

**Information on the processing of personal data pursuant to Article 13 of EU Reg. 2016/679 in relation to "Whistleblowing" reports (Article 13, paragraph 4, Legislative Decree No. 24 of 10 March 2023)**

With this information National Molding Italia S.r.l. explains how it processes the data collected and what rights are recognized to the data subject pursuant to Regulation (EU) 2016/679, on the protection of natural persons with regard to the processing of personal data, Legislative Decree no. 196/2003, on the protection of personal data, as amended by Legislative Decree no. 101/2018.

**1. Data Controller**

The Data Controller is National Molding Italia S.r.l. with registered office in Trofarello, Via Umberto Terracini n. 16 VAT number and Tax Code 07945330012, telephone +39 011 9443711.

**2. Purpose of the processing**

The data you directly provide to report, in the interest of the integrity of the Company, alleged unlawful conduct of which you have become aware due to your employment, service or supply relationship with National Molding Italia will be processed by the same data controller to manage such situations. Personal data are therefore acquired as they are contained in the report and/or in acts and documents attached to it, refer to the reporting party and may also refer to persons indicated as possible responsible for the unlawful conduct, as well as to those involved in various capacities in the events reported.

In particular, to carry out the necessary investigative activities aimed at verifying the validity of what has been reported, as well as, if necessary, to adopt appropriate corrective measures and take the appropriate disciplinary and/or judicial actions against those responsible for the unlawful conduct.

**3. Type of data processed**

The receipt and management of reports gives rise to the processing of so-called "common" personal data (name, surname, job role, etc.), as well as give rise, depending on the content of the reports and the acts and documents attached to them, to the processing of so-called "special" personal data (data relating to health conditions, sexual orientation or trade union membership, referred to in art. 9 GDPR) and personal data relating to criminal convictions and offences (pursuant to Art. 10 GDPR).

**4. Legal bases of processing**

Taking into account the reference legislation, it should be noted that:

- the processing of "common" data is based on the legal obligation to which the Data Controller is subject (art. 6, par. 1, letter c) of the GDPR);
- the processing of "special" data is based on the fulfilment of obligations and the exercise of specific rights of the Data Controller and the Data Subject in the field of labour law (Article 9, paragraph 2, letter b), GDPR), as well as on the execution of a legal obligation to which NMI is subject;
- the processing of data relating to criminal convictions and offences, taking into account the provisions of art. 10 GDPR, is based on the legal obligation to which the Data Controller is subject (art. 6, par. 1, letter c), GDPR and art. 2-octies letter a) of Legislative Decree 196/2003 and subsequent amendments).

It should be noted that in the event that the report leads to the establishment of disciplinary proceedings against the person responsible for the unlawful conduct, the identity of the whistleblower will never be revealed. If knowledge of the identity of the whistleblower is essential for the defense of the accused, the whistleblower will be asked if he intends to give a special, free consent for the purpose of revealing his or her identity.

The legal obligation to which the data controller is subject is to be identified in the reference legislation governing Whistleblowing reports and, in particular, in Legislative Decree 24/2023, hereinafter "the Decree".

#### **5. Persons authorised to process data**

To protect it, only the person appointed for the management of the internal reporting channel and ANAC for the external reporting channel are able to associate the reports with the identities of the whistleblowers.

If investigative requirements require that other subjects, within NMI, must be made aware of the content of the report or the documentation attached to it, the identity of the whistleblower will never be revealed, nor will elements that may, even indirectly, allow the identification of the same and the content of the report will be revealed. These subjects, since they may in any case become aware of other personal data, are in any case all formally authorized to process and specifically instructed and trained for this, as well as required to maintain secrecy on what they have learned due to their duties, without prejudice to the reporting and reporting obligations referred to in art. 331 of the Code of Criminal Procedure.

#### **6. Data processor pursuant to Article 28 of EU Reg. 2016/679**

National Molding Italia S.r.l. avails itself of Avv. Chieppa Gian Piero as Whistleblowing Manager, appointed Data Processor pursuant to art. 28 of Regulation (EU) 2016/679.

