

# DATA PROTECTION NOTICE WHISTLEBLOWING SYSTEM

## WELCOME

With this policy we explain how and for which purposes we process and use your personal data in connection with our Whistleblowing System and which rights and options you have in this respect.

Our Whistleblowing System can be used to report information on criminal offences and other serious compliance violations relating to GEA Group Aktiengesellschaft (as well as its affiliates). Whistleblowers can report relevant information confidentially via two channels, namely via the BKMS® Incident Reporting tool or via a hotline operated by Orth & Kluth, a law firm based in Germany.

Whistleblowers may make use of either reporting channel without providing their name or other personal information that could identify them. Depending on the information provided, however, it cannot be excluded that the whistleblower may be identified. Alternatively, whistleblowers may voluntarily disclose their identity via either of the two reporting channels or to GEA Group Aktiengesellschaft directly in which case their identity will be treated with utmost confidentiality but may need to be disclosed to the person that is the subject to the report.

## Who is Responsible for your personal data?

GEA Group Aktiengesellschaft will be the primary responsible controller for your personal data processed in connection with the Whistleblowing System. In addition, other GEA affiliates may control your personal data to the extent we are required or permitted by law to share your personal data with them for the purposes described below. GEA Group Aktiengesellschaft as well as the respective GEA affiliate involved in the data processing will hereinafter be referred to as “we” or “GEA”.

## For which purposes will we use your personal data?

We may process your personal data as required in connection with the Whistleblowing System in order to confidentially receive and investigate reports relating to significant compliance risks such as corruption, white-collar crime, human rights and data protection violations ("Permitted Purposes").

## On which basis do we process your personal data?

We will process your personal data for the above purposes because:

- it is necessary for our or a third party's legitimate interests. Our "legitimate interests" include our interests in preventing, detecting and investigating criminal offences and other significant compliance violations and protecting GEA and its staff from related damage and liability;
- it is necessary for our compliance with our legal obligations;
- the processing is permitted in a GEA collective agreement/ works council agreement or local equivalent; and
- you might have provided your specific or, where necessary, explicit consent to the processing (in certain limited circumstances, for example where you consented to your identity being disclosed to

GEA). We will in each case inform you about the processing of your data and your related rights prior to obtaining your consent.

## **From which sources do we collect personal data and which type of personal data do we collect and process?**

We will only collect personal data which is provided to us in connection the Whistleblowing System in one of the following ways and which is relevant for the handling of a specific report:

- personal data is submitted to us from Orth & Kluth that operates the Whistleblowing Hotline for us;
- personal data is submitted to us via the BKMS system; and
- we may collect personal data directly from those making a report or being the subject of, or mentioned in, a report.

Personal data we collect and process as part of our Whistleblowing System typically includes the following categories of data:

- the name of the whistleblower and potentially their position within GEA, should they choose to disclose their identity; and
- the names of persons accused or otherwise mentioned in a report as well as their alleged misconduct and related facts of the case.

## **How do we Protect Your personal data**

We maintain physical, electronic and procedural safeguards in accordance with the technical state of the art and legal data protection requirements to protect your personal data from unauthorized access or intrusion. These safeguards include implementing specific technologies and procedures designed to protect your privacy, such as secure servers, firewalls and SSL encryption. We will at all times strictly comply with applicable laws and regulations regarding the confidentiality and security of personal data.

BKMS is ISO 27001 certified and personal data and information entered into the BKMS tool are stored on dedicated servers in a high security data center located in Germany.

## **With whom will Your personal data BE SHARED?**

Incoming reports are received by a small selection of expressly authorised and specially trained employees of Compliance of GEA Group Aktiengesellschaft and are always handled confidentially.

