

Whistleblowing guidelines for Italy

According to Italian Legislative Decree 24/2023 implementing the UE Directive 2019/1937

1. Introduction – what is whistleblowing, and why is it important?

Our organisation strives to achieve transparency and a high level of business ethics. Our whistleblowing service offers a possibility to alert the organisation about suspicions of misconduct in a confidential way. It is an important tool for reducing risks and maintaining trust in our operations by enabling us to detect and act on possible misconduct at an early stage. Whistleblowing can be done openly or anonymously.

2. When to blow the whistle and who is the whistleblower?

The whistleblowing service can be used to alert us about serious risks of wrongdoing affecting people, our organisation, the society or the environment.

Reported issues include civil, financial, criminal offences, irregularities and violations or other actions in breach of EU or Italian laws (as defined by art. 2, 1) a) of D.lgs. 24/2023) within a work-related context, for example:

- ✓ **Corruption and financial irregularities;** for example, bribes, unfair competition, money laundering, fraud, conflict of interest
- ✓ **Health and safety violations;** for example, workplace health and safety, product safety, serious discrimination and harassments that are against the law
- ✓ **Environmental violations;** for example, illegal treatment of hazardous waste
- ✓ **Privacy violations;** for example, improper use of personal data
- ✓ **Cybercrimes;** for example, unauthorized access/damages to IT systems
- ✓ **Corporate violations;** for example, false information in company communication; impeding verification activities
- ✓ **Violations against Italian Public Administration;** for example, fraud against the State

- ✓ **Italian copyright law violations;** for example, illegal use of copyrighted works.

Employees are asked to contact their supervisor or manager for issues relating to dissatisfaction in the workplace or related matters, as these issues cannot be investigated in the scope of whistleblowing.

Whistleblowers (reporting persons) who have the right to be protected by Italian Laws in terms of confidentiality and against retaliation and that can report to us are: employees, self-employed workers conducting their work activities with the company, volunteers and interns, whether paid or unpaid, freelance professionals and consultants providing their services to the company, shareholders (individuals), individuals with administrative, managerial, supervisory, oversight, or representative roles, even if exercised as a matter of fact, within the company's organization. More over for example: facilitators (individuals who assist the reporters in the reporting process, operating within the same work context and whose assistance must be kept confidential); individuals within the same work context as the reporter and who have a stable emotional or familial relationship up to the fourth degree; coworkers of the reporter working in the same work context and having an ongoing and current relationship with the reporter.

A person who blows the whistle does not need to have firm evidence for expressing a suspicion. However, deliberate reporting of false or malicious information is forbidden. Abuse of the whistleblowing service is a serious disciplinary offence.

3. How to blow the whistle?

There are different ways to raise a concern:

- ✓ **Alternative 1:** Anonymous or confidential messaging through the whistleblower reporting channel to the whistleblowing team: <https://report.whistleb.com/amersports>
- ✓ **Alternative 2:** Reporting to external channel maintained by Italian Competent Authority (ANAC): <https://whistleblowing.anticorruzione.it/#/>

We offer a choice of reporting to the group channel operated by headquarters (Alternative 1), or to report at subsidiary level using this channel <<https://report.whistleb.com/amersportsitalia>>. Reports via subsidiary channel are managed by representatives of that legal entity, who are part of our whistleblowing team. Please note that in Italy it is unadvisable to use email as a form of contact to raise a concern.

The whistleblower can make an external report (Alternative 2) only if, at the time of its presentation, one of the following conditions occurs: a) if the internal reporting channel does not comply with the provisions of article 4 of D.Lgs. 23/2024 (e.g. when the internal channel is unavailable or entrusted to persons not independent or when the channel cannot guarantee confidentiality)¹, b) the whistleblower has already

made an internal report and it was not followed up; c) the whistleblower has valid reasons to believe that, if he was going to make an internal report, it would not be effectively followed up, or that the same report could lead to the risk of retaliation; d) the whistleblower has reasonable grounds to believe that the infringement may constitute an imminent or obvious danger to the public interest.

More information about ANAC whistleblowing external channel is provided at <https://www.anticorruzione.it/-/whistleblowing>.

All messages received will be handled confidentially. The whistleblowing channel is administrated by WhistleB, an external service provider. All messages are encrypted. To ensure the anonymity of the person sending a message, WhistleB deletes all meta data, including IP addresses. Except as provided by the Italian laws (see below under the section “Confidentiality obligations”), the person sending the message also remains anonymous in the subsequent dialogue with responsible receivers of the report.

