

# PRIVACY NOTICE FOR THE REPORTERS AND OTHER PERSONS INVOLVED IN THE REPORTS

## 1. Who processes your personal data

BG Fund Management Luxembourg S.A. (hereinafter also the “Company” or “BGFML”), with registered office in Luxembourg, 14, Allée Marconi, processes your personal data as Data Controller.

For any questions or if you wish to exercise a right in respect of the processing of your personal data, you can contact our Data Protection Officer:

- By email at: [DataProtectionOfficerBGFML@bgfml.lu](mailto:DataProtectionOfficerBGFML@bgfml.lu)
- By traditional mail at BG Fund Management Luxembourg S.A., 14, Allée Marconi, L-2120 Luxembourg, to the attention of the Data Protection Officer.

For some of the purposes indicated subsequently in point 2, BGFML and Assicurazioni Generali S.p.A. as ultimate parent Company (hereinafter also AG) operate as Joint Data Controllers, as better defined below.

## 2. How we use your personal data and on the basis of which ground

BGFML, and with reference to the purposes specified below, AG, process your personal data in the context of the reporting channels (including the Generali Group Whistleblowing Helpline, a confidential online reporting system adopted by BGFML) aimed at allowing to report concerns on practices or actions considered to be factually or potentially in breach of law, of the BGFML Code of Conduct - drawn up in line with the principles of the Generali Group Code of Conduct - or of other internal regulations. This privacy notice applies to the subjects who report concerns (also called “whistleblower”) as well as to the alleged involved person(s), witnesses and the other subjects mentioned in the report. A specific privacy notice will not be provided to each data subject, whose personal data has been provided through the report, if providing such information jeopardizes the ability to effectively investigate the allegation or gather the necessary evidence, involves a disproportionate effort, is impossible or requires an additional processing operation that could be more intrusive than the original one (art. 14, par. 5 GDPR). However, the need to provide you with an integration of this privacy notice can be assessed by BGFML on a case-by-case basis.

Your personal data are processed manually and by informatic means (e.g. computers, IT systems), for the following purposes:

- a) reports’ receipt and handling, including their investigation, the application of corrective measures, the monitoring over the cases, the remedial measures and antiretaliation activities, the update of the whistleblower on the results of the process). The processing activities are carried out on the basis of the following legal bases:
  - (i) for the processing of reports that BGFML is legally obliged to handle:
    - (i.i) on the basis of a legal obligation to which BGFML is subject (art. 6, par. 1, lt. c) GDPR);
    - (i.ii) with regard to special categories of personal data, the derogations consisting on: (a) the need to carry out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law; (b) the need for the establishment, exercise or defense of legal claims or whenever courts are acting in their judicial capacity for the processing of personal data needed in actual litigation cases or in pre-litigation situations, to assert or defend a right, including of BGFML or by a third party, in court, as well as in administrative or arbitration and conciliation proceedings;
  - (ii) for the processing of reports regarding violations of internal regulations, of other violation and data subjects not expressly covered by the law or that BGFML has not a legal obligation to handle:

(ii.i) on the basis of the legitimate interest of BGFML (art. 6, par. 1, lt. f) GDPR) in fighting against abuses and disloyalty inside BGFML's organization. On this regard, BGFML has performed a legitimate interest assessment and assessed that there are no interests or rights of data subjects prevailing to that of BGFML;

(ii.ii) with regard to special categories of personal data, the derogations consisting on: (a) the need to carry out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law; (b) the need for the establishment, exercise or defense of legal claims or whenever courts are acting in their judicial capacity for the processing of personal data needed in actual litigation cases or in pre-litigation situations, to assert or defend a right, including of BGFML or by a third party, in court, as well as in administrative or arbitration and conciliation proceedings;

