

Information notice pursuant to Articles 13 and 14 of the (EU) Regulation 2016/679 as subsequently integrated and amended (the “GDPR”), and the Italian and European laws that integrate it as subsequently integrated and amended (“Applicable Privacy Law”) (the “Information Notice”) – on:

### **Processing of Personal Data related to Whistleblowing Reports**

pursuant to Legislative Decree No. 24 of 10 March 2023, on the “*implementation of Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law and on provisions concerning the protection of persons who report breaches of national laws*” (hereinafter, the “**Whistleblowing Decree**”)

within the management of whistleblowing reports, as specified in the document entitled “*Whistleblowing Management Guidelines*”, also published on the website [www.leonardo.com](http://www.leonardo.com), which describes the process for handling whistleblowing reports, including anonymous ones, by anyone who becomes aware of violations (conduct, acts or omissions), even if only potential, of laws or company protocols of the Leonardo Group.

**Leonardo S.p.A.** (hereinafter, the “**Company**”, “**Leonardo**” or the “**Data Controller**”), as Data Controller, if the whistleblowing report relates exclusively to the Company, as well as, with it,

**the companies of the Leonardo Group** joining the whistleblowing management system pursuant to the “*Whistleblowing Management Guidelines*” of the Leonardo Group, in their capacity as joint controllers pursuant to Article 26 of the GDPR, if the whistleblowing report concerns such other companies of the Leonardo Group and must be examined by them,

(hereinafter, jointly, the “**Joint Controllers**”) for the purposes and in the manner indicated below, on the basis of a specific joint controllership agreement regulating their respective roles and responsibilities (hereinafter, “**Joint Controllership Agreement**”), hereby inform you of the following.

#### **1. Data Controller, Joint Controllers, Whistleblowing Investigation Unit and Data Protection Officer**

**1.1** The Data Controller of the personal data collected through notifications relating exclusively to the Company is Leonardo S.p.A., with registered office in Piazza Monte Grappa, 4 - 00195 Rome, email: [leonardo@pec.leonardo.com](mailto:leonardo@pec.leonardo.com).

**1.2** The Joint Controllers of personal data acquired through reports concerning other Group companies are

- Leonardo S.p.A., with registered office in Piazza Monte Grappa, 4 - 00195 Rome, email: [leonardo@pec.leonardo.com](mailto:leonardo@pec.leonardo.com);
- Leonardo Group companies joining the whistleblowing management system pursuant to the Leonardo Group's “*Whistleblowing Management Guidelines*”.

The full list of the Joint Controllers can be obtained by requesting:

- to the Whistleblowing Investigation Unit (identified in the O.U. Management Audit &



Whistleblowing OU, operating within the Group Internal Audit Organizational Unit of Leonardo), at the following e-mail address: [whistleblowing@leonardo.com](mailto:whistleblowing@leonardo.com); and/or

- to the Group DPO of Leonardo, who can be contacted by e-mail at the following e-mail addresses: [dpo.leonardo@leonardo.com](mailto:dpo.leonardo@leonardo.com) and [leonardo@pec.leonardo.com](mailto:leonardo@pec.leonardo.com), or to the following address: *Data Protection Officer (DPO) c/o Leonardo S.p.A. - Piazza Monte Grappa, 4 - 00135 - Rome.*

By virtue of the Joint Controllership Agreement, each Joint Controller, to the extent of its respective competence, undertakes, *inter alia*:

- (i) to process the personal data only for the purpose of handling the whistleblowing report;
- (ii) to ensure that the data are adequate, relevant and limited to what is necessary for the purposes for which they are processed;
- (iii) to ensure that the data are accurate and up-to-date;
- (iv) to carry out, in coordination with the other Joint Controllers, a data protection impact assessment, pursuant to and for the purposes of Article 35 of the GDPR, where it is necessary for processing of personal data that could present a high risk to the rights and freedoms of data subjects;
- (v) to promptly inform the other Joint Controllers if it becomes aware of a security breach of personal data, even imputable to one of its data processors, which could result in a personal data breach, and to provide any support necessary for the proper managing of such breach;
- (vi) to assist and support the other Joint Controllers in proceedings initiated by, or that are pending before, the Data Protection Authority, providing any information useful and necessary in order to manage the relationship with such Authority;
- (vii) to put in place appropriate technical and organisational measures to ensure a level of security in the processing of personal data appropriate to the risk, pursuant to Article 32 of the GDPR and to the Applicable Privacy Law;
- (viii) to ensure the prohibition of tracking on the Whistleblowing Platform;
- (ix) to ensure, where possible, the tracking of the activity of the authorised personnel in compliance with the guarantees for the data subjects' protection.