4. The investigation process

The whistleblowing team

Access to messages received through our whistleblowing channel is restricted to appointed and expressly authorized individuals with the authority to handle whistleblowing cases. Their actions are logged and handling is confidential. When needed, individuals who can add expertise may be included in the investigation process, upon consent from the whistleblower in case identity of the whistleblower is disclosed. These individuals can access relevant data and are also bound to confidentiality.

The local whistleblowing team consists of/or reports may be disclosed to the following persons:

Name Surname	Name Surname
Angela Brisotto	Daniela Bagarella

Receiving a message

Upon receiving a message, the whistleblowing team will:

a) provide the whistleblower with an acknowledgment of receipt of the report within seven days from the date of receipt;

¹ The reporting channel must ensure, including using encryption tools, the confidentiality of the identity of the reporting person, the person involved, and any person mentioned in the report, as well as the content of the report and related documentation. The management of the reporting channel is entrusted to an independent internal individual or office specifically trained to handle the reporting channel, or it is entrusted to an external entity, also independent and with specifically trained personnel. Reports can be made in written form, including electronically, or in oral form. Internal oral reports are made upon the request of the reporting person, through a direct meeting scheduled within a reasonable timeframe.

- b) engage in discussions with the whistleblower and request any necessary additional information from him;
- c) diligently investigate the reports received (please see section “Investigation” below);
- d) furnish a response to the whistleblower within three months from the date of the acknowledgment of receipt, or if there is no acknowledgment, within three months from the end of the seven-day period following the submission of the report;
- e) the internal report submitted to a subject different from the ones indicated in Section 3 of these guidelines shall be forwarded to the whistleblowing team .

The whistleblowing team may not investigate the reported misconduct if:

- ✓ the alleged conduct is not reportable conduct under these Whistleblowing guidelines and for example when:
 - the report is not based on concrete elements.
 - the report refers to an interest related to an individual work relationship.
- ✓ the message has not been made in good faith or is malicious
- ✓ there is insufficient information to allow for further investigation
- ✓ the subject of the message has already been solved

If a message includes issues not covered by the scope of these Whistleblowing guidelines, the whistleblowing team should provide the whistleblower with appropriate instructions.

Investigation

All messages are treated seriously and in accordance with these Whistleblowing guidelines.

- ✓ No one from the whistleblowing team, or anyone taking part in the investigation process, will attempt to identify the whistleblower.
- ✓ The whistleblowing team can, when needed, submit follow-up questions via the channel for anonymous communication.
- ✓ A message will not be investigated by anyone who may be involved with or connected to the wrongdoing.
- ✓ Whistleblowing messages are handled confidentially by the parties involved.
- ✓ Corporate or external expertise may be included in the investigation. If the identity of the whistleblower will be disclosed, a consent from the whistleblower is required.

5. Whistleblower protection

Conditions for the whistleblower protection in accordance with Art. 16 of D.lgs. 24/2023

The protective measures provided under the national laws and as listed below in sections i-iii (confidentiality obligations, prohibition of retaliation and processing of personal data) apply to whistleblowers in the following circumstances:

- at the time of the reporting, the whistleblower had reasonable grounds to believe that the information regarding the reported violations, publicly disclosed or reported, was true and fell within the objective scope (see section 2 of these guidelines);
- in the case in which the whistleblower uses the external channel, if it was done pursuant to the section 3 of these guidelines.
- the protective measures (described below) are guaranteed regardless of the motivations that move the whistleblower to report, except for the case of individual interest connected to individual work relationship;
- in such cases, as provided in Article 20 of D.lgs. 24/2023 (“Limitation of liability”)² the whistleblower’s liability (even of civil, administrative and criminal nature) is excluded except in the following cases:
 - o for unrelated conduct, acts or omissions to reporting, reporting to the judicial authority or accounting or public disclosure or which are not strictly necessary to reveal the violation (art. 20, c. 4).
 - o when the criminal liability of the whistleblower is established, including by a first-instance judgment, for offenses of defamation or slander, or in any case for the same offenses committed through reporting to judicial or accounting authorities, and when their civil liability arises under the same grounds due to intent or gross negligence.
- The protective measures also apply in cases of anonymous reporting, if the whistleblower has subsequently been identified and has faced retaliation. The protective measures also apply in cases of reporting submitted to institutions and competent entities of the European Union, in conformity with the conditions for the reports to the external ANAC channel (see section 3 of these guidelines)

i. Confidentiality obligations

1. The reports cannot be used for purposes beyond what is necessary to appropriately investigate the issue at hand.

² 1. The whistleblower who reveals or disseminates information about violations covered by the obligation of secrecy (other than classified information, legal and medical professional secrecy, secrecy of the deliberations of the judicial authorities) or relating to copyright protection or personal data protection or discloses or disseminates information about violations that offend the reputation of the person involved or reported, when, at the time of revelation or diffusion, they were founded on reasons to believe that the disclosure or dissemination of this information was necessary to disclose the violation and the reporting, public disclosure or complaint to the judicial or accounting authority was carried out pursuant to the section 5 of these guidelines.

