



WHISTLEBLOWING
REGULATION

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to the sky

Whistleblowing Regulation

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1 OBJECT AND PURPOSE

1.1 PURPOSE

The purpose of Whistleblowing is to allow ENAV to become aware of situations of risk or damage and to address the reported problem as promptly as possible. The Whistleblowing tool helps to identify and combat corruption or any form of unlawful activity, to protect shareholders from economic damage and damage to image, to spread a culture of ethics, legality and transparency within the Group, and strengthen the system of internal controls and risk management.

The Whistleblowing is therefore an instrument through which the Reporting Parties can communicate to specific individuals or bodies (in particular to the Whistleblowing and Fraud Audit Department of the Internal Audit Function of ENAV and to the Supervisory Body), any possible fraud, a crime, any unlawful or irregular conduct (including a violation of Model 231), committed by parties belonging to or connected with the ENAV Group (employees, but also suppliers, intermediaries and, more generally, any parties who have relations with the ENAV Group).

In brief, this document therefore:

- identifies the parties who can make reports;
- outlines the conduct, events or actions that may be the subject of Reporting;
- identifies and prescribes the general principles and rules that govern the Reporting process, including the protection of the Reporting Party and the Reported Party.

1.2 WHAT IS A REPORT

In order to prevent and effectively combat fraudulent and unlawful or irregular conduct, and to support the effective application and operation of the Code of Ethics, and of the Organisational Model pursuant to Italian Legislative Decree 231/2001 (hereinafter also Model 231) and other company procedures, ENAV S.p.A. (hereinafter also the "Company") provides for the possibility for the Company and its subsidiaries to make communications (hereinafter also referred to as "Reporting" or "Whistleblowing"), related to:

- notable incidents of which they have become aware, and regarding which they have details concerning possible unlawful activity, fraud or corruption;
- documented instances of non-compliance with the procedures, Model 231, the Italian Code of Ethics or conduct attributable to possible commissions of crimes pursuant to the articles of Italian Legislative Decree no. 231/2001

- sufficiently detailed and documented episodes, even where not all the details are complete, which could lead to the hypothesis of "maladministration" and/or related to phenomena that may involve risks for the company;

1.3 SUBJECT OF THE REPORT

The subject of the report may be any unlawful conduct including crimes against the Public Administration referred to in the Italian Criminal Code, situations in which there is evidence of abuse by a party of the power entrusted to them in order to obtain personal advantages, and also cases in which – regardless of criminal relevance – incorrect operation of the organisation (*maladministration*) is highlighted due to the personal use of the roles attributed therein, including the contamination of administrative action *ab externo*.

The offences or irregularities reported may relate, purely by way of non-exhaustive example, to the following conduct:

- wastage
- nepotism
- demotions,
- repeated failure to respect procedural times
- non-transparent recruitment
- irregularities regarding administration, accounting, and tax obligations
- false declarations
- violation of environmental and occupational safety regulations
- theft of assets owned by the Group
- embezzlement of money, assets, or supplies belonging to the Group
- falsification or alteration of documents
- destruction, concealment or inappropriate use of documents, archives, furniture, installations, and equipment
- acceptance of money, goods, services or other benefits as incentives to favour suppliers/companies
- falsification of expense reports (e.g. "inflated" refunds or false transfers)
- falsification of attendance at work
- disclosure of information that by its nature, or expressly under law or under company provisions, is confidential, whether it be information belonging to the Group or belonging to third parties (e.g. competitors)
- use of the resources and assets of Group companies for personal use, without authorisation
- irregularities concerning anti-money laundering

- violations of the regulations governing the business activity carried out, as well as of regulation (EU) no. 596/2014 (market abuse), such as the unlawful communication of privileged information and the manipulation of the market and other irregularities in services and investment activities
- computer fraud
- other cases that may constitute a violation of the rules governing the specific activity of the business sector of the ENAV Group.

Without prejudice to the purposes of the Whistleblowing tool, the reports must take into due consideration the existing regulatory restrictions in relation to the regulation concerning privileged, price-sensitive information and information relevant to the Market Abuse Regulation.

Furthermore, the reports cannot concern mere suspicions or rumours. However, it is not necessary that the Reporting Party be certain of the actual occurrence of the facts reported and of the perpetrator of the same, although it is necessary that:

- the Report contains detailed elements of unlawful conduct such as to suggest to the Internal Audit Division - Whistleblowing and Fraud Audit Sector - which must carry out the necessary checks, that it is highly probable that an unlawful act has occurred
- the reporting party has direct knowledge of the facts, by reason of the roles performed, thus excluding situations of which they have become indirectly aware.

