

Whistleblower policy for NORDIC SOLAR A/S

Preface

Nordic Solar A/S (hereafter referred to as “Nordic Solar”) wants to have an open corporate culture where all employees can stand up freely and report their reasonable suspicion or knowledge in relation to Nordic Solar’s activities, employees, management, suppliers et. al.

Nordic Solar is aware that an open corporate culture in certain cases is insufficient to ensure information about illegalities or irregularities emerges through Nordic Solar’s ordinary communication channels.

Nordic Solar has thus, as a supplement, established an internal whistleblower scheme.

The whistleblower scheme is not regulated by the Danish Act on the protection of whistleblowers (the Whistleblower Act), but it is established as a voluntary scheme.

The purpose of this whistleblower policy is to explain how the whistleblower scheme works, including what information can be reported, who can report, and how reports are handled, so that potential whistleblowers can make an informed decision about whether, how, and when to report. We also describe the protection you will receive as a whistleblower.

We recommend a thorough reading of the entire whistleblower policy before any reports are made.

The whistleblower scheme’s purpose

The purpose of the whistleblower scheme is to

- Increase the possibilities of expressing reasonable suspicion or knowledge of certain illegalities and serious matters in Nordic Solar for employees without having to fear negative consequences.
- Protect persons who makes reports in good faith, and
- Increase the likelihood of detecting mistakes and irregularities as soon as possible.

The whistleblower scheme is an alternative and supplement to the ordinary communication channels in Nordic Solar.

Therefore, it is voluntary to use the whistleblower scheme, and it should always be considered whether an observation can be handled more appropriately by direct address to the management in Nordic Solar (closest manager or the manager of the closest manager), or to other established points of contact.

The whistleblower scheme is especially intended for situations where a potential whistleblower does not feel safe using the ordinary communication channels, including fear of retaliations, and for situations where the ordinary communication channels were used and the reported observation was not handled satisfactorily.

Who can report to Nordic Solar’s whistleblower scheme?

The whistleblower scheme can be used by all employees in Nordic Solar.

A whistleblower is not party to the case. The whistleblower receives feedback on the case processing, cf. below.

What can be reported to the whistleblower scheme?

Only information on specific matters related Nordic Solar which have taken place, will take place, or where there is a reasonable suspicion hereof, can be reported through the whistleblower scheme.

The matters, which can be reported to the whistleblower scheme, can be divided into two categories. These are:

Category 1:

Serious breaches of law or regulation, which includes that in general the revealing of the information must be in the public interest.

The generally includes information on criminal offenses, including theft, fraud, embezzlement, bribery, money laundering, hacking, wiretapping, unlawful recording of others, forgery, computer fraud, breach of trust, extortion, violations of a duty of confidence, violations of tax law, violations on the law on accounting, breaches on security in the transport sector, misuse of funds, neglect of statutory duty to act, violations of environmental protection law, and serious violations of workplace security, etc.

Category 2:

Other serious offenses, which includes that in general, the revealing of the information must be in the public interest, or it can have vital importance for individuals' life or health or for Nordic Solar as an entity.

This generally includes information on sexual harassment or other serious interpersonal conflicts in the workplace, i.e., blatant harassment based on race, gender, political or religious affiliation, discrimination, and other instances where interpersonal conflicts cause significant risks for life, health, product safety, serious or repeated offenses of the workplace's internal guidelines, i.e. In-service travel or gifts, or violations of professional standards that may cause risks for individuals' safety and health.

This list is not exhaustive.

In each individual case reported via the whistleblower scheme, a specific assessment is made of whether the report falls within the scheme.

What cannot be reported through the whistleblower scheme?

The whistleblower scheme cannot be used to report information on minor or insignificant breaches or offences.

This includes information on violations of the internal guidelines in Nordic Solar of less serious characteristics, such as rules on dress code, internal guidelines on smoking, consumption of alcohol, use of e-mail or internet, sick-leave, private use of office supplies, etc.

Information on personnel conflicts in the workplace, such as bullying, interpersonal difficulties, incompetence, etc, will generally not fall within the scope of the whistleblower scheme, unless the matter is especially egregious.

Reports on the whistleblowers own employment will generally not fall with the scope of the whistleblower scheme.

If information is reported and is assessed to fall outside the scope of the whistleblower scheme, the whistleblower is notified through via the whistleblower platform. The report will not be forwarded from the whistleblower scheme to the correct point of contact. It is therefore up to the whistleblower's decision to determine if the information shall be forwarded to Nordic Solar in another way, if the report was rejected from the whistleblower scheme.

The abovementioned examples on information which cannot be processed at the whistleblower scheme is not necessarily exhaustive.

Who can be reported to the whistleblower scheme?

