.

Information is provided within the context of the procedure "WHISTLEBLOWING REPORTS RECEIVED (INCLUDING ANONYMOUSLY) BY TESMEC SPA AND BY ITS SUBSIDIARIES" and will be acquired through IT tools and/or through additional methods indicated in the specific documentation. All personal information will be processed pursuant to the current personal data protection legislation, specifically Regulation (EU) 2016/679 of the European Parliament and Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data ("GDPR"), Italian Legislative Decree no. 196/2003, as amended by Italian Legislative Decree no. 101/2018 ("Privacy Code"), and any other regulations regarding the protection of personal data applicable in Italy, including the provisions of the Data Protection Authority (hereinafter together with the GDPR, "Privacy Regulations"), with full respect for fundamental rights and freedoms, with particular regard for the confidentiality of the identities of involved subjects and the security of the processing.

Purpose and legal basis of the personal data processing - Nature of provision

Personal information is gathered and processed for purposes closely connected to manage reports of wrongdoing, relative to activities and/or behaviors in conflict with the procedures implemented by the company, by which meaning the violation of professional behavioral norms and/or ethical principles referenced in current regulations, whether internal or external, and/or illegal or fraudulent behavior traceable to employees, members of company bodies, or third parties (customers, suppliers, consultants, collaborators).

Therefore, the legal basis for processing is the need to fulfil a legal obligation by the Controller, with reference to the provisions contained in Italian Law no. 179 of 30 November 2017 ("Provisions to protect those reporting crimes or irregularities which they become aware of through a public or private employment relationship") and Italian Legislative Decree no. 231 of 08 June 2001, ("Rules of administrative responsibility of legal persons, companies and associations, also those not classified as a legal person, in accordance with article 11 of Italian Legislative Decree no. 300 of 29 September 2000").

Any additional specific purposes relative to individual processes may be indicated in a detailed manner in the context of the various access channels made available.

The provision of personal data by the data subject is optional.

Confidentiality and protection of the whistleblower

Note that the Data Controller is also responsible for applying article 6 of Italian Legislative Decree no. 231/2001, as amended by article 2 of Italian Law no. 179/2017, titled "Protection of employees or collaborators reporting crimes in the private sector", which prescribes protection of the confidentiality of the whistleblower's identity in the handling of the report and prohibits any direct or indirect retaliatory or discriminatory actions against the whistleblower for reasons connected directly or indirectly to the report.

Therefore, with the exception of cases in which liability relative to calumny or defamation may apply pursuant to the provisions of the Italian Penal Code or of article 2043 of the Italian Civil Code and in cases in which confidentiality cannot be claimed under the law (e.g. penal, tax or administrative investigations, inspections by control bodies), the identity of the whistleblower will be protected from the moment the report is received and in all subsequent phases, in compliance with the current provisions of the Privacy Regulations.

Therefore, the identity of the whistleblower can be revealed only in cases in which; a) disputing of the disciplinary actions is based, in whole or in part, on the report and the identity of the whistleblower is absolutely necessary for the defence of the alleged perpetrator; b) there are mandatory provisions that oblige Tesmec to disclose the identity of the whistleblower.

All those who receive and/or are involved in the handling of reports are required to protect the confidentiality of said information.


Violation of the confidentiality requirement may lead to disciplinary provisions, without prejudice to other forms of liability envisaged under the law.

Processing methods, conservation schedules and recipients

Note that the Controller undertakes to process, legally, properly and transparently, only that data needed to achieve the indispensable purposes in carrying out the activities relative to the report.

Processing is performed by the Controller also via the use of electronic tools, including automated tools.

Processing is not performed and/or is limited in cases in which the purposes pursued can be achieved through anonymization or through methods which allow the data subject to be identified only in the case of necessity.

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Reports and documentation relative to their handling shall be kept for ten years after receipt of the report.

Pursuant to article 29 of the GDPR, the data will be processed by authorized persons who have been given express instructions by the Controller with regards to the need to guarantee the protection of the personal information of the subjects involved in the reports.

In addition, personal information may be processed to begin legal and/or disciplinary protections associated with the report or may be communicated to the relevant authorities in the case of violations of applicable regulations, as well as transmitted against a binding order by said Authorities.

