



Whistleblowing Privacy Notice

1. BACKGROUND, PURPOSE AND SCOPE

- 1.1 HLTech Legal Technology & Consulting B.V. and its present and future subsidiaries including HLTech (Singapore) PTE., LTD, HLTech Legal Technology & Consulting Ltda., and HLTech Legal Technology & Consulting LLC (collectively, "**ELTEMATE**", "**we**", "**us**"), are committed to protecting your privacy and confidentiality, and complying with applicable laws and regulations. We only process personal data in accordance with the applicable data protection requirements, in particular the EU General Data Protection Regulation ("**GDPR**"), the Dutch Data Protection Act (Algemene Verordening Gegevensbescherming, "**AVG**"), the Dutch Whistleblower Protection Act (Wet bescherming klokkenluiders, "**WPA**"), the German Federal Data Protection Act (Bundesdatenschutzgesetz, "**BDSG**") and the German Whistleblower Protection Act (Hinweisgeberschutzgesetz, "**HinSchG**").
- 1.2 To prevent and react to actual or possible violations of legal requirements or internal regulations ("**violations**"), a Whistleblower Tool (defined in Section 2) and other internal and external reporting channels have been implemented. Employees, volunteers, trainees, interns, consultants, contractors, directors and other persons whose conduct, in the performance of work for ELTEMATE, is under the direct control of ELTEMATE, whether or not paid by ELTEMATE ("**Personnel**") and external parties can report violations ("**Report(s)**"). Hereinafter, Personnel and external parties who report violations might also be referred to collectively as "**Whistleblowers**", "**your**", or "**you**".
- 1.3 In accordance with Article 13 and 14 of the GDPR, this Whistleblowing Privacy Notice ("**Notice**") describes how we may use and collect information about you in the context of whistleblowing and in the course of investigating Reports. This Notice also gives information about our efforts to protect your personal data and the rights you have to control your personal data and the protection of your privacy. This Notice supplements [ELTEMATE's Privacy Notice](#).
- 1.4 We value your input and encourage you to report any actual or suspected misconduct or violations. You can submit a Report by providing your name and contact details, or by omitting this information and submitting the Report anonymously. It is important to understand that anonymous Reports may present limitations. Specifically, if an anonymous Report lacks sufficient detail or context, it may be impossible for ELTEMATE to conduct a thorough investigation. Additionally, without identifying information about the Whistleblower, it can be difficult to verify claims or seek further information necessary for an effective inquiry. Legal obligations or ethical standards may also require ELTEMATE to identify the source of a complaint to ensure due process for all parties involved, and investigating an anonymous Report could compromise these principles. Furthermore, the ability to follow up with the Whistleblower for clarification is crucial in many investigations; anonymity restricts this possibility and limits our response capabilities. Therefore, we encourage potential Whistleblowers to provide their identity so that we can ensure a comprehensive investigation while protecting their rights and confidentiality as appropriate.
- 1.5 For both anonymous and non-anonymous Reports submitted via the web-based Whistleblowing Tool, all subsequent written communications will take place through the

Whistleblowing Tool so that you can continue to communicate with the authorized Personnel in a secure manner.

1.6 This Notice applies to:

- (a) Whistleblowers who submit Reports through the Whistleblowing Tool, and through other reporting channels.
- (b) Subjects of the Reports (i.e. persons alleged to have committed a violation).

1.7 Other persons involved who are mentioned in Reports submitted via the Whistleblowing Tool, and through other reporting channels.

2. **WHISTLEBLOWING TOOL AND OTHER REPORTING CHANNELS**

2.1 The "**Whistleblowing Tool**" is a web-based intake system provided by ELTEMATE to Personnel for reporting suspected or actual violations of ELTEMATE's Code of Conduct, policies, laws and regulations.

2.2 However, ELTEMATE also allows Personnel to internally report through the following channels: In writing, orally (e.g. by phone or other voice messaging system) and in person (based on the request of the reporting person). If a telephone line or other voice message system is used for a Report, or a Whistleblower makes a Report in a conversation at an agreed location physically, ELTEMATE will record the Report by transcribing the pertinent details of the alleged violation provided by the Whistleblower. The conversation will not be recorded.

2.3 If you are Personnel or an external party and you wish to report an alleged violation, you can do so by submitting a Report to compliance@eltemate.com via e-mail. If you wish to submit a Report orally, you can call Kristina Mackuliakova (General Counsel & Chief Compliance Officer) at +49 (151) 44154506 or Romy Tijssen (HR and Office Management Specialist) at +31 (6) 51765659.

