



WHISTLEBLOWING POLICY MADE PURSUANT TO ARTICLES  
13 and 14 OF EU REGULATION 2016/679



CAREL Industries S.p.A., (hereinafter also referred to as the “**Data Controller**” or “**CAREL**” or “**Company**”), in its capacity as Data Controller, is hereby providing this policy in order to explain the purposes and means of processing the personal data of the persons who report an offence (the “**Whistleblower**”), of the reported parties (hereinafter also referred to as “**Reported Party**”) as well as of any other third parties involved (such as, for example, facilitators, persons operating in the same working environment as the Whistleblower) (hereinafter also referred to jointly as the “**Data Subjects**”), in relation to the management of reports governed by the ‘Whistleblowing’ policy, available on the website [www.carel.it](http://www.carel.it) (hereinafter referred to as “**Report**” or “**Reports**”).

The data will be processed in accordance with the provisions of European Regulation 2016/679 (hereinafter also referred to as the “**Regulation**” or “**GDPR**”), of Legislative Decree no. 196 of 30 June 2003 as amended by Legislative Decree no. 101 of 10 August 2018, as well as of the individual provisions of the Supervisory Authority (Data Protection Authority), where applicable, and of Legislative Decree no. 24 of 10 March 2023 implementing (EU) whistleblowing Directive 2019/1937 (the “**Decree**”).

This policy is provided only in cases where the Report is proposed in a non-anonymous form.

## 1. Type and source of data processed

The personal data processed in the context of managing the Report may consist of:

- personal details (e.g. first name, surname)
- contact details (e.g. e-mail).

The personal data provided will in any case be processed only by the persons designated to manage the Reports, protecting the confidentiality of the identity of the Whistleblower throughout the procedure under the competence of the Data Controller.

Personal data are collected either directly from the Data Subject (as in the case of data referring to the whistleblower) or from third parties, as in the case of personal data referring to the Reported Party or to any third parties involved, extrapolated from the content of the Report and from the subsequent investigation and assessment activities.

The acquisition and management of Reports may give rise to the processing of personal data belonging to particular categories of personal data<sup>1</sup> and relating to criminal convictions and offences, which may be contained in the Report and in acts and documents annexed thereto, referring to the Data Subjects.

## 2. Purposes of the processing and legal basis

The processing is aimed at correctly and fully managing the investigation activities necessary to assess the merits of the Reports transmitted and to take any consequent provisions.

In particular, the processing relates to Reports that may concern the following violations of which one has knowledge or awareness during the working activity:

- conduct constituting administrative, accounting and civil offences;
- criminally relevant conduct, which may constitute offences (crimes and misdemeanours);
- conduct that may constitute irregularities or in any case in violation of laws, regulations or provisions of the Authorities;
- violations of the principles contained in the Code of Ethics;
- violations of the principles contained in the Organisational Model pursuant to Legislative Decree 231/2001 or implementing tools (e.g. procedures);
- conduct capable of causing financial damage (fraud, embezzlement, conflicts of interest) or damage to the Company image;
- conduct that violates the rules on product safety and conformity or consumer protection;
- conduct contrary to the protection of personal data, as well as network and information system security;
- actions or omissions that violate corporate tax rules;
- conduct likely to cause damage to the health or safety of employees, users and citizens or to cause damage to the environment;
- offers, receipt of or requests for money, goods or other benefits from and to third parties or employees of the Company;
- conduct capable of causing harm to the public interest.

The legal basis for the processing is to be found in the legal obligation, as well as in the legitimate interest of the Data Controller in protecting its image and safeguarding its economic/asset status and the defence of its rights (Article 6, par. 1, letters c. and f. of the Regulation).

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<sup>1</sup> "Special categories of personal data" means any information that reveals the racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, as well as genetic data, biometric data intended to uniquely identify a person, data concerning the health or sex life or sexual orientation of the person (article 9, paragraph 1 of the Regulation).

The legal basis for the processing of special categories of personal data or of data relating to criminal convictions or offences is to be found in the fact that the processing is necessary to fulfil the obligations of the Data Controller (Article 9, par. 2 letter b. and article 10 of the Regulation).

### 3. Processing methods and storage period

Processing operations are carried out on paper or with the aid of electronic or otherwise automated methods suitable for guaranteeing the necessary security in relation to the nature of the data processed and, in particular, adopting the technical and organisational measures appropriate to the processing risk pursuant to article 32 of the GDPR.

