



# **Whistleblowing Management Guidelines**

**Approved by the Board of Directors on**

**28 September 2023**

**SUMMARY OF REVISIONS TO THE WHISTLEBLOWING MANAGEMENT GUIDELINES**

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## **1. INTRODUCTION**

### **1.1. Purpose**

Leonardo S.p.A. (hereinafter also referred to as “**Leonardo**”), in the pursuit of its business objectives, is committed to combating unlawful conduct and, in particular, corruption, at any work level and in all geographical areas, both through the dissemination and promotion of ethical values and principles and through the effective implementation of rules of conduct and control processes, in line with the requirements of applicable regulations and international best practices.

In view of its size and global operations, Leonardo Group (hereinafter also referred to as the “**Group**”) has developed company protocols and controls aimed at eliminating or minimising the risk of offences being committed during the performance of activities that are potentially more exposed to the occurrence of unlawful conduct.

Wishing to further implement its own reference documents and the highest international standards, and also in order to ensure compliance with the provisions of the Italian Legislative Decree 24/2023 on whistleblowing, these Guidelines define and describe the process for handling whistleblowing reports, including anonymous ones, by anyone who becomes aware of violations (behaviours, acts or omissions), even if only potential, of laws or Company Protocols.

### **1.2. Effectiveness, area of application and adoption**

The purpose of these Guidelines is to provide rules on the whistleblowing management system common to the entire Leonardo Group and they apply with immediate effect to Leonardo and all Group Companies, which will adopt them by board resolution within 60 days of the date of approval of this document. The aforementioned companies must notify the Whistleblowing Investigation Unit of the adoption of these Guidelines. They must also inform the Whistleblowing Investigation Unit if there are local legislations incompatible with these Guidelines. In this case, such companies will be required to implement an *ad hoc* policy on whistleblowing, in accordance with local legislations, notifying the Whistleblowing Investigation Unit, without prejudice, however, to the obligation to transmit to the Whistleblowing Committee, through the Whistleblowing Investigation Unit, the relevant Half-Yearly Report.

### 1.3. Definitions

Below are the definitions used in these Guidelines.

**ANAC:** National Anti-Corruption Authority, identified by Italian Legislative Decree 24/23 as the national authority on whistleblowing.

**ANAC Guidelines:** “*Guidelines on the protection of persons who report violations of Union law and the protection of persons who report violations of provisions of national regulations. Procedures for the submission and management of external whistleblowing reports*”, approved by ANAC with Resolution no. 311 of 12 July 2023.

**Anti-corruption regulations:** relevant laws from the legal system to which each Group company belongs, with particular reference to Italian Legislative Decree 231/01, the Bribery Act (2010), the Foreign Corrupt Practices Act (1977), the Organisation for Economic Co-operation and Development (OECD) Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (1997), the relevant Council of Europe Conventions (Civil and Criminal Law Conventions on Corruption 1999) and the United Nations Convention against Corruption (General Assembly Resolution No. 58/4 of 31 October 2003, the “Merida Convention”).

**Code of Ethics:** document defining the set of principles and ethical values adopted by Leonardo or the Group Companies.

**Company Protocols:** Charter of Values, Code of Ethics, Model 231, Anti-Corruption Code, Compliance Programs, Whistleblowing Management Guidelines, Policies, Directives, Procedures, Manuals and Operating Instructions of Leonardo Group.

**Coordination and Consultation Body for the Prevention of Corruption:** Body composed of the *pro tempore* Chairman of Leonardo and the *pro tempore* Chairmen of the Leonardo Control and Risk Committee, Board of Statutory Auditors and Supervisory Body pursuant to Legislative Decree 231/01.

**EU Directive 2019/1937:** Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report violations of Union law.

**External Whistleblowing Report:** written or oral report of information on violations, submitted through the external reporting channel managed by ANAC, in accordance with Article 7 of the Italian Legislative Decree 24/23.

**Facilitator:** a natural person assisting a Reporting Person in the whistleblowing process, operating within the same work context and whose assistance must be kept confidential.

**Group Companies:** the Company(ies) directly or indirectly controlled by Leonardo, both under Italian and foreign law.

**Group or Leonardo Group:** Leonardo and the companies/entities directly or indirectly controlled by it, both under Italian and foreign law. The foundations established by Leonardo are also part of the Group.

