

# Whistleblowing Procedure

MP-D-167 06





## Table of contents

<b>1 Purpose .....</b>	<b>3</b>
<b>2 Scope.....</b>	<b>3</b>
<b>3 References.....</b>	<b>3</b>
<b>4 Responsibilities.....</b>	<b>4</b>
<b>5 Definitions .....</b>	<b>4</b>
<b>6 Who can use the system? .....</b>	<b>5</b>
<b>7 Who can be subject to an alert? .....</b>	<b>5</b>
<b>8 What must the alert contain? .....</b>	<b>5</b>
<b>9 How to file an alert .....</b>	<b>5</b>
<b>10 How is your alert processed? .....</b>	<b>5</b>
<b>11 What confidentiality and security are provided in the context of the alert? .....</b>	<b>6</b>
<b>12 How is an abusive alert processed? .....</b>	<b>6</b>
<b>13 Breach of confidentiality .....</b>	<b>7</b>
<b>14 What about data storage? .....</b>	<b>7</b>
<b>15 What prior formalities have been completed with regard to this whistleblowing system? .....</b>	<b>7</b>
<b>16 Do's &amp; Don'ts.....</b>	<b>8</b>



## 1 Purpose

This procedure defines and describes the conditions under which Missionpharma and its affiliates have undertaken to set up a whistleblowing system as part of their Anti-bribery and Anti-corruption Policy (ABAC), established in accordance with the ethical principles defined in the TTC Code of Conduct and Ethics (COCE).

The purpose of this system is to enable its employees and/or Third Party to report malfunctions, actions or facts detrimental to the Group's business and reputation and that would incur its liability, hereinafter "Alert".

## 2 Scope

This procedure applies to all territories in all affiliates and to all employees and Third Party of the Missionpharma Group.

This procedure applies within the framework of the Missionpharma Anti-bribery and Anti-corruption Policy (ABAC) and the TTC Code of Conduct and Ethics (COCE). Alerts under this procedure may only concern actions, facts or behaviour that:

- Constitute a crime or offence;
- Constitute a serious and manifest breach of an international commitment duly ratified or approved by Denmark;
- Constitute a serious and manifest breach of a unilateral act from an international organisation based on an international commitment duly ratified or approved by Denmark;
- Constitute a serious and manifest breach of the law or regulations;
- Constitute a serious threat or harm to the general interest, of which the whistleblower has personal knowledge;

These facts may also include conduct or situations contrary to the TTC Code of Conduct and Ethics (COCE) and/or the Missionpharma Anti-bribery and Anti-corruption Policy (ABAC).

An Alert could, for example, concern:

- The breach:
  - of anti-corruption laws;
  - of competition law;
  - of banking and accounting law.
- Facts likely to constitute:
  - internal or external fraud;
  - a situation of moral or sexual harassment or other offensive behaviour;
  - a safety hazard.

## 3 References

- United Nations Convention against Corruption of 31 October 2003



## 4 Responsibilities

### Employee:

- Obligation to identify himself
- If in doubt, request prior validation by the Correspondent of the Compliance Officer or the Missionpharma Compliance Officer
- Report any breach of and/or failure to comply with this procedure of which the employee is aware

### Compliance Committee:

- Process and examine notifications of alerts forwarded to it

### Compliance Officer:

- The person in charge of the Compliance Committee

### Correspondent of the Compliance Officer:

- Provide advice and validation to employees
- Forward all Alerts submitted by employees and/or Third Party to the Missionpharma Compliance Committee

## 5 Definitions

COCE: TTC Code of Conduct and Ethics (COCE)

Company: Means Missionpharma and any Missionpharma subsidiary or affiliate.

Corruption: Is defined as the act by which a person in a particular position, whether public or private, seeks/proposes or approves/makes, a gift, offer or promise, with a view to accomplishing, delaying or failing to perform an act, directly or indirectly, within the framework of his or her duties. The offence of corruption is

- Active corruption: committed by the corrupting party, whether he or she seeks or accepts the corruption
- Passive corruption: committed by the corrupted person, whether he or she seeks or accepts the improper advantage

Compliance Committee: Refers to Missionpharma's Compliance Committee.