#### **7. Categories of recipients of personal data**

Your personal data and those of the persons indicated as possible responsible for the unlawful conduct, as well as of the persons involved in various capacities in the reported events, will not be disseminated, however, if necessary, they can be transmitted to the Judicial Authority, the Court of Auditors and ANAC, the National Anti-Corruption Authority. These subjects are all independent Data Controllers.

The report and the identity of the whistleblower cannot be accessed either by means of documentary access or by means of generalized civic access.

In the context of any criminal proceedings instituted, the identity of the whistleblower will be covered by secrecy in the ways and within the limits provided for by art. 329 of the Code of Criminal Procedure; in the context of proceedings before the Court of Auditors, the identity of the whistleblower will not be revealed until the conclusion of the investigation phase; In the context of disciplinary proceedings, the identity of the whistleblower will not be revealed in all cases in which the challenge to the disciplinary charge is based on separate and additional investigations with respect to the report, even if consequent to the same, while it may be revealed where three conditions are met, namely

- (a) that the dispute is based, in whole or in part, on the report,
- (b) that knowledge of the identity of the whistleblower is essential for the defence of the accused and that
- (c) the whistleblower has expressed a specific consent to the disclosure of his or her identity.

## **8. Processing methods**

Personal data will also be processed with automated tools for the time strictly necessary to achieve the purposes for which they were collected, NMI implements appropriate measures to ensure that the data provided are processed adequately and in accordance with the purposes for which they are managed.

NMI employs appropriate organizational, technical, and physical security measures to protect information from alteration, destruction, loss, theft, or improper or illegitimate use.

## **9. Data retention period**

The person designated for the management of the reports carries out a preliminary investigation of the report. If, as a result of the activity carried out, it finds elements of manifest unfoundedness, it orders that it be dismissed. If, on the other hand, it finds that the report is *prima facie* in fact, it transmits it, without the data of the whistleblower, to the internal or external bodies in charge, each according to its own competences. Personal data are stored for the time necessary to process the report until the definition of the procedures initiated by the offices or bodies to which the report is addressed and in any case for no more than 5 years from the date of communication of the final outcome of the reporting procedure.

## **10. Nature of the provision of data and consequences of failure to provide it**

In order to classify the report as whistleblowing, your identification data (name, surname) must be provided mandatorily. In the event that the whistleblower wishes to proceed with an anonymous report, the latter will be managed as an ordinary report in various ways and must be forwarded by ordinary mail, to the attention of the Supervisory Body; this report will be taken into consideration only where adequately substantiated, made in great detail and therefore able to bring out facts and situations relating them to specific contexts. Pursuant to the Decree, personal data transmitted by the whistleblower that are not useful for the processing of the Whistleblowing report will be subject to immediate deletion by the Data Controller.

Whistleblowers are recommended to provide only the data necessary for the description and management of the report and it is recalled that it is up to each whistleblower to decide what further personal data to provide.

## **11. Transfer of data abroad**

For purposes related to the execution of the contract, some data may be communicated to recipients located outside the EU Economic Area. The Data Controller ensures that the processing of personal data by these recipients is carried out in compliance with applicable legislation. Indeed, transfers are carried out through adequate guarantees, such as adequacy decisions, Standard Contractual Clauses approved by the European Commission.

## **12. Rights of the data subject**

You have the right, at any time, to obtain confirmation of the existence or otherwise of the data provided. You also have the right to request, in the forms provided for by law, the rectification of inaccurate personal data and the integration of incomplete data and to exercise any other right pursuant to art. 15 to 22 of the Regulation where applicable.

If you have given your consent to the disclosure of your identity in the context of disciplinary proceedings, you have the right to revoke this consent at any time, but this

does not affect the lawfulness of the processing, based on consent, carried out before the withdrawal.

These rights can be exercised by sending a request to:

National Molding Italia S.r.l. with sole shareholder  
Trofarello, Via Umberto Terracini n. 16  
Phone +39 011 9443711.

If you believe that the processing has taken place in a manner that does not comply with the Regulation and Legislative Decree no. 196/2003, you may contact the Guarantor for the Protection of Personal Data, pursuant to art. 77 of the same Regulation.