The Report must be made in good faith and must not take abusive tones or contain personal insults or moral judgements intended to offend or harm the honour and/or personal and/or professional standing of the person or persons claimed to be responsible for the facts reported.

It is specifically forbidden:

- to use abusive expressions
- to forward reports with purely defamatory or libellous purposes
- to forward reports that exclusively concern aspects of private life, without any direct or indirect connection with the business activity of the Reported Party
- to forward Reports of a discriminatory nature as regards sexual, religious or political orientations, or the racial or ethnic origin of the Reported Party
- make reports in violation of the law
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The ENAV Group guarantees immunity for the whistleblower when said party has reported acts of corruption "in good faith".

More specifically, ENAV pursuant to Law 179/2017 is not required to guarantee the confidentiality of the identity of the whistleblower and their protection against retaliation with negative effects on working conditions, should it be ascertained, even with a judgement given at first instance, that:

- the Reporting Party is criminally responsible for offences of slander or defamation or, in any case, for offences committed with the denunciation of unlawful conduct
- there is civil liability in cases of wilful misconduct or gross negligence.

In the case of reports containing offensive judgements, insults, or reports that are defamatory or libellous, the confidentiality of the identity of the Reporting Party may not be guaranteed by law. The confidentiality of the identity of the whistleblower is also not guaranteed in the case of ensuring full cooperation with the Judicial Authority and the Judicial Police.

Injurious, defamatory or slanderous reports may give rise to civil and/or criminal liability against the Reporting Party.

2 ADDRESSEES

This document applies to ENAV S.p.A. and to all the other companies controlled by it in Italy and abroad.

In particular:

- the scope of the reports may concern unlawful cases or maladministration that may have occurred as part of the operating activities of the Group Companies
- the reports can be made, using the specific channels described in the following paragraph 4, both by employees of the Group companies or by third parties who maintain relations with these companies
- the reports are collected by the Internal Audit Division of ENAV S.p.A. – Whistleblowing & Fraud Audit sector for all Group companies, ensuring this activity is carried out at a centralised level

The addressees of this regulation are the following:

2.1 REPORTING PARTIES

The Reports can be made either by internal personnel belonging to one of the Group Companies or by external parties.

By way of a merely non-exhaustive example, external subjects may include:

- suppliers, consultants, agents, partners;
- former employees;
- customers or users of the ENAV Group services.

2.2 THE REPORTED PARTIES

The Reports may concern members of the corporate bodies, management, employees, external associates, non-subordinate associates of the aforementioned Group companies, as well as commercial partners, suppliers and all those who have relations with the Group and are linked to any type of unlawful conduct that has become known.

3 REFERENCE LEGISLATION

- Italian Legislative Decree 165/2001 - General rules on labour law in public administrations
- Italian Legislative Decree 231/2001 – Administrative responsibility of companies and entities
- Law 179/2017 - Provisions for the protection from the perpetrators of reported crimes or irregularities which have come to light in the context of a public or private employment relationship
- Italian Criminal Code
- EU Regulation 2016/679 - General Data Protection Regulation (or GDPR, General Data Protection Regulation)
- ENAV Group Code of Ethics
- Organisation, Management and Control Model pursuant to Italian Legislative Decree of 8 June 2001, no. 231, adopted by Enav and Techno Sky
- Corporate Governance Code for companies listed on the Italian Stock Exchange (Article 7)
- Confindustria Guidelines for the construction of the Organisation, Management and Control Model pursuant to Italian Legislative Decree 231/01
- ANAC Determination no. 6 of 28 April 2015
- UNI ISO 37001 – Management systems for the prevention of corruption
- ISO/IEC 27001 – Information security management system
- ENAV operating policies, procedures and instructions on anti-corruption and fraud
- Policies, rules and procedures on information security.

4 MINIMUM CONTENT AND METHOD OF REPORTING

4.1 MINIMUM CONTENT

In order to ensure productive use of the report, it should contain the following essential elements:

- Purpose: a clear description of the facts to be reported, with indication (if known) of the circumstances of time and place, to the extent known, at and in which the acts are said to have been committed/omitted (purely by way of example: contract, transaction, location etc.)
- Reported Party and other parties involved: any element (such as corporate function/role) that allows an easy identification of the presumed perpetrator(s) of the fraudulent conduct or conduct contrary to the Code of Ethics.