Personal data will be processed, in particular, only by the persons who are entrusted with receiving the report, conducting the necessary investigations and following up the Reports, and who will therefore perform all the operations necessary for the purposes of processing, including by entering the data in computerised and/or paper databases. The persons in charge of managing the Report are highly trained professionals in the field, bound by the strictest confidentiality, and are therefore the only persons authorised to know the identity of the Whistleblower.

The personal data provided will be processed for the time strictly necessary to achieve the above-mentioned purposes and in any case for no longer than five years from the date of the communication of the final outcome of the reporting procedure. In the event that judicial and/or disciplinary proceedings are instituted against the Reported Party or the Whistleblower, personal data may be stored until the judicial and/or disciplinary proceedings are finally concluded.

### 4. Nature of provision of processed data

The provision of the personal data requested for the purpose of following up the Report and assessing its reliability is necessary. Failure to provide the data or the partial provision of the data will make it impossible for the Data Controller to follow up the Report.

### 5. Communication of data

The Data Controller may communicate the personal data collected to other autonomous data controllers such as, where applicable, the Judicial Authority, the Court of Auditors and ANAC.

In addition, personal data may be disclosed to third party companies whose services are used by the Data Controller, appointed for this purpose as External data processors in accordance with article 28 of the GDPR (“**Data Processors**”). The updated list of Data Processors is available, upon request, by sending a communication to the contacts indicated below.

The legal obligations and the protection of the rights of the Data Controller or of the (natural or legal) persons concerned and/or involved in the Report are in any case unaffected.

Personal Data will not be disseminated in any case.

## 6. Data Controller and Data Protection Officer

The processing of personal data for the purposes indicated in this policy will be carried out - as data controller - by Carel Industries S.p.A., based in Brugine (PD), via dell'Industria 11.

Carel has appointed a Data Protection Officer ("DPO"), who can be contacted at the following e-mail address [privacy@carel.com](mailto:privacy@carel.com).

## 7. Rights of data subjects

The Whistleblower, as well as the third parties involved in the Reports, will be able to assert, under the conditions laid down in the Regulation, the rights set out in Articles 15 et seq. and namely:

- a) the right to ask each autonomous Data Controller for access to their personal data;
- b) the right to have their personal data amended if they are incorrect or incomplete;
- c) the right to request the erasure of their personal data in accordance with the provisions of article 17 of the GDPR, including in the following situations (i) where the personal data are no longer necessary in connection with the processing, (ii) if the Data Subject objects to the processing of his or her data and if there are no legitimate and compelling reasons for the processing, and (iii) if the data have been subject to wrongful processing;
- d) the right to request the restriction of the processing of their data in accordance with the provisions of article 18 of the GDPR;
- e) the right to object to the processing of their data in the cases recognised by the GDPR;
- f) the right to lodge a complaint with the Italian Data Protection Authority and the competent authority of the Member State where the data subject resides or works in accordance with the provisions of article 77 of the GDPR;
- g) the right to receive personal data concerning them or to request their transmission to another Data Controller, where possible, in accordance with the provisions of article 20 of the GDPR.

These rights may be exercised by sending a request to the following e-mail address: [privacy@carel.com](mailto:privacy@carel.com)

The exercise of the rights referred to in articles 15 et seq. by the Reported Data Subject will be ensured in a way compatible with the requirements of confidentiality of the Whistleblower identity in accordance with the provisions of Article 2-undecies of Legislative Decree 196/2003 (hereinafter also referred to as the "Privacy Code"), which provides in particular that the right of access to the documents relating to the Report made against him/her is restricted if it may result in an actual and concrete damage *"to the confidentiality of the identity of the person who reports violations of which he/she has become aware by reason of his/her employment relationship or of the functions performed, within the meaning of the legislative decree implementing Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report violations of Union law, or who report violations pursuant to articles 52-bis and 52-ter of Legislative Decree no. 385 of 1 September 1993, or of articles 4-undecies and 4-duodecies of Legislative Decree no. 58 of 24 February 1998"*.

In this respect, article 2-undecies of the Privacy Code states that in the event of specific limitations, the rights in question may be exercised through the Guarantor in the methods set out in Article 160 of the Code.

## Headquarters ITALY

CAREL INDUSTRIES Hqs.

Via dell'Industria, 11

35020 Brugine - Padua (Italy)

Ph. (+39) 0499 716611

Fax (+39) 0499 716600

[carel@carel.com](mailto:carel@carel.com)