

## PRIVACY NOTICE

20.12.2023

Having regard to the provisions of:

- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (“General Data Protection Regulation” - **GDPR**) and the national legislation on the protection and security of personal data,
- Act No. 110/2019 Coll., on the processing of personal data,
- Act No. 171/2023 Coll., on the protection of whistleblowers,
- 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,

(hereinafter collectively referred to as the “**Legislation**”)

Zentiva Group, a.s., with its registered seat at U kabelovny 529/16, Dolní Měcholupy, 102 00 Praha 10, Czech Republic, Id. No. 07254792, and/or Zentiva, k.s., with its registered seat at U kabelovny 130, Dolní Měcholupy, 102 37 Praha 10, Czech Republic, Id. No. 49240030 (hereinafter generally and collectively referred to as the “**Company**”) as Controller, pursuant to art. 13 and 14 of GDPR, would like to detail herein:

### (A) **How the Company obtains your Personal Data**

In the process of receiving, recording, examining, documenting and solving the reports on violations of the law, the Company may process your personal data collected by the Company either directly from you or indirectly, depending on your capacity within this process, in any way (for example: face-to-face discussions, telephone discussions, or in writing, electronically and/or on paper).

Therefore:

In case you act in relation to the Company as a whistleblower, we obtain the personal data directly from you, with the exception of the case where the reporting is made anonymously.

In case you are the person concerned by the reporting, the facilitator, the third party who has links with the whistleblower, the witness, etc., the Company may obtain your personal data either directly from you, or indirectly, from the whistleblower.

### (B) **The purposes of the processing for which the personal data are intended, as well as the legal basis for such processing**

The Company will process your personal data for the following purposes and based on the following legal grounds, as the case may be:

- i. receiving, recording, examining, documenting and resolving the reports regarding violations of the law, as well as maintaining statistics regarding such reports, where we will rely our processing on the satisfaction of legal requirements, according to art. 6, para. (1), lit. c) from GDPR;
- ii. documenting your report received by the Company through a telephone line or another voice messaging system, in the sense of making a recording of the conversation in a durable and accessible form, where we will rely the processing on your consent as whistleblower, according to art. 6, para. (1), lit. a) from the GDPR, expressed by completing the consent form made available by the Designated Person;
- iii. documenting your report received by the Company in the presence of the Designated Person, at your request as whistleblower, in the sense of transcribing the report in a durable and accessible



form, where we will rely the processing on your consent, according to art. 6, para. (1), lit. a) from the GDPR, expressed by completing the consent form made available by the Designated Person;

- iv. disclosure of your identity as whistleblower, where we will rely the processing on your consent, according to art. 6, para. (1), lit. a) from the GDPR, expressed by completing the consent form made available by the Designated Person.

In case you, as whistleblower, do not express your consent for the documentation of the report by transcribing or recording of the conversation, you will be directed to report the violation of the law in writing, on paper, addressed to the attention of the Company's Designated Person, or in electronic format, to the dedicated electronic correspondence address (e-mail) and Whistleblowing-cz@zentiva.com.

### **(C) The (categories of the) personal data the Company may process**

The general rule of thumb is:

- (i) to collect and request the transmission of only that personal data that is adequate, relevant and limited to what it is required within the purposes of processing listed under Section (B) above. Personal data that is not necessary for these purposes are not collected or, if accidentally collected, are deleted.
- (ii) not to collect those categories of personal data, considered to be special, such as: data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation, except in specific and limitative circumstances and forms provided for in the Legislation, where such personal data is strictly necessary in relation with the purposes of processing listed under Section (B) above.

Thus, the Company processes, in whole or in part, the following categories of personal data concerning you, in relation to the processing purposes mentioned in Section (B) above, as the case may be:

- ✓ identification data: name / surname, physical and / or electronic signature, including the electronic signature obtained through electronic devices and / or qualified;
- ✓ occupational data: the professional context in which the reported information was obtained (for example, workplace, work / service report, function etc.);
- ✓ contact data: which may include personal / work telephone number, personal / work electronic correspondence (e-mail) address, physical correspondence address, content of physical / electronic communications;
- ✓ data regarding violations of the law to which the report refers, including evidence in support thereof;
- ✓ any other categories of personal data useful, relevant and conclusive for solving the report thus received (for example, data regarding reprisals, reparative measures etc.).

### **(D) The conditions under which the Company may disclose your Personal Data**

Your Personal Data is intended for use by Zentiva, as a personal data controller.

