

WHISTLEBLOWING PRIVACY POLICY

Privacy policy provided pursuant to Articles 13-14 of the GDPR (General Data Protection Regulation) 2016/679

Dear “*Data Subject*”,

In compliance with EU Regulation 2016/679 (“**GDPR**”) and Italian Legislative Decree 196/2003, as amended, (“**Privacy Code**”), we hereby inform you about the processing of data collected in the context of the acquisition and management of whistleblowing reports. The data will be processed in accordance with the principles of fairness, lawfulness, transparency of rights (yours and all data subjects), in compliance with the confidentiality obligations imposed by privacy and whistleblowing legislation.

1. CONTROLLER, PROCESSOR AND DATA PROTECTION OFFICER

The Controller is **Imperial S.p.A.** (VAT No. & Tax Code 0666471206), with registered office located at via dei Lanaioli, 42, Funo di Argelato (BO), Italy, e-mail info@imperialfashion.com (hereafter “**Controller**”).

The Data Protection Officer can be contacted at the company headquarters (by post) or at the e-mail address privacy@imperialfashion.com.

For the purposes of electronic reporting, the Controller uses the Etichpoint web platform owned by Auditpeople srl, appointed as Processor pursuant to Art. 28 of the GDPR. The updated list of Processors is available to the Data Subject on request by e-mailing privacy@imperialfashion.com.

2. PROCESSED PERSONAL DATA

The data being processed relates to reports of alleged unlawful conduct that the whistleblower has become aware of, submitted in accordance with the procedures indicated in the Whistleblowing Regulation adopted by the Controller, including any documentation attached thereto.

As part of the whistleblowing procedure, in addition to the data of the whistleblower, data is also processed relating to the reported person (person identified as possibly responsible for the reported unlawful conduct) or to other persons involved in the report for various reasons. This data may regard - depending on the content of the report - both “common” data (first name, surname, employment role, etc.), so-called “special” data (relating to health conditions, sexual orientation or trade union membership, as referred to in Art. 9 of the GDPR) and personal data relating to criminal convictions and offences (under Art. 10 of the GDPR).

3. PURPOSE, LEGAL BASIS OF THE PROCESSING AND DATA RETENTION PERIOD

Purpose 1: to implement the whistleblowing procedure adopted pursuant to Italian Law No. 179 of 30 November 2017 (setting out “Provisions for the protection of whistleblowers who report offences or irregularities which have come to their attention in the context of a public or private employment relationship”) and, therefore, with the purpose of carrying out the necessary investigative activities aimed at verifying the validity of the reported facts and the adoption of the resulting measures. Furthermore, the adoption of an internal electronic whistleblowing channel is an obligation for the Controller under Italian Legislative Decree No. 24 of 10 March 2023, which transposes and implements Directive (EU) 2019/1937 in Italy.

Legal basis for processing: processing is necessary for the fulfilment of legal obligations.

Data retention period: for as long as necessary to process the report. In any case, the data is retained for the period of time necessary for the processing of the whistleblowing reports and no longer than 5 years from the communication of the final outcome of the whistleblowing procedure, in compliance with the confidentiality obligations set out in Art. 12 of Italian Legislative Decree No. 24/23. If the data collected is clearly unnecessary or excessive for the processing of the report, it will be immediately deleted by the Controller.

Purpose 2: purposes of legal protection, to prevent or prosecute offences.

Legal basis of the processing: the legitimate interest of the Controller in protecting its rights and preventing unlawful acts.

Period of data retention: without prejudice to the above, in the event of a court case, the data may be processed for defence purposes until the judgement becomes final. If the data collected is clearly unnecessary or excessive for the processing of the report, it will be immediately deleted by the Controller.

If the whistleblowing report leads to the initiation of disciplinary proceedings against the person responsible for the unlawful conduct, the identity of the whistleblower will never be disclosed.

If the dispute is based, in whole or in part, on the report, and knowledge of the whistleblower’s identity is indispensable for the defence of the accused, the report can be used for the purposes of the disciplinary procedure only with the express consent of the whistleblower to the disclosure of the latter’s identity. Therefore, in this case, if the whistleblower does not give consent, it will not be possible to proceed against the reported person.

4. DATA PROCESSING METHODS

The personal data provided within the whistleblowing framework is processed by the Whistleblowing Manager, comprising identified individuals that have been specifically authorised and trained pursuant to Art. 29 of the GDPR and Art. 2 *quaterdecies* of the Privacy Code with regard to the purposes and methods of processing in compliance with the principle of confidentiality and, more generally, with personal data protection legislation.

The data will be processed using paper, computerised and electronic tools with organisational and processing logic strictly related to the purposes indicated above and in any case in such a way as to guarantee the security, integrity and confidentiality of the data in compliance with the organisational, physical and logical measures provided for by the provisions in force.

5. TRANSFER OF DATA TO THIRD COUNTRIES

Data processed for the above-mentioned purposes is not transferred to third countries outside the European Union or the European Economic Area (EEA) or to international organisations.

6. RECIPIENTS OR CATEGORIES OF PERSONAL DATA RECIPIENTS

For one or more of the above purposes, the data may be shared with the Judicial Authority.

7. DATA SUBJECT RIGHTS

Data subjects have the right to obtain from the Controller, where the legal requirements are met, access to and rectification or erasure of their personal data or restriction of the processing or to object to the processing (Art. 15 et seq. of the GDPR). Reported persons cannot exercise these rights pursuant to Art. 2 *undecies* of Italian Legislative Decree 196/2003, as amended, except through the Italian Data Protection Authority according to the methods reported in Art. 160 of the Italian Data Protection Code.

Data subjects who consider that the processing of personal data relating to them carried out through the whistleblowing reporting systems provided for in the Whistleblowing Regulation is in breach of the provisions of the GDPR, have the right to lodge a complaint, as provided for in Art. 77 of the GDPR, or to take legal action (Art. 79 of the GDPR).