



INFORMATION ON THE PROCESSING OF PERSONAL DATA IN RELATION TO WHISTLEBLOWING REPORTS

With this information, SDAG Stazioni Doganali Autoportuali Gorizia S.p.A. a socio unico, intends to provide all the information required by art. 13 and 14 of EU Regulation 2016/679 (also known as GDPR or General Data Protection Regulation), regarding the processing of personal data carried out by the Company in the context of reports of alleged unlawful conduct that qualifies as "whistleblowing" (Legislative Decree 24/2023).

1. DATA CONTROLLER AND DPO – DATA PROTECTION OFFICER

The Data Controller is SDAG Stazioni Doganali Autoportuali Gorizia S.p.A. a socio unico, with registered office in 34170 Gorizia Stazione Confinaria S. Andrea. The Data Controller has appointed, pursuant to Article 37 of the GDPR, the DPO – Data Protection Officer (DPO). It is possible to contact the DPO of SDAG S.p.A. at the following certified email address: dpo@sdag.it

Data subjects: The information applies to the subjects who report the aforementioned violations, to the reported subjects indicated as presumed responsible, to the subjects involved in the violations, to the subjects aware of the facts or in any case mentioned in the report and to the facilitators.

Purposes and methods of processing: the Data Controller may process personal data for the receipt and management of the report, including the investigation phase, the application of corrective measures, the monitoring of their application and the updating of the whistleblower on the results of the proceedings, his defence in court and/or the defence of the whistleblower. The processing of data is carried out using manual, computer and telematic tools with logics strictly related to the purposes indicated and, in any case, in such a way as to guarantee the security and confidentiality of the data, in compliance with current legislation on the subject and applying the technical and organizational measures provided.

Personal data are processed, except in cases provided for by law, only by the Head of Corruption Prevention and Transparency (RPCT) of SDAG or the Municipality of Gorizia in relation). The processing of the whistleblower's personal data is carried out exclusively for the investigation of the report. The processing of personal data will be carried out exclusively by the RPCT and any dedicated working group, with the use of procedures, including computerized ones, equipped with encryption tools to ensure the confidentiality of the identity of the whistleblower and the content of the reports and related documentation, adopting appropriate technical and organizational measures to protect them from unauthorized or unlawful access, destruction, loss of integrity and confidentiality, even accidental.

2. LEGAL BASES FOR PROCESSING

the processing activities are carried out on the basis of a legal obligation to which the Data Controller is subject (Article 6, paragraph 1, letter c) GDPR), pursuant to the applicable legislation on whistleblowing Legislative Decree 24/2023. It is specified that:

- The processing of "common" data is based on the legal obligation to which the Data Controller is subject (Article 6, paragraph 1, letter c) of the GDPR);



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- 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 in the field of labour law (Article 9, paragraph 2, letter b), GDPR);
- The processing of data relating to criminal convictions and offences, taking into account the provisions of Article 10 of the GDPR, is established on the basis of the legal obligation to which the Data Controller is subject (Article 6, paragraph 1, letter c), GDPR).

It should be noted that, due to the provisions of Legislative Decree 24/2023, in cases where:

- a) The report should lead to the initiation of disciplinary proceedings and the disclosure of the identity of the whistleblower is necessary for the defence of the person to whom the disciplinary charge is charged;
- b) The report should lead to the establishment of other types of internal proceedings and the disclosure of the identity of the whistleblower is essential for the defence of the accused;

SDAG S.p.A. proceeds to disclose the identity of the whistleblower only with the specific, free express consent of the whistleblower himself, requested together with the communication of the reasons on the basis of which SDAG S.p.A. considered the disclosure of such identity indispensable. It will inform the whistleblower of this circumstance, in addition to the reasons why it claims that the disclosure of identity is essential, while always leaving the whistleblower the right to expressly consent to the disclosure of his or her identity.

Categories of personal data and sources of data origin:

Based on the experience of the Data Controller, the following personal data of the data subjects may be processed:

- identification data;
- contact details;
- data relating to the alleged reported conduct, attributed to the reported person, in which the data subject may be involved or of which he or she may be aware;
- images and other documentation attached to the report;
- special categories of personal data that may be contained in the report;
- legal data;
- content of the communications exchanged between the whistleblower and the subjects managing the report.
- any particular data that is the subject of the report

The personal data of persons other than the whistleblower are usually provided by the whistleblower through the report or by the other data subjects (if they are interviewed during the investigation). The receipt and management of reports implies the processing of so-called "common" personal data (e.g. name, surname, job role, etc.) as well as, depending on the content of the reports, the acts and documents attached to them, the processing of so-called "special" personal data (these are the types of data listed in Article 9 of the GDPR, such as, for example, data concerning health conditions, trade union membership or sexual orientation) and personal data concerning criminal convictions and offences referred to in Article 10 of the GDPR.

