

 LM MEDICAL DIVISION	PRIVACY POLICY (WHISTLEBLOWING)	MODPRIV WB V00 Del: 17/12/2023
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PRIVACY POLICY FOR THE PROCESSING OF PERSONAL DATA PURSUANT TO ART. 13 AND 14 OF EU REGULATION NO. 2016/679 ("GDPR")

L.M. MEDICAL DIVISION SRL with registered office in Palazzolo sull'Oglio (BS) via Brigade Alpine n. 9 fraction San Pancrazio, C.F. and P.IVA 03256010988 (hereinafter referred to as "Data Controller"), in its capacity as data processor, informs you pursuant to Articles 13 and 14 of the EU Regulation no. 2016/679 ("GDPR") that your personal data will be processed in the following ways and for the following purposes.

1. Object of Processing

The Data Controller processes your personal data, to be understood as common contact identification data (name, surname, company position, telephone number, e-mail address) or any other information relating to you that may make you identifiable, communicated by you in the context of the submission of reports of actual or potential wrongdoing, of national or European Union law provisions that harm the public interest or the company's interest, of which you have become aware in the context of your work, to the internal Whistleblowing Manager appointed by the Data Controller.

The Data Controller shall also process any personal identification and contact data, or any other information relating to them that may make them identifiable, of persons involved in or mentioned by you in the report submitted to the Data Controller's in-house Whistleblowing Manager.

2. Purpose of processing and legal basis for processing

Your personal data, or those of other persons involved in or mentioned in the report, are processed for purposes connected with the protection of legality in the Company in compliance with the obligations, including those of confidentiality towards you and any persons reported or mentioned in the report, laid down by legislative decree 24/2023 **and legislative decree 231/2001**.

The legal basis for the processing is therefore the fulfilment of a legal obligation to which the data controller is subject.

3. Method of processing and duration

The processing of your personal data may be carried out by means of the operations indicated in Art. 4 no. 2) GDPR, namely: collection, recording, organisation, storage, consultation, processing, selection, extraction, comparison, use, interconnection, blocking, communication, deletion and destruction of data. Your personal data may be subject to both paper and electronic processing.

The Data Controller processes the data in accordance with the provisions of the current Corporate Whistleblowing Procedure/Regulations and the applicable legal provisions, adopting appropriate technical and organisational measures to ensure the security of personal data, including protection against unauthorised or unlawful processing and accidental loss, destruction and damage, respecting the principle of privacy by design and privacy by default.

The Data Controller ensures the protection of personal data not only for the reporting or whistleblowing person but also for the other persons to whom the protection of confidentiality applies, such as the facilitator, the person involved and the person mentioned in the report as being 'affected' by the data processing.

Unless you request to stop the processing of your personal data and/or to delete them, the Controller will process and store your personal data for as long as necessary for the processing of the specific report and no longer than five years from the date of the communication of the final outcome of the reporting procedure.

Personal data that are clearly not useful for processing a specific alert are not collected or, if accidentally collected, are deleted immediately.

4. Access and Disclosure of Data

Given that, as the person making the report, your identity and any other information from which such identity may be inferred, directly or indirectly, may not be disclosed, without your express consent, to persons other than those responsible for receiving or following up reports and expressly authorised to process such data, the personal data you provide shall be processed by specifically appointed and authorised staff of the Data Controller, as well as by any Data Processors/Sub-Processors appointed by the Data Controller or Responsible for the management of any technological platforms used for the management or filing of the reports, and, except for the fulfilment of obligations arising from the law, shall have no further scope of communication, except where provided for by the Law, and dissemination.

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6. Data Transfer

Your personal data may be transferred, for the purposes set out in this notice for filing and storage purposes only, both to countries within the European Union and to countries outside the European Union. In any case, the Data Controller hereby ensures that the transfer of data outside the EU will take place in compliance with the applicable legal provisions.

7. Nature of provision of data and consequences of refusal to answer

Acknowledging the legitimacy also of 'anonymous' reports, the provision of your data appears to be optional and your refusal to provide them will not have any consequences with regard to the validity of the report and the work of the appointed Internal Whistleblowing Manager.

The Whistleblower remains, in any case, personally liable for any defamatory content of his or her communications and the Company, through its appointed Internal Whistleblowing Manager, in order to protect the dignity, honour and reputation of everyone, undertakes to offer maximum protection against defamatory reports.

8. Rights of the data subject

As a **Reporting Stakeholder**, you may exercise your rights under Article 15 GDPR, namely:

- obtain confirmation as to whether or not personal data concerning you exist, even if they have not yet been recorded, and their communication in intelligible form;
- obtain information on: a) the origin of the personal data; b) the purposes and methods of processing; c) the logic applied in the event of processing carried out with the aid of electronic instruments; d) the identification details of the Data Controller, the Data Processors and the representative designated pursuant to Article 3(1) of the GDPR; e) the subjects or categories of subjects to whom the personal data may be communicated or who may become aware of it in their capacity as designated representative in the territory of the State, data processors or persons in charge of processing;
- obtain: a) the updating, rectification or, where interested therein, the integration of the data; b) the cancellation, transformation into anonymous form or blocking of data processed in breach of the law, including those the conservation of which is not necessary in relation to the purposes for which the data were collected or subsequently processed c) certification to the effect that the operations as per letters a) and b) have been notified, as also related to their contents, to the entities to whom or which the data were communicated or disseminated, unless this requirement proves impossible or involves a manifestly disproportionate effort compared with the right that is to be protected;
- oppose, in whole or in part, for legitimate reasons, the processing of personal data concerning you, even if relevant to the purpose of collection.

where applicable, you will also have the rights set out in Articles 16-21 GDPR (right to rectification, right to be forgotten, right to restriction of processing, right to data portability, right to object), as well as the right to complain to the Data Protection Authority.

Finally, if the prerequisites are met, the right to compensation for any damage suffered as provided for in Article 82 of the GDPR.

Pursuant to Article 2-undecies of Legislative Decree No. 196/2003 as amended and supplemented (hereinafter the "New Privacy Code") and in implementation of Article 23 of the Regulation, we inform you that the aforementioned rights may not be exercised by the persons involved in the reporting, if the exercise of such rights may result in actual and concrete prejudice to the confidentiality of the identity of the reporting person. In particular, the exercise of these rights:

- will be carried out in accordance with the provisions of the law or regulations governing the sector (Legislative Decree 24/2023);

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- may be delayed, limited or excluded by reasoned communication made without delay to the person concerned, unless such communication would jeopardise the purpose of the limitation, for such time and to the extent to which this constitutes a necessary and proportionate measure, having regard to the fundamental rights and legitimate interests of the person concerned, in order to safeguard the confidentiality of the identity of the person making the report;
- In such cases, the data subject's rights may also be exercised through the Garante per la Protezione dei Dati Personali in the manner set out in Article 160 of the New Privacy Code, in which case the Garante shall inform the data subject that it has carried out all the necessary verifications or has conducted a review, as well as of the data subject's right to lodge a judicial appeal.

9. Methods of exercising rights

As the party concerned by the processing of personal data, you may at any time exercise your rights by sending a registered letter with return receipt to L.M. MEDICAL DIVISION SRL at its registered office in Palazzolo sull'Oglio (BS) via Brigade Alpine n. 9 fraction San Pancrazio.

10. Owner and responsible persons

The Data Controller is L.M. MEDICAL DIVISION SRL with registered office in Palazzolo sull'Oglio (BS) via Brigade Alpine n. 9 fraction San Pancrazio, C.F. and P.IVA 03256010988. The updated list of data processors is kept at the registered office of the Data Controller.