

Mechanism of professional whistleblowing



Your Health is our Priority

BASTIDE GROUPE

Presentation of the implementation of the Whistleblower Policy

Groupe BASTIDE has decided to establish a unique technical Whistleblower System for reporting wrongdoings, in compliance with legal requirements in terms of whistleblower protection and the recommendations of the French Anti-Corruption Agency (AFA).

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1. **Who can file a report?**

[This Mechanism applies:]

To members of staff, to previous staff whose Employment Contract has ended, where the information was obtained in the framework of that Contract, and to any applicant to a job vacancy within the entity concerned, where the information was obtained in the framework of that application;

To all Shareholders, Members and Holders of voting rights at the entity's General Meeting ;

To Members of the Administrative, Management or Supervisory bodies ;

To external and occasional contributors;

To the co-contractors of the entity concerned, to their sub-contractors or, in the case of legal entities, to the members of the administrative, management or supervisory bodies of these co-contractors and sub-contractors and to their staff members.

Groupe BASTIDE's Appointments, Remuneration and ESG Committee shall be responsible for dealing with the information disclosed under this speak up process.

2. Which kind of information can be disclosed?

Any fact which has occurred or is very likely to occur and that fall within the scope of whistleblowing, such as:

- a felony or misdemeanour ;
- a threat or serious harm to the general interest
- an attempt to conceal a breach or infringement of an international commitment ratified or approved by the French State;
- an attempt to conceal, a breach or an infringement of a unilateral act of an international organisation based on such an undertaking ;
- an attempt to conceal an infringement or a breach of a European Union regulation
- an attempt to conceal an infringement or violation of a law or regulation;

The Whistleblower Policy makes it possible to report serious incidents in the following areas:

- Any breach of a Group Charter or Code of Conduct ;
- Corruption, competition, money laundering ;
- Accounting, finance, banking ;
- Discrimination, harassment ;
- Health, hygiene and safety at work ;
- Protection of public health ;
- Environmental protection ;
- Protection of privacy, personal data and information systems security;
- Consumer protection, product safety and conformity;
- Miscellaneous.

This is not an exhaustive list.

This provision does not cover the expression of grievances against another Group employee.

Please refer to the existing processes in the event of a personal conflict or dispute with another Group employee. You need to contact your line manager or the Human Resources Department.

3. Status of whistleblowers

Five conditions must be met to be able to file a report, i.e.:

1. Be a natural person ;
2. Know the facts ;
If the information arises from a different context than the professional sphere, the person must have personal knowledge of the facts;
3. without direct financial compensation; I cannot benefit from any financial advantage as a direct result of my reporting.
4. act in good faith; I am convinced that the report I am filing concerns real facts
5. reveal the facts mentioned in #2.

Whistleblowers may rely on one or more trustworthy persons. These persons benefit from the safeguard afforded by whistleblower status and the associated rights.

The protections applying to whistleblowers is extended to:

facilitators, defined as any natural person or any non-profit-making private legal entity that helps a whistleblower to report or disclose as provided by law

individuals who have a relationship with the whistleblower and who are at risk of reprisals

legal entities controlled by a whistleblower

The person concerned may request that their whistleblower protection status be certified by the Commissioner for [Human] Rights.

In the event of slanderous accusations or system abuse, the person making the report may be liable to disciplinary action. The person may also be liable to criminal and/or civil proceedings.

Upon meeting these criteria, whistleblowers and facilitators benefit from the following legal guarantees:

- Legal incompetence under the terms of article L. 122-9 of the *French Criminal Code*.
Disclosure of the information is "necessary and proportionate to safeguard the interests at stake" and takes place in compliance with the procedures for reporting alerts.

Non-liability for damage caused by their reporting or public disclosure if they had reasonable grounds to believe, when doing so, that the reporting or public disclosure of all such information was necessary to safeguard the interests involved

Legal incompetence the event of disclosure of a secret protected by law. Nevertheless, secrets relating to national defence, medical secrecy, the secrecy of judicial deliberations, the secrecy of judicial enquiries or investigations or the professional secrecy for lawyers are excluded.