**Group Personnel:** employees (managers, middle managers, office employees and manual workers) and other collaborators in any para-subordinate form, as well as members of corporate bodies (directors and auditors), of Leonardo Group.

**Half-Yearly Report:** report summarising the activities carried out in relation to the management of whistleblowing reports prepared, on a six-monthly basis, by the Monitoring Body of foreign Group Companies and transmitted by 31 July and 31 January of each year to the Whistleblowing Committee. The Half-Yearly Report must contain at least the following information: (i) the number of whistleblowing reports received; (ii) an indication of the entry channel; (iii) the number of anonymous and confidential (identity disclosed) reports; (iv) the area involved (e.g., the type of violation reported); (v) the number of whistleblowing reports dealt with.

**Internal Reporting Channel:** the Whistleblowing Platform is the Internal Reporting Channel (or internal channel) activated by Leonardo Group for the filing and management of Whistleblowing Reports, which guarantees, also by means of an encryption tool, the confidentiality of the identity of the Reporting Person (or Whistleblower), the Person Concerned and the person in any case mentioned in the whistleblowing report, as well as the content of the report itself and the relevant documentation.

**Internal Whistleblowing Report:** the Whistleblowing Report submitted via the Internal Reporting Channel (Whistleblowing Platform).

**Italian Legislative Decree 231/01:** Italian Legislative Decree no. 231 of 8 June 2001 on “Regulation on the administrative liability of legal entities, companies and associations with or without legal personality”, in accordance with Article 11 of Italian Law No. 300 dated 29th September 2000 as amended.

**Italian Legislative Decree 24/23:** Italian Legislative Decree No. 24 of 10 March 2023 on “Implementation of Directive (EU) of the European Parliament and of the Council of 24 October 2019 on the protection of persons who report violations of Union law and on provisions concerning the protection of persons who report violations of national regulations” (Whistleblowing Decree).

**Leonardo:** Leonardo S.p.a. or the Company.

**Model 231:** the Organization, Management and Control Model adopted by Leonardo or its Italian subsidiaries in compliance with Italian Legislative Decree 231/01. For foreign subsidiaries, the rules and principles set out in the “Compliance Programs” apply.

**Monitoring Body:** for the Group Companies incorporated under foreign law, the body appointed to supervise the operation of and compliance with the “compliance programmes”, the “code of ethics” or other systems provided for by the respective reference legislation (i.e., “Compliance Committee”, “Ethics Committee”, “Ethics Officers”, “Compliance Officer” or other body/person appointed for this purpose, in accordance with the respective reference legislation).

**Ordinary Report:** report not falling within the objective scope of Article 1 of the Italian Legislative Decree 24/23, such as, for example, disputes, claims, or requests relating to a personal interest of the Whistleblower. Anonymous Reports also falls within the management area of the Ordinary Reports.

**OU:** Organizational Unit of Leonardo Group.

**Person Concerned:** the natural or legal person mentioned in the Whistleblowing Report as the person to whom the violation is attributed or as a person otherwise implicated in the reported violation.

**Privacy regulation:** means Regulation EU 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (hereinafter “GDPR”), as well as

Legislative Decree No. 196 of 30 June 2003, as amended and supplemented (hereinafter, "**Italian Privacy Code**") and any other legislation on the protection of personal data applicable in Italy, including the provisions of the supervisory authority for the protection of personal data.

**Public Disclosure:** making information about violations of law publicly available through the press or electronic media or otherwise through means of communication capable of reaching a large number of people.

**Reporting Person:** the natural person who files a Whistleblowing Report or make Public Disclosure of information on violations acquired within their work context. The Reporting Person is also referred to, alternatively, as the "Whistleblower".

**Supervisory Body:** A body of Leonardo S.p.A., or of the Group Companies/entities subject to Italian law, appointed to supervise the operation of and compliance with the Model 231 and to update it in accordance with the requirements of Article 6(1)(b) of Italian Legislative Decree 231/01, as well as to supervise the operation of and compliance with the Code of Ethics in accordance with Article 10 of the Leonardo Group Code of Ethics.

