

# WHISTELBLOWING MANAGEMENT POLICY

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## 1. Framework:

For some time now LEMS/EMDT/EMYN have had a trust and transparency policy in place that deals with how it does business and engages with all of its Stakeholders. Clear guidelines have been laid down regarding these matters both in the last version of their Code of Ethics Charter and Anticorruption Policy, approved in the end of 2023, that define companies principles and commitments in these matters. This trust and transparency policy naturally contains channels to report allegedly ethically questionable conduct that all Stakeholders can use when they consider that our companies ethical principles and integrity may be compromised.

Increasing developments in these matters, such as the proliferation of different standards – albeit sharing the common aim of regulating issues heretofore subject to ethical and moral appraisal – attest to that fact that LEMS/EMDT/EMYN hit the mark with their early and resolute commitment to self-regulation regarding these issues.

Given the growing concern by lawmakers, both nationally and at EU level, to regulate issues that previously depended on the commitments undertaken by each company, LEMS/EMDT/EMYN have made the necessary amendments to these to ensure full compliance with this legislation.

A case in point is Directive (EU) 2019/1937 of the European Parliament and of the Council of October 23, 2019 on the protection of persons who report breaches of Union law (hereinafter the “European whistleblower protection directive” or the “Directive”) that lays down the legal obligation for all legal entities employing fifty or more workers, or that carry out certain activities as provided for in the Directive, to define and put in place a whistleblowing channel. In addition to implementing the established provisions and with a view to fostering even greater confidence for LEMS/EMDT/EMYN’s Stakeholders regarding these matters, each company has reviewed and updated its whistleblowing management process, the procedures thereof and the technical support for its already existing whistleblowing channel (the “**Whistleblowing Channel**”).

This updating of the whistleblowing management process clearly attests to the decisive importance LEMS/EMDT/EMYN give to meeting their compliance obligations, particularly with respect to their intervention in investigating and resolving matters that are now grounded on specific, targeted legislation.

Accordingly, this Policy seeks to establish the rules that apply to the procedure to receive, process, settle and register communications and reports made over the Whistleblowing Channel to ensure to all whistleblowers full compliance with the law regarding strict, ethical business conduct, while also making sure that all well-founded reports of a breach that are submitted in good faith will be presented securely and effectively, without fear of Retaliation.

Furthermore, the confidentiality required in these matters is assured for all those who make reports on the Whistleblowing Channel. A corporate speak up culture can only be effective if it is based on maximum discretion, offering whistleblowers, reported and interested parties a procedure that meets the highest ethical and behavioral standards, thereby fostering trust and the effective reporting of situations that are in breach of ethical principles and commitments.

## 2. Purpose

This Policy lays down the rules that apply to the procedure to receive, process, settle and register communications received by LEMS/EMDT/EMYN companies, about alleged Unethical Conduct that breaks the law or current internal company rules.

## 3. Terms and Definitions

For purely interpretative purposes of this Policy, the terms and definitions used therein will have the meaning described below.

**Retaliation:** any act or omission (including threats or attempts) which occurs directly or indirectly in a work-related context, prompted by internal or external reporting or by public disclosure, and which causes or

may cause unjustified property damage or pain and suffering to the Reporting Person. Acts of retaliation shall be in accordance with the provisions of each applicable local law.

**Unlawful Conduct:** any breach of current laws or regulations, as well as of internal LEMS/EMDT/EMYN rules.

**Unethical Conduct:** any breach of the principles set forth in the LEMS/EMDT/EMYN Code of Ethics and related policies.

**Report:** the act of reporting any Unethical or Unlawful Conduct.

**Person Concerned:** any person who under the provisions of this Policy is identified by the Reporting Person as being a party and/or co-perpetrator to alleged Unethical and/or Unlawful Conduct.

**Reporting Person:** the person who submits a Report through the means of communication put in place for this purpose.

**Stakeholder:** a person or organization that may affect, be affected by or believe itself to be affected by a decision or activity (e.g., in LEMS/EMDT/EMYN: shareholders, employees, customers, suppliers, communities; etc.).

