

Fercam S.p.A.
Direzione Generale

I-39100 Bolzano - Via M. Curie, 2
Tel. 0471 530 000 - Fax 0471 530 520
info@fercam.com - www.fercam.com
Cod. Fisc. e Part. IVA: 00098090210
Capitale sociale € 25.000.000
Trib. Bz. Soc. N. 804 - C.C.I.A.A. N. 33132
Albo Case di Spedizione N. 8

Società soggetta a direzione e coordinamento
da parte di FERCAM HOLDING Srl.



PRIVACY POLICY TOWARDS DATA SUBJECTS TO THE PROCESSING OF HIS/HER PERSONAL DATA

FERCAM S.p.A. with headquarters in Via Marie Curie, 2, 39100 – Bolzano (hereinafter also referred to as “Society” or “Owner”), acting as Data Controller, in accordance with the art.13 and 14 of the EU Regulation 2016/679 (*General Data Protection Regulation*, hereinafter “GDPR” or “applicable privacy policy”) informs you of the following.

1. Categories of the data processed

For the pursuit of the purpose indicated in the following paragraph 3, FERCAM S.p.A. will process the personal and contact data and any other data provided (e.g. pictures, evidentiary papers) according to the EU privacy legislation (i.e., EU Regulation 2016/679) and as below describe (overall “Data”).

The data subjects are the whistleblower and the person who is the subject, even indirectly, of the Report.

2. Source of the Data

The Data held by Fercam S.p.A. are collected from the whistleblower, through his/her communication (the “Report”) according to art. 6 D.Lgs. 231/2001 and D.lgs. 24/2023, by the selected submission method (i.e., place in a sealed envelope and deposit in the ODV’s mailbox at the Company’s headquarters; send by mail in a sealed envelope addressed to the ODV at the Company’s headquarters; send by e-mail to the dedicated e-mail address (odv@fercam.com); deliver by hand to the ODV; submit via the “Whistleblowing” platform).

3. Personal data processing purposes

The Data will be processed for the pursuit of correct verification and possible subsequent management of the Report.

4. Data processing methods and data retention period

The Data will be processed and stored both on paper and with the help of automated tools and can consist in every operation included in the art. 4, paragraph 2 of the GDPR (collection, registration, organisation, structure, retention, adaptation and modification, export, consultation, use, communication through transmission, comparison, limitation, cancellation, destruction) excluding diffusion, except as otherwise established by the law.

By virtue of the proportionality principle, data will be processed for the time necessary for the intended purpose and in any case no longer than 5 years since the Report’s closing.

5. Mandatory and optional nature of data provision. Purpose of the processing for which the data are intended

The provision of data is not compulsory but necessary in order to allow FERCAM S.p.A. to process the data to execute the requests communicated in paragraph 3. The Data are acquired and processed by the Company to fulfil regulatory obligations and for the Company’s legitimate interest in proper business management, pursuant to Article 6(1)(c) and (f) respectively of the GDPR. This is without prejudice to the need for consent for the communication of the whistleblower’s data in the cases provided for by Article 12, paragraphs 2 and 5 of Legislative Decree 24/2003 and for the documentation in the cases provided for by Article 14, paragraphs 2 and 4 of the same Decree.

6. Data communication

The Data, depending on the selected submission method by the whistleblower, may be communicated to third parties to meet legal obligations, to execute orders coming from public authorities legitimated to do so, or to enforce or defend a right in the courts.

The access to the Data is permitted to the System Administrators of the Society, and to people authorised by Fercam S.p.A to process them (for example, but not exhaustively, Supervisory Body, company in charge of the development and maintenance of the Whistleblowing platform). These individuals will receive specific instructions on this matter.

We also inform you that, pursuant to Article 12 of Legislative Decree no. 24/2023 the identity of the whistleblower and any other information from which such identity may be directly or indirectly inferred may not be disclosed, without the express consent of the whistleblower himself, to persons other than those competent to receive or handle the reports, who are expressly authorised to process such data pursuant to Articles 29 and 32(4) of Regulation (EU) 2016/679 and Article 2-quaterdecies of the Personal Data Protection Code set out in Legislative Decree no. 196 of 30 June 2003. Where the disciplinary charge is based, in whole or in part, on the report and knowledge of the identity of the whistleblower is essential for the accused’s defence, the Report can only be used for the purposes of disciplinary proceedings if the whistleblower expressly consents to the disclosure of his/her identity.

7. Transfer of personal data outside the European Union

Data acquired are not transferred to Societies or other entities outside the European Union.

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8. Data Protection Officer and Data Subject Rights

You can exercise your rights in accordance with article 15 and following of the GDPR, recognised to you as Data Subject (e.g. receive confirmation about the existence of an existing treatment, obtain the amendment and cancellation of the personal Data processed in violation of the law, oppose for legitimate reasons to the processing and so on), through communication addressed to the *Data Protection Officer* of the Society at the address privacy@fercam.com.

It should be noted, however, that the exercise of such rights is restricted in this case pursuant to Article 2-undecies of Legislative Decree No. 196/2003 (Privacy Code) when it may result in actual and concrete prejudice to the confidentiality of the identity of the whistleblower, of which he/she has become aware by reason of his/her employment relationship or functions performed. The exercise of the same rights may, in any case, be delayed, limited or excluded by means of a reasoned communication made without undue delay to the Data Subject, unless the communication may jeopardise the purpose of the limitation, for the time and within the limits in which this constitutes a necessary and proportionate measure, considering also the fundamental rights and legitimate interests of the Data Subject. Please note that, in such cases, the rights of the Data Subject may also be exercised through the Garante in the manner set forth in Section 160 of the Privacy Code.

The Society reminds you that you can exercise the right of complaint at the Guarantor Authority for the personal Data protection.