2.4 For more information on the Whistleblowing Tool and how we investigate reported violations, please refer to ELTEMATE's [Whistleblowing Policy](#).

3. **WHO IS RESPONSIBLE FOR THE PROCESSING OF YOUR PERSONAL DATA?**

ELTEMATE acts as the Data **Controller** within the meaning of Article 4(7) of the GDPR when processing your personal data and the persons named by you and will take the appropriate precautions in this function to ensure that the personal data is handled in compliance with data protection regulations to the extent required by law.

4. **HOW WILL WE PROCESS YOUR PERSONAL DATA A?**

4.1 ELTEMATE, in particular, complies with the applicable data protection requirements at least under the laws and regulations stipulated in Section 1, when we receive, process and/or transmit Reports, either through the Whistleblowing Tool or through other reporting channels.

4.2 ELTEMATE will process your personal data only to the extent necessary to operate the Whistleblower Tool and to investigate any Reports of violations. We always treat incoming Reports securely and confidentially.

4.3 Any personal data is secured in accordance with Article 5 and 24(1) of the GDPR through suitable technical and organizational measures. Your personal data is protected against

unintentional or unauthorized destruction, loss, alteration, and disclosure as well as unauthorized knowledge and misuse. The measures are regularly reviewed for their effectiveness, evaluated, and updated accordingly.

- 4.4 ELTEMATE also ensures that those Personnel who have access to the Reports and are entrusted with data processing are obliged to maintain confidentiality. The information you submit will be treated confidentially except in cases where this is not possible because of legal requirements or in order to conduct an investigation, in which case the information will be handled sensitively. In these exceptional cases, your identity will only be disclosed or passed on in accordance with the statutory regulations and the information provided in this Notice.
- 4.5 Some of the technical measures that ELTEMATE has implemented are as follows:
- (a) When submitting anonymous Reports through the Whistleblowing Tool, you will be provided with a 16-digit Report ID to help you track the status of the investigation of your submitted Report. You are required to note it down as the Report ID will never be shown again.
 - (b) To allow you to file Reports through the Whistleblowing Tool and provide all the pertinent information, your progress is temporarily stored locally on your device in an encrypted manner. Once the Report has been submitted, all data and metadata related to the submission of the Report is immediately deleted from your device.
 - (c) Reports submitted via the Whistleblowing Tool are encrypted in transit via HTTPS.
 - (d) Multi-factor authentication has been enabled in the Whistleblowing Tool, and passwords are required when accessing submitted Reports by limited authorized Personnel.
- 4.6 Submitted Reports are stored in Collaborate, which allows for a granular level of permissions for viewing and editing by authorized Personnel.

5. **WHAT ARE YOUR OBLIGATIONS?**

Please be aware that the information you supply about you or other Personnel, or any aspect of ELTEMATE's operations may result in decisions that affect others. Therefore, we ask that you only provide information that you believe is true. You will not be subject to retaliation from ELTEMATE for any reporting of a violation that is made in good faith but was later determined to be factually incorrect. Please be aware, however, that knowingly providing false or misleading information will not be tolerated.

6. **WHAT CATEGORIES OF YOUR PERSONAL DATA ARE PROCESSED?**

- 6.1 Personal data is all information that identifies you directly or in combination with other information. We collect personal data that you provide to us when you make a Report, personal data that we collect automatically when you use the Whistleblowing Tool or the internal reporting channels, and personal data that we collect from other sources (e.g. from law enforcement authorities).
- 6.2 We may process the following categories of personal data:
- (a) **Contact data** – which consist of your full name, phone number, and email address if you choose to file a non-anonymous Report, and the Report ID which is assigned to your Report.

- (b) **Technical data** –which are generated by the use of the Whistleblowing Tool and/or other internal reporting channels (e.g. email and phone number).
 - (i) **Data we automatically collect/generate throughout your use of the Whistleblowing Tool:** This data is collected through the use of cookies or other similar tracking technologies ("**cookies**"), and may include Report ID, IP Addresses, etc.
 - (ii) **Reports via email:** Your email address, date and time of email
 - (iii) **Reports via phone:** Date and time of call
- (c) **Report data** – which consist of the date, time and content of the Report and how the Report was submitted. This also might include personal data about the Whistleblower and personal data about any persons mentioned in the Report, including information on your business status in relation to ELTEMATE; e.g., status as employee (including job title, department and position at ELTEMATE), business partner, supplier or customer. It might also include any supporting documentation that you may attach as evidence.
- (d) **Investigation data** – which consist of all data collected and processed during the investigation of the alleged violations stated in the Report, including evaluations and assessments, interviews, evidence, outcomes, investigative actions and information and documents from public authorities, if any.
- (e) **Communication data** – which consist of communications with the Whistleblower(s) and other **persons** involved in the handling and investigation of the violations stated in the Report, including any personal data contained in such communications.
- (f) **Sensitive personal data** – in specific cases, we may process sensitive personal data within the meaning of Article 9(1) of the GDPR (e.g. health data, information on criminal convictions or offences, information on racial and/or ethnic origin, information on religious and/or ideological beliefs, trade union membership or sexual orientation) if such data is included in the Report or otherwise processed as necessary for handling and investigating the Report. We however discourage you from disclosing any sensitive personal data in your Report, unless this is relevant to the violation reported, and necessary for the investigation of the Report.