#### 4. Guiding Principles

This procedure to receive, process, settle and register Reports received by LEMS/EMDT/EMYN under this Policy will be governed by the following guiding principles:

- **Anonymity:** Reporting Persons can, if they so wish, request that they remain anonymous by choosing the option in the Whistleblowing Channel form. Notwithstanding this option, anonymity does not prevent two-way communication between (i) the person in charge of selecting, analyzing and managing the processing process and (ii) the Reporting Person, thereby leaving open the possibility of attaching supporting documentation on the reported acts by means of the field created for this purpose on the channel support platform.
- **Confidentiality:** Under the terms defined in this Policy, Reports will be treated as confidential information by all those who receive information on the reported events. Knowledge of its existence and the findings of the examination will be restricted to the report management team and to those who require such information to receive and monitor the Reports submitted over the Whistleblowing Channel. The identity of the Reporting Person can only be disclosed with the consent of that person or in compliance with a legal obligation or court decision. In such situations, the Reporting Person will receive a written communication indicating the reasons for the disclosure of the confidential data in question, unless any disclosure of this information might compromise ongoing investigations or related court proceedings.
- **Data protection:** The Report reception, registration and processing procedures under this Policy are compliant with current data protection rules and information security standards.
- **Good faith:** All Reports must be submitted in good faith and duly substantiated. Any unjustified use of the Whistleblowing Channel may be considered a disciplinary or legal breach.
- **Independence and autonomy:** Any person who has or is suspected of having a conflict of interest or direct or indirect involvement in the reported situation, will be excluded from the investigation and decision process to ensure that the receipt, screening, examination and filing of the Reports is done independently and impartially, while also ensuring the absence of any real or potential conflict of interest in the performance of those functions.
- **Legal protection:** As long as the Reports are made in good faith, Reporting Persons will be specifically protected and supported by the assurance of legal protection and access to tribunals to defend their rights.
- **Misuse:** misuse and bad faith in the use of the Whistleblowing Channel may leave the Reporting Person or other people involved open to disciplinary or legal proceedings.

- **Prohibition of Retaliation:** LEMS/EMDT/EMYN must not lay off, threaten, suspend, reprimand, bully, retain or suspend wage or benefit payments, demote, transfer or take any other disciplinary action or reprisal that causes or may cause the Reporting Person unjustified property damage or pain and suffering as a result of submitting an internal or external Report or of making a public disclosure in good faith and for serious reasons, during the period specified by the applicable legislation in each case after making the Report. This prohibition of Retaliation extends in all its forms to any person that helps the Reporting Person in the reporting process and whose help must be kept confidential, including trade union representatives or employee representatives, or any third party related to the Reporting Person that may be subjected to Retaliation in a professional context and those legal persons or similar entities owned or controlled by the Reporting Person, or for which the Reporting Person works or is professionally related.
- **Protection of Person Concerned data:** Generally accepted rights and guarantees protected by due process of law will be ensured for those persons concerned by the Report or public disclosure. In other words, they shall enjoy benefit of the doubt, criminal process defense guarantees and confidentiality regarding their identity.
- **Record keeping:** All information related to the different report processing phases are registered on the Whistleblowing Channel tool in accordance with Privacy Policy principles. Reports will be stored for no longer than it is necessary and proportionate in order to comply with the requirements imposed by the Directive, and with data privacy regulations, or other requirements imposed by local law and - regardless of this - for any period pending court or administrative proceedings related to them.
- **Voluntary:** This Policy is based on a voluntary reporting scheme.

## 5. Controller of the Complaints Management System

LEMS/EMDT/EMYN's Board of Directors have designated the **Compliance Partner** as the Controller of the Complaints Management System (hereinafter the "**Channel Controller**") to manage the Complaints Management System for the purposes of notifications and liaising with the competent public authorities in these matters. The Compliance Partner will also act as the internal liaison person at LEMS/EMDT/EMYN.

## 6. LEMS/EMDT/EMYN Whistleblowing Channel

Global and across the board channel available on LEMS/EMDT/EMYN website, which can be used by Stakeholders. This channel receives Reports on any breach of current laws and regulations, of the Code of Ethics and of LEMS/EMDT/EMYN internal rules.

