



Internal Investigations of Allegations of Misconduct and Responsive Remedial Actions Procedure

Italian Requirements Annex pursuant to Italian Legislative Decree 24/2023

REFERENCES:

B&W Policy 1402-03: Discrimination and Harassment

B&W Policy 1500-11: Safety Culture

B&W Policy 0200-12: Non-Retaliation Policy

B&W Policy 0200-01: Ethics and Compliance Program

B&W Procedure 0200-09-01 Internal Investigations of Allegations of Misconduct and Responsive Remedial Actions Procedure

B&W Policy 0200-09 Internal Investigations of Allegations of Misconduct and Responsive Remedial Actions

The Babcock & Wilcox Group has adopted a global procedure for the management of whistleblowing reports at the bottom of this information (hereinafter, the "**Group Procedure**"). The Procedure also applies fully to **SPIG S.p.A.** (hereinafter, the "**Company**" or "**SPIG**").

However, due to the regulatory provisions introduced by Legislative Decree No. 24/2023, ("**Italian Whistleblowing Decree**") the Company specifies the following.

After consultation with the Trade Union Representatives on 26/02/2024, the Company adopted this Annex (hereinafter "**SPIG Whistleblowing Policy**" or "**SPIG Policy**").

This SPIG Whistleblowing Policy is designed as procedure for all past and current employees, directors, auditors, Statutory Body, shareholders and self-employed workers who carry out their activities at the Company, consultants, contractors, interns, trainees, and volunteers of the Company and B&W group companies (hereinafter, the "**Subjects**"). All the Subjects may report suspected or imminent breach of EU or national law (included the Legislative Decree No. 231/2001) that fall within the scope of the EU WB Directive and the Italian Whistleblowing Decree.

Especially, anyone who reasonably suspects that unlawful conduct has occurred or may occur may submit a Report through the following **internal reporting channels**:

- The B&W Integrity Line:
 - via phone:
 - first dialing number (in Italy): 800-172-444
 - second dialing number (in Italy): 888-475-0003
 - via web: babcockandwilcox.ethicspoint.com (the "**Internal Channel**");



- E-mail to: ethics@babcock.com;
- E-mail or phone call to: Ethics & Compliance personnel;

With the expression unlawful conduct, we referred to the violations of Company standards and laws¹, as determined in the Internal Investigations of Allegations of Misconduct and Responsive Remedial Actions Procedure – No. B&W 0200-09-01, and all the violations of the Organizational, Management and Control Model adopted by the Company, pursuant to the Legislative Decree 231/2001 (hereinafter, the “**Violations**”).

In particular, referring also to the Internal Investigations of Allegations of Misconduct and Responsive Remedial Actions Procedure – No. B&W 0200-09-01 and the Internal Investigations of Allegations of Misconduct and Responsive Remedial Actions Policy – No. B&W 0200-09, the Report:

- must contain the description of the reporting facts in as much as possible specific way (circumstances of time and place of the facts reported);
- must contain the particulars or other elements that would make it possible to identify the person to whom the reported facts can be attributed;
- must contain the indication of possible witnesses (if there are witnesses of the facts);
- has to be alleged by documents (if it is possible) and as much evidence as possible.

The identity of the reporting person (hereinafter, the “**Whistleblower**”) and any other information from which the identity of the reporting person can be inferred, directly or indirectly, may not be disclosed, without the express consent of the reporting person himself/herself, to other people other than those who are competent to receive or follow up the reports, expressly authorized to process such data.