The group of persons that can be reported to the whistleblower scheme encompasses all employees in Nordic Solar, members of the board of directors and of the management, and other persons with a connection or relation to Nordic Solar when the information pertains to matters for which Nordic Solar is responsible or which influences Nordic Solar as a company. It is also possible to report on acts which cannot be attributed to a single person but are caused by a fundamental (systemic) failure at Nordic Solar.

How to file a report to the whistleblower scheme

Reports can only be submitted or initiated via the established whistleblower platform, operated by DAHL Advokatpartnerselskab. The platform ensures confidential processing of reports, and that subsequent dialogue can be securely exchanged via the platform.

Through the platform, it is possible to submit a written report via an online form.

The whistleblower platform can be accessed via <https://nordicsolar.indberet.nu>.

Reporting can be made in Danish and English.

Who processes the reports?

Reports are processed by Nordic Solar's internal whistleblower unit which consists of a few trusted employees assisted by DAHL Law Firm.

Initially all reports to the whistleblower scheme are received by DAHL Law Firm which conducts an impartiality assessment to ensure the report isn't turned over to a person at Nordic Solar who is involved in the case.

The report is hereafter turned over for further follow-up by the especially appointed and trusted employees with Nordic Solar.

External partners, such as lawyers and auditors, may be included in the processing of the case. The management and the board of directors may also be included when it is relevant and in accordance with the whistleblower scheme's confidentiality.

Inclusion of other persons outside the whistleblower unit is always done with respect to the whistleblower scheme's confidentiality.

How does Nordic Solar register and process reports?

All reports to the whistleblower scheme must be submitted via Nordic Solar's whistleblower platform, which is accessible on <https://nordicsolar.indberet.nu>. If information is submitted by other means than the established reporting channel, the report is not submitted to the whistleblower scheme. As a consequence, the whistleblower will not receive the protection afforded by the whistleblower scheme.

All reports to the whistleblower scheme are registered via the whistleblower platform.

No later than seven days after the report is submitted, the whistleblower will receive a receipt of acknowledgement confirming the report was received, provided the whistleblower chose to follow the case on the whistleblower platform. It is possible to conduct a dialogue and send further information via the platform - including when the whistleblower does not wish to disclose his or her identity.

Reports are processed by Nordic Solar's whistleblower unit, consisting of a few trusted persons, all of whom are instructed in the duty of confidentiality to which they are subject.

The trusted employees are also instructed to conduct a thorough follow-up on the report and to give feedback to the whistleblower to the extent it is possible and as soon as possible and no later than 3 months after the whistleblower received the receipt of acknowledgement.

Feedback contains information about the follow-up that was conducted and the reason for such follow-up. Feedback will in many cases be given in multiple instances. Feedback is given through the whistleblower platform. To receive feedback, the whistleblower must choose to follow the case when the report is submitted.

The trusted persons conducting the follow-up decides the activities that must be conducted to follow-up on a report. However, an overall procedure for the follow-up has been established, containing recommendations for activities to consider, to ensure the follow-up is thorough and meticulous.

The follow-up on reports always contains an initial assessment of whether the report falls inside the scope of the whistleblower scheme.

If the report is assessed to fall outside the scope of the whistleblower scheme (i.e. if the report does not relate to a matter which can be reported through the whistleblower scheme, or the report is made by a person who is ineligible to report through the whistleblower scheme), the report will be rejected, and the whistleblower will be notified hereof via the whistleblower platform.

If the initial investigation concludes that a potential violation may have occurred, the reported matter will be subject to further investigation. Information may in such cases be turned over to the police or other public authorities for further investigation.

If the report is assessed to be groundless, or there are no grounds to conduct further follow-up on the report or to respond to the reported matter, the follow-up will be concluded. The whistleblower will then be notified through the whistleblower platform.

Confidentiality and anonymity

A whistleblower chooses whether to disclose his or her identity when reporting through the whistleblower scheme.

Whistleblowers that do not want to disclose their identities must themselves ensure their identity does not appear in the report, including in any appendices to the report.

Nordic Solar points out that even though the identity isn't disclosed, the report itself or the investigations carried out to follow-up on the report may potentially reveal the whistleblower's identity. Nordic Solar cannot therefore guarantee that a whistleblower is or remains anonymous.

If Nordic Solar knows the whistleblower's identity, it will be treated with discretion and confidentiality, and it will by default only be known by the few trusted persons in the whistleblower unit. Likewise, information that can reveal a whistleblower's identity is kept confidential to the extent it is possible.

Information about a whistleblower's identity and other information from which a whistleblowers identity directly or indirectly can be deduced are, by default, only shared with the whistleblower's express permission to persons other than the few trusted persons in the whistleblower unit that receives and follows up on reports, Nordic Solar's management, and external advisors such as lawyers and auditors, and police and other public authorities.