## 7. General description of the whistleblowing management procedure

### 7.1. Types of Reports

The Reporting Person can Report through internal and external whistleblowing channels.

#### 7.1.1. Internal reporting

Internal Reports must be made through the internal channel put in place by LEMS/EMDT/EMYN as follows:

- Accessing through the Whistleblowing Channel available at LEMS/EMDT/EMYN websites;
- Selecting the subject matter of the Report to be made;
- Completing the respective form with information identifying the Reporting Person, email and contact details (unless the anonymous option is selected); the subject matter of the Report; identification of the company involved (if applicable); and a description of the facts.

### 7.1.2. External reporting

Regardless of the fact that Stakeholders make a Report over the LEMS/EMDT/EMYN Whistleblowing Channel, they can also do so externally via the competent authorities.

## **7.2. Preliminary screening/examination process**

After the Report has been received, the Compliance Partner will screen it to assess initially whether the reported situation is a Report lacking serious grounds and deliberately and clearly unfounded or not, by considering: the content of the reported breach, the grounds on which it is based and any possible evidence provided by the Reporting Person. Any Report that is not seriously substantiated and is deliberately and clearly unfounded will entail the provisional shelving of the Report, duly notifying the Reporting Person.

If the Report involves a conflict of interest for the Compliance Partner, the Report will be redirected to the President of the concerned Company

## **7.3. Investigation**

If the Report is considered to be well founded, the investigation phase will begin. This process involves collecting, examining and investigating the facts rigorously, independently and objectively to: (i) accurately establish the credibility of the Report and the surrounding circumstances; (ii) identify the parties involved; (iii) assess whether or not the issue constitutes Unethical Conduct or some type of irregularity that infringes the applicable regulations; and (iv) assess the root causes and potential repercussions/consequences arising thereof.

### 7.3.1. Contact with the Reporting Person

Throughout the process, the investigation manager (deemed the Compliance Partner) may request additional information and/or supporting documentation of the Reporting Person over the Whistleblowing Channel to better assess the reported facts, even if the Reporting Person decides to remain anonymous.

### 7.3.2. Urgent measures and immediate action

Without prejudice to the final decision taken regarding the Report made, in clearly urgent and serious situations, appropriate measures must be adopted to protect LEMS/EMDT/EMYN and/or Stakeholders' interests against the detected irregularities.

## **7.4. Classification of the Report, procedure conclusion and decision**

Based on the examination and investigation of each Report of alleged unethical behavior or conduct in breach of the applicable regulation, the Compliance Partner will issue the respective decision.

This decision can find the Report:

- **Warranted:** Unethical Conduct or a breach of the applicable regulation has been confirmed. A Report classified as "warranted" can lead to the presentation of recommendations to adopt the appropriate response measures.
- **Unwarranted:** The investigation fails to confirm the existence of Unethical Conduct or a breach of the applicable regulation, or when there is not enough evidence to confirm the breach.
- **Inconclusive:** There is not enough evidence to confirm the existence of Unethical Conduct or a breach of the applicable regulation.

Where the findings of the Report classify it as warranted, the Channel Controller can adopt measures it deems appropriate considering the reported situation.

The procedure is concluded by registering the closing on the Whistleblowing Channel support tool, with the Reporting Person being duly informed. Information will also be provided on the measures planned, or that have already been taken within the legally provided terms for this purpose.

## **8. Supervision and communication**

The Compliance Partner will regularly inform the Boards of Directors of its whistleblowing related activity.

## **9. Final Provisions**

The Compliance Partner is in charge of reviewing this Policy every two years or whenever pertinent changes are made to the applicable legal framework or arise in the context of the activities conducted by LEMS/EMDT/EMYN, as well as when new factors arise that attest to their inadequacy. All proposed changes must be submitted for approval to the Board of Directors.

## **10. Distribution**

This Policy is posted on the LEMS/EMDT/EMYN's website, along with the Whistleblowing Channel.