

# VINCI Construction CS a.s.

## WHISTLEBLOWING PROCEDURES

Whistleblower protection was introduced into the Czech legal system by Act No 171/2023 of the Czech Legislative Code, on whistleblower protection (the **Act**), in force from 1 August 2023. The Act was introduced in response to 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. This legal framework places an additional obligation on VINCI Construction CS a.s. (**VCCS**) as an obliged entity that goes above and beyond the scope of the already established and functional **internal reporting system for whistleblowing and whistleblower protection (IRS)**.

The **competent person for VCCS** entrusted with the receiving and processing of whistleblower submissions, as stipulated by Section 9, paragraph 1, of the Act, is:

**JUDr. Martin MAISNER, PhD, MCIArb.**

Attorney at law and independent arbiter  
(**competent person**)

The Act defines the following terms and processes, implemented in VCCS internal regulations and applicable to both the company and the competent person:

### 1. Whistleblower, reporting person

A whistleblower is a natural person who submits a report within the boundaries, and in compliance with, the provisions of the Act, by means of the VCCS IRS. Such a person then enjoys protection from retaliation.

***N.B.: Protection from retaliation is not afforded to persons who make a report without reasonable grounds to believe that their report is based on truthful information.***

### 2. A report must contain the following information:

- Name, surname and date of birth of the reporting person or other information from which the identity of the reporting person can be derived. Such information may be omitted if the identity of the reporting person is known to

the competent person (i.e. the person entrusted to receive and evaluate on behalf of VCCS whistleblowing reports submitted via the IRS).

- Description of the unlawful conduct, either past or imminent, specified by the Act (Section 2, paragraph 1) by a person for whom the reporting person performs or has performed, directly or indirectly, work or other similar activity, or by a person with whom the reporting person is in contact in connection with the performance of work or other similar activity; specification or a summary of the substance and content of the submission, including the identification of the person or persons reported on; any evidence on the basis of which the submission is made.

### 3. Manners of submitting a report

Orally or in writing, in person upon a request made by the reporting person.

a) **A written report** can be rendered:

- by means of a dedicated e-mail address: [vccs.oznameni@vinci-construction.com](mailto:vccs.oznameni@vinci-construction.com)

or by post directed to:

JUDr. Martin MAISNER, PhD, MCI Arb.

Burzovní palác

Rybná 14, 110 00 Prague 1

A report submitted by post must be marked in legible writing with the inscription “**WHISTLEBLOWING – COMPETENT PERSON ONLY – DO NOT OPEN**”. Without such an inscription it may be impossible to ensure the confidentiality of the reporting person’s identity and/or the information reported.

- b) **An oral submission** (in person) can be made on workdays. A meeting can be arranged by phone on +420 603 532 252. Pursuant to an agreement, the actual report may be recorded on a recording device and transcribed subsequently, or it can be made directly on the record and subsequently checked, corrected

as necessary and approved by the reporting person, documented by their signature.

- c) **A submission by telephone** can be made to the competent person on +420 603 532 252. The call may be recorded only with the explicit consent of the reporting person. Records are made of all submissions made by telephone. The reporting person has an option of reviewing the record, correcting any inaccuracies and expressing their approval of the record by appending their signature.

#### **4. Deadlines for processing of reports**

- Once a submission is received, the reporting person is notified of its reception by the competent person within seven days. This deadline does not apply if the reporting person explicitly expresses their wish not to be notified of the reception, or if such a notification would be likely to reveal the identity of the reporting person to others.
- The competent person will notify the reporting person of the outcomes of the investigation and evaluation of the submission made by the reporting person within 30 days of the reception of the submission (the deadline may be extended by up to 30 days, no more than twice, in cases of a complex factual basis and/or legal implications). The above requirement for notification does not apply if the reporting person explicitly expresses their wish not to be notified of the outcomes, or if such a notification would be likely to reveal the identity of the reporting person to others.

#### **5. Manners of processing of reports**

- Should the competent person determine that a submission received is not justified as per the Act, they will notify the reporting person of their finding in writing without undue delay.
- Where a submission is deemed to be justified, the competent person will propose to the company a suitable measure or measures to prevent or rectify the unlawful circumstances. When a report is submitted to a competent person acting on behalf of a company, for whom the reporting person does not perform work or a similar activity, the competent person proposes remedial

measures to an entity, for which the reporting person performs work or similar activity, unless it is precluded by the nature of the matter at hand. If the obliged entity chooses not to implement measures proposed by the competent person, it will implement other suitable measures to prevent or rectify the unlawful circumstances. This does not apply if the remedial measures are proposed to an entity other than VCCS. The obliged entity will notify the competent person of the implemented measures without delay. The competent person will, in turn, notify the reporting person without delay unless the reporting person had explicitly requested not to be notified of the implementation of remedial measures, or if such a notification would be likely to reveal the identity of the reporting person to others.

- If a submission is not deemed justified, the competent person notifies the reporting person in writing, and without undue delay, of their finding that, based on the facts stated in the submission and other circumstances known to the competent person, the latter found no indication of unlawful conduct or determined the submission to have been based on incorrect or false information. The competent person will also inform the reporting person of their right to report the matter to relevant public authorities.

## 6. Possibility of reporting anonymously

- A report may be submitted anonymously. A submission that is not accompanied by the reporting person's name, surname or other information that would enable their identification, is deemed anonymous. A successful investigation of an anonymous report requires the provision of as many details as possible and any documents available that support the reported suspicion of an instance or instances of unlawful conduct. **The inability to contact the reporting person may be detrimental to the investigation of their report.**
- It is useful to provide a contact e-mail or telephone number with an anonymous report to enable confidential contact with the reporting person. The creation of a secure e-mail account is recommended, ideally solely for the purposes of reporting suspected unlawful conduct. Such an account would enable communication regarding the investigation, while maintaining anonymity.

