

Fluxys Group Whistleblowing Policy



ethics
& compliance.

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1. Our commitment

We insist on complying with the laws and regulations applicable in the countries in which we operate and adjust our internal policies accordingly.

Fluxys promotes a culture that enables the expression of any concerns about unlawful behaviour.

Fluxys has developed this Whistleblowing Policy, outlining the procedural rules for formal whistleblowing (in addition to the existing internal channels to report concerns) and ensuring confidentiality and protection of the whistleblower. This policy aligns with our Ethical Code and core values, namely “respect, open and reliable”.

Everyone to whom this Whistleblowing Policy applies must adhere to its principles. In countries and affiliates where the law requires a stricter policy, there may be a local supplementary whistleblowing policy.

2. Applicability of the Whistleblowing Policy

Who can report misconduct?

Misconduct can be reported, via the whistleblowing channel, by any current, future or former:

- staff member of the Fluxys Group (this includes all persons employed as permanent or temporary employees (e.g., agency workers, students, trainees, etc.) as well as third parties performing services on Fluxys' premises without having an employment contract with Fluxys);
- shareholder or director of a Fluxys Group company;
- service provider, contractor or sub-contractor working for and with the Fluxys Group, or any of their staff members;

hereinafter referred to as the “**Whistleblower**” or “**you**”.

The Fluxys Group Whistleblowing Policy applies to all activities carried out by or on behalf of entities belonging to the “**Fluxys Group**”, i.e. Fluxys SA and all companies controlled by Fluxys SA. By using the name Fluxys, or stating “we”, reference is made to all individuals working for or on behalf of any legal entity within the Fluxys Group.

What can be reported?

Whistleblowing means the disclosure, based on reasonable suspicion, made by staff members or other informants on misconduct in a work-related context with the aim of preventing damage and detecting **threat or harm to the public interest**.

This policy does not cover all types of wrongdoing which may occur.

Subject to the provisions below on work-related matters and company policies, you can use the reporting system under this policy to report certain types of (suspected) violations of European Union law, and, where applicable, of national law (depending on the exact scope of the national law transposing the EU Directive 2019/1937 on whistleblowing and, hence, specific company internal policies, where applicable).

These violations include, but are not limited to, **violations of laws in the following areas:**

- Public procurement – this includes the award of concessions and the award of contracts in the fields of energy or transports
- Product safety and compliance
- Transport safety
- Protection of the environment – this includes criminal offences against the protection of the environment, rules on pollution or on the protection of biodiversity
- Protection of privacy and personal data (GDPR or other (local) data protection legislation), and security of network and information systems
- Fraud, bribery or corruption
- Breaches of competition law or corporate tax law

The exact list of the type of violations that can be reported in each EU country is set out in the relevant national law transposing the EU Directive 2019/1937 on whistleblowing (a link to which can be found on the Fluxys website).

For the avoidance of doubt, this policy does not apply to:

- **personal work-related concerns** such as concerns or dissatisfaction with wages, workplace circumstances, inter-personal issues, psychosocial risks (including but not limited to harassment, violence, etc.) or performance evaluations; or
- **non-compliance with company policies** that is not related to the topics listed above,

except if applicable local law provides in mandatory whistleblower protection for such matters.

For affiliates in **non-EU countries**, the reporting system under this policy can be used to report (suspected) violations of international or national law in the areas listed above (subject to any specific company internal policies, where applicable), as well as any matters for which applicable local law provides in mandatory whistleblower protection

Matters that do not fall within the scope of this policy can be reported through the regular internal channels as defined at Fluxys Group level and by specific company internal policies and procedures. This includes, for example, your manager¹, the Labour Relations or local People & Organisation team, the Ethics & Compliance Team, the contact person for ethics and compliance matters appointed in each affiliate (i.e. the Local Ethics SPOC) and, where applicable, specific support roles (e.g. for Belgium, the appointed “persons of trust”, the internal prevention advisor (IDPBW.SIPPT@fluxys.com) or the external prevention service).

If you are in doubt as to whether the disclosure you intend to make falls within the scope of this policy, please contact any of the persons mentioned in section **Error! Reference source not found.** below.

3. Procedure

How to raise a concern?

