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Procedure for Handling Reports – whistleblowing

The legislation and the reality of GAMMA PACK

Legislative Decree No. 24/2023, implementing the European Directive 2019/1937, regulates the protection of persons who report violations of national or European Union regulatory provisions that harm the public interest or the integrity of the public administration or private entity, of which they have become aware in a public or private work context.

GAMMA PACK in this regard has equipped itself with a tool (YESNOLOGY platform) through which the most under-identified individuals can report, in a confidential and protected manner, any wrongdoing encountered during their activities.

Reports are addressed to lawyer Francesco Groppi, a body external to the organization and expressly appointed by Gamma Pack's Board of Directors. Lawyer Groppi, in his capacity as Report Manager, will also carry out all investigative activities, aimed at ascertaining whether or not the reported facts are well-founded within the terms established by the regulations.

The process complies with the regulatory changes introduced by Legislative Decree No. 24 of March 10, 2023, implementing Directive (EU) 2019/1937 of the European Parliament and of the Council of October 23, 2019, on the protection of persons who report breaches of Union law and laying down provisions regarding the protection of persons who report breaches of national laws (so-called "Whistleblowing Decree").

Clear information on the channel, procedures and prerequisites for making internal reports will also be displayed and made easily visible in workplaces.

Who can make reports

The following individuals can transmit reports:

- employees of GAMMA PACK even if in the probationary period;
- self-employed workers, holders of a collaborative relationship, referred to in Article 409 of the Civil Code and Article 2 of Legislative Decree 81/2015, who carry out or perform activities at GAMMA PACK;
- freelancers and the consultants, volunteers and trainees who perform their activities at GAMMA PACK;
- shareholders, persons with administrative, management, control, supervisory or representative functions at GAMMA PACK;
- persons for whom the legal relationship with GAMMA PACK:
 - has not yet begun, if the information on violations was acquired during the selection process or other pre-contractual stages.
 - Has already ceased, if the information on violations was acquired during the course of the legal relationship.

What can be reported

Reportable violations consist of conduct, acts or omissions that harm the public interest or integrity of the public administration or private entity and consist of:

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1. administrative, accounting, civil or criminal offenses that do not fall under numbers 2), 3), 4) and 5);
2. offenses that fall within the scope of European Union or national acts relating to the following areas: public procurement; services, products and financial markets and prevention of money laundering and financing of terrorism; product safety and compliance; transportation safety; environmental protection; radiation protection and nuclear safety; food and feed safety and animal health and welfare; public health; consumer protection; privacy and personal data protection; and network and information system security;
3. acts or omissions affecting the financial interests of the Union;
4. acts or omissions concerning the internal market;
5. acts or conduct that frustrate the object or purpose of the provisions of Union acts in the areas indicated in 2), 3) and 4);
6. Violations of the 231 model and/or code of ethics adopted by the company.

It is necessary that the report submitted by the whistleblower be circumstantiated, concern facts that can be ascertained and known directly by the whistleblower and not reported or referred to by others, and contain all the information and data to unequivocally identify the perpetrators of the violation.

The legal provision clearly defines the protections for all those who make reports of violations, who may not suffer retaliation of any kind.

Obviously, the reports must be documented and have a serious basis of foundation in order not to incur, on the contrary, the crime of defamation carried out by the reporter in case of an unfounded or non-existent report.

How to report

GAMMA PACK has identified a channel that ensures compliance with the provisions prescribed by the regulations, guaranteeing the confidentiality of the reporter, any individuals reported and the content of the report. Reports can be made through the YESNOLOGY IT platform, which can be reached by connecting to the Company's website www.gammapack.com or directly through the links provided in this procedure. Specifically, Reporting may be made:

- (a) Anonymously, upon registration with the YESNOLOGY platform;
- (b) In a so-called confidential form, without registration: in this case, the reporter must enter his or her identification and contact information (first name, last name, email address, telephone number). In this second case, it should be remembered that at the end of the insertion of their report within YESNOLOGY, the reporter will receive an e-mail / text message with which they will be invited to register to the portal in order to check the progress of their report and maintain relations with the Manager.

Below are direct links to the YESNOLOGY platform:

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<https://my.yesnology.com/welcomenoinvitation/16f87d06-f4e1-4a2d-94f2-4d6ea3c3d19d> LINK PER SEGNALAZIONE ANONIMA



<https://my.yesnology.com/welcomenoinvitation/69ddfa67-a96c-41eb-93e7-c822bd2422db> NON ANONIMA



Acknowledgement

As prescribed by Legislative Decree 24/2023, the Manager will have seven days to notify the reporter that the report has been received.

