

SANT'UGO IMMOBILIARE S.r.l.

CAPITALE SOCIALE EURO 4.400.000 I.V.

R.E.A. GENOVA N° 282940

CODICE FISCALE ED ISCRIZIONE REGISTRO IMPRESE DI GENOVA N° 02592920108
PARTITA I.V.A. N° 02592920108

Information on the processing of personal data of individuals who report illegal activities pursuant to Legislative Decree 24/2023

Dear Reporter,

in order to comply with the obligations set forth in Art. 13 et seq. of EU Regulation 679/2016 (GDPR), **Sant'Ugo Imm. S.r.l.**, with registered office in Genoa, Via D'Annunzio 2, provides the following information regarding the processing of personal data resulting from your report of illegal conduct relevant to the whistleblowing legislation referred to in Legislative Decree 24/2023 and in accordance with the reporting procedure adopted by the Company.

1. Data controller

The data controller, pursuant to Articles 4 and 24 of the GDPR, is Sant'Ugo Imm. S.r.l. (hereinafter also referred to as 'the Data Controller' or 'the Company'), which will process your personal data in accordance with the applicable legislation in force regarding the protection of personal data and this policy.

2. Subject matter of the processing

Given that the following definitions apply:

- a) **processing** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction (GDPR, Art. 4); consultation, restriction, blocking, erasure, destruction (GDPR, Art. 4);
- b) **personal data** means any information relating to an identified or identifiable natural person, even indirectly, or whose identity can be ascertained by means of additional information, with particular reference to an identifier such as a name, an identification number, a location, an online identifier or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person (GDPR, Art. 4),

the subject of the processing referred to in this policy will be exclusively personal data relating to reports made by whistleblowers, including data contained in the reports themselves, which may include personal data of third parties.

3. Types of personal data that may be processed

If the report is not made anonymously, the personal data of the reporting person that may be processed includes:

- personal and contact details, such as: name and surname, telephone number, e-mail address;
- information relating to the employment relationship, such as: job classification, department, role, qualification;
- provided by the whistleblower in order to report alleged unlawful conduct or conduct that is not based on principles of ethics and integrity that they have become aware of in the course of their work.

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4. Whistleblowers affected by the processing

The whistleblowers concerned may be: employees, including temporary workers, volunteers, trainees and interns, self-employed workers and collaborators, suppliers of goods or services, freelancers and consultants, persons on probation or whose employment relationship has ceased, senior managers, shareholders and persons with administrative, management, control, supervisory or representative functions, so-called “facilitators”, i.e. persons who assist the whistleblower in the reporting process. persons linked to the whistleblower by a stable emotional bond or kinship within the fourth degree, work colleagues operating within the same department/work context as the whistleblower;

5. Purpose of processing

Sant’Ugo Imm. S.r.l. will collect and process data in compliance with the conditions of lawfulness set out in Article 6 of the GDPR exclusively for the following purposes: receipt, recording, analysis, evaluation and management of reports of alleged unlawful conduct received by the Company pursuant to Legislative Decree 24/2023, Law 179/2017 and the ‘whistleblowing’ Procedure, which the Company has become aware of through the internal reporting channel set up for this purpose.

6. Legal basis for processing

Processing is necessary to comply with a legal obligation established by Union and Member State law (Legislative Decree 24/2023) and in accordance with Article 12 of EU Regulation 679/2016, to which Sant’Ugo Imm. S.r.l. is subject as the Data Controller.

7. Nature of the provision

The provision of personal data by the Whistleblower is optional and failure to provide such data will not affect the report, as “anonymous reporting” is still possible. However, it is necessary in order to implement the protections provided for whistleblowers by Legislative Decree 24/2023. Processing relating to operations connected with the “disclosure of the identity of the whistleblower” and “storage for documentation purposes” must be based on the legal basis of the whistleblower's express consent.

8. Period of retention of personal data

The personal data being processed will be retained for the time strictly necessary to manage the report and, in any case, for no longer than 5 years from the date of notification of the final outcome of the procedure initiated by the Company, in accordance with the provisions of Article 14 of Legislative Decree No. 24/2023. Once the investigation or any resulting disciplinary action has been completed, personal data relating to unfounded reports will be deleted, without prejudice to the Company's right to store such data in a separate archive for the purposes of ascertaining, exercising or defending a right of the Company.