If you have reasonable suspicion of misconduct as described above, you can report it under this policy. Although you do not have to prove your allegations, they are more likely to be considered reasonable if you can back them up with some objective supporting information, such as emails, file notes or receipts.

You must act in good faith and must have reasonable grounds to believe the information disclosed consists in a (potential) violation of applicable legislation related to the topics listed above.

The report shall detail the alleged facts of which you are personally aware, and the report should be sufficiently detailed and documented to allow an adequate investigation. Reporting with the sole purpose of harming others, or which is only based on rumours or insinuations, shall not be admissible.

In general, when you wish to report a problem or concern in accordance with this policy, you shall:

- contact, orally or in writing, the Head of Corporate Legal, the Group General Counsel, or, where applicable, any local responsible as specifically designated for this purpose (“**Local Responsible**”); and/or
- send an e-mail to whistleblowing@fluxys.com. Only the Head of Corporate Legal and the Group General Counsel have access to this mailbox; and/or

¹ This is your hierarchical superior if you are an employee. If you are a third party performing services on Fluxys’ premises, this refers to your Fluxys responsible.

- send an e-mail to any other e-mail address as defined for such purposes by specific local company internal policies.

Alternatively, you may decide to raise a concern anonymously.

We encourage anonymous reporting over remaining silent. Although we will investigate any concern that is reported anonymously as best as we can, an anonymous report is likely to be more difficult to investigate, and we will not be in a position to provide you with any feedback.

You are encouraged to use our internal reporting channels before reporting through external reporting channels to competent authorities and, where relevant, to institutions, bodies, offices or agencies of the European Union. If you would have reasons to report externally, information regarding the procedures for reporting externally, can be found through the relevant website(s) which will be communicated and updated on the Fluxys website.

How will your report be processed?

Unless foreseen otherwise under national law or specific company internal policies, your report will be processed as follows.

Confidentiality

Upon receipt of a report which falls within the scope of this policy, the Head of Corporate Legal, the Group General Counsel and/or the Local Responsible (referred to as the "**Investigator**") shall maintain the confidentiality of:

- your identity;
- the identity of the persons mentioned in your report ("**Affected Persons**");
- the identity of the persons you have involved in your reporting ("**Facilitators**");

including any other information from which such identity can be directly or indirectly deduced.

Your identity may only be disclosed with your express and free consent or when a disclosure is required by a special legislation in the context of investigations by national authorities or in the context of judicial proceedings. In the latter case, we will inform you before any disclosure is made, unless it would jeopardise the investigations or judicial proceedings concerned.

Feedback to Whistleblower

The Investigator shall:

- acknowledge receipt of your report within seven (7) days of receipt;
- upon your request, invite you for a meeting within a reasonable timeframe (except in case of an anonymous reporting);
- inform you whether your report is admissible and falls within the scope of this policy, and, if applicable, to whom it will be transmitted for further investigation.

Once your report has been declared admissible, an investigation into the alleged facts shall be conducted by the Investigator receiving the report.

If the Investigator is affected by the facts reported in the report or has a conflict of interest, he/she shall be excluded from further proceedings. The matter shall be referred to the Fluxys Sr VP People & Organisation and/or, where applicable, the relevant Managing Director. You will be kept informed in all cases.

Within a period of three (3) months as of the date of acknowledgment of the receipt of the report, you will be informed about the proceedings of the investigation and be given the opportunity to provide feedback. We will inform you about the actions we plan to take or have taken as follow-up to your report, and the reason for those actions.²

Investigation

For the purposes of conducting the investigation, the Investigator may request assistance of internal or external bodies or persons (Audit, Legal, Ethics & Compliance, external counsel, consultants, etc.), subject to those bodies or persons being bound by the above-mentioned confidentiality obligations through a written document. If a criminal offence has occurred, police and judicial authorities will be involved as well. If the investigation is done by a Local Responsible, the Head of Corporate Legal and the Group General Counsel will be regularly informed of any action taken.

In case of an oral report, the Investigator has the right to record the report in the form of minutes of the conversation. You will be given the opportunity to verify, correct and approve such minutes.