Thereafter, within three months from the date of the acknowledgement of receipt or, in the absence of such notice, within three months from the expiration of the seven-day period from the submission of the report, further acknowledgement will be provided to the reporter.

The acknowledgement and any communications to the reporter will take place within the YESNOLOGY platform.

External Channels

Under certain and circumscribed prerequisites, outlined below, the reporter may make his or her report:

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(a) directly to the National Anti-Corruption Authority (ANAC), through the specific channels activated by the Authority and available on its website. The “external channel” set up by ANAC may be used by the reporter upon the occurrence of the conditions indicated in Article 6 of Legislative Decree 24/2023, in particular when:

- the compulsory activation of the internal reporting channel is not foreseen within its working context, or this channel, even if compulsory, is not active or, even if activated, does not comply with the provisions of Article 4 of Legislative Decree 24/2023;
- the reporting person has already made an internal report pursuant to Article 4 and the same has not been followed up;
- the reporting person has well-founded reasons to believe that, if he/she made an internal report, the same report would not be effectively followed up or that the same report may result in the risk of retaliation;
- the reporting person has reasonable grounds to believe that the violation may pose an imminent or obvious danger to the public interest.

(b) by public disclosure (making information about violations publicly available through the press or electronic media or otherwise through means of dissemination capable of reaching a large number of people) benefiting from the protection provided by the decree if, at the time of public disclosure, one of the following conditions is met:

- the reporting person has previously made an internal and external report, or has directly made an external report, under the conditions and in the manner provided for in Articles 4 and 7, and no response has been given within the time limits provided for in Articles 5 and 8 regarding the measures planned or taken to follow up the reports;
- the reporting person has well-founded reason to believe that the violation may constitute an imminent or obvious danger to the public interest;
- the reporting person has well-founded reason to believe that the external report may involve the risk of retaliation or may not be effectively followed up due to the specific circumstances of the concrete case, such as those where evidence may be concealed or destroyed or where there is a well-founded fear that the recipient of the report may be colluding with or involved in the perpetrator of the violation.

It should be noted that any illegal conduct or violations of Legislative Decree 231/2001, the 231 Model and/or the Code of Ethics adopted by the company may only be reported through the internal channel set up by the Holder.

The forms of protection provided for the reporter

Legislative Decree 24/2023 defines “retaliation” as any behaviour, act or omission, even if only attempted or threatened, put in place by reason of the report, report to the judicial or accounting authority or public disclosure and that causes or may cause the reporting person or the person who made the report, directly or indirectly, unjust damage.

By way of example only, “retaliation” may be defined as dismissal, demotion or non-promotion, coercion, intimidation, harassment, etc. resulting from making a report.

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Any act of retaliation is prohibited and void. If established, the retaliatory act may lead to disciplinary proceedings against the person responsible and sanctions and criminal proceedings by the competent Authorities.

Without prejudice to the provisions of Article 17, paragraphs 2 and 3 of Legislative Decree 24/2023, the protection measures set forth in Chapter III shall apply to the reporter and:

- to the facilitator, i.e. a natural person who assists a reporting person in the reporting process, operating within the same work context and whose assistance must be kept confidential;
- to persons in the same work context as the reporting person, the person who has filed a complaint with the judicial or accounting authorities, or the person who has made a public disclosure and who are related to them by a stable emotional or kinship relationship within the fourth degree;
- to co-workers of the reporting person or the person who made a complaint to the judicial or accounting authority or made a public disclosure, who work in the same work environment as the reporting person and who have a usual and current relationship with that person;
- to entities owned by the reporting person or the person who made a complaint to the judicial or accounting authority or made a public disclosure or for which the same persons work, as well as entities working in the same work environment as the said persons.

The protective measures apply provided that:

- at the time of the report the reporter had reasonable grounds to believe that the information about the reported violations was true;
- the report was made through the methods specified in this procedure.

Information on the processing of personal data

Below is a link to the information on the processing of personal data pursuant to Article 13 of the GDPR - Regulation (EU) 2016/679.

<https://www.gammapack.com/wp-content/uploads/2023/12/Informativa-Privacy-dlgs-24-2023.pdf>

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