

PRIVACY NOTICE IN RELATION TO REPORTS OF BREACHES OF EUROPEAN UNION LAW AND NATIONAL LEGISLATION (SO-CALLED WHISTLEBLOWING)

Pursuant to Articles 13 and 14 of Regulation (EU) 2016/679 (hereinafter "**GDPR**") and in accordance with Legislative Decree no. 24 of March 10th, 2023 "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 "**Decree**"), this privacy notice is provided to whistleblowers, facilitators and any other natural person potentially involved in a whistleblowing report (hereinafter "**Report**").

DEFINITIONS

- "**Personal data**" (pursuant Article. 4(1) of GDPR) means any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- "**Special personal data**" (pursuant Article 9(1) of GDPR) means personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.
- "**Processing**" (pursuant Article 4(2) of GDPR) means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

IDENTITY OF THE DATA CONTROLLER

Pursuant to Article 4(7) of GDPR, Emaar Hotels & Resorts (Milano) S.r.l., with registered office at Via dei Giardini, 4, 20121, Milan, is the data controller of personal data (hereinafter "**Company**") and can be contacted at the e-mail address privacymilano@armanihotels.com. The Company has appointed a Data Protection Officer or DPO, who can be contacted at the following e-mail address: dpo@ecoconsult.it.

CATEGORIES OF DATA SUBJECT

The Personal data processed concerns all individuals involved at any title in the Report (hereinafter and collectively the "**Data Subjects**"):

- The natural person mentioned in the internal or external Report or public disclosure as the person to whom the breach is attributed or as a person otherwise implicated in the reported breach (hereinafter "**Person Concerned**").
- The individual who makes the Report or public disclosure of information about breaches acquired as part of its work context (hereinafter "**Whistleblower**").
- The individual who assists the Whistleblower in the reporting process, operating within the same work context and whose assistance must be kept confidential (hereafter "**Facilitator**").
- Individuals other than the Person Concerned but mentioned in the Report.

PERSONAL DATA PROCESSED

For the pursuit of the purposes set out below, the Company will, as appropriate and where necessary, process Personal data belonging to the following categories:

- Common personal data: first and last name, date and place of birth, contact details of the Whistleblower; in addition to these data, the processing of which is necessary for the handling of the Report, the Company may process any additional information that may be included within it concerning persons involved or mentioned therein (Person Concerned, Facilitator, any other third parties).
- Special personal data: the Company, independently of its own will, may process Personal data falling into special categories pursuant to Article 9 of GDPR that may be contained in the Report and/or in the acts and documents attached to it (by way of example but not limited to: those revealing racial or ethnic origin, religious or philosophical beliefs, political opinions, trade union membership, data relating to health or sexual life). Such data will be used exclusively for the handling of the Report, in full compliance with the principles of proportionality and necessity.
- Judicial personal data: the Company, independently of its own will, may process Personal data related to criminal convictions, offences or related security measures pursuant to Article 10 of GDPR that may be contained in the Report and/or in the acts and documents attached to it. Such data will be used for the handling of the Report, in full compliance with the principles of proportionality and necessity.

It is specified that anonymous reports (such that the Whistleblower is not identifiable), if they are punctual, circumstantiated and supported by appropriate documentation, will be equated by the Company to ordinary reports and, as such, not subject to the protections provided by the Decree.

SOURCE OF PERSONAL DATA

Personal data are collected either directly from the Data Subjects or from third parties, depending on whether they are:

- Data relating to the Whistleblower, in which case it will be collected directly from the Data Subject who submits his / her data by sending the Report.

- Data relating to other Data Subjects (such as the Person Concerned, a witness or any other person mentioned in the Report), in which case it will be collected from third parties, i.e. by the Whistleblower through the relevant Report.

PURPOSE OF PERSONAL DATA PROCESSING, LEGAL BASIS FOR PROCESSING AND RETENTION PERIOD

The above Personal data are processed by the Company for the following purposes:

1. Purposes for the fulfilment of legal obligations

a. Management of Reports

The Personal data processed for the above purpose will be only those useful for the handling of the Report (if manifestly not useful, they will not be collected; if accidentally collected, they will be deleted) and will be retained for as long as necessary for the handling of the Report (in any case, no longer than five years from the date of the communication of the final outcome of the Report).

2. Protection of a legitimate interest

b. If necessary, to protect the contractual and pre-contractual rights of the Company or, in any case, arising from existing relationships.

Data processed for this purpose will be kept for the periods described in the previous point.

Note. If it is necessary to establish, exercise or defend the Company's rights in legal proceedings, the retention period may be extended until the end of the litigation.

LEGAL BASIS FOR PROCESSING

The processing of common and judicial Personal data is based on the following legal bases:

- Compliance with a legal obligation to which the controller is subject (Article 6, par. 1 lett. c) of GDPR);
- Legitimate interest of the Company (Article 6, par. 1 lett. f) of GDPR).

Instead, the processing of special Personal data is based on:

- Carrying out the obligations and exercising specific rights of the controller or of the Data Subject in the field of employment and social security and social protection law (Article 9, par. 2 lett. b) of GDPR);
- Necessity of establishment, exercise or defense of legal claims or whenever courts are acting in their judicial capacity (art. 9, par. 2, lett. f), GDPR).

SHARING DATA OUTSIDE THE COMPANY

The Personal data acquired by the Company, within the scope of the above purposes, may be communicated externally for various reasons; in addition to any communications required in compliance with the law, the Personal data may be made available to the Company's head office, to subjects in charge of the management of the Reports and authorized for this purpose, to subjects carrying out support activities for the Reports, to suppliers of the technological solutions used to make the Reports, to consultants, consulting companies, professional firms, as well as to other subjects who in any capacity collaborate - for the achievement of the above purposes - with the Company.