- b) reporting to the senior management, through the periodical provision of aggregated and anonymized summaries of the reports handled. The processing activities are carried out on the basis of the legitimate interest of BGFML (art. 6, par. 1, lt. f) GDPR) in preparing aggregated and anonymized statistics on the Reports presented and handled, to allow the senior management to being informed on conducts that endanger or may threatened BGFML's integrity. On this regard, BGFML has performed a legitimate interest assessment and assessed that there are no interests or rights of data subjects prevailing to that of BGFML;
- c) compliance with applicable laws. The processing activities are carried out on the basis of a legal obligation to which BGFML is subject (art. 6, par. 1, lt. c) GDPR);
- d) security of the Generali Group Whistleblowing Helpline. Such purpose entails. the accessing to the dashboard that hosts all the activities performed by the authorized employees and to the detailed logs of their activities. The processing activities are carried out on the basis of the legitimate interest of BGFML (art. 6, par. 1, lt. f) GDPR) in ensuring the security and confidentiality of the personal data processed within the Generali Group Whistleblowing Helpline, in compliance with the legal framework. On this regard, BGFML has performed a legitimate interest assessment and deems that there are no interests or rights of data subjects prevailing to that of BGFML.

Moreover, the whistleblower's identity and any other information from which its/her identity can be deduced, directly or indirectly, may be disclosed to subjects other than employees o entities authorized to manage the report or the investigation on behalf of BGFML, solely with the whistleblower's express authorization, as required by the law, unless otherwise imposed by specific legal provisions. Therefore, BGFML will require your express authorization to proceed accordingly. In case the data subject is mentioned or involved in the Report (i.e. someone who is neither the accused wrongdoer, nor someone equivalent), his/her identity is protected likewise. With reference to the accused wrongdoer/"involved data subject" (in the sense of definition provided by the law), on the contrary, his/her identity will be disclosed if necessary to carry out investigations in compliance with the law (see legal basis indicated in list above).

The above listed purposes are pursued by BGFML as data controller, and Assicurazioni Generali S.p.A as joint-controllers with reference to the purposes referred to in point a) and the purpose referred to in point d). With reference to the purpose referred to in point a) the processing carried out by Assicurazioni Generali is limited to mere technical support.

### **3. Why the provision of your personal data is required**

You may report a concern on an anonymous or non-anonymous basis. However, in case of anonymous report, or in case of denial of identity disclosure's authorization, we may not be in the position to fully manage the remedial measures related to the involved person(s). Therefore, the

whistleblowers are encouraged to report any concern by providing all the information requested, including their identity and the authorization to disclose it if needed. In any case, we will ensure that the personal data and identity processed remain strictly confidential.

#### 4. Which personal data we use

We process only the personal data strictly necessary to achieve the purposes above indicated. More specifically, we process the information/personal data that are reported, regarding the whistleblower and/or the reported person or other persons involved. Based on previous experiences, we mainly process:

- biographical and identification data;
- contact data;
- employees' data, such as e.g. invoices, presence\absence records, etc.;
- data related to the alleged conducts reported and attributed to you or on which you may be involved;
- images and other documentation;
- special categories of personal data which may be included in the reports;
- contents of communications exchanged between the whistleblower and the persons handling the reports;
- financial information;
- IT information, such as the activities and accesses performed by you on the Generali Group Whistleblowing Helpline's platform.

Personal data relating to criminal convictions and offences are neither requested to be shared by the whistleblowers, nor collected, as a general rule. However, in case whistleblowers share those categories of personal data, they will be processed only if strictly connected to the management of the report and the investigation deriving from it. The existence of the legal conditions which allow their use will be verified from time to time and accordingly to the relevant legislation.

Personal data can be provided directly by you or collected from the following third parties: companies of Generali Group that received the reports, employees or former employees of Generali Group as well as candidates, vendors, consultants and other stakeholders that are allowed to submit reports pursuant to the applicable laws.

#### 5. With whom we share your personal data

Our staff processes your personal data with modalities and procedures, also in electronic form, appropriate to ensure an adequate level of security.

Some of your personal data can be shared also with **third parties** which have been assigned with the task to perform some activities related to the management and investigation of the reports. In particular, your personal data can be communicated to:

- Whispli SASU, providing the Generali Group Whistleblowing Helpline's platform and reports' storage services, as well as its suppliers Amazon Web Services France (who can access only to encrypted information) and DeepL GmbH) providing other related services (respectively, hosting of the platform's infrastructure and automatic translations for messages sent on the platform);
- legal counsels and consultants, providing counselling or investigation services;
- supervisory or enforcement authorities, with whom the reports or results of the investigations may be shared.

