

WHISTLEBLOWER PROTECTION POLICY (WHISTLEBLOWING)

Reference POL.PHG.006	Number of pages 5 pages
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Date of Issue / Update 18/07/2022	Implementation date 18/07/2022

1. INTRODUCTION

Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law, also known as the 'Whistleblowing Directive', which aims to strengthen the application of Union law and policies in specific areas, establishing common minimum standards that provide a high level of protection for persons reporting breaches of Union law, was adopted on 23 October 2019.

On 20 December 2021, Law 93/2021, which establishes the General Whistleblower Protection Framework, was published, transposing the Directive in Portugal (hereinafter the "Law"), so that obligated companies will have to design a regulatory compliance programme, in particular, to create secure internal channels for their employees to report complaints and introduce internal rules to ensure that such complaints are fully processed.

In strict compliance with the applicable legislation, the Pestana Group has introduced a Reporting Channel, through which any employee of the company (with employment, service provision, volunteers or trainees, whether remunerated or not, as well as holders of shareholdings and persons belonging to the Group's governing body) or third parties outside it, namely suppliers, customers and other trading partners, who knows or suspects a regulatory breach (whether under the legislation in force or even of the internal corporate regulations) made by any employee of the company or by third parties who are in contact with it in connection with its work activities, may report this to the Pestana Group.

This Policy aims to regulate the use of the Reporting Channel and the associated investigation and resolution procedure for reports received, thus complying with the requirements of Directive (EU) 2019/1937 and national law regulating the protection of persons reporting breaches and combating corruption.

2. WHISTLEBLOWER PROTECTION

In accordance with article 6 of the Law, whistleblowers enjoy all the rights of protection provided for in this Policy, provided that:

- (i) They have reasonable grounds to believe that the information they report to the Pestana Group is true at the time of reporting and that the information referred to above falls within the scope of this Policy;
- (ii) They report it through the email address provided for these purposes compliance@pestana.com.



3. REPORTING CHANNEL

According to article 8 et seq. of the Law, the Pestana Group has introduced a Reporting Channel, whose email address is compliance@pestana.com that can be used by anyone, including both members of the Pestana Group and third parties, especially suppliers, customers and business partners.

Through the Reporting Channel, any breach committed by employees of the Pestana Group, or by non-employees who maintain relations with the company in the context of their professional work, may be reported.

The Reporting Channel is managed by the Pestana Group's Compliance team which, while complying with the principle of impartiality and lack of conflict of interest, will also be responsible, firstly and until its resolution, for managing the investigation that, if applicable, may precede a non-compliance report.

4. CONFIDENTIALITY AND PROCESSING OF PERSONAL DATA

In accordance with article 9 of the Law, the Pestana Group undertakes to ensure that the identity of the person making the complaint is not disclosed through the Reporting Channel unless they expressly consent to this.

This duty of confidentiality implies that, with the exception of employees specifically authorised to receive, follow up on or settle the complaints received, no one from the Pestana Group may know the identity of the complainant or any other information that may be directly or indirectly derived from their identity.

The identity of the complainant may only be disclosed due to a legal obligation or court decision.

In the event that the identity is disclosed due to the reason referred to above, the Compliance team will inform the complainant in advance, unless such information may compromise the investigation or judicial process. In the same respect, where the competent authority informs the complainant that their identity will be disclosed, it will be that authority that must justify the reasons for the disclosure.

In any event, the Pestana Group will ensure that the competent authorities receiving information on breaches that include trade secrets do not use or disclose it for purposes beyond what is necessary for following up properly on the actions.

Finally, in accordance with Article 19 of the Law, the Pestana Group guarantees that the personal data processed under this Policy, including the exchange or transfer of personal data with the competent authorities, will be processed in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 and with Law 58/2019 of 8 August.

Likewise, personal data which is not obviously relevant to dealing with a specific complaint will not be collected and, if collected by accident, will be deleted without undue delay.

The Compliance team will periodically review the smooth operation of the Reporting Channel.

5. REPORTING RECORD

In accordance with Article 20 of the Law, the Pestana Group will maintain a record of all reports and enquiries it receives through the Reporting Channel, always complying with the confidentiality requirements established and



for the strictly necessary and proportionate time in order to comply with the legal and regulatory requirements of the European Union.