The complete and updated list of autonomous data controllers, data processors appointed by the Company and recipients of data in any capacity (pursuant Article 4, no. 9 of GDPR) is made available at the offices of the Company.

TRANSFER OF PERSONAL DATA OUTSIDE THE EU

The Company may transfer Personal data to third parties as autonomous data controllers or to data processors to allow the performance of the activities listed in this privacy notice. In the event that such transfer takes place to Countries that do not provide the same level of protection as provided by the applicable data protection legislation, or in any case an adequate level of protection of Personal data, the Company will ensure that each of these recipients undertakes specific contractual obligations in accordance with the aforementioned legislation (including the signing of the Standard Contractual Clauses approved by the European Commission), unless the Company may refer to any other legal basis for the transfer of such information (e.g., the transfer is necessary for the performance of a contract entered between the Data Subject and the data controller or for the performance of pre-contractual measures taken at the request of the Data Subject, if it is not possible to proceed otherwise).

In any case, the Data Subjects may at any time request more information regarding the transfer of their Personal data by contacting the Company at the contact details indicated in section **"IDENTITY OF THE DATA CONTROLLER"**.

Personal data will not be disclosed, so it will not be made available to unspecified parties.

RIGHTS OF THE DATA SUBJECTS

The Whistleblower, in relation to the Personal data provided, is entitled to exercise at any time and in accordance with the provisions of the GDPR the rights set out therein and listed below:

- **Right of access** - Article 15 of GDPR: right to obtain from the Company confirmation as to whether or not Personal data is being processed and, if so, also to obtain access to such data and further information, such as purposes of processing, categories of data processed, recipients of communications and/or transfers of data (including their copy in intelligible form).
- **Right to rectification** – Article 16 of GDPR: right to have inaccurate Personal data rectified.
- **Right to erasure ("right to be forgotten")** - Article 17 of GDPR: right to delete Personal data.
- **Right to restriction** - Article 18 of GDPR: right to obtain restriction of processing, e.g. in case of contesting the accuracy of data or in case of unlawful processing.

The Whistleblower has also the **right to object** (Article 21 of GDPR) at any time, on grounds relating to his or her particular situation, to the processing of Personal data concerning him or her if it is based on legitimate interest.

The above rights may be exercised by writing to the Company at the contact details given in section "**IDENTITY OF THE DATA CONTROLLER**". In the same manner, more information regarding the processing of Personal data may be requested at any time. It is also specified that the exercise of rights cannot compromise and/or infringe on the rights and freedoms of others.

The Company undertakes to respond to requests within a period of one (1) month, except in the case of particularly complex requests, for which it may take up to three (3) months. In any case, the Company will explain the reason for the wait within one (1) month of the request.

The outcome of the request will be provided in writing (upon request) or in electronic format (and, in this case, free of charge). The Company specifies that a possible contribution may be requested if the requests are manifestly unfounded, excessive or repetitive: in this regard, the Company will keep track of the requests.

RIGHT TO LODGE A COMPLAINT (ARTICLE 77 OF GDPR)

If the Whistleblower considers that his or her rights have been compromised or infringed upon, or that the processing of his or her Personal data is contrary to the applicable data protection legislation, he or she has the right to lodge a complaint with the Italian Data Protection Authority in the manner indicated by the same at the following link: <https://www.garanteprivacy.it/diritti/come-agire-per-tutelare-i-tuoi-dati-personali/reclamo>.

LIMITS ON RIGHTS OF PERSON CONCERNED

The Person Concerned (or the person involved or mentioned in the Report), according to the applicable legislation on the protection of Personal data, may be subject to a limitation of the rights referred to in paragraph "**RIGHTS OF THE DATA SUBJECTS**" for as long as and to the extent that this constitutes a necessary and proportionate measure to safeguard the protection of the Whistleblower's identity confidentiality: this limitation arises from the fact that actual and concrete prejudice to the latter could materialize from the exercise of these rights.

As an immediate and direct consequence, the Person Concerned (or the person mentioned/involved in the Report) is precluded from addressing the Company and/or lodging a complaint with the territorially competent supervisory authority, even where it is believed that the processing concerning him/her violates the aforementioned rights.

NATURE OF PROVISION OF DATA

The provision of the identity and contact details of the Whistleblower for the above purposes is mandatory in order to benefit from the protections provided by the Decree: in fact, the failure to provide such data entails the removal of the Report from the scope of applicability of the legislation itself and its handling in the same way as an ordinary report.

On the other hand, the provision of additional categories of personal data by the Data Subjects is optional for the purposes of the Report; however, partial or inaccurate provision could result in the impossibility of processing the Report.

METHODS OF PROCESSING

The Personal data will be processed in digital form through the platform specifically implemented by the Company and will be entered into the relevant databases, which may be accessed and thus become known to specially designated employees and collaborators of the Company. These subjects may carry out consultation, use, elaboration, alignment and any other appropriate operation, in compliance with the provisions of the law necessary to ensure, among other things, the confidentiality and security of the data as well as the accuracy, updating and relevance of the data to the stated purposes.

CHANGES AND UPDATES

The Company may also make changes and/or additions to this privacy notice as a consequence of any subsequent regulatory changes and/or additions. In such cases, the new version of this privacy notice will be communicated as soon as possible in such a way as to reach all the Data Subjects as quickly as possible.