An excerpt of the Joint Controllership Agreement can be requested to the Whistleblowing Investigation Unit by sending an email to the following address: [whistleblowing@leonardo.com](mailto:whistleblowing@leonardo.com), or to the Group Data Protection Officer at the following address: [dpo.leonardo@leonardo.com](mailto:dpo.leonardo@leonardo.com), which is also the point of contact for reaching out the Joint Controllers.

**1.3** The Leonardo Group has set out a whistleblowing management system in order to collect and manage the whistleblowing reports (hereinafter, the “**Whistleblowing Platform**”), the management of which, both for the Data Controller, as far as it pertains, and for the Joint Controllers, is entrusted to the Whistleblowing Investigation Unit as an autonomous and dedicated internal office of the Company, composed of staff specifically trained for the management of the aforesaid reporting channel.



**1.4** With reference to the whistleblowing reports concerning the Joint Controllers, the Whistleblowing Investigation Unit acts as an autonomous external entity with specifically trained staff pursuant to Article 4, paragraph 2, of the Whistleblowing Decree, on the basis of specific agreements between the Joint Controllers and of the Joint Controllership Agreement.

**1.5** Within the framework of the Whistleblowing Platform, with regard to the companies of the Leonardo Group under Italian law adhering to the whistleblowing management system pursuant to the “*Whistleblowing Management Guidelines*”, all the whistleblowing reports are received, managed and analysed by the Whistleblowing Manager and forwarded to the Surveillance Board of the Data Controller or of the Joint Controller(s), for the assessment within its respective competence. In particular, the Whistleblowing Investigation Unit, among other activities,

- maintains interlocutions with the Whistleblower and may ask the latter, if necessary, for clarifications or additions, including documents;
- provides the Surveillance Board of Leonardo or of the Group company concerned by the report with information on the whistleblowing report, duly anonymised;
- carries out a pre-investigation on the contents of the whistleblowing report, including a preliminary analysis of the reported facts with respect to the regulatory framework and the existence of previous reports/analyses on the same matter;
- shares the outcomes of such activity with the Surveillance Board of Leonardo or of the Group company concerned by the whistleblowing report, for the competent assessments.

With regard to foreign law Group companies which have implemented the “*Whistleblowing Management Guidelines*”, the whistleblowing reports received through the Whistleblowing Platform are collected by the Whistleblowing Investigation Unit, who transmits them to the Monitoring Body of the foreign law Joint Controller for the activities falling within its competence relating to the “*intake*” phase, and in particular in order to:

- keep in touch - also with the help of the Whistleblowing Investigation Unit - with the Whistleblower and ask the latter, if necessary, for clarifications or additions, including documents;
- carry out a pre-investigation activity on the contents of the whistleblowing report, including a preliminary analysis of the reported facts with respect to the regulatory framework and the existence of previous reports/analyses on the same matter;
- forward the outcomes of the assessment carried out on the contents of the report (including the decision to dismiss it or to launch an investigation) to the Whistleblowing Investigation Unit.

**1.6** Leonardo has also set up a Whistleblowing Committee, a single Group-level entity, whose members are specifically authorised to process personal data relating to the whistleblowing reports also on behalf of the other Group companies. The Whistleblowing Committee receives, through the Whistleblowing Investigation Unit, the whistleblowing reports examined by the Surveillance Board of Leonardo or of the Group company concerned by the whistleblowing report. The Whistleblowing Committee carries out the appropriate assessments in order to direct additional, more in-depth investigations through the Whistleblowing Investigation Unit and, if necessary, with the support of other Group departments or third parties.



**1.7** The Data Controller has appointed a *Data Protection Officer (DPO)*, as required by GDPR, with tasks of surveillance, supervision and specialist advice in the field of privacy, who can be contacted for support at the following e-mail address: [dpo.leonardo@leonardo.com](mailto:dpo.leonardo@leonardo.com).

**1.8** Leonardo's DPO, who can be contacted at the email address indicated above, also acts as the Group Data Protection Officer appointed by the Leonardo Group, with coordination tasks.