Furthermore, the Reporting Party may indicate the following additional elements:

- his personal details, should they not wish to avail themselves of the right to anonymity
- indication of any documents that may confirm the validity of these facts
- any other information that may facilitate the gathering of evidence on what has been reported.

4.2 MODE OF REPORTING

Reports can be submitted via the various channels described below.

Whistleblowing channel – preferred channel

The ENAV Group has set up a Whistleblowing channel that guarantees the confidentiality of the identity of the reporting party, and also offers the possibility of submitting anonymous reports using computerised communication tools according to the methods described in detail below.

The Application is accessible to personnel from the company intranet portal, and to external parties through a special section on the ENAV website (www.enav.it). The Reporting Party accesses the application using automatically-generated credentials distinct from those for any personal account they may hold, thus providing the option of anonymity. These credentials can also be used subsequently to receive messages and requests for clarification from the structure responsible for managing the reports (Whistleblowing & Fraud Audit, within the Internal Audit Division). In order to facilitate the deepening of the reported facts while guaranteeing confidentiality to the user, the application allows the establishment of a "dialogue" as well as the potential sending of electronic documents attached – between Reporting Parties and the operator of the Whistleblowing and Fraud Audit Sector.

The system guarantees the automatic notification of the Reporting Party regarding the processing of the Report, the possibility of being contacted again to acquire useful details for the preliminary phase, the possibility of sending further information which will eventually be made known for the purpose of corroborating the events reported.

The application is also used to notify the Reporting Party of the closure of the checks.

The information collected is stored electronically on the platform, with defined access profiles, mandatory authentication, and automatic tracking of the operations performed. The platform also

acts as an electronic register of the Reports received, reporting the basic data, the summary information for the assessment of validity, and the actions pursued.

If the Reporting Party uses the Whistleblowing channel, they will be able to assign a category to their own Report, attributable to the law or internal standard to which the possible case of fraud, the unlawful act, or irregularities reported.

The classification is made by the reporting party within the application by making a selection from a special drop-down menu, which identifies the type of report as follows:

- Episodes of corruption or fraud
- Violation of company procedures, Code of Ethics and Model 231
- Suspicious episodes that may pose risks to the company
- Maladministration

Other reporting channels

It is also possible to submit the Report:

- using the email box activated for Whistleblowing (whistleblowing@pec.enav.it) or the email boxes of the Supervisory Body:
- via ordinary mail sent to the company address: Via Salaria n. 716, 00138 Rome. By bringing the report to the attention of the Internal Audit Division – Whistleblowing and Fraud Audit Sector, or to the Supervisory Board, as well as through the Support to the Supervisory and Compliance Committee 231

If the report is submitted by ordinary mail addressed to the Internal Audit Department, the registrar's office is prohibited from opening the envelopes.

The facts reported will be analysed, verified and assessed by the Internal Audit Division.

5 GENERAL PRINCIPLES AND PROTECTIONS

The correct management of the Whistleblowing channel will support the dissemination of a culture of ethics, transparency and legality within the ENAV Group. This purpose can only be achieved if the reporting parties have available, not only the means of communication, but also the certainty of not being subject to retaliation by colleagues or superiors, or of risking seeing their report ignored.

In addition, the technological system and the related management process fall within the scope of the guarantees provided by the ISO 27001 certified information security protection system and, in particular, in addition to the principles of segregation of duties, guarantee the transparency and traceability of the various levels from the management of line processes and controls at the various levels, and the highest levels of classification of information with the related protection measures.

The principles and protections that ENAV, as the Parent Company undertakes to guarantee, are set out in detail below.

5.1 Principle of non-exclusion

ENAV guarantees to analyse *all* the Reports received. For each Report, appropriate feedback will be sent to the Reporting Party (where the channel and/or the reporting methods allow it), which may concern the progress of the investigation, its results and any actions taken.

5.2 Protection of the Reporting Party

ENAV shall protect any Reporting Party who denounces unlawful conduct to the Internal Audit Manager, the Supervisory Body, the National Anti-corruption Authority, the Ordinary or Accounting Judicial Authority against retaliatory, discriminatory or otherwise unfair conduct resulting from the Report. The Report may not be prejudicial to the continuation of the employment relationship.

Therefore, any retaliation or discriminatory dismissal, transfer, change of duties of the reporting party, as well as any other retaliation or discriminatory measure taken against the reporting party are to be considered null and void.

Even if the reported facts prove to be unfounded and/or inconsistent, based on the assessments and investigations carried out, any Reporting Party who has made the Report in good faith will not be prosecuted.

