



Presentation of the roll-out of the company's sole internal alert mechanism

The companies of Thermador Groupe have opted for a single technical mechanism for collecting reports in compliance with the legal provisions (protection of whistleblowers pursuant to Articles 6 to 16 of Law No. 2016-1691 of December 9, 2016) and the recommendations of France's Anti-Corruption Agency (AFA).

Contents

1. Who can raise an alert?
2. What facts can feature in an alert?
3. Whistleblower status
4. Three-stage reporting procedure
5. Guarantees
6. How to report an alert
7. How the alert is handled
8. Holding personal data
9. General information for users of the mechanism

As a corollary to the Anti-Bribery Code of Conduct, the internal alert mechanism (2° of II of Article 17 of the Sapin 2 Law), designed for French companies with more than 500 employees and consolidated turnover in excess of €100m, allows for the collection of reports relating to the existence of conduct or situations contrary to this code and likely to involve corruption.

However, in addition to the mechanism provided for in Article 17, II, 2°, the Sapin II Law introduces in Article 8, III (Chapter II on the protection of whistleblowers) an obligation for all companies with 50 employees or more to put in place "appropriate procedures for the collection of reports submitted by members of their staff or by external and occasional colleagues".

1. Who can raise an alert?

Staff members, external and/or occasional colleagues.

In order to deal with alerts reported within the framework of this mechanism, Thermador Groupe has set up a 3-member Ethics Committee.

2. What facts can feature in an alert?

Behaviour contrary to the anti-corruption Code of Conduct to which our Group adheres, as well as facts falling within the definition of whistleblowers (Article 6 of the law of December 9, 2016):

- a crime or misdemeanour;
- serious and manifest breach of an international commitment ratified or approved by France;
- breach of a unilateral act of an international organisation taken on the basis of such an undertaking;
- serious and manifest breach of a law or regulation;
- threat or serious harm to the public interest.

The alert mechanism thus enables Thermador Groupe employees to report serious incidents in the following areas:

- corruption, competition
- accounting, finance, banking
- discrimination, harassment
- health, hygiene and safety at work
- environmental protection

The list is not exhaustive.

3. Status of the whistleblower

In order to benefit from the legal protection afforded by whistleblower status, the whistleblower must fulfil five requirements:

1. be a natural person
2. have personal knowledge of the facts
3. act in a selfless manner
4. act in good faith
5. reveal serious facts

When these criteria are met, the whistleblower benefits, by law, from certain guarantees:

- criminal immunity under the conditions of Article L.122-9 of the Criminal Code.
The disclosure of the information is "necessary and proportionate to safeguard the interests at stake" and complies with whistleblowing procedures.
- Furthermore, they cannot be dismissed, sanctioned or discriminated against in relation to their role as a whistleblower.
- a penalty of one year's imprisonment and a fine of €15,000 for any person who "in any way whatsoever" obstructs the transmission of an alert internally to the company or to the judicial or administrative authorities or to a professional body;
- A whistleblower can also be prosecuted for false reporting. The law provides for a civil fine of up to €30,000.

The status will not be granted if the alert:

- falls outside the scope of the mechanism;
- is raised in bad faith;
- cannot be taken seriously;
- does not contain enough precise elements which cannot be verified.

In the case of deliberately slanderous denunciation, the perpetrator is liable to sanctions, including dismissal.

4. Three-step reporting procedure

- Reporting to the direct report or the Ethics Committee as provided for by the mechanism.
- If the above-mentioned report has not been dealt with within a reasonable time, it may be referred to a judicial or administrative authority or to a professional body.
- If one of the aforementioned bodies does not deal with the alert within three months, it may be made public.

5. Guarantees

All data collected under this alert scheme will be treated as confidential, whether it is:

- The identity of the author of the alert
- Facts contained in the alert
- Or of the persons concerned by the alert.

All necessary precautions will be taken to preserve data security.

- The persons in charge of collecting or processing alerts are therefore subject to a heightened confidentiality obligation.
- Personal data collected under this alert scheme is processed in accordance with the obligations of the General Data Protection Regulation (GDPR).

6. How to report an alert

If you have any doubts or questions about a particular situation, do not hesitate to inform and/or ask your direct report or one of the ethics advisors: these people are there to help and advise you on the attitude to adopt in order to comply with the group's code of conduct or with this mechanism.

If you cannot or do not wish to contact these people, you can use the following dedicated e-mail address: lanceurdalerte@thermador-groupe.fr

Alerts submitted must be characterised by the good faith and selflessness of their author.

The information you need to communicate:

1. Your name, first name, position and place of work. You can also choose to remain anonymous (if the author chooses anonymity, he/she cannot benefit from the protective status of whistleblower, see paragraph 3).
2. The facts you wish to communicate, in an objective and sufficiently precise manner, to allow verification of the alleged facts.
3. The e-mail address, if any, for receiving information on the processing of the alert, if it is different from the one you used for the initial alert.

7. How the alert is handled

- You will receive an acknowledgement of receipt of your report within a short and reasonable period of time, at the e-mail address used for the initial alert or the one you have indicated as the chosen address for correspondence.

- You will then be informed of the expected timeframe within which the Ethics Committee will be able to examine the admissibility of the alert.
- The Ethics Committee will conduct the necessary investigations in search of evidence to prove or disprove the alleged facts within a reasonable time.
- If the report establishes that there has been a breach of the Code of Conduct or of legislation, the Ethics Committee will forward its conclusions to the General Management and the Human Resources Department, which will take the appropriate corrective measures and/or sanctions.

8. Holding personal data

- Alerts which, although they fall within the scope of the mechanism, do not result in any disciplinary or judicial proceedings, will be closed without further action and all the data collected will be destroyed or archived under the conditions and within the time limits laid down by prevailing laws and regulations.
- If disciplinary or legal proceedings are initiated following an alert, the data will be kept until the end of the proceedings and archived for a period of time in accordance with the deadlines set out in prevailing laws and regulations.

9. General information for users of the mechanism

- A copy of this procedure is available on our collaborative platform.
- A copy of this procedure is provided to all employees of the group.

To summarise:

If you would like to receive information, advice or guidance, please contact:

- your direct report
- our ethics officers, at: lanceurdalerte@thermador-groupe.fr