



*Organisation, management, and control Model
pursuant to Italian Legislative Decree No. 231 of 8
June 2001*

- GENERAL PART -

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CHAPTER 1 - LEGISLATIVE DECREE NO. 231 OF 8 JUNE 2001

1.1. THE ADMINISTRATIVE LIABILITY OF ENTITIES

Italian Legislative Decree No. 231 of 8 June 2001, which lays down the “*Regulation of the administrative liability of legal entities, companies, and associations, including those without legal personality*” (hereinafter also referred to as the “Legislative Decree 231/2001” or the “Decree”), which came into force on 4 July 2001, implementing Article 11 of Delegation Law no. 300 of 29 September 2000, introduced into the Italian legal system, in accordance with the provisions of the European Union, the administrative liability of commercial companies, corporations, and partnerships, and associations, including those without legal personality.

The Decree also aimed to bring domestic legislation on the liability of legal persons into line with a number of international conventions to which the Italian Republic had long since acceded, and in particular:

- the Brussels Convention of 26 July 1995 on the Protection of the European Communities’ financial interests;
- the Brussels Convention of 26 May 1997 on Combating Bribery of Officials of the European Community or its Member States;
- the OECD Convention of 17 December 1997 on Combating Bribery of Foreign Public Officials in International Business Transactions.

This new form of liability, although defined as ‘administrative’ by the law, has the characteristics of criminal liability, since criminal courts have jurisdiction to hear the criminal offences from which it derives, and the same guarantees granted during criminal proceedings are extended to the Company.

The administrative liability of the Company arises from the commission of offences expressly mentioned in Legislative Decree 231/2001, committed, *in the interests or to the advantage of the Company*, by natural persons who hold positions of representation, administration, or management of the Company or of one of its organisational units with financial and functional autonomy, or who exercise, even *de facto*, the management and control thereof (the so-called ‘*top managers*’), or who are subject to the management or supervision of one of the above-mentioned persons (the so-called ‘*subordinates*’). By contrast, the existence of an exclusive advantage of the person committing the offence excludes the liability of the Company, which is thus placed in a situation of absolute and manifest extraneousness to the offence committed.

In addition to the existence of the requirements described above, pursuant to Legislative Decree No. 231/2001, the Company may be deemed liable only if it is also found guilty. This requirement is attributable to a *'fault of organisation'*, to be understood as the Company's failure to adopt adequate preventive measures to prevent the commission of the offences listed in the following paragraph, by the persons identified in the Decree.

Where the Company is able to prove that it has adopted and effectively implemented an organisation capable of preventing the commission of such offences, through the adoption of the Organisation, Management, and Control Model provided for in Legislative Decree No. 231/2001, it shall not incur administrative liability.

It should be pointed out that the administrative liability of the legal person is in addition to criminal liability but does not exclude the liability of the natural person who has concretely committed the offence; both of these liabilities will be adjudicated by criminal courts.

The liability of the company may also arise if the predicate offence consists in an attempted offence (pursuant to Article 26 of Legislative Decree No. 231/2001), that is, when the offender performs suitable acts that are unequivocally intended to commit the offence and the action does not take place or the event does not occur.

1.2. THE OFFENCES LISTED IN THE DECREE

The offences, the commission of which gives rise to the administrative liability of the entity, are those expressly and strictly referred to in Legislative Decree 231/2001 as subsequently amended and supplemented.

The "categories of offences" currently included in the scope of application of Legislative Decree No. 231/2001 are listed below, referring to ANNEX 1 of this document for details of the individual cases included in each category:

Categories of Offences under Legislative Decree 231/2001	
1	Offences against the Public Administration (Articles 24 and 25)
2	Computer crimes and unlawful processing of data (Article 24 bis)
3	Organised crime offences (Article 24 ter)
4	Offences relating to counterfeiting of currency, public credit notes, official stamps, and identification instruments or marks (Article 25 bis)

5	Crimes against industry and trade (Article 25 bis 1)
6	Corporate offences (Article 25 ter)
7	Crimes for the purposes of terrorism or subversion of the democratic order (Article 25 quater)
8	Female genital mutilation (Article 25 quater 1)
9	Offences against individuals (Article 25 quinquies)
10	Market abuse (Article 25 sexies)
11	Unintentional offences committed in breach of accident prevention regulations and regulations on the protection of occupational health and hygiene (Article 25 septies)
12	Offences relating to receiving stolen goods, money laundering, and use of money of unlawful origin introduced by Legislative Decree 231/2007, as well as self-laundering (Article 25 octies)
13	Offences relating to non-cash payment instruments (Article 25 octies.1)
14	Copyright infringement offences (Article 25 novies)
15	Offence of inducement not to make statements or to make false statements to judicial authorities (Article 25 decies)
16	Environmental offences (Article 25 undecies)
17	Offence of employment of illegally staying third-country nationals (Article 25 duodecies)
18	Offences of Racism and Xenophobia (Article 25 terdecies)
19	Fraud in sports competitions, unlawful gaming, or betting and gambling by means of prohibited devices (Article 25 quaterdecies)
20	Tax offences (Article 25 quinquiesdecies)
21	Smuggling (Article 25 sexesdecies)
22	Crimes against the cultural heritage (Article 25 septiesdecies)
23	Laundering of cultural assets and devastation and looting of cultural and landscape assets (Article 25 duodevicies)
24	Transnational offences (Law 146/2006)