Furthermore, during the investigation, the Investigator has the right to record each oral conversation/meeting in one of the following forms:

- by making a recording of the conversation/meeting in a durable and retrievable form, provided that all participants agree to it;
- by drafting precise minutes of the conversation/meeting.

Personal data, which are manifestly not relevant for the handling of a specific report shall not be collected or, if accidentally collected, shall be deleted without undue delay.

The Investigator shall prepare a written report on the final results of the investigation. This report will, if and to the extent permitted by law, be transmitted to:

- where not involved as Investigator, the Head of Corporate Legal and the Group General Counsel;
- where relevant, the Managing Director;
- where relevant, the Fluxys Sr VP People & Organisation; and

² We will also comply with any specific additional requirements foreseen in applicable national law. For example, under Portuguese law, we will inform you about the results of the investigation that was conducted within fifteen (15) days after its conclusion, in case you requested so.

- where relevant, the CEO of Fluxys.

Informing the Affected Person(s)

The Affected Person(s) will be informed as quickly as possible that they are the subject of a report (for the avoidance of doubt, without disclosing the identity of the Whistleblower). This notification will be delayed or limited when there is a risk that the Affected Person(s) obstruct the investigations and/or the collection of evidence, or that the identity of the Whistleblower be disclosed.

The information to be provided will specify the identity of the Investigator, the facts which have been reported to the extent appropriate, the recipients of the report, and information concerning the Affected Person(s)' rights relating to the processing of their personal data under the GDPR or other (local) data protection legislation. For the avoidance of doubt, such rights do not include the right to know the identity of the Whistleblower.

4. Protection of the Whistleblower

You and any Facilitator will benefit from the following measures:

- **Non-disclosure:** the procedure will ensure as much as possible that your identity will not be disclosed and that no link can be made to you. The Investigators are bound by strict confidentiality.
- **Non-retaliation:** you may not be discharged, suspended, or retaliated against for making a disclosure in good faith or assisting in the handling or investigation of a disclosure under this policy. Complaints of retaliation against a Whistleblower are taken very seriously. All such complaints will be reviewed promptly and, where appropriate, investigated.

Note that acting in bad faith (e.g. knowingly submitting a false whistleblowing report) may result in sanctions, including termination of our collaboration.

- In addition to this policy, **national legislation** and/or specific company internal policies may give you further protection in accordance with the applicable scope of application and rules.

5. Protection of data

In the handling of your report, we will comply with any applicable law on the protection of personal data.

Your personal data will be kept for no longer than necessary and proportionate. In this respect, we will take into consideration, amongst other factors, the legal requirements under local law regarding data retention and the existence of any disciplinary or legal proceedings, criminal investigation or other investigation by any authority that is linked to your report.

At any time, you and the Affected persons can exercise any of the rights granted under the General Data Protection Regulation (GDPR) or other (local) data protection legislation, including the rights of access, rectification and erasure of your personal data within the legal limits. More information can be found in the privacy statements issued at local level.

6. Further information on the Whistleblowing Policy

Who to turn to?

If in doubt about this policy, you can discuss the situation with your manager, the Head of Corporate Legal (whistleblowing@fluxys.com), the Ethics & Compliance Team, the Local Responsible or the Local Ethics SPOC.

Note that this policy does not affect your right to share your concerns with whoever you trust or feel comfortable with. It only opens an additional and official communication path to report breaches.

Training

Information and training around this Whistleblowing Policy are provided at regular intervals by the Ethics & Compliance Team.

7. Entry into force and modification

This policy shall be effective as of 15 January 2025 and may be amended by Fluxys at any time.

The latest and applicable version will be published on Fluxnet/Group Intranet.

8. Conclusion

The Whistleblowing Policy is part of Fluxys' Ethical Code. Unlawful actions can have far-reaching consequences for Fluxys and its staff members. As an organization, we have

a collective responsibility to fulfil our commitments. Each individual is responsible for their own actions.

In line with our values, **we encourage you to raise any concerns about unlawful behaviour**. You can do so according to the procedure set out in this Whistleblowing Policy, or through any of the other internal reporting channels, such as your manager, the Labour Relations or local People & Organisation team, the Ethics & Compliance Team or the Local Ethics SPOC.

The Ethics & Compliance Team :

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