**Whistleblower:** the Reporting Person.

**Whistleblowing Committee:** Collegial body established at the Group level and composed of the heads of the following OUs:

- *Compliance;*
- *Finance;*
- *Group Internal Audit;*
- *Legal Affairs;*
- *People & Organization;*
- *Security.*

**Whistleblowing Investigation Unit:** the *Management Audit & Whistleblowing* OU, operating within Leonardo Group Internal Audit (GIA) OU, is the designated office competent for following-up on Whistleblowing Reports.

**Whistleblowing Report:** written or oral report of information on violations (behaviours, acts or omissions) detrimental to the public interest or the integrity of Leonardo Group and consisting, inter alia, of:

- administrative, accounting, civil and/or criminal offences;

- unlawful conduct relevant under Italian Legislative Decree 231/01;
- violations of Model 231 and other Company Protocols;
- offences falling within the scope of European Union or national acts relating to the following areas: public contracts; financial services, products and markets and the prevention of money laundering and terrorist financing; product safety and compliance; transport safety; environmental protection; radiation and nuclear safety; food and feed safety and animal health and welfare; public health; consumer protection; privacy and data protection and the security of networks and IT systems;
- acts or omissions affecting the financial interests of the Union;
- acts or omissions relating to the internal market.

The abovementioned communication, among other things, could take the form of a:

- Confidential Whistleblowing Report: report in which the Reporting Person discloses their personal details (name, surname and contact information);
- Anonymous Report: report in which the identity of the whistleblower is not disclosed or is not unambiguously identifiable or does not correspond to an existing entity or individual or does not correspond to the actual Whistleblower;
- Defamatory or Slandering Whistleblowing Report: report that, after investigation, is found to be unfounded and made with malice and/or gross negligence and in any case with the sole purpose of defaming or causing damage to the Person Concerned.

## **2. REFERENCE PRINCIPLES**

### **2.1. Promoting a culture of transparency and fairness**

In order to promote a culture of transparency and fairness in the corporate context and in daily operations, Leonardo Group encourages all employees to be aware of and consequently comply with the Company Protocols, requiring compliance with them and providing for appropriate disciplinary sanctions in the event of non-compliance.

In this regard, Leonardo encourages anyone who becomes aware of violations (behaviours, acts or omissions) of laws or Company Protocols, including those potentially detrimental to the public interest or to the integrity of the Group, to file a report through the Internal Reporting Channel.

## **2.2. Protection of confidentiality**

In order to protect and guarantee the confidentiality of the identity of the Whistleblower and of any other information from which such identity may be directly or indirectly inferred, Leonardo Group ensures discretion and confidentiality throughout the entire whistleblowing management process, from receipt of whistleblowing reports to the preliminary and final investigation phase. The same forms of protection are also guaranteed to the Person Concerned. This is without prejudice to legal provisions imposing an obligation to disclose such names (e.g., requests by judicial authorities, etc.).

The personnel in charge, in whatever capacity, of the various whistleblowing management phases is required to ensure the highest level of confidentiality on the contents of reports and on the whistleblowers, by adopting the appropriate security requirements referred in the Directive in force on the classification and processing of corporate information<sup>1</sup>.

In this regard, the Whistleblowing Platform implemented by Leonardo Group is an IT tool that, also by means of an encryption system, guarantees the confidentiality of the identity of the Whistleblower, the Person Concerned and the person in any case mentioned in the report, as well as the content of the report and the relevant documentation.

## **2.3. Protection from retaliation**

Leonardo Group guarantees protection against any act of retaliation, discrimination, or penalisation, whether direct or indirect, against the Whistleblower for reasons connected, directly or indirectly, to the Whistleblowing Report. An act of retaliation is to be understood as any behaviour, act, or omission, even if only attempted or threatened, carried out by reason of the Internal or External Report, the report to the Judicial or Accounting Authorities or the Public Disclosure, and which causes or may cause unjust damage to the Whistleblower or to the person reporting, directly or indirectly, to the Authorities.

The same protection measures also apply:

- to the Facilitator;
- to persons in the same work environment as the Whistleblower and who are linked to them by a stable emotional or family relationship up to the fourth degree;

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<sup>1</sup> Directive on the classification of corporate information (Dir. No. 12 issued on 30 May 2019).