7. **FOR WHAT PURPOSES AND ON WHAT LEGAL BASIS IS YOUR PERSONAL DATA PROCESSED?**

We process the personal data collected as stated in Section 4 for the following purposes, and by relying on the following legal bases:

Purpose(s) of processing	Categories of personal data	Legal bases
To investigate Reports and alleged violations	Contact data; Report data; Investigation data; Communication data; Sensitive personal data	We have a legal obligation and a legitimate business interest to investigate actual or suspected violations (Article 6(1)(c) of the GDPR read with Section 10 of HinSchG, and Article 6(1)(f) of the GDPR, respectively)

Purpose(s) of processing	Categories of personal data	Legal bases
To communicate with you and to store Reports provided in person or over the telephone	Contact data; Report data; Investigation data; Communication data; Sensitive personal data	We have a legitimate business interest in communicating with you in relation to your Report and to store Reports provided to us in person or over the telephone with your consent (Article 6(1)(f) and Article 6(1)(c) of the GDPR respectively)
To comply with legal obligations and cooperate with public authorities	Contact data; Report data; Investigation data; Communication data; Sensitive personal data	We have a legal obligation and a legitimate business interest to comply with legal requirements to which we are subject and to cooperate with public authorities if legally required or otherwise relevant and necessary for the investigation of violations (Article 6(1)(c) and Article 6(1)(f) of the GDPR respectively)
To provide and secure the Whistleblowing Tool, and to provide other reporting channels	Technical data	We have a legal obligation and a legitimate business interest to provide a secure web-based Whistleblowing Tool, and other reporting channels to our Personnel and external parties (Article 6(1)(c) of the GDPR read with Section 10 of HinSchG, and 6(1)(f) of the GDPR, respectively)
To protect, establish, exercise and defend our and third parties' rights, and to investigate, initiate and defend against legal claims	Contact data; Report data; Investigation data; Communication data; Sensitive personal data	We have a legitimate business interest in protecting, exercising and defending our rights and the rights of third parties (Article 6(1)(c) and Article 6(1)(f) of the GDPR respectively)
To generate general statistics about submitted Reports, including illustrations for the purpose of regular compliance reporting	Report data; Technical data	We have a legitimate business interest in using general statistical data about submitted Reports for research, compliance and business improvement purposes (Article 6(1)(f) of the GDPR)

8. **WHO MAY ACCESS YOUR PERSONAL DATA, INTERNALLY?**

8.1 To the extent necessary for handling and investigating the Report, your personal data is accessible to only limited authorised Personnel.

8.2 Only the General Counsel & Chief Compliance Officer of ELTEMATE, and a member of the HR Department on a need-to-know basis can access the personal data in the Reports.

9. **TO WHICH EXTERNAL RECIPIENTS IS YOUR PERSONAL DATA TRANSMITTED?**

9.1 To the extent necessary for handling and investigating the Report, your personal data will be shared with limited third-party recipients on a strict need-to-know basis, and who are required to keep your personal data confidential.

9.2 We share your personal data with:

(a) **Public authorities, justice and law enforcement, fiscal authorities and other authorities assigned with investigative powers or public authority:** If necessary, we could share your personal data with public authorities to the extent this is relevant and necessary. For example, with supervisory authorities, courts and public bodies, to the extent this is necessary to fulfil a legal obligation or to contribute to the prosecution of criminal offences and fraud. We may also share personal data with authorities or courts to protect our rights and property, or the rights and property of third parties.

(b) **Professional consultants, including from Hogan Lovells:** If necessary, we could share your personal data with our professional consultants, such as external lawyers, in cases where this is necessary. For instance, in case of an employment dispute or a legal procedure.

(c) **Thomson Reuters:** Only in exceptional circumstances and to the extent required to provide backend technical support, we might allow Thomson Reuters – as the service provider of Collaborate, the platform used by ELTEMATE to host the Reports – to access the Reports.