5.3 Protection of the Reported Party

In order to prevent any abuse of Whistleblowing and in order to prevent poisonous accusations, the defamation, or disclosure of sensitive personal data of the Reported Party that could result in damage to their reputation, discrimination, retaliation or other disadvantages, any abusive, defamatory or slanderous reports can give rise to the disciplinary, civil and/or criminal liability of the Reporting Party.

5.4 Penalties

The following parties can be punished:

- any Reporting Party who makes, with malice or gross negligence, Reports that prove to be groundless
- any corporate party who has adopted discriminatory measures against the reporting party
- the person responsible for verification activities in the event that the verification and analysis activities are not carried out

- any parties who do not guarantee the general principles of protection with particular reference to the respect of the confidentiality of the identity of the Reporting Party
- any party who, following the results of the checks carried out by ENAV, is found to have carried out unlawful acts (fraud or corruption) or, more generally, activities not in compliance with the Code of Ethics, Model 231 or the system of company procedures, including those according to the provisions of the disciplinary system of the collective labour agreement

The Company can also be punished if it does not adopt procedures for forwarding and managing reports.

Finally, if at the end of the checks carried out following the report, fundamental details have been discovered regarding the commission of an unlawful act by an employee, the company may lodge a complaint with the judicial authorities. In the same way, if the results of the checks carried out have revealed unlawful conduct on the part of a third party (e.g. a supplier), the Company may proceed, without prejudice to any further faculty provided for by law and by contract, to suspend/delete said party from the company's books.

5.5 Privacy and confidentiality

In the case of nominative reports, ENAV guarantees the confidentiality of the Report, of its contents, and of the identity of the Reporting Party. Therefore, the above information cannot be disclosed to persons not directly involved in the evaluation or investigation process.

All those who receive or are involved in the management of the Reports are required to protect their confidentiality.

The confidentiality of the Reporting Party may not be respected when:

- there is the express consent of the Reporting Party to the disclosure of their identity
- a criminal liability for defamatory contents may be considered to exist; in this case ENAV reserves the right to carry out the necessary investigations with regard to the Reporting Party and to adopt the measures deemed appropriate
- anonymity is not enforceable by law and the identity of the Reporting Party is required by the Judicial Authority in relation to investigations (criminal, tax or administrative investigations, inspections of control bodies)
- the identity of the Reporting Party is essential for the defence of the Reported Party
- the identity of the Reporting Party is necessary to prevent or reduce threats to the health or safety of persons.

5.6 Processing of personal data

The personal data of the Reporting Parties, of the Reported Parties, and of all parties involved in the Reporting are treated in compliance with the current legislation on the protection of personal data.

In particular ENAV guarantees that the processing of personal data is carried out in compliance with the fundamental rights and freedoms, as well as the dignity of the data subjects, with particular reference to privacy and data security. All information processed for the purposes of this document is also subject to compliance with the provisions of the Security Management System.

In particular, it should be noted in this context that:

- The privacy policy is made available on the Whistleblowing portal, which is an integral and substantial part of this regulation, which specifies the purposes and methods of the processing of personal data, the Data Controller and the person in charge of processing personal data, the internal data processors, the categories, and the offices to which the reported data can be transmitted in the context of the management of the Reporting, the data retention times, as well as the rights exercisable by the Reporting Party in relation to their personal data;
- the Reporting System provides for the processing of personal data that is strictly necessary and relevant to the purposes for which it is collected: reports that have been assessed as irrelevant under this procedure are archived and not further processed.
- adequate technical and organisational measures are put in place to guarantee the security of personal data, in compliance with current legislation, and in particular the encryption of transmissions and data resident on the information systems relating to the reports is guaranteed;
- the exercise of the right of access by the Reporting Party or the Reported Party ("data subjects" under the privacy legislation) to their personal data processed within the Whistleblowing process may be limited, to ensure the protection of the rights and freedoms of others, with the clarification that under no circumstance can the Reported Party be allowed to make use of their right of access to obtain information on the identity of the Reporting Party, except for in the case of bad faith of the latter.

5.7 Reporting to the top

Periodically and on a yearly basis, the Internal Audit Division draws up a report for the Committee for Control and Risks and for Related Parties, the Board of Directors, and the Board of Statutory Auditors on the whistleblowing reports received and on the progress of the verification activities. Similarly, a report is drawn up for the Supervisory Body on all reports with impacts that are only marginal in relation to the Code of Ethics and the Organisational Model pursuant to Italian Legislative Decree 231/01.