Compliance Officer: Means the person in charge of the Compliance Committee.

Correspondents of the Compliance Officer: A representative in each subsidiary or affiliate appointed to support the local compliance processes related to this procedure.

Employee: Means any director, manager, employee or intern, whether designated or hired by the Company either on a defined or undefined period.

Third Party: Means any service provider, supplier, customer, agent or consultant acting for or on behalf of the Company or providing or selling goods or services to the Company or a competitor of the Company.



## 6 Who can use the system?

All employees of Missionpharma and its affiliates may use the system as a whistleblower. External service providers, Third Party, agents of Missionpharma or any of its affiliates may also report an action, fact or behaviour identified during a business relationship with one of the entities of the Missionpharma Group. Employees and third parties are hereinafter collectively referred to as the whistleblower.

## 7 Who can be subject to an alert?

All employees of Missionpharma and its affiliates, including its corporate officers, may be subject to an Alert.

## 8 What must the alert contain?

- The Alert must concern one of the areas listed in the section above entitled 'Scope'.
- The Alert must be formulated in good faith, objectively and accurately and must contain precise and sufficient information: description of the incident; names of the individuals involved; date, time and place; names of witnesses where applicable and any other relevant information.

Only data strictly limited to the area referred to in the section entitled 'Scope' may be processed (in particular: the identity and contact details of the whistleblower, the individuals subject to the Alert and those involved in the collection or processing of the Alert, the facts reported, the information collected, the report on the verification operations and the follow-up to the Alert).

Any data not falling within the scope of the system will not be processed in the context of this procedure and will be destroyed or retained under the conditions of Section 14 of this procedure.

## 9 How to file an alert

Whistleblowers should send the Alert at the earliest possible to the Missionpharma Compliance Committee designated for this purpose via the following e-mail address: [respect@missionpharma.com](mailto:respect@missionpharma.com).

Any Alerts related to members of the Compliance Committee can be sent to the e-mail address belonging to the parent company, Eurapharma, at [respect@eurapharma.com](mailto:respect@eurapharma.com).

Employees may involve their immediate manager if a case should be considered an Alert. If the case is considered a relevant Alert, it must immediately be forwarded to the Compliance Committee by either the Employee or the Manager.

## 10 How is your alert processed?

Any Alert received will immediately be sent to the Missionpharma Compliance Committee, which as a minimum consists of three persons of whom one will be nominated as Missionpharma Compliance Officer and Chairman of the Compliance Committee:

- The Compliance Officer
- The Chief Executive Officer



- The Executive Management Assistant

Alerts are confirmed received within a maximum of seven days. The Compliance Committee examines the Alert within a maximum of two months from receiving it. It will first decide whether the reported facts fall within the scope of the whistleblowing system. If the reported facts are not covered by the whistleblowing system, the Alert will not be subject to further investigation and the data will be processed in accordance with section 13 entitled 'What about data storage'.

This Missionpharma Compliance Committee may conduct an audit to gather additional information or verify the truthfulness of the allegations.

At the end of this audit, the Missionpharma Compliance Committee will decide how to proceed with the Alert in accordance with applicable legislation. The Eurapharma Compliance Officer will be informed. The whistleblower will also be informed.

## 11 What confidentiality and security are provided in the context of the alert?

### For the whistleblower:

The whistleblower has the right to be anonymous. If the whistleblower chooses to identify him/herself, the identity of the whistleblower is only known by the Missionpharma Compliance Committee. All members of the Compliance Committee are subject to a strict obligation of confidentiality, why the whistleblower is secured full anonymity as part of the investigation procedure. Under no circumstances may the person concerned by an Alert obtain information about the identity of the whistleblower.