Rights of the data subject

Pursuant to articles 15 and subsequent of the GDPR, without prejudice to any restrictions deriving from binding provisions, you hold certain important rights in relation to the Controller; which are:

- Right to access – the right to obtain, without undue delay, information regarding: (i) the purposes of data processing; (ii) the categories of personal information processed; (iii) the recipients or categories of recipients to which the data may be communicated, in particular if located in non-EU countries, and the means to be used to exercise your rights relative to these subjects; (iv) when possible, the conservation period or the criteria used to determine it (v) updating or correction or, if an interest exists, the addition of information, as well as the origins of personal data collected from third parties.
- Right to rectification – right to obtain, without undue delay, the rectification of inaccurate personal data and, taking into account the purposes of the processing, the integration of incomplete personal data, also by providing a supplementary statement;
- Right to erasure – right to obtain, without undue delay, the erasure of personal data processed in the case of one of the reasons listed in article 17, subsection 1 of the GDPR – as in the event in which personal data is no longer necessary for the purposes for which it was gathered or otherwise processed – unless the processing is necessary on the basis of the provisions under paragraph 3 of the same article, including (a) for compliance with a legal obligation which requires processing under Union or Member State law to which the controller is subject or (b) for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller, or (c) for the establishment, exercise or defense of legal claims;
- Right to restriction of processing - the right to obtain the restriction of processing in the event of one of the situations described in article 18, subsection 1 of the GDPR: if processing is limited, personal data is processed - except for storage thereof - only with the consent of the data subject or to establish, exercise or defend a right in court or to safeguard the rights of another natural or legal person or for reasons of substantial public interest of the EU or a Member State thereof..

Also note that the aforementioned rights of the data subject may be exercised by sending the relative requests to the email address info@tesmec.com.

In the event that the data subject believes that processing regarding him/her violates the Privacy Regulations, he/she shall have the right to submit a complaint to the relevant data protection authority.


The party indicated in the report and other parties involved

Introduction and limitations to rights of the data subject

The following information is provided for purposes of transparency in relation to the party indicated in a report and any party involved potentially referred to in a report (hereinafter together the “reported party”), primarily to inform him/her of the limits regarding exercise of certain rights defined by Regulation (EU) 2016/679 of the European Parliament and the Council of 27 April 2016 (GDPR):

- Right to be informed – a party’s right to be informed of the processing of his/her personal data pursuant to articles 12 and 14 of the GDPR is limited on the basis of the secrecy and confidentiality obligations imposed by Italian Legislative Decree 231/2001, as amended by Italian Law no. 179/2017 as well as the risk of rendering impossible or seriously compromising fulfilment of the purposes of the processing connected with reporting in the context of the whistleblowing system (see article 14, paragraph 5, letters b) and d) of the GDPR).
- Other rights of the data subject – all rights detailed under the articles from 15 to 22 of the GDPR cannot be exercised (via request to the Controller or complaint pursuant to article 77 of the GDPR) if this may lead to an effective and real compromise of the confidentiality of the whistleblower (see article 2-undecies of the Privacy Code and article 23 of the GDPR) and/or the pursuit of goals to comply with legislation on reporting unlawful conduct.

Specifically, the reported party is informed that exercise of such rights will be possible in compliance with the provisions of Law or regulations governing the relative sector (including Italian Legislative Decree 231/2001 as amended by Italian law no. 179/2017); may be delayed, limited or excluded with a notification providing the reasons for this and given without delay to the data subject, unless such communication could compromise the purposes of the limitation itself, for the period of time and within the limits within which this represents a necessary and proportionate measure, considering the fundamental rights and legitimate interests of the data subject, in order to safeguard the confidentiality of the whistleblower’s identity; if need be, in such cases, the rights of the data subject may be exercised also via the Italian Data Protection Authority (“Protection Authority”) with the methods described in article 160 of the Privacy Code, in which case the Data Protection Authority informs the data subject that it has performed all necessary checks or re-examined the

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situation, as well as of the right of the data subject to take legal action.

Exercise of the rights by the reported party (including rights to access) may therefore be exercised within the limits granted under applicable law and, in particular, it should be noted that the request will be analyzed by the relevant bodies in order to balance the need to protect the individual's rights with the need to fight against and prevent violations of the rules of proper corporate management or the relevant applicable regulations.

