



LUXTRUST

Enabling a digital world

Whistleblowing Policy

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LuxTrust S.A.
13-15, Parc d'activités
L-8308 Capellen, Luxembourg

VAT LU 20976985
RCS B112233
Business Number N°00135240/5

+352 26 68 15 – 1
info@luxtrust.lu
www.luxtrust.com

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Introduction

1. Purpose and legal framework

LuxTrust and its subsidiaries and affiliates encourages a culture of openness that allows individuals to express any concerns about unlawful or unethical detected behavior.

The whistleblowing Policy (the "Policy") is established in accordance with the Luxembourg Law of May 16, 2023, the French Law n° 2022-401 of March 21, 2022, and the Belgian Law of February 23, 2023, relating to the protection of whistleblowers (the "Law"). The purpose of this Policy is to provide a framework for employees and other stakeholders to report any concerns or suspicions of wrongdoing within the organization.

2. Scope

This Policy applies to all Lux Trust's employees (Luxembourg, France, and Belgium, Monaco), contractors, consultants, suppliers, and any other individuals associated with the organization (collectively referred to as "Stakeholders").

The reporting system can be used to raise concerns about a risk/breaches of the policies and/or violation of the laws and regulations of the European Union and Monaco including the following matters (but not limited to):

- Financial services, products and markets, and prevention of money laundering and terrorist financing : this includes but is not limited to: consumer and investor protection, banking, investment funds and insurance;
- Protection of the environment: this includes but is not limited to criminal offences against the protection of the environment, rules on pollution or on the protection of biodiversity;
- Consumer protection – this includes but is not limited to: indication of prices, digital services or unfair commercial practices;
- Protection of privacy and personal data, and security of network and information systems (GDPR);
- Breaches affecting the EU's financial interests – this includes but is not limited to;
- Fraud, bribery or corruption;
- Breaches relating to the (EU) internal market – this includes but is not limited to competition law or corporate tax law;
- Harassment or discrimination.
- Breaches relating to LuxTrust's code of conduct;

3. Disclosures not covered by the scope

For the avoidance of doubt, this policy does not apply to personal work-related concerns such as concerns or dissatisfaction with wages, workplace circumstances, inter-personal issues, psychosocial risks or performance evaluations. These kind of matters must be reported through the regular internal channels, e.g. by contacting your manager or HR department.

4. Legal framework

This policy is based on the different applicable laws in Luxembourg, France, Monaco, and Belgium.

Reporting mechanisms

The whistleblower has the choice of reporting unlawful behavior either via dedicated internal channel, directly to the relevant authorities via an external channel or in last resort via public divulgation. LuxTrust encourage the use of internal reporting channels before reporting through external reporting channels. The reporting should be made in French or in English.

Administrative fine against natural and legal persons who:

- Obstruct or attempt to obstruct an alert ;
- Refuse to provide the information referred to in paragraph 2 or provide incomplete or false information ;
- Infringe the confidentiality of the persons who have issued an alert;
- Refuse to remedy the violation observed.

1. Internal channel

Employees and third parties are encouraged to report concerns by completing the “WHISTLEBLOWING REPORTING FORM – INTERNAL CHANNEL” in Annex B of this Policy and send it by email to whistleblowing@luxtrust.lu.

In case of anonymous concerns reporting, the reports should be send by mail to:

13-15 Parc D'activités
8308 Capellen - Luxembourg
Regulatory & Compliance department

Contact details of the whistleblowing officer/ department are:
Head of Regulatory & Compliance – Regulatory & Compliance department

Information will be processed in accordance with the confidentiality provisions included in this Policy and the applicable data privacy requirements.

2. External channel

In case of believe that the internal channel has not adequately addressed their concerns, the whistleblowers have the right to report their concerns to external authorities, such as regulatory bodies or law enforcement agencies. LuxTrust encourages the whistleblowers to address the concerns by the internal channel before addressing them by the external channels.

The list of the competent authorities is available in Annex A.

3. Public divulgation

In case of no and/or no appropriate action has been taken in response to an internal, external or direct external reporting and the employees/ external third parties have valid reasons to believe that:

- Violation may represent an imminent or obvious danger to the public interest (emergency situation, risk of irreversible harm); or
- In the case, there is a risk of retaliation or the violation is unlikely to be remedied due to the particular circumstances of the case.

