



PRIVACY POLICY

PURSUANT TO EUROPEAN REGULATION NO. 2016/679 ("GDPR")

The **companies of the AB group** (hereinafter, individually, also the "**Company**" or the "**Data Controller**") have activated the channels pursuant to the whistleblowing procedure adopted by the Company to enable the submission of reports of violations pursuant to Legislative Decree 24/2023 (hereinafter, also "**Reports**"), by various subjects, identified from time to time by the applicable legislation ("**Whistleblowers**").

These channels allow the submission of Reports also in anonymous form. However, if the Whistleblower chooses to submit the Report in a non-anonymous format, if the Report contains personal data referable to the Whistleblower and/or third parties, the Company, for the management of such Reports, will process the personal data contained therein.

Therefore, the Company, in its capacity as data controller, informs you pursuant to Articles 13 and 14 of the GDPR that your personal data will be processed in the manner and for the purposes indicated below. In this regard, the Data Controller invites you to carefully read this information (hereinafter, the "**Policy**"), as it contains important information on the protection of personal data and the security measures adopted to ensure its protection in full compliance with the GDPR.

1. DATA CONTROLLER

The Data Controller is the Company to which the Report refers. The AB Group Companies that act as independent data controllers and their contact details are set out in Annex 1 to this Policy.

2. PERSONAL DATA PROCESSED

The Data Controller processes the personal data of the Whistleblower and those subjects that may be contained in the Reports received and/or in the documentation attached to them and/or collected in the performance of the management and verification of the Reports themselves, including, for example, personal data, contact data, data relating to work activity, or even, in some cases, data relating to criminal convictions or offences, data belonging to special categories of data (e.g., data relating to health, political opinions, trade union membership, etc.).

3. PURPOSE OF THE PROCESSING

Personal data is processed for the following purposes:

- 3.1.** the correct and complete management of the Reports in accordance with the current legislation on whistleblowing, carry out the necessary investigative activities aimed at verifying the validity of the facts contained in the Report and the adoption of the consequent measures, follow up on any requests from the Authorities;
- 3.2.** ascertain, exercise or defend in court and/or out of court the rights or interests of the Data Controller or third parties.

4. LEGAL BASIS OF THE PROCESSING AND NATURE OF THE PROVISION OF DATA

With regard to the purpose referred to in point **3.1.**, the legal basis for the processing is Article 6(1)(c) of the GDPR – "*compliance with a legal obligation to which the controller is subject*".

With reference to the purpose referred to in point **3.2.**, the legal basis for the processing is Article 6(1)(f) of the GDPR – "*pursuit of the legitimate interest of the controller or third parties*".

With particular reference to the purposes based on the legitimate interest of the Data Controller or third parties, pursuant to art. 6(1)(f) of the GDPR, it is specified that the legitimate interest of the Data Controller to process the data is equally balanced with your interests, fundamental rights and freedoms.

With regard to personal data belonging to special categories processed for the purposes indicated above, the legal bases for the processing are Article 9(2)(b) of the GDPR, according to which "*the processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject*" and Art. 9(2)(f) of the GDPR, according to which "*processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity*".

With regard to judicial data, the condition of lawfulness for the processing of such data is to be found on the basis of Article 2-octies of Legislative Decree 196/2003, in the performance of the activities provided for by Legislative Decree 24/2023.

Furthermore, in the cases referred to in Article 12 of Legislative Decree 24/2023, the identity of the Whistleblower and any other information from which such identity can be inferred, directly or indirectly, may only be revealed with the express consent of the Whistleblower himself, to persons other than those responsible to receive or following up the Reports, expressly authorised to process such data pursuant to Articles 29 and 32, paragraph 4 of the GDPR and Article 2-*quaterdecies* of the Italian Privacy Code referred to in Legislative Decree no. 196 of 30 June 2003.

It should be noted that, in the case of an oral Report, the Report, subject to the Whistleblower's consent, may be documented by the personnel in charge by recording it on a device suitable for storage and listening or by means of a report that will be submitted to the Whistleblower for any corrections.

Please note, in any case, that the Report may be submitted anonymously; however, the submission of a Report in non-anonymous form facilitates the management of the Report itself.

