

# Whistleblowing Reports Procedure

## EXECUTIVE SUMMARY



BSCCB has set up appropriate information channels, in Stezzano and in Meitingen, for receiving, analyzing and processing of whistleblowing reports of violations of the Code of Business Conduct and Ethics, of the Antibribery Code of Conduct, of the Organizational, Management and Control Model<sup>1</sup> and more generally of the Brembo SGL Carbon Ceramic Brakes Internal Control System.

In the year 2017 the first release of the Whistleblowing Report Procedure has been issued, with reference to both the Italian and the German statutory prerogatives, with the purpose to ensure the respect of BSCCB values and principles.

The new version takes on some improvements, in particular, with the aim to simplify its content and make clearer the Privacy Notice on Personal Data Processing pursuant to article 13 Reg (Ue) 2016/679

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The content of the procedure hasn't been substantially changed about the following themes.

### ***Principles of reference***

- Guarantee of anonymity
- Bad faith reports preservation

### ***Communication channels***

Reports can be received to:

#### **The ODV for BSCCB S.p.A. through the following channels:**

- Oral reports to the Supervisory Committee
- Ordinary post (ODV of BSCCB S.p.A. – c/o Studio Moschen e Associati, Via Monte Ortigara 5 – 24121 Bergamo (Italy) - to the attention of Mr. Raffaele Moschen)
- E-mail ([odvbscCB@virgilio.it](mailto:odvbscCB@virgilio.it))
- By hand (for BSCCB's Employees only – sealed envelope "strictly confidential" to notify to ODV of BSCCB S.p.A. according to Legislative Decree 231/2001 – c/o Controller Office – Brembo SGL Carbon Ceramic Brakes S.p.A. Viale Europa 2 - 24040 Stezzano (Italy));

#### **Ombudsperson per BSCCB GmbH through the following channels:**

- Oral reports to the Ombudsperson
- Ordinary post (to the attention of Rechtsanwältin Ms. Barbara Kühn, Steingasse 13, 86150 Augsburg (Deutschland))
- E-mail ([info@hsk-arbeitsrecht.de](mailto:info@hsk-arbeitsrecht.de))
- By hand (for BSCCB's Employees only – sealed envelope "strictly confidential" to notify to Ombudsperson – c/o Controller Office – Brembo SGL Carbon Ceramic Brakes GmbH Werner-von-Siemens-Str. 18 – D-86405 Meitingen (Germany));

### ***Reporting and reported parties***

Any and all the employees, members of governing boards (Shareholder Committee and Auditors' Committee) and of the Independent Auditors, customers, suppliers, consultants, collaborators, shareholders, partners of BSCCB, as well as other third parties maintaining business relations with BSCCB.

### ***Investigative phases***

1. Recording of the report
2. Preliminary check and assessment
3. Inspection
4. Reporting

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<sup>1</sup> See Code of Business Conduct and Ethics and the Organization, Management and Control Model of Brembo and Corporate Governance Manual (<http://www.carbonceramicbrakes.com/it/company/Pages/Compliance.aspx>)

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### ***Privacy Notice on Personal Data Processing pursuant to article 13 Reg (Ue) 2016/679***

The data collected under the present Whistleblowing Report Procedure are processed by BSCCB S.p.A. and BSCCB GmbH, in their role of data controllers, according to the European Regulation 679/2016 (hereinafter “Regulation”) regarding the protection of personal data.

The possible personal data acknowledged from whistleblowing reports (such as name, surname, contact data and content of the whistleblowing report), will be stored for the time that is necessary to comply with the above mentioned purposes, which is the time that is necessary to analyze the alleged violation and the termination of the relative proceeding. Particularly personal data will be treated as follows:

- for purposes related to the respect of obligations under the Legislative Decree no. 231/2001 and within the limits laid down in this procedure; with or without the help of electronic media and in compliance with the provisions of Regulation and applicable national rules, Italian Privacy Code (Legislative Decree no. 196/2001, as modified by the Legislative Decree no. 101/2018) and the new German Law on personal data protection (Bundesdatenschutzgesetz - BDSG);
- only by ODV of BSCCB S.p.A., by Ombudsperson of BSCCB GmbH, as well as by other corporate functions in charge of the examination and management of whistleblowing reports, by means of electronic or manual systems and according to the principles of fairness, integrity and transparency that are required by applicable laws on data protection as well as by preserving the privacy of the concerned persons through the implementation of technical and organizational measures ensuring an adequate safety level;
- for the above mentioned treatment of personal data the consent is not required since the legal basis for processing is the fulfilment of the legal obligations (Legislative Decree no. 231/2001);
- personal data shall not be transferred outside the European Union;
- personal data will be communicated, where necessary, to the competent authorities and shall not be disseminated;
- the provision of personal data is optional and the possible failure to provide the same, will make it classification as Anonymous Report, and shall be entertained only if proper detailed account is given and supported by factual elements.

The Data Subject shall have the rights contemplated in the Regulation (articles from 15-21) in respect of the processing of data contemplated thereto, by contacting the Data Protection Officer (DPO) at the following e-mail addresses, broken down by BSCCB’s Geographical area, included also the right to lodge a complaint with the Supervisory Authority, with the sole exception of the limitation, provided and applicable national rules, Italian Privacy Code (Legislative Decree no. 196/2001, as modified by the Legislative Decree no. 101/2018) and the new German Law on personal data protection (Bundesdatenschutzgesetz - BDSG), which states that in case from the exercise of these rights could arise a real and tangible injury to the confidentiality and anonymity of the person who reports the violation:

- for BSCCB S.p.a. by sending an email to [privacy.italy@brembo.it](mailto:privacy.italy@brembo.it) or a registered letter to the legal address of the Company (Data Controller) Brembo SGL Carbon Ceramic Brakes S.p.A., with registered office in Stezzano, Viale Europa n. 2 – 24040, phone number 035.6052915.
- for BSCCB GmbH by sending an email to [stephan.wolff@sglgroup.com](mailto:stephan.wolff@sglgroup.com) or by a registered letter to the legal address of the Company (Data Controller) Brembo SGL Carbon Ceramic Brakes GmbH, with registered office in Meitingen, Werner-von-Siemens-Strasse n.18 – 86405, phone number +49 8271 83-3546.