Your identity as whistleblower and the information that would allow your direct or indirect identification are confidential, except for the case where:

- ✓ there is your express consent, granted by completing the consent form made available to you by the Designated Person; or
- ✓ if the Company has a legal obligation to disclose your identity, in compliance with the conditions and limits stipulated by the law, in which case you will be informed regarding the



disclosure of the identity and the reasons for the disclosure of the confidential data in question beforehand, in writing. However, such an obligation that does not exist in case the information would endanger investigations or judicial proceedings.

Also, your identity as the person concerned by the report, as well as the third person referred to in the report and the information that would allow your direct or indirect identification are confidential as long as the subsequent actions of the report are in progress, except when, as a result of the resolution of the report, it is found that you are not guilty of the violations of the law subject of the report.

In order to facilitate the pursuit of Zentiva's activities related to the purposes of the processing, as listed under Section (B) above, where appropriate and limited to a legal and specific purpose, your personal data may be disclosed to:

- ✓ you and, where appropriate, your appointed representatives;
- ✓ public authorities and institutions that, according to special legal provisions, receive and resolve in their field of competence reports regarding violations of the law
- ✓ Ministry of Justice of the Czech Republic;
- ✓ other (contractual) partners directly or indirectly involved in receiving, recording, examining, documenting and solving the reports on violations of the law (e.g., providers of operational services like telecommunication, IT, archiving services etc.);
- ✓ our external consultants (e.g.: auditors, lawyers etc.).

*Nota bene:* In case you will use our platform (including in relation with the voice recording) to address us a report on (a certain) violation of the law, you should know in advance that such platform is technically operated by our processor, **FaceUp Technology s.r.o.**, through a cloud solution. Nevertheless, FaceUp Technology s.r.o. does not have any access to the content of your report, to the information you are sharing with the Company and to your identity.

If we will transfer your personal data outside the European Union and / or the European Economic Area, we will do so only by observing the legal provisions in place, by applying adequate protection measures and notifying you when and if appropriate.

**Your personal data will not be subject to a decision based on automated processing, including profiling.**

#### (E) **The rights you have in relation to your personal data**

If not provided otherwise by the applicable legal provisions, you have the following rights in relation with your personal data thus processed:

- ✓ **the right of access;**
- ✓ **the right to rectification;**
- ✓ **the right to erasure/right to be forgotten;**
- ✓ **the right to restriction of processing;**
- ✓ **the right to object;**
- ✓ **the right to data portability;**
- ✓ **the right to withdraw your consent** at any time, without affecting the lawfulness of Processing based on consent before its withdrawal, when the legal ground for our Processing is your consent
- ✓ **the right to lodge a complaint with Office for Personal Data Protection**
- ✓ **the right not to be subject to a decision based solely on automated Processing, including profiling;**



For further details, please see Section (O) of the document entitled Privacy Notice, available on [www.zentiva.com](http://www.zentiva.com).

**Where the processing of your personal data is based solely on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of the processing carried out on the basis of consent before its withdrawal.**

Except for the right to file a complaint with Office for Personal Data Protection, as set forth above, such rights may be exercised by sending a written request to the Data Protection Officer, using all or any of the contact details listed below:

- ✓ e-mail address: [DPO@zentiva.com](mailto:DPO@zentiva.com); and / or
- ✓ at the registered office of the Company: Zentiva Group, a.s., U kabelovny 529/16, Dolní Měcholupy, 102 00 Praha 10, Czech Republic, or Zentiva, k.s., U kabelovny 130, Dolní Měcholupy, 102 37 Praha 10, Czech Republic ; and/or
- ✓ by filling in the form available here: <https://www.zentiva.com/gdpr/rights>.

**(F) The retention period of your personal data**

The Company will keep your personal data for a period of 5 (five) years from the report registration date. Nevertheless, in case the provisions of a special law (e.g., the criminal law, the contravention law, the financial-fiscal law etc.) are applicable to the reported violation of the law, the retention period of your personal data can be extended by the retention period thus provided by the respective special law. Upon the expiry of the said retention period the Company will dispose the personal data thus processed, irrespective of their support (paper form or electronic etc.).

**(G) The manner in which the Company keeps your personal data safe**

The Company will make reasonable efforts to protect your personal data in our possession or under our control, by establishing reasonable security measures to prevent unauthorized access, collection, use, disclosure, copying, modification or deletion, as well as other similar risks.

**(H) The revisions of the present Privacy Notice**

We regularly review the Privacy Notice, without prior notice but of immediate effect. We will communicate any revision through this mean of communication. We encourage you to periodically visit the Company's Privacy Notice in order to be informed on how we process your personal data in the context of our (potential) interaction, as described under Section (B) above.

