

**INFORMATION ON THE PROCESSING OF PERSONAL DATA**  
**Articles 12-13 of the Regulation (EU) 2016/679**

<b>INFORMATION AND CONTACT DATA OF THE CONTROLLER</b> Art. 13, paragraph 1, lett. a) and b) of Regulation (EU) 2016/679	
Controller	<b>Tema Sinergie S.p.A.</b> with registered offices in Via Malpighi, 120 – 48018 Faenza (RA), VAT No. 00970310297
Contact data	E-mail: <a href="mailto:privacy@temasinergie.com">privacy@temasinergie.com</a>
<p><b>Tema Sinergie S.p.A.</b>, as the Data Processing Controller of your personal data (hereinafter “Controller”) hereby informs you, pursuant to Articles 12 and 13 of Regulation (EU) 2016/679 (General Data Protection Regulation, hereinafter “<b>GDPR</b>”), that your personal data will be processed by specifically authorised auditors and limited to the purposes and with the methods that will be specified below.</p>	

**SUBJECT, PURPOSE, AND LEGAL BASIS OF THE PROCESSING**

The Controller hereby informs you that he/she will process your personal data, more specifically and limited to your **common data like personal and contact data and information regarding professional qualifications/relationship with the Firm and potentially sensitive data pursuant to Articles 9 and 10 of the GDPR** for the sole purposes of the receipt, analysis, investigation, and management of the reports and potential consequential actions and, in particular, to ascertain the facts reported and the adoption of potential provisions by the body competent in matters of Whistleblowing.

Pursuant to Art. 6, paragraph 1 letters a), c) and f) of European Regulation n. 679/2016 (hereinafter also “Regulation”), all the personal data collected as part of this processing are strictly functional and necessary for compliance with the provisions outlined by Italian Legislative Decree n. 24/2023, as well as for any potential needs for internal control, monitoring of corporate risks, the defence of a right in judicial proceedings or for other legitimate interests of the controller.

The processing of your personal data will take place according to the principles of lawfulness and fairness and in such a way as to fully protect your confidentiality, in particular, in deference to the principles established by Art. 5 of the GDPR.

**PROCESSING METHODS**

The above-mentioned data will be processed with IT and paper supports that guarantee its security and confidentiality. Documentation in paper format is limited to an absolute minimum and filed and protected in cupboards and rooms equipped with safety locks. The transmission of the data provided by the whistleblower through access on the platform is managed in such a way that all the data is completely encrypted, thereby guaranteeing the confidentiality of the information transmitted.

For the pursuit of the above-mentioned purposes, the personal data provided is made accessible only to those who, within the Firm, are competent to receive or follow up on the activities of analysis, investigation, and management of the reports and potential consequential actions. These auditors are suitably instructed in order to avoid the loss of data, access to data by unauthorised subjects, or unlawful processing of the data itself and, more generally, in relation to the obligations concerning the protection of personal data. The data may also be processed by external Consultants and Third Parties with technical responsibilities

(for example, the provider of the IT platform), who act as Processors/Sub-processors and have signed a special contract that regulates in detail the processes entrusted to them and the obligations in terms of the protection of data and security of the processing pursuant to Art. 28, paragraph 3 of the Regulation. Lastly, the personal data may also be transmitted to other autonomous auditors who are data controllers, according to the law or regulation (ex. Public Authorities, Judicial Authorities, etc.). The identity of the whistleblower and any other information that may facilitate, directly or indirectly, deducing his/her identity, may be revealed to people other than those competent to receive or follow up on the report only after having received the express consent of the whistleblower in compliance with the provisions of Italian Legislative Decree n. 24/2023.

#### SCOPE OF THE COMMUNICATION OF THE DATA

The Controller informs you that he/she will not transfer your personal data to a third country outside the EU or to an international organisation based outside the confines of the European Union; if this should become necessary for any reason, the Controller hereby ensures that the transfer of the data will take place in conformity with the provisions of applicable laws and, in particular, in compliance with Articles 44 – 45 – 46 – 47 – 48 and 49 of the GDPR and the other applicable rules of law.

#### PERIOD OF STORAGE OF THE DATA

We inform you that, in compliance with the principles of lawfulness, purpose limitations, and the storage and minimisation of the data, pursuant to Art. 5 of the GDPR, the storage period of your personal data is established for no longer than is necessary for the purposes for which the personal data are collected and processed, but no longer than five years starting from the date of the communication of the final result of the report process.

Once the term of storage as defined above has passed, your data will be cancelled from every Data Base, registry, software and/or paper and electronic archive where they were memorised and stored.

#### AUTOMATED PROCESSES AND PROFILING

The Controller hereby informs you that, for the purposes of processing your personal data, **no automated decision-making processes are used**, nor those aiming to make decisions using technological means based on pre-determined criteria (i.e. without human involvement), **nor are profiling activities carried out**, which is to say, those directed at using your personal data to analyse or foresee aspects concerning professional performance, the economic situation, health, personal preferences, interests, reliability, conduct, location or movements, etc.