- Absence of criminal responsibility in the event of theft, misappropriation or concealment of documents or any medium which contains disclosed information of which he has knowledge.
- Non-liability for damages, in particular for those who disclose information publicly. They will not be liable for any damage arising therefrom.
 - they may not be dismissed, disciplined, discriminated against or suffer reprisals as a result of speaking up.

Whistleblowers and facilitators shall not be subject to retaliations, threats or attempts to implement any of the following measures:

- Suspension, dismissal, demotion,
- Firing, penalty or discrimination as a result of making a report,
- Injury to the person's reputation,
- Termination or revocation of a contract or approval...
- Blacklisting.

The above list is not exhaustive.

Any Action or Decision-making shall be considered null and void.

The law provides for :

- penalty of one year's imprisonment and a fine of €15,000 for any person who "in any way whatsoever" obstructs the transmission of a report internally to the company or to the judicial or administrative authorities or to a professional body;
- in the event of abusive or dilatory proceedings against a false whistleblower, the latter incurs a civil fine that amounts €60,000. This fine may be imposed without prejudice to the right to damages.
- a penalty of three years' imprisonment and a fine of € 45,000 in the event of retaliations or attempted reprisals against the whistleblower or any facilitator. During the proceedings, the whistleblower may be paid subsidies if his or her economic situation has seriously deteriorated.
- A penalty of two years' imprisonment and a €30,000 fine for disclosing confidential information on the whistleblower.

The protection status shall not be granted to any whistleblower whose report:

- falls outside the scope of the scheme;
- was conducted in bad faith;
- was genuine;
- does not contain sufficiently precise information and concerns facts which cannot be verified;

In the event of a deliberately slanderous accusation, the person making the denunciation is liable to sanctions that might include dismissal. The person is also liable to criminal and/or civil proceedings.

4. What protection and safety measures for Whistleblowers?

All data collected as part of this Whistleblower Policy shall be treated as strictly confidential, including :

- the identity of the whistleblower and facilitators,
- the information disclosed in connection with the report
Witnesses impacted by the alert

- or of the persons or organisations concerned by the report.

All suitable precautions to protect the security of this data shall be taken.

- The people in charge of receiving and handling reports are subject to a strict confidentiality obligation, unless otherwise stipulated by law.
- Personal data collected as part of this Whistleblower Mechanism is processed in compliance with the obligations of the General Data Protection Regulation (GDPR).

5. How do I submit a report?

Do you have any doubts or questions about a particular case?

You can write and/or raise your questions to :

- your line manager, your line manager's line manager ;
- the Human Resources Department ;
- the Chief Executive Officer/Chairman.

In case you are unable to or do not wish to contact the above-mentioned people:

If you have any questions, feel free to write an e-mail to the Group Ethics Officer at compliance@bastide-medical.fr or go to the alert website www.bastide-groupe.fr or to send a letter to the following address:

BASTIDE GROUPE - COMPLIANCE - CS 28219 - 30942 NIMES CEDEX 9 [France]

You need to provide the following information:

1. Your surname, first name, job title and place of work ;
2. The facts you wish to report, described in an **objective and sufficiently precise manner** to enable the alleged facts to be verified;
3. The e-mail address of your choice (where applicable) to be informed of the handling of the case, if different from the one used to file the initial report;
4. You may also choose to remain anonymous.

You can use the internal reporting system and/or chose to report externally to the following entities:

- a pertinent public authority, of which the list of is determined by Decree no. 2022-1284 of 03 October 2022 (see appendix 1 extract from the competent authorities)
- the Advocate for fairness and protection of rights
- the judicial authorities

- a competent European Union institution, body, office or agency.

The report may be filed publicly if the external whistleblower case has not been processed within three (3) months of the report date.

Whistleblowers may use the channel of public disclosure as follows:

- In the event of a serious and imminent danger
- When referring to the competent authority entails a risk of retaliations or has no prospect of success
- If the whistleblower has serious grounds for believing that the pertinent authority may have a conflict of interest or be acting in collusion with the offender.
- When there is a clear and present danger to the public interest, an emergency situation or risk of irreversible harm.

6. What is the process for handling whistleblower cases?

- You will be informed in writing within 7 working days of receipt of your report and receive an acknowledgement of receipt at the e-mail address used for filing the report or the one provided to receive e-mails relating to this matter.