10. **WILL YOUR PERSONAL DATA BE PROCESSED OUTSIDE THE EU/EEA?**

10.1 Your personal data will - in general - be processed and stored in the EU/EEA as our servers are located in Germany. For handling and investigating Reports, complying with our legal obligations, or protecting and defending our or third parties' rights, it may be necessary to share data with appropriate representatives of ELTEMATE or third parties (such as Hogan Lovells entities or public authorities) that are based outside the EU/EEA.

10.2 Such recipients may be located in countries that have a lower legal protection level for personal data than the EU/EEA. We will only transmit your personal data to those third parties that handle your personal data securely and once appropriate technical and organizational safeguards in line with EU/EEA requirements are in place, such as by concluding Intra-Group Data Transfer Agreements, EU Model Contracts for the international transfer of personal data as approved by the European Commission, and/or implementing Supplemental Transfer Tools.

10.3 If you have questions about the international transfer of your personal data or the measures that we have implemented to protect your personal data, please send an email to dpo@eltemate.com.

11. HOW LONG WILL YOUR PERSONAL DATA BE STORED?

11.1 ELTEMATE generally only stores your personal data as part of the reporting procedure for as long as is necessary for the comprehensive investigation of alleged violations, i.e., the legal assessment, clarification and documentation of the facts and the taking of any follow-up or remedial measures.

11.2 After completion of the investigation, your personal data will be deleted in accordance with the applicable retention and deletion processes, with the exception of personal data where further storage and processing is necessary to fulfil legal requirements and/or for the establishment, exercise and defence of legal claims (e.g., in the context of any administrative or judicial legal disputes).

11.3 Personal data in connection with Reports that prove to be unfounded will be deleted without undue delay in accordance with the applicable laws and regulations.

11.4 In addition, ELTEMATE has obligations under the HinSchG – the German Whistleblower Protection Act – to protect Whistleblowers from being adversely affected in the future and to retain documentation pertaining to submitted Reports for a period of three (3) years after the conclusion of the investigation. The documentation shall include Contact data, Technical data, Report data, Investigation data, Communication data and Sensitive personal data (if any). This documentation may be kept longer to meet the requirements of the HinSchG or other applicable laws and regulations, as long as this is necessary and proportionate.

12. WHAT DATA SUBJECT RIGHTS DO YOU HAVE?

12.1 As a Whistleblower or as a person whose personal data is contained in the Report, you can exercise various rights. In order to exercise your rights, you can contact the Data Protection Officer of ELTEMATE via dpo@eltemate.com or through the contact details listed below in **Section 13**.

12.2 Subject to applicable law, your rights include in particular:

- (a) Right to be informed on how we are processing your personal data (**right to be informed**);
- (b) Right to access your data as well as to collect a copy of such data (**right of access**);
- (c) Right to have inaccurate data rectified and, taking into account the purpose of the processing, supplement incomplete data concerning you (**right of rectification**);
- (d) Right to have your personal data erased to the extent permitted by applicable laws, including applicable data protection laws (right to erasure; "**right to be forgotten**");
- (e) Right to restrict processing of your personal data to the extent permitted by law (**right to restriction of processing**);
- (f) Right to receive data which you have provided to us in a structured, commonly used and machine-readable format and to transmit such personal data to another controller without restriction by us and, where technically feasible, to have such data

transmitted directly from us to another controller to the extent permitted by law (**right to data portability**); and

- (g) Right to lodge a complaint with a competent supervisory authority (**right to lodge a complaint**) if you have any reasonable doubts about the lawfulness of the data processing.
- (h) Subject to and in accordance with applicable law, you have **the right to object**, on grounds relating to your particular situation, to the processing of your personal data conducted by us in order to safeguard our legitimate interests. We will then no longer process your personal data unless we can provide proof of urgent grounds for the processing that are worthy of protecting and which outweigh your interests, rights, and freedoms, or if the processing supports the assertion, exercising, or defence of legal claims.
- (i) **Right not to be subject to a decision based solely on automated processing**, unless the legal requirements for this are met.

12.3 We do not process your personal data for the purpose of making decisions based solely on automated decision-making.

13. HOW CAN YOU CONTACT US?

13.1 You also have the right to contact ELTEMATE's DPO & AI Compliance Officer at dpo@eltemate.com if you wish to obtain further information or raise concerns about how we process your personal data. In addition, you may also contact ELTEMATE if you have any questions about this Notice.

13.2 You can reach us using the following contact details:

HLTech Legal Technology & Consulting BV

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