Whistleblowing process

All disclosures reported in the whistleblowing process will be addressed in line with the following procedure:

1. Form submission

When a stakeholder wants to submit a disclosure, he/she should complete the report form in the Annex B of this Policy by providing detailed and documented information.

The whistleblower sends the form by e-mail to the following address: whistleblowing@luxtrust.lu.

When a disclosure is reported, the whistleblower will receive a notification of the disclosure being recorded. In order to maintain confidentiality, this notification will not contain any details of the report.

2. Investigation

a. Simple investigation

A first screening of the disclosures made by the Regulatory & Compliance department. They will check whether the reported disclosure falls within the scope of the policy and if so, they will investigate to the reported disclosure. Within a period of maximum seven (7) working days, the whistleblower will receive initial notification from the responsible/department. Otherwise, the whistleblower will be informed accordingly (within such timeframe) and will be encouraged to address the issue with his manager or HR department.

b. In case of conflict of interest

If the Regulatory & Compliance department has a conflict of interest, it will be excluded from further proceedings and the process will be handled by the Legal department.

3. Written report

The Regulatory & Compliance department could investigate the case by having a meeting (or several ones) with the whistleblower if needed and write a report accordingly. The meeting can take place in person at LuxTrust or via videoconference. The whistleblower may be accompanied if/she he wishes by the staff delegation.

If the whistleblower submits the form anonymously, there will be no communication and the case will be handled with the available information.

In the case of the absence of the whistleblower in case a meeting is required for the case treatment, LuxTrust will not be liable if the deadline for holding the meeting (s) is (are) not respected.

If the form contains all the details and facts, and there is no need for an investigation meeting/email, the case could be directly raised to the concerned department.

4. Decisions and action plan implementation

The form, the report's meetings, emails, and any information will be submitted to the concerned department. The concerned department, suggests and implements required actions to respond to the reported case.

If the reported case concerns a member of the Executive Committee, the case will be investigated by 2 members of the Executive Committee in addition of the responsible department/person.

The Regulatory & Compliance department will inform the whistleblower about the proceedings of the investigation within three (3) months as of the date on which the case has been submitted.

It should be noted that, in some instances, it might be necessary to include external consultants/auditors/lawyers or regulators in the investigation process. If a criminal offence has occurred, police or other authorities may be involved as well.

5. Adaptation and assessment

The Regulatory & Compliance department undertakes to verify with the parties, within 3 to 6 months of the decision taken by the concerned department, whether the measures have been applied and whether the situation has been resolved. A subsequent report will be drawn up by the responsible department and sent to the management of LuxTrust.

6. Retention of records

The whistleblowing files will be kept for 10 years.

Confidentiality and whistleblower protection

1. Anonymous Reporting

The identity of the originator of the alert shall not be disclosed without the express consent of the originator to any person other than authorized personnel competent to receive or follow up on alerts.

To protect the anonymity and the confidentiality, LuxTrust has established a confidential dedicated whistleblowing mail address. This allows individuals to report concerns without revealing their identity.

The whistleblower can choose at his/her sole discretion if he/she wants to be anonymous or not. It should be noted however, that it is of high importance to retrieve as much information as possible. Staying anonymous could have an impact on the quality and level of investigation of the case or can make further investigation impossible.

2. Protection and non-retaliation

The whistleblower does not need to have hard evidence before reporting a disclosure: having reasonable suspicion of misconduct or unethical behavior is enough. Although you do not have to prove your allegations, they are more likely to be considered reasonable if you can back them up with some objective supporting information, such as emails, file notes or receipts.

Anyone filing a disclosure under this Policy, must act in good faith and must have reasonable grounds for believing the information disclosed consists in a (potential) violation of LuxTrust's policies and/or applicable legislation related to the topics listed above.

Unless a whistleblower knowingly made a false allegation, provided false or misleading information, or otherwise acted in bad faith, the whistleblower may not be discharged, suspended, threatened, harassed, intimidated or retaliated for making a disclosure in good faith or assisting in the handling or investigation of a disclosure under this whistleblowing policy.

Complaints of retaliation against a whistleblower are taken very seriously. All such complaints will be reviewed promptly and, where appropriate, investigated. Any person responsible for reprisals will be subject to appropriate disciplinary measures.

3. Non-disclosure

Throughout the process of the investigation and afterwards, all members of the Regulatory & Compliance department are bound by confidentiality. However, this effort of confidentiality may never prevent the Group from disclosing certain information retrieved throughout the investigations when obliged thereto by the law, especially when authorities mandated thereto enforce it.