Depending on the activity performed, such third parties may act as Data Processors or autonomous Data Controller. For further information on the specific privacy roles of the listed recipients, you can refer to the contact details in Section 1 above.

Moreover, as clarified in Section 2 above, BGFML processes your personal data as data controller, with Assicurazioni Generali as joint-controllers, and therefore your personal data may be shared between them. BGFML and Assicurazioni Generali have entered into a joint-controllership agreement that sets out their respective responsibilities in the compliance with their obligations under the GDPR. Our staff and third parties which process your personal data for the purposes above indicated – exception for autonomous Data Controllers – receive proper instructions about the correct modalities of the processing.

Your personal data are not disseminated.

**6. Where we transfer your personal data**

We process your personal data mainly within the European Economic Area. However, we communicate your personal data to the provider of Generali Group Whistleblowing Helpline’s platform, that is supported by its suppliers who may be required to transfer the data processed and encrypted to the United States, although in limited and remoted cases.

In any case, the transfer of your personal data is performed in compliance with the applicable laws and international agreements in force, as well as on the basis of appropriate and suitable safeguards consisting of the adoption of standard contractual clauses approved by the EU Commission pursuant to art. 46 GDPR. We will apply additional contractual, organizational and technical measures (such as encryption), to ensure a level of protection substantially equivalent to that guaranteed in the EU. A copy of the safeguards in place may be requested at any time using the contact information indicated in Section 1 above.

**7. The rights you can exercise in respect of the processing of your personal data**

You can exercise the following rights in respect to your personal data, unless it may result in a prejudice to the confidentiality of the whistleblower’s identity:

<u>Access</u>	You may request access to your personal data to receive information, for example, about the categories of personal data that the Company is currently processing, as well as to receive a copy of the personal data we hold about you
<u>Rectify</u>	You may ask the Company to correct personal data that is inaccurate or incomplete, although we may need to verify the accuracy of new data you provide
<u>Erase</u>	You may ask the Company to erase personal data where one of the following grounds applies: <ul style="list-style-type: none"> <li>a) Where the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;</li> <li>b) You withdraw consent on which the processing is based and where there is no other legal ground for the processing;</li> <li>c) You object to automated decision-making and there are no overriding legitimate grounds for the processing;</li> <li>d) The personal data have been unlawfully processed;</li> <li>e) The personal data have to be erased for compliance with legal obligation in Union or Member State law to which the Company is subject;</li> <li>f) The personal data have been collected in relation to the offer of information society services to minors.</li> </ul>
<u>Restrict</u>	You may ask the Company to restrict how it processes your personal data, requesting only their storage, where one of the following applies:

	<ul style="list-style-type: none"> <li>a) You contest the accuracy of your personal data, for a period enabling the Company to verify the accuracy of your personal data;</li> <li>b) The processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead;</li> <li>c) The Company no longer needs the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defense of legal claims;</li> <li>d) You have objected to processing based on automated decision-making, pending the verification whether the legitimate grounds for the Company override those of you.</li> </ul>
<u>Portability</u>	You may ask the Company to transfer the personal data you have provided us to another organization or / and ask to receive your personal data in a structured, commonly used and machine readable format. You may exercise this right if the processing is based on your consent or is necessary for the performance of a contract to which you are a party (or of pre-contractual measures taken at your request), and it is carried out by automated means
<u>Lodge a complaint</u>	In case you consider that the processing of your personal data infringes the applicable privacy laws, you have the right to lodge a complaint with the national data protection authority in the Member State in which you normally reside or work (such as the Commission Nationale pour la Protection des Données - with the modalities indicated on its website <a href="http://www.cnpd.public.lu">www.cnpd.public.lu</a> ) as well as with the judicial authority.
<u>Object</u>	You have the right to object to the processing of your personal data and request the stop of the processing operations when they are based on the legitimate interest (refer to <i>How we use your personal data and on the basis of which ground</i> ) and you believe that they affect your fundamental rights and freedoms. In some cases, we may continue to process your data if we demonstrate compelling legitimate grounds which override your rights and freedoms, or if the processing is necessary to establish, exercise or defend our legal claims.