- to co-workers of the Whistleblower, who work in the same work environment as the Whistleblower and who have a regular and current relationship with the Whistleblower;
- to entities owned by the Whistleblower or for which they work, as well as entities operating in the same work environment;
- in the case of an Anonymous Report, if the Whistleblower is subsequently identified.

#### **2.4. Protection from Defamatory or Slanderous Reports**

In order to protect the dignity, honour and reputation of everyone, Leonardo Group undertakes to offer maximum protection against Defamatory or Slanderous Reports.

In this respect, without prejudice to the specific limitations of liability provided for by Article 20 of the Italian Legislative Decree no. 24/23, when the criminal liability of the Whistleblower for the offences of defamation or slander or their civil liability for the same offence, in cases of wilful misconduct or gross negligence, is established by a court ruling, even if not final, the protections against retaliation provided for in Paragraph 2.3 above do not apply, and a disciplinary sanction shall be imposed on the Whistleblower.

### **3. REPORTING METHODS AND INTERNAL REPORTING CHANNEL**

With these Guidelines, Leonardo Group has defined a whistleblowing management system and the related organizational and procedural aspects, consisting, in particular, of the Whistleblower, the reportable violations, the Internal Reporting Channel, whistleblowing management and investigation phases both domestically and abroad, periodic reporting and disciplinary measures.

#### **3.1. Reporting Person**

According to the current legal framework, the Reporting Person (or the Whistleblower) is the natural person who reports violations that they have become aware of within their work context, and in particular:

- employees or former employees (any type of contract) of Leonardo Group and those who, in any case, operate on the basis of relationships that determine their inclusion in the company organization, even in a form other than a subordinate employment relationship;

- self-employed workers, collaborators, freelancers, and consultants working for Leonardo Group;
- paid and unpaid volunteers and trainees working for Leonardo Group;
- shareholders and persons having responsibilities within administration, management, control, supervision, or representation, even if such responsibilities are exercised on a *de facto* basis, at Leonardo or another Group Company;
- workers or collaborators of third parties with relations and/or business relations with Leonardo Group (e.g., customers, suppliers, intermediaries, and Joint Venture partners).

### **3.2. Reportable Violations**

Pursuant to the Italian Legislative Decree 24/23, Whistleblowers may report information on violations (including well-founded suspicions) of European Union and national laws that harm the public interest or the integrity of the private entity, committed within the organization of the entity with which the Whistleblower has one of the qualifying legal relationships (see § 3.1).

Information on violations may also relate to violations not yet committed that the Whistleblower reasonably believes could be committed on the basis of concrete evidence. Such elements may also include irregularities and anomalies (symptomatic indications) that the Whistleblower believes could give rise to one of the violations set forth in the Decree.

Specifically, reportable violations may concern:

- administrative, accounting, civil and/or criminal offences;
- unlawful conduct relevant under Italian Legislative Decree 231/01;
- violations of Model 231 and other Company Protocols;
- offences falling within the scope of European Union or national acts relating to the following areas: public contracts; financial services, products and markets and the prevention of money laundering and terrorist financing; product safety and compliance; transport safety; environmental protection; radiation and nuclear safety; food and feed safety and animal health and welfare; public health; consumer protection; privacy and data protection and the security of networks and IT systems;

- acts or omissions affecting the financial interests of the Union;
- acts or omissions relating to the internal market.

Whistleblowing reports may concern the following:

- Leonardo S.p.A. and Leonardo Group Companies;
- Employees and collaborators of Leonardo S.p.A. and Leonardo Group Companies;
- Members of the corporate bodies of Leonardo S.p.A. and Leonardo Group Companies;
- Third parties that have business relations and relationships with Leonardo Group (e.g., suppliers, consultants, collaborators, intermediaries).

### **3.3. Internal Reporting Channel**

The Whistleblowing Platform<sup>2</sup> is the internal reporting channel activated by Leonardo Group for the filing and management of Whistleblowing Reports.

For the purposes of effective management of the Whistleblowing Report, it is advisable for the Whistleblower to provide, in good faith, any useful information to allow investigations to be carried out to confirm the facts reported, also including, where available, supporting documentary evidence.

