

INFORMATION NOTICE

WHISTLEBLOWING REPORTED PERSON

APRIL 2024

VERSION #01

INFORMATION NOTICE – WHISTLEBLOWING REPORTED PERSON

This policy is drafted pursuant to and for the purposes of art. 14 of EU General Data Protection Regulation 2016/679 (GDPR)

DATA CONTROLLER

Data controller is **MSC TECHNOLOGY ITALIA SRL**, with registered office in Via Nizza, 262/Int.27 10125 Turin (IT) (here below referred to also as “**MSC Tech**” or “**Data controller**”). Contact details: E-Mail IT161-privacy_msctech@msc.com

DATA PROTECTION OFFICER of MSC Tech (artt. 37 and ff. GDPR): has appointed its Data Protection Officer (DPO) available at the following E-Mail address: dpo.msctechnology@dpoprofessionalservice.it.

PERSONAL DATA PROCESSED

Personal data: means any information relating to an identified or identifiable natural person ('Data Subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person; (Recitals No. 26, 27, 30 GDPR).

The data processed will be those related to the reports made by the reporting subjects (the so-called whistleblowers) which may include data relating to third parties namely to the reported subjects and data processing is carried out in full compliance with and in the manner defined in the Whistleblowing Procedure adopted by the Data Controller.

Data relating to the reported person, which may be provided by the Whistleblower:

Name, surname or other information enabling identification of the person to whom the reported facts may be ascribed;
Job title;

Other personal data such as telephone number, e-mail address, tax code;

Any additional information provided by the Whistleblower;

Categories of Data Subjects: the reported person and namely the natural or legal person mentioned in the internal whistleblowing report as the person to whom the violation is ascribed or as a person otherwise implicated in the reported violation [Art. 2(1)(l) of Italian Legislative Decree No. 24/2023];

PURPOSE OF PROCESSING, LEGAL GROUND, DATA RETENTION, SOURCE OF INFORMATION

PURPOSE OF PROCESSING	LEGAL GROUND	DATA RETENTION	SOURCE OF INFORMATION
<p>A) Management of Whistleblowing Reports. In particular, use of your personal data collected following the submission of reports against you relating to conduct, acts or omissions detrimental to the public interest or the integrity of the public administration or private body, pursuant to Art. 2(1)(a) of Italian Legislative Decree No. 24/2023.</p>	<p>Data processing is necessary for compliance with a legal obligation to which the Data Controller is subject (pursuant to Italian Legislative Decree No. 24/2023 and Recital 45 GDPR)</p> <p>Art. 6 (1) (c) GDPR.</p> <p>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 with regard to Labour law [Art. 9 (2)(b) GDPR];</p> <p>The processing of personal data relating to criminal records and offences, in accordance with Art. 10 GDPR, is based on a legal obligation to which the</p>	<p>For the time strictly necessary to process the whistleblowing report and, in any case, no longer than 5 years from the date of the communication of the final outcome of the whistleblowing procedure (Art. 14 of Italian Legislative Decree No. 24/2023).</p> <p>In the event of a lawsuit, the above-mentioned time limit is extended until conclusion of the stages of legal proceedings.</p> <p>Personal data that are clearly not useful for processing a specific whistleblowing report are not collected or, if accidentally collected, are deleted immediately.</p>	<p>The source of the personal data is the report made by the whistleblower (Art. 3(3) and (4) of Italian Legislative Decree No. 24/2023) and by other parties during the investigation.</p>

PURPOSE OF PROCESSING	LEGAL GROUND	DATA RETENTION	SOURCE OF INFORMATION
	Data Controller is subject [Art. 6 (1)(c)].		

CATEGORIES OF DATA RECIPIENTS

The Personal Data provided may be disclosed to recipients, who shall process them in their capacity as Autonomous Data Controllers or Data Processors (Art. 28 GDPR), and processed by natural persons operating under the authority of the Data Controller and Data Processors (Art. 29 GDPR and/or Art. 2-*quaterdecies* of Italian Legislative Decree No. 196/2003) on the basis of specific instructions given on the purposes and methods of processing.

More specifically, data may be transferred to recipients in the following categories:

- the person or internal department or external party to whom the management of the internal reporting channel is delegated;
- third parties providing the whistleblowing software adopted by the Data Controller;
- Judicial authorities and public authorities (including the Italian National Anti-Corruption Authority);
- DPO / Data Protection Representative for handling requests from Data Subjects.

TRANSFER OF PERSONAL DATA

Personal data will not be transferred to countries outside the EEA.

AUTOMATED MEAN PROCESSING

Personal data will be subject to traditional manual, electronic and automated processing. Please note that no fully automated decision-making processes are carried out.

DATA SUBJECTS' RIGHTS

Data subjects shall be able to exercise their rights under Articles 15 et seq. GDPR contacting the Whistleblowing Management Committee throughout the relevant portal. Data subjects shall have the right to obtain from the Data Controller, at any moment, rectification of inaccurate personal data concerning them (Art. 16) or access to their personal data (Art. 15). These rights may not be exercised whether this would result in actual and concrete prejudice to the confidentiality of the reporter's identity of the person reporting violations of which he/she has become aware by reason of his/her employment relationship or duties in compliance with Italian Legislative Decree No. 24/2023 (Art. 2-*undecies* of Italian Legislative Decree No. 196/2003, as amended by Art. 24(4) of Italian Legislative Decree No. 24/2023).

Without prejudice to any other administrative or judicial remedy, in case you consider your data processing in contrast with Reg. UE 2016/679, pursuant to article 15 lett. f) of Reg. UE 2016/679, you have the right to lodge a complaint with a supervisory authority in the Member State you habitually reside, work or in the place where the alleged violation has occurred (Garante Privacy <https://www.garanteprivacy.it/>).

AMENDMENTS

The Data Controller reserves the right to amend, update, add or remove parts of this Whistleblowing Policy and Procedure.

Updated on: 17.04.24

Data Controller
MSC TECHNOLOGY ITALIA SRL