

Notice for Whistleblowing reports pursuant to Legislative Decree 24/2023

The purpose of this document is to furnish all of the necessary information and indications to persons intending to make a report pursuant to Legislative Decree 24/2023. For anything not expressly provided for herein, please refer to the WHISTLEBLOWING PROCEDURE available at the following [link](#).

Who receives/handles reports?

The person responsible for receiving and handling reports, i.e. the Whistleblowing Manager, is the WHISTLEBLOWING COMMITTEE ITALY, composed of Stefano Brogelli and Daniele Alfano, respectively Legal & Regulatory Director Axpo Italia and Local Compliance Officer Axpo Italia.

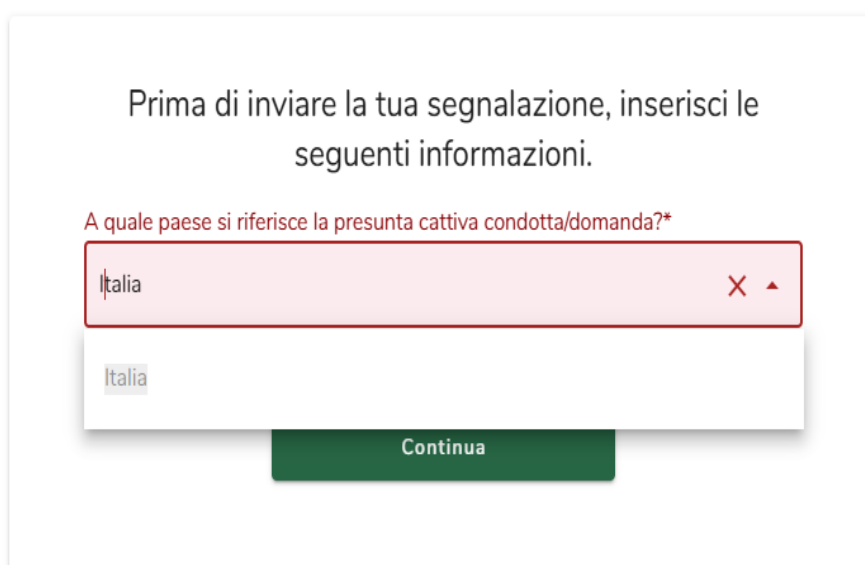
In carrying out its task, the WHISTLEBLOWING COMMITTEE may be supported by internal resources or by external professionals appointed for this purpose.

How to report?

Reports can be made via the computerised SpeakUp platform.

After having logged on to the platform and created a password, in order to make a report pursuant to Legislative Decree 24/2023 the reporter must:

- choose the Italy option to the question: "Where did the incident occur?" or "To which country does the alleged misconduct/question refer?" (as shown below)



Prima di inviare la tua segnalazione, inserisci le seguenti informazioni.

A quale paese si riferisce la presunta cattiva condotta/domanda?*

Italia

Italia

Continua

- choose the option “I prefer my concern to be handled locally by the Italian legal entity pursuant to Legislative Decree 24/2023” to the question “Should your SpeakUp report be handled group-wide or locally by the Italian legal entity pursuant to Legislative Decree 24/2023?” (as shown below)

La tua segnalazione SpeakUp deve essere gestita a livello di Gruppo o localmente dalla persona giuridica italiana ai sensi del D.lgs. n. 24/2023?*

Seleziona un'opzione dall'elenco

- Preferisco che la mia richiesta venga gestita a livello di gruppo (Axpo Group Svizzera)
- ▼ **Preferisco che la mia preoccupazione sia gestita localmente dalla persona giuridica italiana**
 - Axpo Italia S.p.A.
 - Axpo Energy Solutions Italia S.p.A.
 - Pulsec Srl
 - Axpo Servizi Produzione Italia S.p.A.

The platform allows one:

- to send reports in writing with the option of uploading documents and video content;
- to request in writing a direct meeting with the Whistleblowing Committee Italy in order to make an oral report.

Who can report?

The persons who can make reports enjoying the protections afforded by Legislative Decree 24/2023 are: employees; workers with part-time, intermittent, fixed-term, temporary, apprenticeship and ancillary work contracts; workers doing occasional jobs; self-employed workers who perform work for the Company; professionals and consultants who perform work for the Company; paid or unpaid volunteers and trainees who perform work for the Company; workers or other personnel of external companies that supply goods or services or carry out works for the Company; shareholders; persons who, including on a de facto basis, exercise functions of administration, management, oversight, supervision or representation of the Company.

What can be reported?

The breaches that may be reported pursuant to and for the purposes of Legislative Decree 24/2023 are conduct, acts and omissions, including attempts, **that may be detrimental to the Company** insofar as they harm its integrity, **of which the reporter has become aware in a work-related context**. They may consist of:

- wrongdoing committed in the management of public contracts;
- breaches of the laws governing financial services, products and markets and the prevention of money laundering and terrorist financing;

- breaches of environmental protection laws;
- breaches of public health protection laws;
- breaches of the laws governing the protection of privacy and personal data, and the security of networks and information systems;
- breaches of consumer protection laws;
- breaches of the laws governing product safety and compliance, transport safety, as well as food and feed safety and animal welfare;
- breaches of the laws governing radiation protection and nuclear safety;
- acts or omissions that in relation to fraud and other illegal activities harm the financial interests of the European Union as referred to in Article 325 TFEU as further specified in EU regulations, directives, decisions, recommendations and opinions (fraud, corruption and any other illegal activity related to EU expenditure);
- breaches of competition law;
- breaches of State aid rules;
- breaches of the laws governing the internal market in relation to acts which breach the rules of corporate tax or in relation to arrangements the purpose of which is to obtain a tax advantage that defeats the object or purpose of the applicable corporate tax law;
- acts or conduct that frustrate the object or purpose of the provisions of the acts of the European Union in the areas referred to above.

