

DISCLOSURE ON THE PROCESSING OF PERSONAL DATA PURSUANT TO ART. 13 OF EU REGULATION 2016/679 (THE “GDPR”)

This disclosure is provided by the Controller with regard to the processing of personal data carried out through the appropriate channel for reporting illicit or irregular activities, also known as Whistleblowing. If a report comes from a party which is connected with the Controller through an employment or collaboration relationship then this disclosure shall be understood as supplementary and not as a substitute to the information provided to personnel as part of the management of the employment relationship.

Parties involved

The Whistleblower and the Party being Reported

Controller

Opto Engineering S.p.A.
 str. Circonvallazione Sud 15 - 46100 Mantua (MN), Italy
 telephone +39 0376 699111 - email: privacy@opto-e.com

Purposes for which personal data is processed

Data shall be processed for the following purposes, on the basis of the relative legal bases:

no.	Purpose	Legal basis
1	To manage whistleblowing reports deriving from the application of Italian Legislative Decree no. 231/01, Directive 2019/1937 and Italian Legislative Decree no. 24/2023. The whistleblower's identity cannot be revealed (in the event that disciplinary proceedings are initiated in which the identity of the whistleblower is essential to the defense made by the Party being Reported, the whistleblower may decide whether, or not, to give their consent to their identity being revealed, so that the report can be used for the purposes of the proceedings. Furthermore, the confidentiality of the whistleblower's identity may be waived in the context of criminal proceedings in the manner and within the limits set out in article 329 of the Italian Code of Criminal Procedure).	Processing is necessary in order to fulfill a legal obligation to which the Controller is subject. GDPR, art. 6 para. 1 subsection c)

In no way whatsoever will personal data be subjected to an automated decision-making process (profiling).

Categories of personal data processed

For the purposes laid out above, the following data needs to be processed:

- Common identification data and contact data for the whistleblower and the Party being Reported;
- Data contained in the report which could, potentially, be of a particular and/or judicial nature

Methods by which personal data is processed

The personal data collected will mainly be processed with:

- The reports sent are received through a dedicated software platform accessible on the web at: <https://opto-e.normaprivacy.it>

Communication of personal data

Personal data may be communicated to:

- Public Institutions and/or Authorities, Judicial Authorities, Law Enforcement Agencies;
 - External consultants (for example, law firms) potentially involved in the investigation phase of the report.
- The aforementioned parties process data as autonomous controllers (in terms of processing personal data).

Disclosure of personal data

Personal data shall not, under any circumstances whatsoever, be disclosed.

Transferring personal data to a third country

The personal data collected shall be processed exclusively within the European Union.

Data storage period

Personal data shall be stored for the period established by the following logic:

Purpose	Storage period
Storage of the contents of reports	The personal data collected shall be stored for a period of time not exceeding five years, starting on the date on which the report is closed, as well as for the entire period necessary to carry out any proceedings arising from the management of the report (i.e. disciplinary, criminal, accounting proceedings). This is without prejudice to the storage of personal data, including specific categories of personal data, for a longer period, within the limits set by any statute of limitations, in relation to needs related to exercising a defense in the event of a dispute.

The Data Subject's rights

Pursuant to articles 15-21 of the GDPR, a Data Subject may contact the Controller, using any of the contact details listed, and may assert their right to access, rectify or delete the personal data that concerns them, or to limit or object to the processing of such data, or to revoke consent given to such processing.

For more information regarding the rights of Data Subjects, visit www.gdpd.it

Pursuant to article 77 of the GDPR, the Data Subject may make a report or lodge a complaint with a Supervisory Authority. In Italy, this is the Italian Data Protection Authority (*Garante per la protezione dei dati personali*) based at Piazza Venezia, 11 - 00186 Rome, Italy, email: urp@gdpd.it

Pursuant to article 2-undecies of the Italian Privacy Code (implementing article 23 of the GDPR), you are hereby informed that the aforementioned rights cannot be exercised by Data Subjects (with a request made to the Controller or with a complaint pursuant to article 77 of the GDPR) if exercising such a right might result in an effective and real jeopardy to the confidentiality of the whistleblower's identity.

Specifically, exercising these rights:

- will be carried out in accordance with the law and regulations that discipline the sector (including Italian Legislative Decree no. 231/2001 as modified by Italian Law no. 179/2017);
- may be delayed, limited or excluded, with a justified notification given to the Data Subject without delay, unless such a notification might compromise the purpose of the limitation, for the time and within the limits in which this constitutes a necessary and proportional measure, taking into account the Data Subject's fundamental rights and legitimate interests, in order to safeguard the confidentiality of the whistleblower's identity;
- in these cases, the Data Subject's rights may be exercised through the Supervisory Authority in the manner referred to in article 160 of the Italian Privacy Code, in which case the Supervisory Authority informs the Data Subject that it has carried out all the necessary checks or has carried out a review. The Data Subject's right to take legal action is unaffected.