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*i Bibanesi*

PROTOCOL FOR REPORTING UNLAWFUL CONDUCT

SO-CALLED "WHISTLE-BLOWING"

## SUMMARY

- 1. INTRODUCTION**
- 2. SUBJECT OF THE REPORTS**
- 3. INDIVIDUALS WHO CAN SUBMIT REPORTS**
- 4. INTERNAL AND EXTERNAL REPORTING CHANNELS**
- 5. SUBMISSION OF INTERNAL REPORTS**
- 6. MANAGEMENT OF INTERNAL REPORTS**
- 7. OUTCOME OF INTERNAL REPORTS**
- 8. CONFIDENTIALITY GUARANTEE OF THE REPORTER**
- 9. PROTECTION OF THE REPORTER FROM RETALIATION**
- 10. DATA PROCESSING**

## **1. INTRODUCTION**

The Legislative Decree No. 24 of March 10, 2023, which transposes the EU Directive No. 1937 of October 23, 2019, on the reporting of unlawful conduct, known as “whistle-blowing,” has come into force.

The purpose of this legislation is to strengthen corporate controls and promote a corporate culture based on principles of responsibility, transparency, and fairness, encouraging the reporting of unlawful conduct while discouraging the dissemination of unreliable information that could damage the integrity and reputation of companies and third parties.

The purpose of this protocol is to provide clear and concise information on the premises and procedures for reporting, as well as the protections granted to the Reporter, in order to encourage the informed use of reporting tools.

## **2. SUBJECT OF THE REPORTS**

Reports can be made regarding active or omissive behaviors, even if attempted or not yet implemented, which constitute alleged violations of national or EU regulations by anyone who exercises, directly or indirectly, a function of administration, direction, representation, or supervision within the Company, or who performs their activities on behalf of the Company in any capacity (e.g., administrator, advisor, financial director, purchasing manager, data protection officer, personnel manager, etc.).

Complaints, claims, requests, or grievances related to the discipline of the employment relationship and/or to an exclusive personal interest of the Reporter, and therefore devoid of public relevance, cannot be reported.

Reports based on mere assumptions, rumors, or hearsay, not supported by circumstantial and concrete elements and/or reasonable suspicions, cannot be reported.

In cases of bad faith, the Reporter is subject to the consequences outlined in the last paragraph of point 9.

## **3. PERSONS WHO CAN SUBMIT REPORTS**

Reports can be submitted by anyone who becomes aware of alleged violations in the workplace, including those who exercise, directly or indirectly, a function of administration, management, representation, or supervision within the company, or who perform activities on behalf of the company in any capacity (e.g., client, supplier, employee, collaborator, consultant, etc.).

This regulation also applies when the legal relationship has not yet started, during the selection process or probationary period, as well as after the termination of the relationship.

## **4. INTERNAL AND EXTERNAL REPORTING CHANNELS**

Reports can be submitted using the specific internal channel provided by the Company, accessible at the website <https://www.bibanesi.com>.

Alternatively, if the internal report has not been acted upon or if the Reporter has reasonable grounds to believe that an internal report would not be effectively addressed, or could pose a risk of retaliation, and/or if the violation intended to be reported could constitute an imminent or manifest danger to the public interest, reports can be submitted using the external channel provided by A.N.A.C., accessible at the website <https://www.anticorruzione.it/-/whistleblowing>.

## **5. SUBMISSION OF INTERNAL REPORTS**

The report is submitted on a voluntary basis, either orally, through a direct meeting with the Referent, or in writing, by completing the form downloadable from the link provided at the end of this Protocol.

The report may include the identity and contact information of the Reporter or be anonymous.

It is advisable to submit the report using personal devices not connected to the corporate internet network, in order to preserve the confidentiality of the Reporter.

Before closing the online procedure, it is necessary for the Reporter to note the obtained code and the chosen password when creating the report, and keep them in a safe place for the entire duration of the procedure: for security reasons, the data cannot be restored.

Without these, the Reporter will not be able to access the report file or consult the communications from the Referent.

The report must specify whether the facts being reported are the subject of litigation or a complaint to the Authorities or have already been brought to the attention of corporate functions.