Reporters may also report unlawful conduct that is relevant for the purposes of Legislative Decree 231/2001 and, in particular, the commission of the offences referred to in Legislative Decree 231/2001 by Company representatives, or fraudulent breaches of the Organisational, Management and Controls Model (e.g. fraudulent breaches of the model's protocols or operating procedures).

The following reports are excluded and will therefore not be considered admissible:

- grievances, claims or requests linked to a personal interest of the reporter that relate exclusively to his/her individual work or public employment relations or that are inherent to his/her work relations with his/her superiors (by way of example, reports concerning labour disputes or discrimination between colleagues are excluded and any such reports should continue to be sent to the relevant human resources functions, which will handle them);
- complaints related to inefficiencies or problems with the services provided by the Company (which should continue to be sent to the dedicated company functions);
- information that is clearly unsubstantiated, information in the public domain and information acquired only on the basis of unreliable hearsay or rumours;
- reports of breaches already mandatorily regulated by EU or national acts or by national acts implementing EU acts in the following areas: financial services and the prevention of money laundering or terrorist financing, transport safety and environmental protection;
- reports of breaches of national security and procurement relating to defence or national security aspects, unless these aspects are covered by relevant secondary EU law.

What are the minimum contents of reports?

Reports must set out all of the information and circumstances of use in checking and ascertaining whether the facts reported are well founded, including:

- a clear and complete description of the facts that the report concerns;
- the time and place in which the event occurred;
- **details or other elements enabling identification of the person to whom the reported event is attributed (e.g. title, location/company where the activity is carried out);**
- any documents supporting the report;
- an indication of any other persons who may have information in relation to the facts that the report concerns;
- any other information that may provide useful evidence as to the occurrence of the reported events.

For a report to be substantiated, these requirements do not necessarily have to be fulfilled at the same time, in view of the fact that the reporter may not be in full possession of all of the above-mentioned information. However, the reporter must not to conceal useful information concerning the reported facts and must provide the information right from the start, so that the Whistleblowing Manager can carry out the necessary investigations. For reports not sufficiently substantiated in relation to which it is not possible for the Whistleblowing Manager to carry out an investigation, the case will be closed after informing the reporter.

Anonymous reports

Anonymous reports do not fall within the scope of Legislative Decree 24/2023. Therefore, reporters wishing to make a whistleblowing report pursuant to Legislative Decree 24/2023 are required to identify themselves within the scope of the report (without prejudice to the protections on the confidentiality of the reporter's identity that will be applied). Anonymous reports received through the reporting channel covered by this document will be treated as inadmissible and the case will be closed.

Anonymous reports relevant to Group compliance can be made through the Group compliance channel, by selecting "report on Axpo Group in Switzerland channel".

The external reporting channel and public disclosure

It should be borne in mind that:

- the internal reporting channel is the one to be used ordinarily and as a rule;
- unlawful conduct that is relevant for the purposes of Legislative Decree 231/2001 and fraudulent violations of the Organisational, Management and Controls Model may only be reported through the internal channel.

That said, reporters may use the external channel managed by the National Anti-Corruption Authority (ANAC) at <https://www.anticorruzione.it/-/whistleblowing> **only** in the following cases:

- the Company has not activated an internal reporting channel or the internal channel that has been activated does not comply with Legislative Decree 24/2023;
- a report has already been made through the internal channel, but this was not followed up (as there was no response from the Whistleblowing Manager);
- the reporter has a well-founded fear that in using the internal channel the report made would not receive an effective follow-up or that he/she might be subjected to retaliation;
- the reporter has reasonable grounds to believe that the breach may constitute an imminent or obvious danger to the public interest.

Reporters may make reports through public disclosure (press and other means of communication such as social networks) **only if** one of the following conditions is met:

- the reporter has previously made an internal report and an external report to ANAC or has made an external report directly to ANAC and no response has been received by the set deadline on the measures envisaged or adopted to follow up the reports;
- the reporter has reasonable grounds to believe that the breach may constitute an imminent or obvious danger to the public interest;
- the reporter has reasonable grounds to believe that the external report may entail 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 person receiving the report may be in collusion with the perpetrator of the breach or be involved in the breach.

There is always the option of filing a complaint with the competent national judicial and accounting authorities.

Confidentiality and safeguards

Reports made pursuant to Legislative Decree 24/2023 are covered by the confidentiality provisions of Article 12 thereof. Moreover, reporters and the other persons mentioned in Article 3 of Legislative Decree 24/2023 are afforded the protections set out in Chapter III of Legislative Decree 24/2023 within the limits and under the conditions laid down therein. For further details on this point, please refer to the Whistleblowing Procedure.