You can exercise your rights by referring to the contact details in Section 1 above.

The request of exercise of rights is free of charge, unless the request is manifestly unfounded or excessive.

## **8. How long we retain your personal data**

Your personal data will be retained: (a) for the purpose of reports' receipt and handling, for a period not exceeding that necessary for their management, generally not exceeding five years after the whistleblower is informed of the conclusion of the relevant process, when a local regulation doesn't provide differently; (b) for the purpose of reporting to the senior management anonymized statistics, until their anonymization (carried out in any case before the expiration of the retention period set up for the purpose of reports' receipt and handling); (c) for the purpose of compliance with applicable laws, for the period required by or necessary to comply with such laws; (d) for the purpose of ensuring security of the Generali Group Whistleblowing Helpline's platform, for the period provided by the Group's guidance.

For further information on the specific retention period of the listed purposes, you can refer to the contact details in Section 1 above.

## Changes and updates of the privacy notice

Also considering possible amendments of the applicable privacy laws, the Company may integrate and/or update, wholly or partially, this privacy notice. Any changes, integrations or updates will be communicated in compliance with applicable laws on the following web site <https://generali.whisp.li.com/speakup> and by email (if available).

## Authorization to the disclosure of your identity

Having read the information notice above, by checking the consent box, you provide your explicit authorization to the disclosure of your identity or and any other information from which your identity may be deduced, directly or indirectly to subjects other than BGFML employees or entities authorized to i) manage the report or ii) perform the investigation. The authorization in question is not necessary in order to submit the report.

## GLOSSARY

To help you understanding our privacy notice, please find below the meaning of the main terms contained therein:

**Processing** means any operation or set of operations which is performed on personal data or on sets of personal data, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction, whether or not by automated means.

**Personal data** means any information relating, directly or indirectly, to a person (such as, for example, name, an identification number, location data, an online identifier, one or more elements able to identify the physical, physiological, genetic, mental, economic, cultural or social identity, etc.).

**Special categories of data** are the personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership as well as genetic data, biometric data where they uniquely identify a person, data concerning health or data concerning a person's sex life or sexual orientation.

**Genetic data** are the personal data relating to the inherited or acquired genetic characteristics of a person which give unique information about the physiology or the health of said person and which result, in particular, from the analysis of a biological sample from the person in question.

**Biometric data** are the personal data resulting from specific technical processing relating to the physical, physiological or behavioural characteristics of a person, which allow or confirm the unique identification of that person, such as facial images or dactyloscopic data.

**Data concerning health** are the personal data related to the physical or mental health of a person, including the provision of health care services, which reveal information about his or her health status.

**Judicial data** are the personal data related to criminal convictions and offences or to the connected security measures afflicted to a person.

**Data subject** is the person whose personal data are processed.

**Data controller** is the individual or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data (for example, the employer is the data controller in respect of its employees' personal data since, with reference to the employment relationship, it decides the purposes and means of such processing).

**Joint controller** means the individual or legal person, public authority, agency or other body which, jointly with other data controllers, determines the purposes and means of the processing of personal data.

**Data Processor** means the individual or legal person, public authority, agency or other body which processes personal data on behalf of the data controller (for example, the company which provides

the service of employees' salaries calculation may be considered a data processor since it processes personal data on behalf of another company, the employer).

**Consent** means any data subject's wish, by a statement or by a clear affirmative action, which signifies agreement to the processing of personal data relating to him or her. For the consent to be valid, the data subject's wish needs to be freely given, specific for each processing operation, collected upon the provision of a privacy notice and clearly distinguishable from any other declarations.

**Personal data breach** means a breach of security (physical or IT) leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed.

**Data Protection Officer** means a person in charge for performing support activities for the company functions and control activities in respect of the processing of personal data. It is also in charge for cooperating with the Supervisory Authority and it represents the contact point, also for the data subjects, for any matters connected with the processing of personal data.

The **Garante per la Protezione dei Dati Personali** is the Italian Supervisory Authority for the protection of personal data.