By means of a messaging system integrated into the Whistleblowing Platform, the Whistleblowing Investigation Unit can communicate in the utmost confidentiality directly with the Whistleblower, providing an acknowledgement of receipt of the Whistleblowing Report, requesting any additional information, including documentary evidence, and finally providing feedback on the investigation carried out or planned.

Reports can be made either in written or oral form. For oral reports, the Whistleblower may alternatively attach an audio file or request a direct meeting with the Whistleblowing Investigation Unit.

Leonardo undertakes to analyse Whistleblowing Reports received in any language.

Anyone receiving a Whistleblowing Report outside the established channel (Whistleblowing Platform), shall forward it (in its original version plus any attachments) as soon as possible, and in any case within 7 days of receipt, to GIA - *Management Audit & Whistleblowing*,

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<sup>2</sup> The Whistleblowing Platform is available at the following link: [Whistleblowing platform](#).

preferably through the Internal Reporting Channel, in compliance with the criteria of utmost confidentiality, also in compliance with data protection regulations and in a manner suitable to protect the Whistleblower and the identity and the reputation of the Persons Concerned. Confirmation to the Reporting Person of the submission of the report to the Whistleblowing Investigation Unit will be provided by the latter if the report is submitted within 3 days of its receipt, otherwise it will be provided by the person who initially received the report, notifying the Whistleblowing Investigation Unit of the communication sent to the Whistleblower. Days of Company closure are not taken into account in the calculation of the 7 days.

In compliance with local laws and regulations, foreign Group companies are entitled to activate any additional internal reporting channels, which guarantee appropriate forms of confidentiality protection.

### **3.4. Whistleblowing Investigation Unit**

The office referred to in Article 4(2) of the Italian Legislative Decree no. 24/23, responsible for carrying out the activities referred to in Article 5, is the *Management Audit & Whistleblowing OU*, active within the Group Internal Audit (GIA) OU of Leonardo (hereinafter also referred to as "**GIA - Management Audit & Whistleblowing**").

Pursuant to Article 4(2) of the Italian Legislative Decree 24/23, the Italian Group Companies are entitled to entrust the management of the Internal Reporting Channel to the *Management Audit & Whistleblowing OU*.

For Group Companies incorporated under foreign law, please refer to paragraph 4.2. below.

Should the Whistleblowing Investigation Unit have a conflict of interest with respect to a specific Whistleblowing Report (e.g., acting as a Whistleblower or as a Person Concerned), the report in question will be handled, as the case may be, by the Supervisory Body of Leonardo S.p.A. or of the Italian Group Company, which will effectively investigate the Whistleblowing Report.

## **4. WHISTLEBLOWING INVESTIGATION PROCESS**

The whistleblowing investigation process is divided into four main phases:

-  **Intake:** receipt of the Whistleblowing Report and preliminary investigation;
-  **Investigation:** in-depth investigation on the contents of the Report;
-  **Reporting:** findings of the investigation carried out;

 **Follow-up:** monitoring of any corrective or improvement actions.

In order to facilitate the effectiveness and efficiency of the whistleblowing investigation activities, the Personnel and Group structures involved shall provide the necessary cooperation at each stage of the process.

#### **4.1. National Context**

In the national context, the whistleblowing investigation process applies to Leonardo S.p.A. and to the Group Companies, entities and foundations incorporated under Italian law.

##### **4.1.1. Intake**

Upon receipt of a Whistleblowing Report, GIA - *Management Audit & Whistleblowing* is responsible for the following activities:

- notifies the Whistleblower with an acknowledgement of receipt of the report within seven days of its receipt. Days of company closure are not taken into account in the calculation of this deadline;
- maintains contacts with the Whistleblower and may request clarifications or additions, including documentary evidence, if necessary;
- provides the Supervisory Body with information on the Whistleblowing Report, duly anonymised;
- carries out a preliminary investigation on the contents of the Whistleblowing Report, including a preliminary analysis of the reported facts with respect to the relevant legal framework and the presence of previous internal reports/analyses on the same subject;
- shares the results of such preliminary activity with the Supervisory Body for the relevant assessments.