Categories of personal data and sources from which it is gathered

Personal data regarding the reported party are gathered via the report and relative documentation provided by the whistleblower. The personal data regarding the reported party will fall into the following categories:

- personal details (e.g., name, surname, place and date of birth);
- contact details (e.g., email address, telephone number, postal address);
- professional details (e.g., hierarchical level, area of the company to which they belong, role in the company, type of relationship with the Group Companies or other third parties, profession);
- all other information regarding the reported party that the whistleblower decides to share with the Controller to provide details relevant to the report, in relation to:
 - unlawful conduct pursuant to Italian Legislative Decree 231/2001 or violations of the body's organizational and control model;
 - irregularities and/or illegal behaviors, whether of commission or omission, which constitute or could constitute a violation of the principles sanctioned by the Tesmec Code of Ethics, company policies and rules and/or which could translate to fraud or damages, including potential, relative to employees, shareholders and stakeholders in general, or which constitute actions of an unlawful or harmful nature relative to the interests or reputation of the company;
 - any other suspected violation of the Tesmec Anti-corruption Policy and related documents.

Contact details of the Controller and DPO


The Controller, in the person of the party designated as representative for the purposes of processing personal data ("Privacy Delegate"), can be contacted via email at info@tesmec.com in order to exercise the rights established by articles 15 and subsequent of the GDPR (see paragraph "Rights of the data subject" below in this policy) and/or for other requests regarding processing of Personal Data

Reference to applicable regulations

Without prejudice to the information presented in the previous paragraphs, please consult the corresponding paragraphs in the section "Whistleblower" for further information on processing of personal data concerning:

- the identity and contact details of the Controller and its representative;
- the contact details of the DPO;
- the purposes of the processing for which the personal data is intended;
- the legal basis of processing;
- the categories of recipients of the personal data;
- the period for storage of personal data;
- important information on the processing logic employed, as well as the importance and consequences associated with this processing for the data subject.

A specific policy, in compliance with article 14 of the GDPR, will be provided to the reported party, in line with applicable law, referring, in this regard, to the points presented in the previous paragraphs.

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ATTACHMENT D

INFORMATIVA IN MATERIA DI TRATTAMENTO DEI DATI PERSONALI NELL'AMBITO DELLA PROCEDURA SEGNALAZIONI

Segnalante

Tutela del trattamento dei dati personali

Il titolare del trattamento dei dati personali, oggetto della presente informativa, è Tesmec S.p.A. ("Titolare") avente sede legale in Milano, Piazza S. Ambrogio, 16 – 20123.

Le informazioni sono fornite nell'ambito della procedura "WHISTLEBLOWING REPORTS RECEIVED (INCLUDING ANONYMOUSLY) BY TESMEC SPA AND BY ITS SUBSIDIARIES" e verranno acquisite mediante gli strumenti informatici e/o tramite le ulteriori modalità indicate nella specifica documentazione. Tutti i dati personali verranno trattati ai sensi della vigente normativa in materia di protezione dei dati personali, per tale intendendosi il Regolamento (UE) 2016/679 del Parlamento Europeo e del Consiglio del 27 aprile 2016 relativo alla protezione delle persone fisiche con riguardo al trattamento dei dati personali, nonché alla libera circolazione di tali dati ("GDPR"), il D.Lgs. n. 196/2003 come modificato dal D.Lgs. n. 101/2018 ("Codice Privacy") nonché qualsiasi altra normativa sulla protezione dei dati personali applicabile in Italia, ivi compresi i provvedimenti del Garante (di seguito, congiuntamente al GDPR, "Disciplina Privacy"), nel pieno rispetto dei diritti e delle libertà fondamentali, con particolare riguardo per la riservatezza dell'identità dei soggetti coinvolti e per la sicurezza del trattamento.

Finalità e base giuridica del trattamento – Natura del conferimento

I dati personali sono raccolti e trattati per le finalità strettamente connesse alla gestione delle segnalazioni di condotte illecite, relativamente ad attività e/o comportamenti difforni dalle procedure implementate dalla società, per tali intendendosi la violazione di norme di condotta professionale e/o principi di etica richiamati dalla normativa vigente – interna ed esterna – e/o comportamenti illeciti o fraudolenti riferibili a dipendenti, membri degli organi sociali o terzi (clienti, fornitori, consulenti, collaboratori).

