



## WHISTLEBLOWING PRIVACY POLICY

### Information notice pursuant to Art. 13 and 14 of EU Regulation No. - 2016/679

Pursuant to Art. 13 and 14 of EU Regulation No. 2016/679 (General Data Protection Regulation), the following information is provided.

#### Data Controller

The Data Controller is Palini Vernici S.r.l. with registered office in Via Pontida, 1 - 25121 Brescia (BS)

The Data Protection Officer (DPO) of Palini Vernici S.r.l. can be reached at the following e-mail address: [dir@palinal.com](mailto:dir@palinal.com).

#### Purpose and Legal Basis

Management of the receipt, processing and analysis of reports of offences or irregularities by employees of Palini Vernici S.r.l., workers and contractors of companies supplying goods or services and carrying out works for Palini Vernici S.r.l. (the so-called whistleblowing), as well as, in particular, self-employed workers, freelancers and consultants who perform their activities for Palini Vernici S.r.l, volunteers, paid and unpaid trainees who also work for Palini Vernici S.r.l. pursuant to art. 3(3) of Legislative Decree no. 24 of 10 March 2023 concerning: "Implementation of Directive (EU) 2019/1937 of the European Parliament and Council dated 23 October 2019 on the protection of individuals who report breaches of Union law and provisions concerning the protection of individuals who report breaches of national laws".

The processing, pursuant to EU Regulation 2016/679, is aimed at fulfilling a legal obligation to which the data controller is subject (Art. 6 - par. 1(c) and the performance of a task in the public interest (Art. 6 par. 1 letter e) pursuant to Legislative Decree no. 24/2023.

## **Types of data processed**

The procedure is related to reports of offences or irregularities that have come to their attention in the public work context, pursuant to Legislative Decree no. 24/2023 employees of Palini Vernici S.r.l., workers and contractors of companies supplying goods or services and carrying out works for Palini Vernici S.r.l. (the so-called whistleblowing), as well as, in particular, self-employed workers, freelancers and consultants who perform their activity for Palini Vernici S.r.l, volunteers, paid and unpaid trainees who also work for Palini Vernici S.r.l.. This procedure involves collecting the personal data (such as name, surname, tax code, e-mail address) included in the report, as well as any additional personal data in the report, including the documentation attached to it. In the context of reports, data are also processed concerning the reported person or other persons involved in the report, and may concern common data as well as particular data and data relating to offences and irregularities.

## **Method of the Processing**

Data processing is carried out by means of paper-based processing of reports in compliance with fundamental rights and freedoms and the principles of fairness, lawfulness, transparency and protection of confidentiality. Reports received verbally will be recorded in a paper report and signed by the reporting party.

## **Nature of the Processing**

The provision of personal data is necessary and failure to provide them precludes the possibility of the effective implementation of the protections provided for by the applicable legislation and in particular by Legislative Decree No. 24/23.

One of the purposes of the applicable legislation is to offer protection, and ensure the confidentiality of the identity of the whistleblower, and of the other individuals referred to in Art. 3(5) of the same Legislative Decree, which brings to light illegal conduct and facts.

Therefore, this protection only applies to subjects that are identifiable, recognisable and fall within the category indicated by Legislative Decree No. 24/23.

## Categories of Data Recipients

The processing is carried out by persons authorised and committed to confidentiality and in charge of the related activities for the purposes pursued.

The recipients of the data collected, following the reports, are the judicial authorities, where appropriate, and the ANAC.

The data are not disseminated.

## Data Retention

The data will be kept to achieve the purposes for which they were collected and for the period necessary for the completion of the related administrative procedure and in any case for 5 years, starting from the date of the communication of the final outcome of the reporting procedure.

## Data transfer to third countries

Data processed for the above-mentioned purposes are not transferred to third countries outside the European Union or the European Economic Area (EEA) or to international organisations.

## Rights of data subjects

The data subjects may exercise their rights under Art. 15 et seq. of EU Regulation 2016/679 and in particular the right to access one's own personal data, to ask for their rectification or restriction, their updating if incomplete or incorrect, and their deletion if the conditions are met, as well as to object to their processing by addressing one's request to

- Palini Vernici S.r.l. as the Data Controller, Via Pontida, 1  
25121 Brescia (BS), at the following e-mail address: [dir@palinal.com](mailto:dir@palinal.com)

## Right to File a Complaint

Finally, data subjects are informed that if they consider that personal data relating to them are being processed in breach of the provisions of EU Regulation 2016/679 (Art. 77) have the right to lodge a complaint with the Privacy Protection Authority, ([garanteprivacy.it](http://garanteprivacy.it)) or to take legal action (Art. 79 of the Regulation).

Pursuant to Art. 2-undecies in Legislative Decree 30 June 2003, No. 196, the reported person alleged to have committed the offence, with reference to his or her personal data processed by the Management, may not, however, exercise the rights provided for in Articles 15 to 22 of Regulation (EU) No. 2016/679<sup>1</sup>.

This is without prejudice to the possibility for the reported person, alleged perpetrator of the offence, to exercise his or her rights in the manner provided for in Art. 160 legislative decree No. 196/2003<sup>2</sup>.

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<sup>1</sup> This specifically concerns the right of access to personal data (Art. 15 GDPR), the right to rectification (Art. 16 GDPR), the right to obtain erasure or the so-called right to be forgotten (Art. 17 GDPR), the right to restriction of processing when the cases specified in Art. 18 GDPR, the right to the portability of personal data (Art. 20 GDPR) and that of opposition to the processing (Art. 21 and 22 GDPR).

<sup>2</sup> This refers to the possibility for the data subject to request the Data Protection Authority to check the compliance of the processing of his or her data. The Data Protection Authority shall provide feedback on the outcome. It is also provided that the data controller informs the data subject of this option.