5. RETENTION PERIOD

Personal data are retained for the time necessary to manage the Report and in any case **no longer than five years** from the date of communication of the final outcome of the reporting procedure. It should be noted that this storage will take place in compliance with the confidentiality obligations referred to in Article 12 of Legislative Decree 24/2023 and the principle referred to in Article 5, paragraph 1, letter e) of the GDPR.

In any case, the Data Controller reserves the right to retain personal data for a different or additional period for the sole purpose of allowing the latter to pursue specific purposes indicated in the Policy.

6. AUTOMATED DECISIONS

Under no circumstances the personal data collected for the above purposes will be subject to automated processing, including profiling pursuant to art. 22 of the GDPR.

7. RECIPIENTS OF DATA PROCESSING AND TRANSFER

Your personal data may be shared with:

- Whistleblowing Committee and, where applicable, Supervisory Body and/or other competent function in the cases provided for by the whistleblowing procedure adopted by the Company;
- the provider of the web platform dedicated to Whistleblowing;
- internal functions involved in the investigation/ascertainment of the facts contained in the Report;
- external consultants, such as, for example, law firms, who may be involved in the investigation and management of the Report;
- subjects, bodies, agencies or authorities to whom communication is mandatory by virtue of legal or regulatory provisions.

The subjects belonging to the categories indicated above, where necessary, will be duly appointed, depending on the situation, as external data processors pursuant to Article 28 of the GDPR or authorized to process pursuant to Article 29 of the GDPR and Article 2 *quaterdecies* of Legislative Decree 196/2003. A list of the subjects appointed as data processors is available from the Data Controller.

Your personal data is not transferred outside the European Economic Area.

8. EXERCISE OF THE RIGHTS OF THE DATA SUBJECT

In accordance with the provisions of the GDPR, in the presence of the legal requirements, you have the right to ask the Data Controller, at any time, for access to your personal data, the correction or deletion of the same or to object to their processing in the cases provided for in Article 21 of the GDPR. You also have the right to request the restriction of the processing of your data in the cases provided for in Art. 18 of the GDPR, as well as to obtain in a structured, commonly used and machine-readable format the data concerning you in the cases provided for by art. 20 of the GDPR. These rights may be exercised within the limits of the provisions of art. 2-*undecies* (limitations on the rights of the data subject) of Legislative Decree no. 196 of 30 June 2003. Requests can be sent to the e-mail address privacy@gruppoab.it.

In any case, the interested party always has the right to lodge a complaint with the competent supervisory authority (Italian Data Protection Authority), pursuant to art. 77 of the GDPR, if you believe that the processing of your personal data is contrary to the regulations in force.

9. LEARN MORE

For any further information or question, you can contact the Data Controller at the following e-mail address: privacy@gruppoab.it.

Annex 1 – List of AB Group Companies acting as independent data controllers

- **AB Holding S.p.A.**, with registered office in Via Caduti del Lavoro, 13 - 25034 Orzinuovi (BS), C.F. and VAT 02243290984;
- **AB Impianti S.r.l.**, with registered office in Via Caduti del Lavoro, 13 - 25034 Orzinuovi (BS), C.F. e P.IVA. 01895490983;
- **AB Service S.r.l.**, with registered office in Via Caduti del Lavoro, 13 - 25034 Orzinuovi (BS), C.F. e P.IVA. 02279020982;
- **AB Energy S.p.A.**, with registered office in Via Caduti del Lavoro, 13 - 25034 Orzinuovi (BS), C.F. e P.IVA. 02106060987;
- **AB Power S.r.l.**, with registered office in Via Corsica, 21 - 25033 Cologne (BS), C.F. e P.IVA. 02293190985;
- **Enviroexperts S.r.l.**, with registered office in Corso Europa, 121, 23801 Calolziocorte (LC), C.F. e P.IVA. 03624880138;
- **AB Fin-solution S.p.A.**, with registered office in Via Caduti del Lavoro, 13 - 25034 Orzinuovi (BS), C.F. e P.IVA. 02662610985;
- **AB Ambiente – Società Agricola S.r.l.**, with registered office in Via Caduti del Lavoro, 13 - 25034 Orzinuovi (BS), C.F. e P.IVA. 02632060980.

The Data Controllers indicated above may be contacted by writing to privacy@gruppoab.it