Pertanto, la base giuridica del trattamento risulta essere la necessità di adempiere a un obbligo di legge cui è soggetto il Titolare, con riferimento alle previsioni contenute nella Legge 30 novembre 2017, n. 179 ("Disposizioni per la tutela degli autori di segnalazioni di reati o irregolarità di cui siano venuti a conoscenza nell'ambito di un rapporto di lavoro pubblico o privato") e nel Decreto Legislativo 8 giugno 2001, n. 231 ("Disciplina della responsabilità amministrativa delle persone giuridiche, delle società e delle associazioni anche prive di personalità giuridica, a norma dell'articolo 11 della legge 29 settembre 2000, n. 300").

Eventuali ulteriori specifiche finalità, relative ai singoli trattamenti, potranno essere indicate in maniera dettagliata nell'ambito dei vari canali di accesso resi disponibili.

Il conferimento dei dati personali da parte dell'interessato è facoltativo.

Riservatezza e tutela del segnalante

Si informa che il Titolare fa inoltre propria l'applicazione dell'art. 6 del D.Lgs. 231/2001 come modificato dall'art. 2 della L. n. 179/2017, rubricato "Tutela del dipendente o collaboratore che segnala illeciti nel settore privato", che prescrive la tutela della riservatezza dell'identità del segnalante nelle attività di gestione della segnalazione e vieta atti di ritorsione o discriminatori, diretti o indiretti, nei confronti del segnalante per motivi collegati, direttamente o indirettamente, alla segnalazione.

Pertanto, a eccezione dei casi in cui sia configurabile una responsabilità a titolo di calunnia e di diffamazione ai sensi delle disposizioni del codice penale o dell'art. 2043 del codice civile e delle ipotesi in cui la riservatezza non è opponibile per legge, (es. indagini penali, tributarie o amministrative, ispezioni di organi di controllo) l'identità del segnalante verrà protetta sin dalla ricezione della segnalazione e in ogni fase successiva, in ossequio alle vigenti disposizioni della Disciplina Privacy.

Pertanto, l'identità del segnalante può essere rivelata solo nei casi in cui a) la contestazione dell'addebito disciplinare risulti fondata, in tutto o in parte, sulla segnalazione e la conoscenza dell'identità del segnalante risulti assolutamente indispensabile alla difesa del segnalato; b) vi siano disposizioni cogenti che obblighino Tesmec a rivelare l'identità del segnalante.


Tutti coloro che riceveranno e/o saranno coinvolti nella gestione delle segnalazioni sono tenuti a tutelare la riservatezza di tale informazione.

La violazione dell'obbligo di riservatezza è fonte di responsabilità disciplinare, fatte salve ulteriori forme di responsabilità previste dall'ordinamento.

Modalità del trattamento, tempi di conservazione e soggetti destinatari

Si rappresenta che il Titolare si impegna a trattare, in modo lecito, corretto e trasparente, solamente i dati necessari al raggiungimento delle finalità indispensabili per lo svolgimento delle attività oggetto della segnalazione.

Il trattamento è effettuato dal Titolare anche con l'ausilio di mezzi elettronici, ivi inclusi strumenti automatizzati.

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Il trattamento verrà escluso e/o limitato nei casi in cui le finalità perseguite possano essere realizzate mediante anonimizzazione o attraverso modalità che permettano l'identificazione dell'interessato solo in caso di necessità.

Le segnalazioni e la documentazione relativa alla loro gestione saranno conservati per dieci anni dalla ricezione delle segnalazioni medesime.

I dati personali saranno trattati, ai sensi dell'art. 29 del GDPR, da persone autorizzate al trattamento ai quali sono state espressamente conferite dal Titolare adeguate istruzioni in ordine alla necessità di garantire la protezione dei dati personali dei soggetti coinvolti nelle segnalazioni.

I dati personali potranno, inoltre, essere trattati per l'attivazione della tutela giudiziaria e/o disciplinare connessa alla segnalazione, ovvero comunicati alle Autorità competenti in presenza di violazioni delle normative applicabili, nonché essere trasmessi a fronte di ordine cogente delle medesime Autorità.