9. Processing methods and automated processing

Personal data is processed using the Company's procedures dedicated to reporting or, in any case, using IT tools and media by persons specifically authorised and formally appointed to manage the internal reporting channel. Personal data is processed and stored in accordance with the principles of fairness, lawfulness, transparency, proportionality and necessity, and using tools that guarantee its security, integrity and confidentiality, through the adoption of technical and organisational measures

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in accordance with current legislation and through the use of procedures designed to prevent the risk of loss, unauthorised access, unlawful use and dissemination.

10. Recipients of Personal Data

Personal data will not be disclosed, but may be communicated to specific recipients, who will process it as persons in charge or data processors acting under the authority of the Data Controller or Data Processor, solely for the purposes referred to in point 5 of this Policy. In particular, personal data will be processed:

- by the Supervisory Body (SB) of Sant'Ugo Imm. S.r.l., which is the recipient of reports of conduct relevant to the Organisation and Management Model pursuant to Legislative Decree 231/01 and of those relating to all other alleged offences referred to in Legislative Decree 24/2023;
- by third parties appointed as outsourced Data Processors by the Company for the management of the IT platform of the internal reporting channel by contract or other appropriate legal act (GDPR, Art. 28);
- by the internal department exercising disciplinary power, subject to the express consent of the Whistleblower, if the disciplinary charge is based solely on the report and knowledge of the Whistleblower's identity is absolutely essential to the defence of the accused;
- Judicial authorities and other public authorities, including ANAC.

Where required for the purposes of the proper analysis and assessment of the report, personal data, with the exception of those relating to the reporting person, may be processed by the following, unless this is not necessary:

- Company functions/departments involved in the preliminary investigation and investigation phase, if the report concerns them;
- Company functions/departments that have requested or used the services of a third party, if the report concerns that third party;
- Chief Executive Officer, Board of Directors or Board of Statutory Auditors, in cases where the reports concern senior management.

All of the above parties have received adequate authorisation and operating instructions from the Company, with particular reference to the adoption of technical and organisational measures to ensure maximum confidentiality and security of personal data.

11. Transfer of personal data

Personal Data will be processed and stored within the European Union. If they need to be transferred to countries outside the European Economic Area, the Company will proceed on condition that the adequacy of the third country is recognised by the European Commission or, if not, it will take appropriate contractual measures to ensure that the data is adequately protected (GDPR, Art. 45). In the absence of such conditions, data may only be transferred on the basis of the specific derogations provided for in Art. 49 of the GDPR.

12. Rights of the whistleblower and the reported party

The whistleblower may exercise the rights referred to in Articles 15 to 22 of the GDPR, within the limits of their compatibility with the legislation on whistleblowing referred to in Legislative Decree 24/2023.

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The reported party must accept the limitation of the rights provided for in the aforementioned articles with regard to the identity of the whistleblower, as this conflicts with the whistleblower's right to anonymity. The identity of the whistleblower may be disclosed to the reported party only in cases where the whistleblower has given their express consent.

Once the preliminary stages of the report have been completed, such as criminal, tax and administrative investigations, inspections by supervisory bodies, etc., the reported party may access their personal data and request the correction of any inaccurate, incomplete or outdated data and the deletion of any data for which the purpose of storage has ceased.

13. Contact details

- ∂ **Data Controller:** Sant'Ugo Imm. S.r.l., Via G. D'Annunzio 2-108, 16121 Genoa, Tel. +39 010 57221, Fax +39 010 594759, e-mail: info@carboflotta.it.
- ∂ **External Data Processor:** Unione Fiduciaria S.p.A., limited to reports sent via the Platform: <https://digitalplatform.unionefiduciaria.it/whistleblowing/>.
- ∂ **Supervisory Body of Sant'Ugo Imm. S.r.l.**, e-mail: organismo.vigilanza@carboflotta.it, limited to requests concerning the processing of personal data connected with reports pursuant to Legislative Decree no. 24/2023.

You may also send complaints or reports regarding the processing of your data to:

- ∂ **The Italian Data Protection Authority**, Piazza di Monte Citorio 121 - 00186 ROME Tel. (+39) 06.696771, Fax: (+39) 06.69677.3785, e-mail: garante@gdgd.it, certified e-mail protocollo@pec.gdgd.it.