2. The identity of the whistleblower and any other information from which the identity can be directly or indirectly inferred cannot be disclosed without the explicit consent of the whistleblower to individuals other than those competent to receive or act upon the reports, who are expressly authorized by our company to process such data u.

3. Within the framework of criminal proceedings, the identity of the whistleblower is covered by secrecy in the manners and within the limits provided by Article 329³ of the Italian Code of Criminal Procedure.

4. During a disciplinary proceeding, the identity of the whistleblower cannot be disclosed if the charges are based on evidence other than their report, even if such evidence was discovered as a result of the report. However, if the charges are wholly or partly based on the report and knowing the identity of the whistleblower is essential for the defense of the accused, then the whistleblower's identity can only be disclosed with their explicit consent

5. The whistleblower shall be informed through written communication of the reasons for the disclosure of confidential data, in the hypothesis set forth in paragraph 4, second sentence, as well as in the internal and external reporting procedures, when the disclosure of the whistleblower's identity and any other information from which the identity can be directly or indirectly inferred is also necessary for the defense of the involved party.

6. Subject to considerations of the privacy of those against whom allegations have been made, and any other issues of confidentiality, a whistleblower will be kept informed of the outcomes of the investigation of the allegations. In cases of alleged criminal offences, the non-anonymous whistleblower will be informed that his/her identity may need to be disclosed during judicial proceedings.

ii. Prohibition of retaliation

Whistleblowers cannot be subject to any retaliation.

Retaliation means any behavior, action, or omission, even if only attempted or threatened, carried out as a result of the report which causes or can cause unjust damages, either directly or indirectly, to the whistleblower.

According to the Italian Law, for example, the following actions shall be considered as retaliations: a) termination of employment, suspension, or equivalent measures; b) demotion or failure to promote; c)

³ 1. The investigative acts carried out by the public prosecutor and the judicial police, the requests of the public prosecutor for authorization to carry out investigative acts and the acts of the judge who act on such requests are covered by secrecy until the accused cannot have knowledge of it and, in any case, no later than the conclusion of the preliminary investigations.

2. When it is strictly necessary for the continuation of the investigations, the public prosecutor may, allow, with a reasoned decree, the publication of individual documents or parts of them. In this case, the published documents are deposited at the secretariat of the public prosecutor.

3. Even when the documents are no longer covered by secrecy pursuant to paragraph 1 above, the public prosecutor, in case of necessity for the continuation of the investigations, may order with a reasoned decree:

a) the obligation of secrecy for individual documents, when the accused allows it or when knowledge of the document may hinder investigations concerning other individuals;

b) the prohibition on publishing the content of individual documents or specific news relating to certain operations.

change of job duties, relocation, salary reduction, modification of working hours; d) suspension of training or any restriction of access to training; e) issuance of negative performance evaluations or negative references; f) implementation of disciplinary measures or other sanctions, including financial ones; g) coercion, intimidation, harassment, or ostracism; h) discrimination or any form of unfavorable treatment; i) failure to convert a fixed-term employment contract into a permanent employment contract, where the worker had a legitimate expectation for such conversion ;l) non-renewal or early termination of a fixed-term employment contract; m) damages, including harm to the individual's reputation, particularly on social media, or economic or financial prejudices, including loss of economic opportunities and income; n) Inclusion in improper lists based on a formal or informal sectoral or industrial agreement, which may result in the person being unable to find employment in the sector or industry in the future; o) early termination or cancellation of a contract for the supply of goods or services; p) revocation of a license or permit; q) request for psychiatric or medical assessment.

The protection of whistleblowers applies even in the following cases:

a) when the contractual relationship with the company has not yet commenced, provided that information regarding the transgressions has been obtained during the evaluation process or other phases preceding the contract; b) throughout the trial period; c) subsequent to the termination of the contractual relationship with the company, in the event that the details concerning the violations were acquired during the course of the contractual relationship itself.

The whistleblowers may communicate to ANAC the retaliations they believe they have suffered.

iii. Privacy obligations - processing of personal data

In the respect of GDPR and D.Lgs. 24/2023, the whistleblowing team will process personal data according to the privacy notice that must be given to whistleblowers, fully reported above.