Diritti dell'interessato

Ai sensi degli artt. da 15 e seguenti del GDPR, ferme eventuali limitazioni derivanti da disposizioni cogenti, Le sono riconosciuti alcuni diritti significativi nei confronti del Titolare, ossia:

- Diritto di accesso – il diritto di ottenere senza ingiustificato ritardo informazioni inerenti a: (i) le finalità del trattamento; (ii) le categorie dei dati personali trattati; (iii) i destinatari o le categorie degli stessi ai quali i dati possono essere comunicati, in particolare se collocati in paesi extra-UE, ed i mezzi per esercitare i suoi diritti verso tali soggetti; (iv) quando possibile il periodo di conservazione o i criteri per determinarlo; (v) l'aggiornamento, la rettificazione ovvero, qualora vi abbia interesse, l'integrazione dei dati personali nonché l'origine dei dati raccolti presso terzi.
- Diritto di rettifica – diritto di ottenere senza ingiustificato ritardo la rettifica dei dati personali inesatti e, tenuto conto delle finalità del trattamento, di ottenere l'integrazione dei dati personali incompleti, anche fornendo una dichiarazione integrativa;
- Diritto di cancellazione – diritto di ottenere, senza ingiustificato ritardo, la cancellazione dei dati personali ove sussista uno dei motivi elencati nell'articolo 17, par. 1 del GDPR – come nel caso in cui i dati personali non siano più necessari rispetto alle finalità per le quali sono stati raccolti o altrimenti trattati – salvo che il trattamento sia necessario in base alle previsioni di cui al paragrafo 3 del medesimo articolo, tra cui (a) l'adempimento di un obbligo legale che richieda il trattamento previsto dal diritto dell'Unione o dello Stato membro cui sia soggetto il Titolare, o (b) l'esecuzione di un compito svolto nel pubblico interesse oppure nell'esercizio di pubblici poteri di cui sia investito il Titolare, o (c) l'accertamento, l'esercizio o la difesa di un diritto in sede giudiziaria;
- Diritto di limitazione – diritto di ottenere la limitazione del trattamento ove ricorra una delle ipotesi di cui all'articolo 18, par. 1 del GDPR: se il trattamento è limitato, i dati personali verranno trattati - salvo che per la conservazione - soltanto con il consenso dell'interessato o per l'accertamento, l'esercizio o la difesa di un diritto in sede giudiziaria oppure per tutelare i diritti di un'altra persona fisica o giuridica o per motivi di interesse pubblico rilevante dell'Unione o di uno Stato membro.

Si sottolinea come l'esercizio dei summenzionati diritti da parte dell'interessato potrà avvenire attraverso l'invio delle relative richieste all'indirizzo e-mail info@tesmec.com.

Nel caso in cui l'interessato ritenga che i trattamenti che lo riguardano violino la Disciplina Privacy, avrà diritto di proporre reclamo alla competente autorità in materia di protezione dei dati personali.


Segnalato e altri soggetti interessati

Premessa e limitazioni ai diritti dell'interessato

Le seguenti informazioni sono rese ai fini di trasparenza nei confronti del segnalato e di qualsivoglia soggetto interessato potenzialmente riferito in una segnalazione (di seguito congiuntamente "segnalato"), anzitutto per metterlo al corrente dei limiti all'esercizio di alcuni diritti previsti dal Regolamento (UE) 2016/679 del Parlamento Europeo e del Consiglio del 27 aprile 2016 (GDPR):

- Diritto di informazione – il diritto di essere informato sul trattamento dei propri dati personali ai sensi degli articoli 12 e 14 del GDPR riceve una limitazione alla luce degli obblighi di segretezza e di riservatezza imposti dal D.lgs. 231/2001, come modificato dalla L. n. 179/2017, nonché del rischio di rendere impossibile o di pregiudicare gravemente il conseguimento delle finalità del trattamento connesse alle segnalazioni nell'ambito del sistema di whistleblowing (v. art. 14, par. 5, lettere b) e d) del GDPR).
- Altri diritti dell'interessato – i diritti di cui agli articoli da 15 a 22 del GDPR non possono essere esercitati (con richiesta al Titolare ovvero con reclamo ai sensi dell'articolo 77 del GDPR) qualora ne possa derivare un pregiudizio effettivo e concreto alla riservatezza dell'identità del segnalante (v. articolo 2-undecies del Codice Privacy e articolo 23 del GDPR) e/o al perseguimento degli obiettivi di conformità alla normativa in materia di segnalazione di condotte illecite.