If the complainant requests an in-person meeting with the Compliance team, the latter will document the complaint in the form of a detailed record of the conversation. The complainant has the right to verify, rectify and accept by signing the respective minutes.

The Pestana Group will ensure, subject to the complainant's consent, that the complete and accurate records of the meeting held are maintained in a durable and accessible manner.

6. RETALIATION BAN

In accordance with article 21 of the Law, the Pestana Group will take the necessary measures to prohibit all possible forms of retaliation against persons reporting breaches, including threats of retaliation and attempts to retaliate, which may be expressed, among others, in the form of:

- a. Suspension, dismissal, dismissal or equivalent measures.
- b. Downgrading or denial of promotions.
- c. Change of employment, change of workplace location, reduced wages or change in working hours.
- d. Denial of training.
- e. Negative assessment or references regarding the results of their work.
- f. Imposition of any disciplinary measures, reprisals or other sanctions, including financial penalties.
- g. Coercion, intimidation, harassment or ostracism.
- h. Discrimination, or unfavorable or unfair treatment.
- i. Failure to convert an indefinite temporary employment contract if the employee had legitimate expectations of being offered an indefinite job.
- j. Non-renewal or early termination of temporary employment contracts.
- k. Damages, including to its reputation, especially on social media, or economic losses, including loss of business and revenue.
- l. Inclusion in a list, based on a sectoral agreement, which may lead to the possibility of the complainant finding employment in the relevant sector or industry in the future.
- m. Early termination or cancellation of contracts for goods or services.
- n. Cancellation of a licence or licence.
- o. Medical or psychiatric references.

Recognising the objectives of article 22 of the Law, the Pestana Group will ensure the following support measures:

- (i) Comprehensive and independent information and advice on the procedures and solutions available to them in terms of regulatory compliance, protection against reprisals and their rights as affected persons.
- (ii) Effective assistance, primarily from the Compliance team, in handling reprisals.

7. PROTECTION MEASURES AGAINST REPRISALS

The Pestana Group will take the necessary measures to ensure that whistleblowers are protected against reprisals, in particular:

- (i) Whistleblowers of breaches will not be deemed to have infringed any restrictions on disclosure of secrets and information and will not be held liable in respect of the report made, provided that they have reasonable grounds to believe that the sharing of such information was necessary to reveal a regulatory breach.
- (ii) Whistleblowers will not be held liable in respect of access to the information they report, provided that such access does not in itself constitute a crime. If access constitutes a crime, the Pestana Group will notify the competent authorities.

In the same regard, it is clear that any other liability for whistleblowers, arising from acts or omissions that are not related to the complaint or that are not necessary to reporting the breach, will be governed by the applicable legislation.

- (iii) The Pestana Group acknowledges that in proceedings before courts or other authorities concerning the losses suffered by the complainants, it can be assumed that the losses occurred in retaliation for reporting the breach, and that it is for the company itself to prove that the measure had legitimate and duly justified reasons, or, conversely, that it ended up being a discretionary act by the company's manager, and was not approved by the Pestana Group.
- (iv) The Pestana Group guarantees the right of whistleblowers to access remedial measures against reprisals, including provisional interim measures to terminate any judicial or administrative proceedings that may be initiated.

8. PROTECTION MEASURES FOR PERSONS INVOLVED IN THE REPORT

The Pestana Group will ensure that the persons involved in the report (i.e. the alleged *offenders*) are heard in the internal investigation, on which their innocence will be based and within which they will have the right to access their files.

Likewise, the identity of the person about whom the report of breach is made will be protected and treated confidentially, in the same way as the identity of the complainant themselves, and always within the limits and exceptions that must be determined to ensure a proper end to the investigation, or any reporting to the competent authorities.

9. PENALTIES

The Pestana Group, in accordance with the relevant labour laws and regulations, will establish effective, proportionate and dissuasive penalties for employees of the company who:

- a. Prevent or attempt to prevent the reporting of breaches;
- b. Take retaliatory measures against whistleblowers;
- c. Fail to comply with their duty to maintain confidentiality as to the identity of the complainant or persons involved in the complaint.



No member of the Pestana Group or third party may waive their rights of withdrawal by means of any agreement, policy, form of employment or working conditions, including any arbitration clauses.

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