During the processing of a report or a related investigation, it may become necessary to share personal data with:

- additional employees of GEA Group Aktiengesellschaft;
- employees of affiliates within GEA Group worldwide, if and to the extent required for the Permitted Purposes and legally permitted (eg, if the reports refer to incidents relating to an affiliate). In such

cases, these entities will then use the personal data for the same purposes and under the same conditions as outlined in this Data Protection Notice;

- persons that are the subject of a report. For instance, we are legally required to inform anyone accused in a report about the processing of their personal data at a certain point in time. In doing so, the identity of a whistleblower is not revealed, unless legally required or the whistleblower has consented the disclosure of their identity; or
- national or supranational authorities or courts in the context of investigations by national authorities or judicial proceedings, including with a view to safeguarding the rights of defence of the person concerned.

## Where will your personal data be processed?

GEA is a globally active enterprise. In the course of our business activities, we may transfer your personal data also to recipients in countries outside your home country (“third countries”), in which applicable laws do not offer the same level of data protection as the laws of your home country. When doing so we will comply with applicable data protection requirements and take appropriate safeguards to ensure the security and integrity of your personal data, in particular by entering into the EU Standard Contractual Clauses (which are available [here](#)) or local equivalents. You may contact us anytime using the contact details below if you would like further information on such safeguards.

## Your data protection rights

Subject to certain legal conditions, you may request access to, rectification, erasure or restriction of processing of your personal data. You may also object to processing or request data portability. In particular, you have the right to object to our processing of your data based on our legitimate interests. In this case, we will not process your data for these purposes anymore unless our legitimate interests override your rights and freedoms or the processing is necessary for the establishment, exercise or defense of legal claims. You may also request a copy of the personal data that we hold about you. If you make this request repeatedly, we may make an adequate charge for this.

For any of the above requests, please send a description of your personal data concerned stating your name and your employee ID number as proof of identity to the contact details below. We may require additional proof of identity to protect your personal data against unauthorized access. We will carefully consider your request and may discuss with you how it can best be fulfilled.

If you have given us your consent for the processing of your personal data, you may withdraw the consent at any time with future effect, i.e. the withdrawal of the consent does not affect the lawfulness of processing based on the consent before its withdrawal. In case consent is withdrawn, we may only further process the personal data where there is another legal ground for the processing.

If you have any concerns about how your personal data is handled by us or wish to raise a complaint, you can contact us at the contact details below to have the matter investigated. If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law, you can complain to the competent data protection supervisory authority in your country. You may approach

either the supervisory authority which is locally competent for you or the supervisory authority which is locally competent for us.

## **Are you required to provide personal data?**

As a general principle, you will provide us with your personal data entirely voluntarily. However, in relation to certain personal data you may be legally required to provide such data in connection with the Whistleblowing System or the information may be needed in order to investigate and resolve a matter reported. If, in these cases, you do not provide us with your relevant personal information, we may be unable to properly handle and resolve a report.

## **How long do we store your personal data?**

Your personal data will be deleted when it is no longer reasonably required for the Permitted Purposes or you withdraw your consent (where applicable) and we are not legally required or otherwise permitted to continue storing such data. We will, in particular, retain your personal data where required and appropriate for GEA to assert or defend against legal claims until the end of the relevant retention period or until the claims in question have been settled. Please refer to our data retention policies for further details.

## **Updates to this Data Protection Notice**

This Data Protection Notice was last updated in December 2021. We reserve the right to update and change the notice from time to time in order to reflect any changes to the way in which we use your personal data in connection with the Whistleblowing System or changing legal requirements. Any amended Data Protection Notice will apply from the date it is posted on our intranet or otherwise made available to you.

## **How to get in touch with us**

For any questions and comments or in case you want to assert your rights, please contact the Data Protection Officer of GEA Group Aktiengesellschaft Boris Schmidt-Rathmann via email at [boris.schmidt-rathmann@gea.com](mailto:boris.schmidt-rathmann@gea.com) or GEA's Group Data Protection Officer via email at [GroupDataProtection@gea.com](mailto:GroupDataProtection@gea.com).