

## Annex No . 5

### to the Whistleblowing Procedure

#### INFORMATION CLAUSE

Pursuant to Article 13 (1) and (2) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC ("GDPR"), we hereby inform you that:

1. **Elemental Holding S.à r.l.** with its registered office in Luxembourg at 20 rue Eugène Ruppert L-2453 Luxembourg is the **controller** of your personal data (hereinafter referred to as the "**Controller**").
2. You can contact the Controller via traditional mail to the address indicated in point 1 above or to the e-mail address: [gdpr@elemental.biz](mailto:gdpr@elemental.biz).
3. Your personal data will be processed for the purposes related to reported cases of irregularities on the legal basis of the legitimate interest of the Controller, which is to receive, verify and clarify reports of violations of the law and ethical principles (**in accordance with Article 6 (1) (f) of the GDPR**), on the basis of voluntary consent, if the Whistleblower has decided to disclose their identity as part of the procedure (**in accordance with Article 6 (1) (a) of the GDPR**), and in the case of relevant provisions applicable to the receipt and proceeding of violation reports - on the basis of a legal obligation (**in accordance with Article 6 (1) (c) of the GDPR**).
4. Provision of your personal data is voluntary. Failure to obtain your personal data may however result in impossibility to properly examine a violation report, especially if it concerns mobbing, harassment or discrimination.
5. We may transfer your personal data only to entities authorized on the basis of legal provisions or acting as providers of the violation reporting system, and to entities entrusted by the Controller with the processing of personal data in the scope related to the examination of reported irregularities.
6. Your personal data will be processed for a period of 15 months from the date of completion of the examination of the violation report.
7. You have the right to access your data, including to obtain a copy thereof, rectify your data, request deletion, limit processing, as well as to object to the processing thereof, however the objection can only be complied with if the Controller does not need to continue the processing to comply with a legal obligation and there are no other overriding grounds for the processing.
8. Your personal data provided during the reporting process will not be transferred to a third country or an international organization.
9. As regards the personal data processed on the basis of your consent, you can withdraw your consent at any time by contacting us at the e-mail address [gdpr@elemental.biz](mailto:gdpr@elemental.biz) or at the correspondence address specified in point 1 above. Withdrawal of consent does not affect the lawfulness of the processing carried out on the basis of the consent before its withdrawal.
10. You have the right to file a complaint with the **National Commission for Data Protection, 15, Boulevard du Jazz L-4370 Belveux**.
11. Please be advised that your data will not be used to make automated decisions, including profiling.