1.3. THE SANCTIONS IMPOSED BY THE DECREE

The penalty system defined by Legislative Decree No. 231/2001, for commission of the offences listed above, provides for the application of the following sanctions, depending on the committed offences:

- monetary penalties;
- debarment sanctions;
- confiscation of the proceeds of the offence;
- publication of the judgment.

Fines apply whenever an entity commits one of the offences provided for in the Decree. They are applied in not less than one hundred nor more than one thousand quotas (the amount of a quota ranges from a minimum of €258.23 to a maximum of €1,549.37) and may vary from a minimum of €25,823.00 to a maximum of €1,549,370.00. For the purpose of quantifying quotas, the court must take account of:

- severity of the fact;
- the degree of liability of the entity;
- the activities carried out by the entity to eliminate or mitigate the consequences of the offence and to prevent the commission of further offences.

The amount of quotas is, on the other hand, quantified based on the financial conditions and assets and liabilities of the entity. In certain cases, the fine may also be reduced.

The debarment sanctions, which may only be imposed where expressly provided for and also as an interim measure, are as follows:

- prohibition to carry out the respective activity;
- suspension or revocation of authorisation, licences, or concessions that serve the commission of the offence;
- prohibition to enter into agreements with the Public Administration;
- exclusion from benefits, financing, contributions, and subsidies, and/or revocation of any already granted;
- prohibition to advertise goods or services.

Legislative Decree No. 231/2001 also provides that, where the prerequisites exist for the application of a debarment sanction imposing the suspension of the company's activity, the court, instead of imposing said sanction, may order the continuation of the activity by a court-appointed administrator (Article 15) for a period equal to the duration of the sanction that would have been applied, where at least one of the following conditions is met:

- the company performs a public service or a service of public necessity, the suspension of which may cause serious harm to the community;
- the suspension of the activity may cause significant repercussions for employment taking account of the size of the company and the financial conditions of the territory in which it is located.

1.4. EXEMPTION FROM ADMINISTRATIVE LIABILITY

Article 6 of Legislative Decree 231/2001 states that the entity shall not be held administratively liable if it proves that:

- prior to the commission of the offence, the governing body has adopted and effectively implemented organisation, management, and control models capable of preventing offences of the kind committed;
- the task of supervising the operation and observance of the models and ensuring that they are updated has been entrusted to a body of the entity having autonomous powers of initiative and control (the so-called Advisory Body);
- the persons committed the offence by fraudulently circumventing the organisation, management, and control models;
- there has been no omitted or insufficient supervision by the Advisory Body.

The adoption of the organisation, management, and control model therefore enables the entity to be exempted from charges of administrative liability. The mere adoption of such a document, by resolution of the Board of Directors or of the entity, is not, however, sufficient in itself to exclude such liability, since it is necessary that the model be efficiently and effectively implemented.

With regard to the effectiveness of the organisation, management, and control model for prevention of the commission of the offences provided for in Legislative Decree No. 231/2001, it is required that it:

- identify the activities within the scope of which offences may be committed;
- provide for specific procedure documentation for planning decision-making process and implementation of the entity's decisions in relation to the offences to be prevented;
- identify ways of managing financial resources that are capable of preventing the commission of offences;
- provide for disclosure obligations to the body that is responsible for supervising the operation of observance of the models.

With regard to the effective application of the organisation, management, and control model, Legislative Decree 231/2001 requires:

- periodic verification, and, in the event that significant violations of the provisions of the model are discovered or changes occur in the organisation or activity of the entity or changes in the law, modification of the organisation, management, and control model;
- imposition of sanctions in the event that the provisions of the organisation, management, and control model are violated.

1.5. OFFENCES COMMITTED ABROAD

By virtue of Article 4 of the Decree, the Company may be held liable in Italy for the commission of certain offences outside its borders.

In particular, Article 4 of the Decree provides that persons having their head office in the territory of the State are also liable in relation to offences committed abroad in the cases and under the conditions laid down in Articles 7 to 10 of the Criminal Code, provided that the State of the place where the offence has been committed does not prosecute them.

Therefore, the entity is liable for prosecution when:

- it has its head office in Italy, i.e. the actual place where administrative and management activities are carried out, which may also be different from the place where the business or registered office is located (entities having legal personality), or the place where the activity is carried out on a continuous basis (entities without legal personality);
- the State in whose jurisdiction the act has been committed is not prosecuting the entity;
- the request from the Minister of Justice, to whom punishment may be subject, also relates to

the entity.