**1.9** The list of data processors, eventually appointed pursuant to and for the purposes of Article 28 of the GDPR, may be requested to the following e-mail address: [dpo.leonardo@leonardo.com](mailto:dpo.leonardo@leonardo.com).

## **2. Categories of data subjects**

**2.1** The data subjects include, among others, the following:

- employees of the Company and of the Leonardo Group and, in general, any individual reporting violations that they become aware of within their work context, including individuals who have or have had working relationships, even temporary, with the Leonardo Group, even if they do not have the status of employee (such as volunteers and trainees, whether paid or unpaid), those in probationary periods, as well as those who do not yet have a legal relationship with the above-mentioned entities or whose relationship has ended if, respectively, information on breaches was acquired during the selection process or in other pre-contractual stages or during the course of the employment relationship;
- persons having responsibilities within administration, management, control, supervision or representation, and
- third parties, such as suppliers, consultants, collaborators, customers and intermediaries.

**2.2** In addition, and specifically in compliance with the legal provisions contained in the Whistleblowing Decree, persons other than the Whistleblower, who are the recipients of specific safeguards and protection, are also data subjects, including, but not limited to:

- the Person Concerned and the person in any case mentioned in the whistleblowing report;
- Facilitators (*i.e.* natural person assisting a Reporting Person in the whistleblowing process, operating within the same work context and whose assistance must be kept confidential);
- persons in the same work context as the Whistleblower and who are linked to them by a stable emotional or family relationship up to the fourth degree;
- co-workers of the Whistleblower, who work in the same work context as the Whistleblower and who have a regular and current relationship with the Whistleblower, *etc.*

## **3. Categories of personal data processed**

**3.1** The processing concerns personal data collected through the receipt of whistleblowing reports and within the framework of the "*Whistleblowing Management Guidelines*". The personal data collected may concern, *inter alia*,



- (i) first name and surname of the Persons Concerned, of the persons involved and of the Facilitators, as well as any further personal data contained in the report referring to these persons;
- (ii) in addition, in the case of qualified reports, where the Whistleblower provides his or her personal details even after the report has been made, the data relating to him or her, including name, surname and contact details, as well as any further personal data contained in the report that can be referred to that person.

**3.2** Special categories of data as defined in Article 9 of the GDPR will not be processed and, should the Data Controller, where applicable, and/or the Joint Controllers receive them, they will delete them immediately.

#### **4. Legal basis and purpose of processing**

**4.1** Personal data of the data subjects will be processed, in compliance with the Applicable Privacy Law, for the purpose of handling the whistleblowing reports received pursuant to the Whistleblowing Decree and the “*Whistleblowing Management Guidelines*”, and for any other purpose related to the management process referred to in the “*Whistleblowing Management Guideline*”, including, by way of example but not limited to, defensive purposes, internal control of the Company and the Leonardo Group and monitoring of company risks, in order to implement of the provisions of the aforementioned document, the employment contract, the Ethic Code, as well as the relevant company protocols and applicable laws.

**4.2** Personal data will be processed, for the purposes indicated under point 4.1 on the basis of the specific legal obligations imposed on the Company from the application of Article 6 of Legislative Decree No. 231/2001 as amended by Law No. 179/2017, as well as the Whistleblowing Decree, as well as on the basis of the legitimate interest of the Company in the pursuit of defensive, internal control and Leonardo Group purposes and monitoring of Company risks arising from the receipt of whistleblowing reports.

#### **5. Methods of processing**

**5.1** The processing of the personal data of the data subjects will be carried out in compliance with the methods and guarantees established by the Applicable Privacy Law, and will be carried out by automatic and/or manual systems, in any case suitable to guarantee the security of the processing, including using encryption tools, where IT tools are used, of the Whistleblower, the facilitator, the content of the report and of the relevant documentation, etc.

**5.2** Personal data will be processed by the Data Controller, where applicable, and by the Joint Controllers through their duly authorised staff - including the Reporting Manager, the Supervisory Bodies of the Data Controller and of the Joint Controllers or the Monitoring Bodies of the foreign-law Joint Controllers, the Whistleblowing Committee referred to in the “*Whistleblowing Management Guidelines*”, and the staff appointed to investigate the contents of the whistleblowing report - and only to the extent necessary and on the basis of specific instructions from the Data Controller and the Joint Controllers, with guaranteed confidentiality and nondisclosure.