Other information from a report, i.e., other than information about the whistleblower's identity, is only shared when it is necessary and proportionate and as part of the following-up or when it is necessary to secure reported or concerned persons the right to a defence. As a rule, the whistleblower will be informed before such disclosure.

Whistleblowers should be aware that Nordic Solar may be required to turn over information to the reported person in certain situations. Nordic Solar may therefore in certain situations be required to give information to the reported person about a whistleblower's identity if it is known by Nordic Solar. This is explained in greater detail, cf. below in the section "The reported persons rights".

If the identity of the whistleblower isn't known by Nordic Solar, the possibility for following up on the report may be limited. Whistleblowers are therefore recommended to report with information about their identity, even if it is voluntary.

You can report to the external whistleblower scheme

The Danish Data Protection Agency has established an independent and autonomous external whistleblower scheme for receiving and processing information about violations covered by the Whistleblower Acts' Section 1.

It is up to the individual potential whistleblower to determine whether to report to the internal or external whistleblower scheme. Potential whistleblowers are urged to report to Nordic Solar's internal whistleblower scheme in all instances where the violation can be handled effectively internally in the company and if the potential whistleblower assesses that there is no risk for them to be met with reprisals as a result of the report.

Information about the external whistleblower scheme and the procedure to make reports and information about case processing can be found on the website of the Danish Data Protection Agency's external scheme on www.whistleblower.dk.

For good order, it is pointed out that the information which can be reported to Nordic Solar's internal whistleblower scheme does not completely coincide with the information that can be reported to the external whistleblower scheme.

The protection as a whistleblower

A whistleblower who reports their knowledge or suspicions via the whistleblower scheme may not be subjected to retaliations or other forms of adverse treatment or adverse consequences in their employment.

If the report contains information about the whistleblower it may naturally have consequences for the whistleblower's employment.

The whistleblower is additionally protected by a duty of confidentiality as described above in the section "Confidentiality and anonymity".

Nordic Solar points out that the whistleblower scheme is established on a voluntary basis, as such a whistleblowers protection isn't regulated by the Danish Act on protection of whistleblowers.

A whistleblower who reports in bad faith enjoys no protection. In cases of such abuse, the whistleblower may be reported to the police. Additionally, the whistleblower can be met with civil- and criminal sanctions, and the matter may have negative consequences for their employment. Reports submitted in bad faith include, for example, deliberate reporting or disclosure of incorrect information - especially if it is done with the intent to harass or harm other people.

The whistleblower shall obtain legal access to the information that is reported. In any other event, the whistleblower may be punished for obtaining (illegal) access to the information.

The reported person's rights

If a report is targeted at one or more specific natural persons, these persons will generally be entitled to be notified hereof, but there are significant exceptions, cf. immediately below.

The notification is given when the report is received and the whistleblower unit commences the follow-up on the report. If the circumstances about the report require it, for example in consideration of the follow-up on the reported matter, hereunder for prevention, investigation, exposure or prosecution of criminal offenses, or vital considerations to the whistleblower or other persons that exceeds the considerations to the reported person, or in relation to breaches of ethical rules in sectors regulated by law, the time of notification may be delayed or the notification may be omitted entirely.

Whether information can be omitted from the reported person is based on a specific assessment for every individual piece of information in the report.

Detailed below in the section "Processing of personal data" are additional information on the subject.

Generally, the notification shall contain information about:

1. The matter the reported person is accused of having committed.
2. All further information, which under the special circumstances wherein they have been collected are necessary for the reported person to protect their interests, i.e.:
 - a. What type of information has been reported and potentially collected as a part of the investigation.
 - b. The recipient of the information.
 - c. The rules on access to and rectification of the information about the reported person.

An investigation of a report can lead to the result that an offence or violation of the law is not found proven to have taken place. In such an event, the reported person(s) will, as a rule, be notified of the result of the investigation.

The investigation of the report can also lead to the result that it is found proven or at least probable an offence or violation of the law has taken place. In such an event, Nordic Solar may elect to investigate the matter further, turn over information from the case, and commence sanctions against the reported person(s).

In such events, Nordic Solar assesses specifically when the reported person(s) should be notified.

Processing of a personal data

Nordic Solar A/S, company reg. no. 33367023 is the data controller for the processing of the personal data that is processed as part of the processing of reports in the whistleblower scheme.