The report must fall within the scope of this protocol and therefore must be submitted by an authorized person, according to point 3, in relation to facts relevant to the subject matter of point 2, for it to be actionable.

The report must be sufficiently detailed and precisely indicate the time and place circumstances in which the reported fact occurred and the ways in which the Reporter became aware of it, for it to be admissible.

## **6. MANAGEMENT OF INTERNAL REPORTS**

The report is processed by an autonomous and independent Referent from the Company, who will handle the matter fairly and impartially, maintaining the utmost confidentiality regarding the identity of the Reporter, in accordance with and for the purposes set forth in point 8, and ensuring that the Reporter does not suffer any retaliation, in accordance with and for the purposes set forth in point 9.

The IT system will forward the report to the Referent, who will send an acknowledgment of receipt to the Reporter within 7 days of the submission.

The Referent, after conducting preliminary checks on the actionable and admissible nature of the report, requesting the necessary clarifications and/or investigative leads, and carrying out any investigations deemed appropriate to ascertain the validity of the report, will proceed with the inquiry, providing a written response to the Reporter within 3 months of the acknowledgment of receipt.

In the course of their investigations, the Referent may engage with the Reporter, interview all individuals informed about the facts, review and copy paper and/or electronic documents, and utilize the support of technical consultants and the Company's logistical and organizational structures.

## **7. OUTCOME OF INTERNAL REPORTS**

If the report is not actionable because it does not fall within the scope of this protocol, is inadmissible due to insufficient detail, or is unfounded because investigations did not confirm the validity of the facts, the Referent will order its archiving with a reasoned decision.

If the report is founded, the Referent, after informing the Reporter, will make the necessary recommendations for the adoption of appropriate corrective measures aimed at improving internal controls to prevent future violations. The Referent will transmit the documentation to the Board of Directors and the Board of Auditors, where necessary, so they can undertake the relevant disciplinary actions and measures.

## **8. CONFIDENTIALITY GUARANTEE FOR THE REPORTER**

The Company will ensure the utmost confidentiality regarding the identity of the Reporter and any third party mentioned or involved in the report, as well as any information from which their identity can be deduced, throughout the entire investigation.

The Company will ensure the utmost confidentiality regarding all other protected information in accordance with the applicable regulations throughout the entire investigation.

This protection is excluded if the Reporter is not entitled to the guarantee under the applicable regulations.

Therefore, the Company reserves the right to take civil, criminal, and disciplinary action against the person who committed the act if responsibility emerges.

In judicial proceedings, the Company must provide the identifying data of the Reporter when requested by the judicial authority.

In disciplinary proceedings, the Company may provide the identifying data of the Reporter only if the Reporter expressly consents to disclose their identity.

In any case, the Reporter will be notified with a written and reasoned communication.

## **9. PROTECTION OF THE REPORTER FROM RETALIATION**

The Company is committed to protecting the Reporter and any other individuals entitled to the same protection under applicable regulations from any retaliation related to the report.

To this end, the Company will take all necessary actions to prevent any measures that could negatively affect the Reporter at work, such as, by way of example but not limited to: harassment, intimidation, discrimination, demerit notes, demotions, missed promotions, salary reductions, unjustified transfers, dismissal, or *mobbing*.

This protection is excluded if the Reporter is not entitled to the guarantee under applicable regulations.

Therefore, the Company reserves the right to take civil, criminal, and disciplinary action against the Reporter if it is found that the report is false and the Reporter has committed the crime of slander or defamation or has acted in bad faith.

## **10. DATA PROCESSING**

The processing of personal data in the management of reports will be carried out in compliance with the applicable data protection regulations.

The data controller is Da Re S.p.A. with sole shareholder, located in Bibano di Godega di Sant'Urbano (TV), Via Borgo Nobili 9, and can be contacted at [info@bibanesi.com](mailto:info@bibanesi.com).

The Data Protection Officer can be contacted at [segreteria@bibanesi.com](mailto:segreteria@bibanesi.com).

CLICCA QUI PER ESSERE INDIRIZZATO AL MODULO PER LA SEGNALAZIONE:

<https://darespa.ethic-channel.com>