**5.3** The processing of the personal data of the data subjects will be carried out according to the principles of proportionality, necessity, purpose limitation and minimisation, whereby no



unnecessary personal data will be processed or collected, as well as by the principle of fairness and transparency, and will be carried out in compliance with the requirement of adequacy of security measures.

## **6. Scope of communication and disclosure of personal data**

**6.1** For the purposes described in paragraph 4.1 above, personal data may be communicated to the corporate bodies of the Data Controller and of the Joint Controllers, to the personnel of the Data Controller and of the Joint Controllers appointed for such purpose, as well as to external consultants in order to activate the judicial and/or disciplinary protection related to the whistleblowing report. In addition, the data may also have to be communicated to the Judicial Authority, the National Anti-Corruption Authority and the Judicial Police.

**6.2** The personal data will not be disseminated or transferred to countries outside the European Union or international organisations, unless the whistleblowing reports are the responsibility of Joint Controllers located outside the European Economic Area. In the latter case, the Joint Controllers undertake to ensure that the recipient complies with the same standards laid down by European Union legislation, in accordance with the adequacy mechanisms provided for by the GDPR.

## **7. Rights of the data subject**

**7.1** With regard to the personal data held by the Data Controller, where applicable, and by the Joint Controllers, the data subjects, other than the Persons Concerned or the persons mentioned in the reports with reference to the personal data processed in the context of the whistleblowing report, may exercise all the rights provided for by the Applicable Privacy Law. In particular, they may:

- a)** ask to confirm the existence of their personal data, the origin of such data, the ground and purposes of their processing, the categories of subjects to whom the data may be communicated, as well as the identification details of the Data Controller, insofar as relevant, and of the Joint Controllers, and their respective data processors;
- b)** request access to personal data, their transformation into anonymous form, their blocking, correction, updating, integration, deletion or limitation of their processing;
- c)** oppose the processing of personal data, for any reason related to your particular situation, within the limits set by the Applicable Privacy Law;
- d)** exercise the right to portability, within the limits set forth by Article 20 of the GDPR;
- e)** withdraw his/her consent at any time, where required, without prejudice to the lawfulness of the processing based on consent given prior to withdrawal;
- f)** file a complaint with the Italian Data Protection Authority, following the procedures and indications published on the official website ([www.garanteprivacy.it](http://www.garanteprivacy.it)).

**7.2** Any modification or deletion or limitation of the processing carried out upon data subject's request - unless this is not impossible or involves a disproportionate effort - will be communicated by the Data Controller, where applicable, and the Joint Controllers to each of the recipients to whom the personal data have been communicated. The Data Controller, where applicable, and the Joint Controllers may disclose the names of these recipients upon data subjects' request.



**7.3** For the purpose of exercising the rights referred to in paragraph **7.1** above, as well as for any clarifications, the data subject may contact the Whistleblowing Investigation Unit directly by sending an email to the following address: [whistleblowing@leonardo.com](mailto:whistleblowing@leonardo.com) or the *Group Data Protection Officer* at the following email addresses: [dpo.leonardo@leonardo.com](mailto:dpo.leonardo@leonardo.com); [dpo.leonardo@pec.leonardo.com](mailto:dpo.leonardo@pec.leonardo.com).

**7.4** Pursuant to the Whistleblowing Decree, the reported person and the person mentioned in the report, with reference to their personal data processed in the context of the report, may not exercise - for as long as and to the extent that this constitutes a necessary and proportionate measure - the rights that the GDPR recognises for data subjects pursuant to Articles 15-22, since the exercise of such rights could result in an actual and concrete prejudice to the protection of the confidentiality of the identity of the Whistleblower. In such cases, therefore, the Person Concerned or the person mentioned in the report is also precluded, if he/she considers that the processing that concerns him/her violates the aforementioned rights, from filing a complaint with the Data Controller and/or the Joint Controllers and, in the absence of a response from the latter, with the Italian Data Protection Authority.

## **8. Data retention**

The personal data processed by the Controller and/or the Joint Controllers shall be stored for the time strictly necessary for the purposes referred to in point **4.1** above and shall in any case be deleted after 5 years from the date of notification of the final outcome of the whistleblowing reporting procedure.