#### RIGHTS OF THE DATA SUBJECT

##### **Right of Access pursuant to Art. 15 of the GDPR and Right to Rectification pursuant to Art. 16 of the GDPR**

As the data subject, pursuant to Art. 15 of the GDPR, you have the right to obtain from the Controller **the confirmation as to whether or not your personal data is being processed**, to **obtain access to the same and to all the information** referenced in the same Art. 15, paragraph 1, letters from (a) to (h), through the release of a copy of the data processed in a structured format, commonly used, that can be read by an automatic and interoperable device.

You, pursuant to Art. 16 of the GDPR, also have the right to obtain from the Controller **the rectification and/or the integration** of the data processed if they are not updated and/or inexact and/or incomplete.

##### **Right to erasure pursuant to Art. 17 of the GDPR and the Right to restriction of processing pursuant to Art. 18 of the GDPR**

As the data subject, you have the right to obtain, with no unjustified delay, from the Controller, exclusively under the conditions outlined in Art. 17, paragraph 1, letters from (a) to (f), of the GDPR, **the erasure** of the data concerning you - with the exception of the hypotheses specifically outlined in Art. 17 paragraph 3.

As the data subject, pursuant to Art. 18 paragraph 1, letters from (a) to (d), of the GDPR, you have the right to request and obtain from the Controller the **restriction of processing** of your personal data, so that such data cannot be subjected to further processing and can no longer be modified. The Controller ensures that the restriction of processing is actuated by means of adequate technical devices that guarantee inaccessibility to and the inability to modify the data.

#### **Right to data portability pursuant to Art. 20 of the GDPR**

As the data subject, pursuant to Art. 20 of the GDPR, you have the right to receive from the Controller your personal data, the processing of which is carried out with automated means in a structured format, commonly used and machine-readable format; you also have the right to transmit such data to another controller, or to obtain from the Controller, where technically feasible, the direct transmission of said data to another data controller who has been specifically identified.

#### **Right to object to processing pursuant to Art. 21 of the GDPR**

You have the **right to object at any time to the processing** of your own personal data on grounds relating to your particular situation, in the cases in which the processing of your data is required (1) for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; (2) for the pursuit of a legitimate interest of the Controller or of a third party; (3) for profiling based on those provisions.

You also have the **right to object to the processing** of your personal data for reasons related to your particular situation if the same is processed for the purposes of scientific or historical research or for statistical purposes pursuant to Article 89, paragraph 1 of the GDPR, unless the processing is necessary for the performance of a task of public interest or on legitimate grounds like, for example and not limited to, for the exercise or defence of legal claims.

### **HOW TO EXERCISE THE RIGHTS OF THE DATA SUBJECT**

You will be able to exercise the above-mentioned rights by sending a request by e-mail to the address [privacy@temasinergie.com](mailto:privacy@temasinergie.com).

The Controller will confirm the receipt of your request and provide you with the information concerning the actions undertaken, with reference to the exercising of your rights as established in Articles 15 to 22 of the GDPR, within 1 (one) month after the receipt of the request itself. If necessary, and taking into account the complexity and number of the requests, the Controller may extend this term to 2 (two) months, subject to a communication justifying the extension to be transmitted within 1 (one) month after the receipt of the request.

The Controller will communicate the potential rectification, erasure, restriction, objection to all the recipients, as specified by Art. 4, paragraph 1 n. 9 of the GDPR, to whom said data was transmitted, unless this should prove impossible and/or requires a disproportionate effort.

After having sent your request for rectification, erasure, restriction, or objection, if the Controller should have reasonable doubts about your identity, he/she will request further information to confirm it. Said communications will be sent via e-mail from the above-specified e-mail address and will be processed by the person specifically authorised to do so.

If the Controller should not fulfil your request within the term of 1 (one) month after receiving your request, the latter will inform you of the reasons for his/her non-compliance, explaining immediately of your right to **lodge a complaint with a Supervisory Authority** (Data Protection Authority), as specified in Art. 13, paragraph 3, letter (d) and regulated by Articles 77 and seq. of the GDPR and 144 and seq. of Italian Legislative Decree 196/2003, as modified by Legislative Decree 101/2018.

Pursuant to Article 2-undecies of Italian Legislative Decree n. 196/2003 and subsequent amendments (hereinafter "Personal Data Protection Code") and in actuation of the Article 23 of the Regulation, you are hereby informed that the above-mentioned rights cannot be

exercised by the people involved in the report, if the exercising of said rights may result in an effective and concrete prejudice against the confidentiality of the whistleblower's identity. More specifically, the exercising of these rights: ▪ may be actuated in conformity with the provisions of law or regulations that govern the sector (Legislative Decree 24/2023); ▪ may be delayed, limited, or excluded with a communication of justification and delivered with no delay to the data subject, unless that communication may compromise the purpose of the restriction, for the time and within the limits by which it constitutes a necessary and proportionate measure, having taken into account the fundamental rights and legitimate interests of the data subject, for the purpose of safeguarding the confidentiality of the whistleblower's identity; ▪ in these cases the rights of the data subject may also be exercised through the Data Protection Authority using the methods outlined in Article 160 of the Personal Data Protection Code, in which case the Data Protection Authority informs the data subject of having carried out all the necessary verifications or having performed a review, as well as the right of the data subject to propose a judicial remedy.