- External channel (for Italy):

Reports can also be made through the external Reporting channel through the ANAC platform, at: <https://whistleblowing.anticorruzione.it/#/>

The External Reporting channel is allowed when:

- the mandatory Internal Channel is not active or is active but does not comply with the provisions of the legislator regarding the subjects and methods of submitting reports;
- the Reporter has already made a Report through the Internal Channel, but the Reporter has not received the acknowledgment of receipt of the Report and / or information on the management of the Report;
- the Reporter has reasonable grounds to believe that, if he/she made a Report through the Internal Channel, the Report would not be managed by the Company;
- the Reporter has reasonable grounds to believe that, if he/she made a Report through the Internal Channel, he would expose himself/herself to risks of retaliation;

¹Offenses in special sectors (e.g. public procurement and financial services, transport safety, environmental protection, nuclear safety, protection of privacy and personal data protection, security of networks and information systems), financial crimes to the detriment of the European Union, offenses relating to the internal market.



- the Reporter has reasonable grounds to believe that the breach may constitute an imminent or manifest danger to the public interest.

The responsible for the management of the Reports (hereinafter, the “**Reporting Managers**”) are the subjects identified in the Group Procedure and, for SPIG, in case of necessity, could involve the HR & Org. Director who, for the purposes of managing the Report, skilled with specific training and the requirement of autonomy pursuant to art. 4 of Legislative Decree 24/2023.

The Reporting Managers must follow-up to the reports received pursuant to the Legislative Decree No. 24/2023 and, in particular:

- send an acknowledgment of receipt of the Report to the Whistleblower within 7 days from the date of receipt of the Report;
- provide feedback on the outcome of the internal investigation not exceeding 3 months from the date of submission of the Report;
- maintain correspondence with the reporting person.

Once the credibility of the report has been evaluated, the Reporting Managers start the internal investigation of the facts or conduct reported following the Internal Investigations of Allegations of Misconduct and Responsive Remedial Actions Procedure – No. B&W 0200-09-01 and the Internal Investigations of Allegations of Misconduct and Responsive Remedial Actions Policy – No. B&W 0200-09 provide.

The Reporting Managers may request from the Reporter, where his/her identity has been communicated, clarifications regarding what has been reported, also in order to assess whether to proceed to file the Report.

The Reporting Managers evaluate all the reports received, taking the consequent initiatives at its reasonable discretion and responsibility within the scope of their competencies, possibly listening to the author of the report and the person whom the violation is referred.

Any subsequent decision must state the reasons on which it is based.

A full record shall be kept by Internal Channel or by the Reporting Managers of all findings and activities of the investigations.

The Whistleblower will not suffer any damage or retaliation (e.g. dismissal, suspension, demotion of rank or lack of promotion, discrimination, demotion, unjustified transfer, early termination or cancellation of the contract for the supply of goods or services, etc).

Any disciplinary measures are applied by the competent corporate bodies, in accordance with the provisions of the Group Procedure and the disciplinary system of the Organizational, Management and Control Model adopted by the Company, pursuant to the Legislative Decree 231/2001.

If it considers filing the Report, the Reporting Managers shall draw up a written report containing:



- i. a description of the content of the Violation;
- ii. a description of any in-depth activities carried out and the elements collected;
- iii. the reasons that led to the conclusion regarding the filing of the Report.

The processing of the resulting data from the management of Reports will be carried out by the Company in its capacity of Data Controller, in full compliance with the applicable privacy legislation and according to the methods indicated in the specific information.

If, from the verification activities conducted according to the Group Procedure and the SPIG Whistleblowing Policy, any Violations emerge against the Subjects, the Company shall act promptly for the adoption of disciplinary measures and/or sanctions.

The E&C personnel, throughout the entire process of handling the Report proposes the application of the measures deemed most appropriate, in compliance with current regulations, individual National Collective Labor Agreements, internal rules, Model 231/2001 and existing contracts if they emerge:

- Reports that prove to be unfounded if made with malice or gross negligence;
- Violations of protective measures against the Whistleblower;
- Violations.

If the criminal liability of the Whistleblower of defamation or slander is ascertained by a first-instance sentence, or his civil liability in cases of fraud or gross negligence, the protections set out in the Group Procedure and the SPIG Whistleblowing Policy, as well as in the Legislative Decree 24/2023, are not guaranteed and a disciplinary sanction may be imposed on the whistleblower.