Processing is conducted based on the Danish Act on data protection section 6, cf. the General Data Protection Regulation's article 6, subarticle 1, f (legitimate interests) for ordinary non-sensitive personal data; and for personal data about criminal matters in accordance with the rules in the Danish Act on data protection Section 8, subsection 3 (legitimate interest) and section 8, subsection 5, cf. section 7, subsection 1 and the General Data Protection Regulation's article 9, subarticle 2, f (establishment and pursuit of claims). As an exception, sensitive personal data can be processed in accordance with the rules of the General Data Protection Regulation, article 9, subarticle 2, f (establishment and pursuit of claims), cf. article 6, subarticle 1, f.

The personal data is used for the purposes of securing and assessing if the reported matters concerns serious violations of law or other serious matters, and to investigate the reported claims further and make the required conclusions and steps, including if any transfer of information is required or if sanctions should be made against the reported person or persons.

The information may relate to the whistleblower, the reported person and any third person mentioned in a report, plus other persons questioned in relation to a report.

The personal data may encompass information that are contained in the report and additionally other information collected during the follow-up on reports. The personal data encompasses information on identity, contact information, job descriptions, descriptions of the reported matter, persons relation to the reported matter, information on criminal offenses, information about purely personal matters (in cases of harassment), and potentially information of a sensitive nature (article 9 information). The processing of the case can also lead to the collection and processing of other categories of information.

If relevant for the follow-up on a report, personal data may be turned over to external advisors, such as lawyers and auditors; and to public authorities, such as the police, when it is relevant for an investigation carried out by the police or other relevant authorities.

The personal data is deleted in accordance with the principles for retention and deletion as described in the section below.

As a rule, registered persons have a number of rights when their personal data is processed. The ordinary rights pursuant to the general data protection regulation can be limited to an extent as a result of the purpose of the whistleblower scheme.

The rights of a person reported to the whistleblower scheme or someone who is mentioned in a report can therefore be limited or completely cut off. This concerns the right to receive information in accordance with

General Data Protection Regulation's article 14, and the right of access in accordance with article 15. The limitations are made pursuant to the Danish Act on data protection's section 22.

The whistleblower is entitled to receive information about the information Nordic Solar processes about them (right to access) and to have incorrect information about them be rectified.

The whistleblower is in certain cases entitled to object to Nordic Solar's otherwise legal processing of personal data about the whistleblower. The whistleblower's rights can in certain cases be limited if it is assessed that the whistleblower's interest in the information should yield to other fundamental interests, for example, in consideration of other involved persons, and in consideration of Nordic Solar, if the purpose of the collected information would go to waste if the whistleblower becomes aware of the collection.

If the whistleblower, a reported person or others disagree in the manner the person's information is processed in relation to the operation and management of the whistleblower scheme, complaints can be submitted to the Danish Data Protection Agency ("Datatilsynet"). More information about a registered person's general rights, and other information, can be found on www.datatilsynet.dk.

Retention and deletion of reports

Reports and information collected for follow-up on reports are only retained as is necessary and proportionate to handle the individual report.

Reports outside the scope of the whistleblower scheme will therefore be deleted immediately though no later than 7 days after the whistleblower (if possible) have been notified that the report falls outside the scope of the whistleblower scheme and won't be processed. A rejected report may be retained for period exceeding seven days if specific circumstances require it.

Reports within the scope of the whistleblower scheme are deleted continuously on specific assessments made on a case-by-case basis, and as such there is no fixed limit for how long reports are retained.

In the assessment of whether it is necessary and proportionate to retain a report of it should be deleted, will as a minimum and namely include considerations of Nordic Solar's interest in following-up on reports, including by linking such reports with previously received reports, and whether there is reason to assume that the report in question can be corroborated by later reports on the same matter, i.e. because more reports on the same topic have already been received.

In these assessments, the following principles are used for deletions:

- If a report is made to the police or other relevant public authorities, the information is immediately deleted upon the conclusion of the case with the relevant authority.
- If a disciplinary sanction is made towards an employee on the basis of the collected information or other reasons that are reasonable and necessary exists for Nordic Solar to continue their retaining of information about the employee, the information will be kept in the relevant personnel case file in compliance with applicable law.
- If the report hasn't prompted a report to the police or other relevant authorities within two months of the conclusion of the follow-up or if the information within the same time frame hasn't been transferred the employee's personnel case file, the information will be deleted.

Questions and contact information

Questions about the whistleblower scheme and requests about the exercise of rights under personal data protection legislation can be made to Nordic Solar by contacting Stine Teglborg on ste@nordicsolar.eu or by phone on 26523116.

It is not possible to submit reports on the contact information above.

Questions about the whistleblower scheme can also be made to DAHL Advokatpartnerselskab. The contact information is available on the whistleblower portal <https://nordicsolar.indberet.nu>. DAHL Advokatpartnerselskab is subject to a duty of confidentiality and will not give information about the contents of inquiries to Nordic Solar.

Updated on 1 February 2023