Any whistleblower providing information in good faith, even if the facts subsequently prove not to constitute a breach in the context of one of the areas referred to in the section entitled 'Scope', may not be subject to sanctions.

### For the person concerned by the Alert:

If the Compliance Committee decides to pursue the Alert, the person concerned may be informed of the data concerning him/her as soon as the Alert is recorded or after the adoption of the protective measures necessary to ensure the preservation of the evidence pertaining thereto.

He/she will be interviewed in the context of the audit carried out, where necessary, and will at this point have the opportunity to provide any information to inform the Missionpharma Compliance Committee of his/her involvement or otherwise in the reported facts.

The personal data of the person subject to the Alert are only available to the individuals duly identified in this procedure and responsible for pursuing the purposes of this procedure.

## 12 How is an abusive alert processed?

Any person using the whistleblowing system must act in good faith and under no circumstances deliberately make false accusations or have the sole intention of harming or gaining a personal advantage.

Good faith is assumed where an Alert is made without malice or without the expectation of personal gain. Good faith therefore assumes that the whistleblower is able to establish or produce data formulated



objectively and directly related to the scope of the whistleblowing procedure and strictly necessary to verify the alleged facts, using formulations revealing the presumed nature of the reported facts.

Any Alert deemed abusive, because it is based on false and damaging allegations, exposes the author acting in bad faith to disciplinary measures and legal proceedings.

## 13 Breach of confidentiality

Non-compliance with this policy, and in particular any breach of confidentiality, is considered a serious breach. Any breach by employees or managers shall result in employment law consequences. For any other partner of Missionpharma, breach may have contractual consequences.

## 14 What about data storage?

Data relating to an Alert, which is considered to be outside the scope of the procedure by the Missionpharma Compliance Committee, will be destroyed without delay as soon as it is received.

If the Alert is not followed up by a disciplinary or legal procedure, the data relating to the Alert will be destroyed or archived by the Missionpharma Compliance Committee. The retention period may not exceed two months from the completion of the verification operations.

If disciplinary proceedings or legal proceedings are brought against the accused person or the perpetrator of an abusive Alert, the data relating to the Alert will be retained by the Missionpharma Compliance Committee until the end of the procedure.

Data subject to archiving measures will be retained in a separate information system with restricted access for a period not exceeding the time limit for litigation proceedings.

## 15 What prior formalities have been completed with regard to this whistleblowing system?

In accordance with the provisions of the General Data Protection Regulation no. 2016/679, the Missionpharma Compliance Committee guarantees any person identified in said whistleblowing system the right to access the data concerning them and to request, under certain conditions, the rectification, portability, erasure thereof or, where applicable, their right of opposition. These rights may be exercised by writing to [respect@missionpharma.com](mailto:respect@missionpharma.com). All requests must be accompanied by a copy of an identity document.

Under no circumstances may the person concerned by an Alert obtain information about the identity of the whistleblower on the basis of his/her right of access.

### Transfer of data outside the EU:

For Alerts referred to in this system involving a transfer of data to a legal entity established in a non-EU Member State, a transfer agreement based on the standard contractual clauses issued by the European Commission in its decisions of 15 June 2001 and 27 December 2004 will be entered into with the receiving legal entity prior to the transfer.



## 16 Do's & Don'ts

Do's	Don'ts
<ol style="list-style-type: none"> <li>1. The whistleblower must provide information in good faith</li> <li>2. The whistleblower must submit the Alert at the earliest possible</li> <li>3. Draft an Alert in an objective and relevant manner with accurate and sufficient information</li> <li>4. If in doubt, obtain the prior opinion of the Correspondent of the Compliance Officer or the Missionpharma Compliance Officer before filing an Alert</li> </ol>	<ol style="list-style-type: none"> <li>1. Do not submit abusive Alerts based on false and damaging information</li> <li>2. Do not submit Alerts in areas other than those referred to in the section entitled 'Scope'</li> </ol>