Data protection

LuxTrust has taken the necessary technical and organizational measures to prevent personal data from being accidentally or unlawfully destroyed, lost or damaged and to prevent any unauthorized disclosure or misuse of the personal data in accordance with the GDPR European law.

When submitting a whistleblower report, you may choose to do so anonymously. If you choose to identify yourself, we collect your first and last name, email address, home address, and phone number. In addition, we may process personal data contained in the whistleblower report, which may, depending on the case, include identity information, information about the misconduct being reported, about the witnesses and third parties which were involved in the whistleblowing case. LuxTrust process these data to carry out preliminary investigations regarding the reported whistleblowing.

The whistleblower will be informed before their identity is divulged, unless such information would compromise the investigations or legal proceedings concerned. The concerned whistleblowers will receive a written explanation of the reasons for disclosing the confidential data concerned.

LuxTrust do not request or process any special categories of personal data (also known as sensitive personal data), e.g. information on racial and/or ethnic origin, religious and/or ideological convictions.

Personal data that is not relevant to the processing of the whistleblowing case will not be collected or, if collected accidentally, will be deleted without undue delay.

Protection measure against retaliation

When persons report information about violations or make a public disclosure in accordance with the law, they shall not be considered to have breached any restriction on disclosure of information and shall not incur liability of any kind in respect of such reporting or public disclosure provided that they had reasonable grounds for believing that the reporting or public disclosure of such information was necessary to reveal a breach.

Whistleblowers shall not incur any liability in respect of the obtaining of, or access to, information which is reported or publicly disclosed, provided that such obtaining or access does not constitute a separate criminal offence. In the event that such obtaining or access constitutes an autonomous criminal offence, criminal liability shall continue to be governed by applicable national and European law.

Similarly, any other potential liability of whistleblowers arising from acts or omissions not related to the reporting or public disclosure or not necessary to reveal an infringement continues to be governed by applicable national and European law.

In legal proceedings, including for defamation, breach of copyright, breach of secrecy, breach of data protection rules or disclosure of business secrets, or for claims for compensation based on private law, public law or collective labour law, whistleblowers shall not incur any liability as a result of reports or public disclosures. Such persons shall have the right to rely on the report or public disclosure to request that the proceedings be discontinued, provided that they had reasonable grounds for believing that the report or public disclosure was necessary to reveal a breach.

Annex A

1. List of competent authorities in Luxembourg

- La Commission de surveillance du secteur financier ;
- The Insurance Commission ;
- The Competition Authority;
- Administration de l'enregistrement, des domaines et de la TVA ;
- The Labor and Mining Inspectorate;
- The National Commission for Data Protection;
- The Center for Equal Treatment;

- The Ombudsman, as part of his external control of places where people are deprived of their liberty;
- The Ombudsman fir Kanner a Jugendlecher ;
- Institut luxembourgeois de régulation ;
- L'Autorité luxembourgeoise indépendante de l'audiovisuel ;
- L'Ordre des avocats du Barreau de Luxembourg and l'Ordre des avocats du Barreau de Diekirch ;
- The Chamber of Notaries;
- The Medical College ;
- L'Administration de la nature et des forêts ;
- L'Administration de la gestion de l'eau ;
- The Air Navigation Administration;
- Le Service national du Médiateur de la consommation ;
- L'Ordre des architectes et des ingénieurs-conseils ;
- L'Ordre des experts-comptables ;
- L'Institut des réviseurs d'entreprises ;
- L'Administration des contributions directes.

2. List of competent authorities in France

- DGCCRF: Direction générale de la concurrence, de la consommation et de la répression des fraudes ;
- HAS: Haute autorité de santé ;
- Cnil: Commission nationale de l'informatique et des libertés ;
- DGT: Direction générale du travail ;
- DGEFP: Délégation générale à l'emploi et à la formation professionnelle ;
- Au défenseur des droits ;
- À l'autorité judiciaire ;
- À l'institution, l'organe ou l'organisme de l'Union européenne (UE) compétent s'agissant d'une violation d'un droit de l'UE.

Annex B

WHISTLEBLOWING REPORTING FORM

1. Would you like to make an anonymous report?

Yes

No

2. Whistleblower information (non-anonymous reporter):

Name: Surname:

Address:

Phone number: Email:

3. Report description

Whistleblowing type:

Date of reported whistleblowing: DD/MM/YYYY

Detailed description of the whistleblowing:

Whistleblower signature