The personal data provided by the whistleblower are acquired by SDAG S.p.A. directly from the person who, in the public interest or the integrity of the Company, reports alleged unlawful conduct or violations of regulatory provisions (national or EU) committed within the SDAG S.p.A. organization and of which he or she has become aware due to his or her employment, internship or supply relationship with SDAG S.p.A.. Personal data are therefore acquired as they are contained in the report and/or in documentation related to it, refer to the reporting party and may also refer to persons indicated as likely responsible for the unlawful conduct, in addition to those involved in various ways in the reported acts.

The data provided by the whistleblower are processed by SDAG S.p.A. in order to carry out the necessary



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investigative activities aimed at verifying the validity of the fact being reported and, if necessary, to take corrective measures within the Company and adopt the most appropriate disciplinary and/or judicial actions against those responsible for the unlawful conduct.

The identity of the whistleblower is protected in any context subsequent to the report, with the exception of cases in which liability for slander and defamation can be established pursuant to the provisions of the Criminal Code or Article 2043 of the Civil Code and cases in which anonymity is not enforceable by law (e.g., criminal investigations, tax or administrative matters, inspections by control bodies). Therefore, subject to the above exceptions, the identity of the whistleblower cannot be revealed without the whistleblower's express consent, and all those who receive or are involved in the handling of the report are required to protect the confidentiality of such information.

The protection of confidentiality is also guaranteed to the other interested parties, until the conclusion of the procedure initiated by reason of the report and in compliance with the same guarantees provided for the whistleblower.

3. DATA RECIPIENTS

In the event that the report is reported to the competent authorities, the obligation to keep the identity of the persons involved or mentioned in the report confidential may be waived in the manner and under the conditions provided for by the applicable legislation. In this case, the Judicial Authority, the Court of Auditors and ANAC could be recipients of the data collected as a result of the report.

In addition, the data or part of the data may be shared with the following external parties, depending on the case acting as independent data controllers or data processors: • lawyers and consultants, who provide advisory or investigative services; • judicial, supervisory, supervisory or police authorities, in the cases provided for by law. The reports sent through the portal are managed by a system made available by DIGITAL PA, a company that acts as a data processor pursuant to art. 28 of EU Regulation 2016/679.

4. TRANSFER OF DATA OUTSIDE THE EUROPEAN UNION

The transfer of your data to bodies or organizations in non-EU countries is not envisaged, except in any cases provided for by law.

5. DATA RETENTION TIMES

Pursuant to and for the purposes of art. 14 of D.l.gs. 24/2023, the reports received by SDAG S.p.A. and the related documentation are kept for the time necessary for their management and in any case and no later than 5 years from the date of communication of the final outcome of the procedure. This is without prejudice to any specific regulatory obligations or the supervening need of the Data Controller to act or defend itself in court, which make it necessary to process and store data for longer periods of time.

Mandatory provision of data: it is possible to submit a report anonymously or non-anonymously as indicated in the "Instructions for whistleblowing reports". In the event of an anonymous report, the Data Controller may not be able to effectively investigate the report. Therefore, where applicable, the whistleblower is invited to report any breach by providing all the information requested, so as to allow the Data Controller to request further information. In any case, the Data Controller ensures that all personal data processed in the context of the report remain strictly confidential



6. RIGHTS OF THE DATA SUBJECTS

EU Regulation 2016/679 recognises various rights for each data subject, which can generally be exercised by contacting the Data Controller or possibly the DPO at the addresses referred to in point 1 of this policy. Among the rights exercisable pursuant to articles 15 et seq. of the EU Regulation are:

- The right to know whether the Company is currently processing personal data concerning the data subject and, where appropriate, to exercise the right of access to the data subject to processing and to all information related to it;
- The right to rectify inaccurate personal data and, if necessary, to complete the same;
- The right to erasure of personal data;
- The right to restriction of processing;
- The right to object to processing.

In the event that the whistleblower obtains consent to the disclosure of the identity as part of the procedure referred to in letters a) and b) of point 2 of this policy, the whistleblower will have the right to revoke such consent at any time, without this decision affecting the lawfulness of the processing already carried out by virtue of such consent.

In the event that the reporting party wishes to exercise the rights, it is advisable, for greater protection of the confidentiality of one's identity, to exercise these rights by means of a communication sent by means of a specific request submitted to the Head of Corruption Prevention and Transparency (RCPT). If, on the other hand, it is the person involved or in some way mentioned in the report who wishes to exercise the rights, it should be noted that, pursuant to Article 2 – undecies, paragraph 1 letter f) of Legislative Decree 196/2003, the rights mentioned above cannot be fulfilled – for the time and to the extent that this constitutes a proportionate and necessary method – by request to the Data Controller or by complaint to the Guarantor Authority where from their exercise may cause a prejudice to the confidentiality of the identity of the whistleblower. In the event mentioned above, the interested party may contact the Guarantor Authority, so that it can assess whether the conditions exist to act with the directives provided for by Article 160 of Legislative Decree 196/2003

7. RIGHT TO LODGE A COMPLAINT

Data subjects who believe that the processing of their personal data is in violation of the provisions of EU Regulation 2016/679, have the right to lodge a complaint, as provided for by art. 77 of the Regulation itself, or to take legal action (Article 79 of the Regulation) to the competent national authority for the protection of personal data www.garanteprivacy.it