Having examined the findings of the intake phase, the Supervisory Body resolves, alternatively:

- to dismiss the Whistleblowing Report if it appears to be “*ictu oculi*” unfounded or too generic and/or lacking the minimum elements needed to be able to carry out further investigation. The Supervisory Body transmits the aforementioned resolution to GIA - *Management Audit and Whistleblowing*, to the Whistleblowing Committee and, for information, to the Board of Statutory Auditors of Leonardo or of the Group Company;

- to carry out an in-depth investigation if the report is *prima facie* credible. In this case, the Supervisory Body transmits the aforementioned resolution, for subsequent investigation, to GIA - *Management Audit and Whistleblowing* and to the Whistleblowing Committee and, for information, to the Board of Statutory Auditors of Leonardo or of the Group Company.

In both cases, GIA - *Management Audit & Whistleblowing* shall provide feedback, including interlocutory feedback, to the Whistleblower within three months of the date of acknowledgement of receipt or, in the absence of such notice, within three months of the expiry of the seven-day period from the submission of the Whistleblowing Report, to be followed by a final summary feedback.

#### **4.1.2. Investigation**

The Whistleblowing Committee carries out appropriate assessments in order to direct further in-depth investigation through GIA - *Management Audit & Whistleblowing* and, if necessary, also with the support of other Group OUs or third parties.

The Whistleblowing Committee, for the activities within its competence, makes use of a Technical Secretariat, entrusted to GIA - *Management Audit & Whistleblowing*, which also maintains the Whistleblowing Platform.

GIA - *Management Audit & Whistleblowing* carries out, or coordinates, the necessary investigations in order to diligently follow up the Whistleblowing Report, also, if needed, with the support of other Group OUs or third parties.

#### **4.1.3. Reporting**

At the end of the investigation activities, GIA - *Management Audit & Whistleblowing* prepares an investigation report containing the findings to submit to the Whistleblowing Committee for its review.

After receiving the investigation report, the Whistleblowing Committee examines the results of the investigations carried out and assesses their adequacy with respect to the control objectives, identifying any necessary corrective and/or improvement actions. It therefore acts as follows:

- If it considers that further investigation is necessary, it requests GIA - *Management Audit & Whistleblowing* to carry out further investigations;

- If, on the other hand, it does not consider it necessary to investigate further, it resolves the transmission of the investigation report to the following recipients<sup>3</sup>:

For reports concerning Leonardo S.p.A.:

- ✦ Chairman of the Board of Directors;
- ✦ Chief Executive Officer and General Manager;
- ✦ Co-General Manager;
- ✦ Chairman of the Control and Risks Committee;
- ✦ Chairman of the Board of Statutory Auditors;
- ✦ Chairman of Leonardo Supervisory Body;
- ✦ Head of the relevant Division and/or BU;
- ✦ Additional recipients identified by the Whistleblowing Committee.

For reports concerning a Group Company:

- ✦ Company Chairman;
- ✦ CEO / Managing Director or equivalent;
- ✦ Chairman of the Board of Statutory Auditors or equivalent;
- ✦ Chairman of the Company's Supervisory Body / Monitoring Body;
- ✦ Head of the relevant Division and/or BU where applicable;
- ✦ Additional recipients identified by the Whistleblowing Committee, including among the management and control bodies of the parent company(ies).

With reference to whistleblowing reports that, as a result of the investigations carried out, are shown to be unfounded, a summary note is prepared and, after review by the Whistleblowing Committee, is brought to the attention of the company's Supervisory Body and Board of Statutory Auditors. The results of such investigations are reported to the Company's Management Bodies on the occasion of the periodic Half-Yearly Report referred to in paragraph 4.3 below.

The Whistleblowing Committee also assesses whether the contents of the investigation report or the summary note are relevant for the purposes of corruption risk and, if necessary, requests that it be sent to the Anti-Corruption OU within the Leonardo or Group Company Compliance OU (if present).

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<sup>3</sup> The recipients may vary depending on the subjects and contents of the reports.

In addition, the Whistleblowing Committee may suggest, if deemed necessary, actions to protect the Company, including to strengthen the Internal Control and Risk Management System, to be forwarded to the Chief Executive Officer and General Manager of Leonardo S.p.A. or, where relevant, to the Managing Directors of Group Companies.

#### **4.1.4. Follow-up**

Upon receipt of the Whistleblowing Committee's resolution, GIA - *Management Audit & Whistleblowing* monitors the actual implementation of any corrective and/or improvement actions by the Group OUs involved, informing the Management, Supervisory and Control Bodies on the monitoring activity performed.

