

ADVISORY

pursuant to arts. 13 and 14 of the Regulation (EU) 2016/679 of the European Parliament and Council of 27 April 2016 on the processing of personal data related to the acquisition and management of reports on breaches of Italian and European Union regulations that damage public interests, the integrity of public administration or of the private body, that the whistle-blower has become aware of in his/her working environment, pursuant to Legislative Decree 24/2023 (**Whistle-blowing**)

Cereal Docks International S.p.A., in compliance with the regulations set forth in Legislative Decree no. 24 of 10 March 2023, has adopted in-house channels through which to receive reports on any breaches of Italian or European Union regulations that damage the public interest, the integrity of the public administration or the private body (so-called Whistle-blowing), that the whistle-blower has gained knowledge of in his/her working environment pursuant to art. 3 of Legislative Decree 24/2023.

The personal data – of the whistle-blower or other people involved in the facts reported in any way (party reported, facilitator, other parties mentioned etc.) – contained in the report and/or in documents attached to it are processed to perform the investigation needed and check that the facts reported are founded.

Pursuant to article 13 of the General Regulation on the Protection of Data – (EU) Regulation 2016/679 of the European Parliament and Council dated 27 April 2016 related to the protection of the personal data of natural persons and the free circulation of that data (hereinafter “GDPR”), here below please find the information on the processing of personal data.

Data Controller

The Data Controller is **Cereal Docks International S.p.A.**, with registered office in Camisano Vicentino (VI), Via dell’Innovazione no. 1, tax code and Vicenza Register of Companies registration number: 03392950246, (hereinafter also “Controller” or “Company” or “Cereal”).

Person responsible for the Protection of Data or Data Protection Officer (hereinafter “RPD” or “DPO”)

The Controller avails itself of the group DPO appointed pursuant to art. 37, paragraph 2 of the GDPR.

The DPO contact data can be found on the website of the Controller or at the registered office.

To exercise your rights and for any communication, problem and/or request for clarification concerning the protection of your personal data, you may contact the DPO freely.

Optional purposes for which processing does not require the consent of the data subject


Purposes	Legal basis of processing
Management of obligations and investigation activities envisaged by Legislative Decree no. 24 of 10 March 2023 (Whistle-blowing)	(Art. 6, paragraph 1, letter c), GDPR Processing needed to comply with a legal obligation that the Data Controller is subject to, with specific reference to provisions in Legislative Decree 24/2023 and in Legislative Decree 231/2001
Management of the obligations envisaged by the Organisational and Management Model adopted by the Company pursuant to Legislative Decree 231/01 and by the Code of Ethics.	(Art. 9, paragraph 2, letter b), GDPR Processing needed to fulfil obligations and exercise the specific rights of the Controller or the data subject referred to labour law (Art. 6, paragraph 1, letter a), GDPR Consent of the data subject for the registration of reports collected by phone or through vocal messaging systems or, in any case, orally (Art. 6, paragraph 1, letter a), GDPR

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	MODEL ORGANISATION GDPR PRIVACY	
	ADVISORY “WHISTLEBLOWING” EX ART. 13 GDPR	Foglio 2 di 3 Data 17/12/23 Revisione 00

	Consent of the data subject regarding revealing the identity of the whistle-blower, in compliance with art. 12 of Legislative Decree 24/2023
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Personal data categories

Acquiring and managing whistle-blowing reports received may also cause, besides the processing of “common” personal data (personal details, contact details, other data related to the illegal conduct reported etc.), the processing of “particular” data (pursuant to art. 9 GDPR) and related to criminal sentences and offences (pursuant to art. 10 GDPR).

Source of the personal data

The personal data source is the report made by the whistle-blower and the subsequent investigation.

Personal data recipients

To pursue the above-indicated purposes, the personal data will be processed by the Whistle-blowing Report Manager (external independent party with specifically trained personnel) indicated on the website page of the Company and notified through the Company Employee portal.

The personal data may be communicated to employees and/or collaborators of the Controller, authorised and trained on processing methods for that data solely to manage and follow-up on the report received, and to suppliers of services instrumental to pursuing the aforementioned purposes (e.g. suppliers of the whistle-blowing report management platform) and external advisers who process the data as processors.

The list and updated information on the parties identified as processors is available c/o the Company. If legal assumptions apply, the personal data may be communicated to the competent authorities (e.g. Judicial Authority, National Anti-corruption Authority, etc.) who will act as controllers.

Protection of the confidentiality of the whistle-blower’s identity is implemented as envisaged by art. 12 of Legislative Decree 24/2023.

Personal data storage period

Here below please find the criteria used to decide the personal data storage period.

Personal data and documents	Storage period or criteria applied to establish it
Personal data and documents related to the report	For the processing time needed and, in any case, no longer than five years starting from the communication date of the final result of the whistle-blowing procedure, without prejudice to further storage because of legal proceedings, start of litigation or Authority requests.

Rights of the data subject


We would like to inform you of some rights established by the GDPR related to personal data and processing that you may request from the Controller: right to revoke consent for the processing for which it is required, without that prejudicing the lawfulness of processing based on consent before revocation (art. 13, paragraph 2, letter c), right to access data (art. 15), right to rectification (art. 16), right to be forgotten (art. 17) right to restrict processing

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(art. 18), right to data portability (art. 20), right to object (art. 21), right to lodge a complaint with the Controlling Authority (art. 77).

Rights may be exercised by writing to the e-mail address of the Controller present on the Company website. The form used to exercise rights is available on the Controller’s website. Pursuant to art. 2-undecies of Legislative Decree 196/2003 (Privacy Code), the rights established in articles from 15 to 22 of the GDPR (hereinafter “Rights”) may be exercised by sending a request to the Controller or with a complaint pursuant to article 77 of the GDPR if exercising those rights could cause an effective, concrete prejudice to the data subjects protected based on money-laundering laws (paragraph 1, letter a) and/or the confidentiality of the whistle-blower that you have gained knowledge of through the job or functions performed (paragraph 1, letter f) (hereinafter, jointly, “interests”).

In those cases the Rights are exercised pursuant to the provisions in the law or regulation regulating the sector, which must at least contain measures to regulate the areas pursuant to article 23, paragraph 2, of the GDPR. Exercising those rights may, in any case, be delayed, restricted or excluded with a motivated communication and made without delay to the data subject, unless the communication could compromise the restriction purpose, for the time and within limits by which that constitutes a necessary, proportionate measure, considering the fundamental rights and legitimate interests of the data subject, in order to protect the interests. In those cases, the data subject rights may also be exercised through the Privacy Authority in ways pursuant to article 160 of the Privacy Code. In that hypothesis, the Authority notifies the data subject that it has performed all controls needed or has performed a review, as well as the right of the data subject to propose legal instance.

Other information

The personal data provided may be processed by the Controller with and without digital instruments, respecting the confidentiality obligations pursuant to article 12 of Legislative Decree 24/2023.

Assigning the personal data is optional. However, not doing so could prejudice investigation of the report.

Amendments and updates

This information notice could be amended and/or integrated, also as a result of GDPR applicability and any future regulatory amendments and/or updates. The updated information is constantly available on the Controller’s website.

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