You may be required to provide further information:

- If the report does not fall within the scope of the legal provisions, the whistleblower will be informed except if he wished to remain anonymous.
- If the case is acknowledged, the whistleblower shall be notified of the measures taken and the underlying motivation for such measures within a reasonable period of time not exceeding three months:
 - To assess the accuracy of claims
 - Where applicable, to relieve the situation which triggered the whistleblowing process.

- The Ethics Committee shall conduct the necessary investigations to establish whether the alleged facts have been proven within a reasonable period of time.

• If the report establishes a breach of the Code of Conduct or an infringement to the legislation, the Ethics Committee shall summarize its findings to the General Management and Human Resources Departments,

who will take the necessary corrective actions and/or sanctions.

7. Confidentiality

The Committee guarantees the confidentiality of the information transmitted, the identity of the whistleblower, the facilitators and the persons or bodies involved in the alert.

Information may only be passed on to third parties if they are legitimately entitled to receive it in connection with the handling of the alert and if this transmission is necessary for the handling of the alert.

Unauthorised persons are prohibited from accessing information relating to an alert.

8. Retention of personal data

- Whistleblower cases falling within the scope of the system that do not result in any disciplinary or legal proceedings shall be closed without further action and all data collected be archived anonymously. This process may not exceed a period of thirty years.
- If disciplinary or legal proceedings are initiated following a report, the data shall be kept until the end of the proceedings and archived anonymously. This period may not exceed thirty years.

9. General information for users of the Mechanism

- This Policy is available on bastide-groupe.fr website.
- This Policy is provided to all Group employees.

Appendix 1 - List of competent external authorities

1. Public procurement	French Anti-Corruption Agency (AFA), for breaches of ethics
	General Directorate for Competition Policy, Consumer Affairs and Fraud Control. (DGCCRF), for anti-competitive practices
	Competition Authority, for anti-competitive practices
2. Financial services, products and markets and the prevention of money laundering and terrorist financing	Financial Markets Authority, <i>Autorité des Marchés Financiers</i> (AMF), for investment services providers and market infrastructures
3. Product safety and compliance	<i>French</i> Directorate-General for Competition, Consumer Affairs and Fraud Control (DGCCRF)
4. Food safety	<i>French</i> National Agency for Food, Environmental and Occupational Health Safety (ANSES)
5. Public health	<i>French</i> National Agency for Food, Environmental and Occupational Health Safety (ANSES)
	National public health agency (Santé publique France, SpF)
	<i>French</i> National Authority for Health (HAS)
6. Consumer protection	<i>French</i> Directorate-General for Competition, Consumer Affairs and Fraud Control (DGCCRF)
7. Protection of privacy and personal data, security of networks and information systems	National Commission for Data Protection and Liberties (CNIL) (French Data Protection Authority)
	<i>French</i> National Agency for Information Systems Security (ANSSI)

8. Violations affecting the financial interests of the European Union	French Anti-Corruption Agency (AFA), for breaches of ethics
	<i>French Public Finances Directorate General Direction Générale des Finances Publiques (DGFIP), for value added tax fraud</i>
	General Directorate for Customs and Indirect Taxation <i>Direction Générale des Douanes et Droits Indirects (DGDDI)</i> , for fraud involving customs duties, anti-dumping duties and the like
9. Violations relating to the internal market	<i>French General Directorate for Competition Policy, Consumer Affairs and Fraud Control (DGCCRF), for anti-competitive practices</i>
	Competition Authority, for anti-competitive practices and state aid
	<i>French Public Finances Directorate General Direction Générale des Finances Publiques (DGFIP), for corporation tax fraud</i>
10. National education and higher education	National Education and Higher Education Ombudsman
11. Individual and collective labour relations, working conditions	<i>French Directorate-General for Labour (DGT)</i>
12. Rights and freedoms in relations with State administrations, local authorities, public establishments and bodies with a public service remit	Commissioner for Human Rights
13. Best interests and rights of the child	Commissioner for Human Rights
14. Discrimination	Commissioner for Human Rights
15. Code of conduct for security personnel	Commissioner for Human Rights