#### **4.2. Foreign Context**

The whistleblowing investigation process, in the foreign context, applies to Group companies, entities and foundations established under foreign law. As in the national context, this is an integrated process in which the Monitoring Body of the Group Company plays an essential role, also in order to guarantee the principle of proximity to the Whistleblower.

With regard to whistleblowing reports received through the Whistleblowing Platform, GIA - *Management Audit & Whistleblowing* will forward those reports to the relevant Monitoring Body of the Group Company.

In the *Intake* phase, the activities referred to in paragraph 4.1.1 are carried out by the Monitoring Body, which transmits the results of the preliminary investigation carried out on the contents of the Whistleblowing Report (including the decision whether to dismiss the case or carry out an in-depth investigation) to GIA - *Management Audit & Whistleblowing*. The latter, if necessary, may provide any feedback to the Monitoring Body, or refer the matter to the Whistleblowing Committee, for its assessment.

The Whistleblowing Committee reviews the decisions taken by the Monitoring Body and resolves on the continuation of the investigation activities referred to in paragraph 4.1.1.

The Whistleblowing Investigation Unit informs the Monitoring Body about the decisions taken by the Whistleblowing Committee.

In the event of a resolution to continue with an in-depth investigation, the activities set out in paragraphs 4.1.2, 4.1.3 and 4.1.4 apply.

### **4.3. Periodic Whistleblowing Management Reports**

GIA - *Management Audit & Whistleblowing* prepares a six-monthly periodic report summarising the activities carried out, including the data provided by the Group Companies through the Half-Yearly Reports, to be submitted to the Whistleblowing Committee, before being sent to:

- ✱ Leonardo Board of Directors;
- ✱ Chief Executive Officer and General Manager of Leonardo;
- ✱ Co-General Manager;
- ✱ Chairman of Leonardo Control and Risks Committee;
- ✱ Chairman of Leonardo Board of Statutory Auditors;
- ✱ Chairman of Leonardo Supervisory Body.

For the Group Companies concerned in the reporting period, an extract of the aforementioned report is prepared and forwarded to the equivalent Management, Supervisory and Control Bodies and Top management, as appropriate.

For whistleblowing reports relevant to the risk of corruption, a summary report of the activity carried out for the bodies/entities listed above shall be drawn up every six months, included in the Half-Yearly Report if necessary, and brought to the attention of the Coordination and Consultation Body for the Prevention of Corruption.

### **4.4. Disciplinary measures and sanctions**

If the investigations carried out on the Whistleblowing Reports in accordance with this document reveal unlawful conduct attributable to Group Personnel, the Group Company shall act promptly and immediately, through appropriate and proportionate disciplinary measures and sanctions, taking into account the seriousness as well as the criminal relevance of such conduct and the initiation of criminal proceedings in cases where it constitutes an offence, in accordance with the provisions of the Company Protocols, the collective labour agreement or other applicable national rules.

In particular, for Leonardo, reference is made to the disciplinary system set forth in paragraph 5 of the Organisation, Management and Control Model under Italian Legislative Decree 231/01.

#### **4.5. Traceability of the Whistleblowing Investigation Process**

The Whistleblowing Investigation Unit and the Monitoring Bodies of the foreign-registered Group Companies shall store the Whistleblowing Reports received by them, adopting the appropriate security requirements referred in the Directive on the *Classification and Processing of Corporate Information*. The same precautions are taken in the management of internal reporting channels if different from the Whistleblowing Platform.

Whistleblowing Reports and related documentation are kept for as long as necessary for the processing of the Report, and in any case no longer than five years from the date of communication of the final outcome of the whistleblowing procedure.

### **5. EXTERNAL REPORTING CHANNEL AND PUBLIC DISCLOSURE**

It being understood that the Whistleblower must give preference to use of the Internal Reporting Channel, the Italian Legislative Decree 24/23 establishes further reporting channels under certain conditions.