In particolare, si informa il segnalato che l'esercizio di tali diritti sarà effettuabile conformemente alle disposizioni di legge o di regolamento che regolano il settore (tra cui il D.lgs. 231/2001 come modificato dalla L. n. 179/2017); potrà essere ritardato, limitato o escluso con comunicazione motivata e resa senza ritardo all'interessato, a meno che la comunicazione possa compromettere la finalità della

	<p style="text-align: center;">PROCEDURE</p> <p style="text-align: center;">WHISTLEBLOWING REPORTS RECEIVED (INCLUDING ANONYMOUSLY) BY TESMEC SPA AND BY ITS SUBSIDIARIES</p>		<p style="text-align: center;">Procedure PRO 19</p>
<p>Issued by: Internal Audit</p>	<p>Approved by: CEO</p>	<p>Revision of the document: 00</p>	<p>Date: 10/05/2023</p>

limitazione, per il tempo e nei limiti in cui ciò costituisca una misura necessaria e proporzionata, tenuto conto dei diritti fondamentali e dei legittimi interessi dell'interessato, al fine di salvaguardare la riservatezza dell'identità del segnalante; eventualmente, in tali casi, i diritti dell'interessato possono essere esercitati anche tramite il Garante per la Protezione dei Dati Personali ("Garante") con le modalità di cui all'articolo 160 del Codice Privacy, nel qual caso il Garante informa l'interessato di aver eseguito tutte le verifiche necessarie o di aver svolto un riesame, nonché del diritto dell'interessato di proporre ricorso giurisdizionale.

L'esercizio dei diritti da parte del segnalato (incluso il diritto di accesso) potrà essere esperito, pertanto, nei limiti in cui la legge applicabile lo consente e, in particolare, si rileva che la richiesta verrà analizzata dagli organismi preposti al fine di contemperare l'esigenza di tutela dei diritti degli individui con la necessità di contrasto e prevenzione delle violazioni delle regole di buona gestione societaria ovvero delle normative applicabili in materia.

Categorie di dati personali e fonte di raccolta

I dati personali relativi al segnalato sono raccolti mediante la segnalazione e relativa documentazione fornita dal segnalante. I dati personali relativi al segnalato saranno ricompresi nelle seguenti categorie:

- dati anagrafici (e.g. nome, cognome, luogo e data di nascita);
- dati di contatto (e.g. indirizzo e-mail, numero di telefono, recapito postale);
- dati di natura professionale (e.g. livello gerarchico, area aziendale di appartenenza, ruolo aziendale, tipo di rapporto intrattenuto con le società del Gruppo o altri soggetti terzi, professione);
- ogni altra informazione riferita al segnalato che il segnalante decide di condividere con il Titolare per meglio circostanziare la propria segnalazione, in relazione a:
 - condotte illecite rilevanti ai sensi del D.lgs. 231/2001 o violazioni del modello di organizzazione e gestione dell'ente;
 - irregolarità e/o comportamenti illeciti, commissivi o omissivi, che costituiscano o possano costituire violazione dei principi sanciti nel Codice Etico di Tesmec, di policy e regole aziendali e/o che possano tradursi in frodi o in un danno, anche potenziale, nei confronti di colleghi, azionisti e stakeholder in generale o che costituiscano atti di natura illecita o lesiva degli interessi e della reputazione stessa dell'azienda;
 - ogni sospetta violazione della Politica Anticorruzione di Tesmec e relativi documenti correlati.

Dati di contatto del Titolare

Il Titolare, nella persona del soggetto designato quale rappresentante in materia di trattamenti di dati personali ("Delegato Privacy"), è contattabile all'indirizzo di posta elettronica info@tesmec.com per l'esercizio dei diritti previsti dagli articoli 15 e seguenti del GDPR (v. paragrafo "Diritti dell'interessato" nel prosieguo della presente informativa) e/o per altre richieste relative al trattamento dei dati personali.

Rinvio

Fermo quanto evidenziato nei paragrafi precedenti, si rinvia ai corrispondenti paragrafi della sezione "Segnalante" per ulteriori informazioni relative al trattamento dei dati personali concernenti:

- identità e i dati di contatto del Titolare e del suo rappresentante;
- dati di contatto del DPO;
- finalità del trattamento cui sono destinati i dati personali;
- base giuridica del trattamento;
- categorie di destinatari dei dati personali;
- periodo di conservazione dei dati personali;
- informazioni significative sulla logica utilizzata, nonché l'importanza e le conseguenze previste di tale trattamento per l'interessato.

Un'informativa specifica, in conformità all'articolo 14 del GDPR, sarà fornita al segnalato compatibilmente con le previsioni di legge applicabili, in tal senso rimettendosi a quanto evidenziato nei paragrafi precedenti.