#### **5.1. Conditions for filing an External Whistleblowing Report**

The Whistleblower may file an External Whistleblowing Report through the External Reporting Channel if, at the time of its submission, one of the following conditions is met:

- a) there is no compulsory activation of the internal reporting channel within its working context, or this channel, even if compulsory, is not active or, even if activated, does not comply with Article 4 of the Italian Legislative Decree 24/23;
- b) the Whistleblower has already made an Internal Whistleblowing Report under the same Article 4 and the report has not been followed up;
- c) the Whistleblower has reasonable grounds to believe that, if they were to make an Internal Whistleblowing Report, the report would not be effectively followed up or that the report might give rise to the risk of retaliation;
- d) the Whistleblower has reasonable grounds to believe that the violation may constitute an imminent or obvious danger to the public interest.

#### **5.2. Conditions for Making a Public Disclosure**

A Whistleblower who makes a Public Disclosure will benefit from the protection set forth in the Italian Legislative Decree 24/23 if, at the time of the Public Disclosure, one of the following conditions is met:

- a) the Whistleblower has previously made an Internal and External Whistleblowing Report or has directly made an External Whistleblowing Report, under the conditions and in the manner set forth in Articles 4 and 7 of the abovementioned Decree, and no reply has been received within the time limits set out in Articles 5 and 8 on the measures envisaged or taken to follow up the reports;
- b) the Whistleblower has reasonable grounds to believe that the violation may constitute an imminent or obvious danger to the public interest;
- c) the Whistleblower has reasonable grounds to believe that the External Whistleblowing Report may involve a risk of retaliation or may not be effectively followed up due to the specific circumstances of the case, such as where evidence may be concealed or destroyed, or where there is a well-founded fear that the recipient of the report may be colluding with the perpetrator or involved in the breach.

## **6. DISSEMINATION, PUBLICATION AND UPDATING OF THE GUIDELINES**

GIA - *Management Audit & Whistleblowing*, with the support of the competent Group OU, monitors the dissemination and publication of these Guidelines and, in particular:

- ensures that clear information is made available on the Internal Reporting Channel, the procedures, and requirements for filing Internal Whistleblowing Reports, and on the channel, procedures, and requirements for making External Whistleblowing Reports;
- monitors to ensure that the aforementioned information is made available on the websites and/or intranet as well as in the workplaces of the Group Companies.

With regard to internal dissemination, Leonardo's Chief People & Organization Officer sends these Guidelines to each of the following recipients:

- members of the Board of Directors, the Board of Statutory Auditors, and the Supervisory Body of Group Companies;
- Leonardo Group employees by posting them in the spaces dedicated to corporate communications and publication on the company intranet; new recruits, by signing as acknowledgement.

The updating of these Guidelines is periodic and may be initiated, by way of example, in the event of organizational changes or the updating of relevant regulations/best practice and in any case at least every three years.

## 7. PRIVACY

Pursuant to current laws and regulations on privacy, the data controller of personal data processed during the management of Whistleblowing Reports is Leonardo S.p.A., with registered office in Rome, Piazza Monte Grappa no. 4, with reference to Whistleblowing Reports concerning the Company, or the Group Company to which the Whistleblowing Report relates.

With reference to the personal data processed during the management of whistleblowing reports concerning Group Companies, through GIA - Management Audit & Whistleblowing of Leonardo S.p.A., in accordance these guidelines, the Group Company and Leonardo act as joint data controllers, based on a specific agreement in accordance with Article 26 of the GDPR, providing appropriate information to the whistleblowers.

The joint controllership agreement between the Group Companies specifically identifies their respective roles and responsibilities.

The documentation relating to Whistleblowing Reports is confidential and therefore each co-owner implements the appropriate security measures to ensure the appropriate processing and storage of the documentation, also ensuring access to the information contained therein *"exclusively to the persons who need it to perform their work, in consideration of their assigned responsibilities, in relation to the organizational position/role held in the Company (need-to-know principle)"*.

The personal data of Whistleblowers and of other persons who may be involved, collected in connection with the handling of Whistleblowing Reports, will be processed in full compliance with the provisions of the current Privacy laws and regulation, and to the extent and for the period strictly necessary for the purposes set out therein.

A copy of the text of the information notice for the processing of personal data related to Whistleblowing Reports is attached (**Annex 1**).

Since the legal basis for the processing of Whistleblowing Reports is mainly to be found in a legal obligation (Italian Legislative Decree 24/23), the Whistleblower is not required to give his/her consent.

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.