These rules concern offences committed entirely abroad by top managers or subordinates. To criminal conduct that has taken place, even only in part, in Italy, the principle of territoriality pursuant to Article 6 of the Criminal Code applies, according to which *'the offence shall be deemed to have been committed in the territory of the State when the act or omission constituting the offence has taken place there, in whole or in part, or when the event that is the consequence of the act or omission has occurred there'*.

1.6. THE CONFINDUSTRIA GUIDELINES

Article 6 of Legislative Decree No. 231/2001 expressly provides that organisation, management, and control models may be adopted based on codes of conduct prepared by the associations representing the entities.

The Confindustria Guidelines were approved by the Ministry of Justice by Ministerial Decree of 4 December 2003. The subsequent update, published by Confindustria on 24 May 2004, was approved by the Ministry of Justice, which judged these Guidelines to be fit for the achievement of the purposes of the Decree. These Guidelines were first updated by Confindustria in March 2014 (and approved by the Ministry of Justice on 21 July 2014), and lastly, in June 2021.

In defining the organisation, management, and control model, the Confindustria Guidelines envisage the following planning stages:

- the identification of risks, i.e. the analysis of the company context, to highlight in which areas of activity and in what ways the offences provided for by Legislative Decree 231/2001 may occur;
- the preparation of a control system capable of preventing the risks of offences identified in the previous phase, through the evaluation of the control system existing within the entity and its degree of adaptation to the requirements expressed by Legislative Decree No. 231/2001.

The most relevant elements of the control system outlined in the Confindustria Guidelines to ensure the effectiveness of the organisation, management, and control model are as follows:

- provision of ethical principles and rules of conduct in a specific document (in this case, the ASM Code of Business Conduct, as described later in the text);
- a sufficiently up-to-date, formalised and clear organisational system with particular regard to

the allocation of responsibilities, hierarchical reporting lines, and the description of tasks with specific provision for control principles;

- manual and/or computerised procedures governing the performance of activities, providing for appropriate controls;
- authorisation and signing authority consistent with the organisational and management responsibilities given by the entity, providing, where appropriate, for adequate expenditure limits;
- control systems that, taking account of all operational risks, are able to provide timely notification of the existence and emergence of general and/or particular critical situations;
- information and communication to personnel characterised by extensiveness, effectiveness, authoritativeness, clarity and which is adequately detailed as well as periodically reiterated, in addition to an adequate personnel training programme, modulated according to the levels of the recipients.

The Confindustria Guidelines also specify that the elements of the control system described above must comply with a number of control principles, including:

- verifiability, traceability, consistency, and appropriateness of every operation, transaction, and action;
- application of the principle of separation of functions and segregation of duties (no one can manage an entire process independently);
- establishment, execution, and documentation of control activities on processes and activities at risk of offences.

CHAPTER 2 - THE ORGANISATION, MANAGEMENT, AND CONTROL MODEL OF LPE S.p.A.

2.1. COMPANY PROFILE

LPE S.p.A. (hereinafter referred to alternatively as “LPE” or “The Company”), operates in the semiconductor industry and in particular in silicon carbide epitaxial equipment. LPE's production strategy concentrates on reactors dedicated to severe applications such as Schottky, Power Transistor, PowerMos, Rectifier, very thick epi layers for IGBT. The Company philosophy aims at building up a relationship with customers to ensure that each one receives an efficient yet highly personalized service, this in turn leads to: long term co-operation on products, protection of investments over time, direct assistance and support, easily available spare parts even for machines which are no longer in production. In order to achieve these aims, LPE has created a network of local service centres throughout Asia and Europe and offers a consistent spare parts service.

On October 2022, LPE was acquired by ASM International N.V. (hereinafter referred to alternatively as “ASM” or the “Holding”) a leading global supplier of products, services, and materials for semiconductor processing. With LPE, ASM is set to leap into the high-growth silicon carbide epitaxial equipment business.

2.2. RECIPIENTS

The provisions of this Organisation, Management, and Control Model in accordance with Legislative Decree 231/2001 (hereinafter the ‘Model’) bind those who perform functions of representation, administration, or management of the Company, as well as on all employees of LPE, and all those (as external consultants) who work for the achievement of the Company's purpose and objectives (hereinafter the ‘Recipients’).

The recipients of the general principles of the Model, to the applicable extent and within the limits of the relationship in place, are also those who, although not belonging to the Company, operate by mandate or on behalf of the same or are in any case linked to the Company by legal relationships relevant to the prevention of offences.

The recipients of the Model are required to comply with all the provisions and procedures contained therein, as well as all the procedure documents for their implementation, using the utmost correctness and diligence.

2.3. AIMS OF THE MODEL

In the above context, LPE S.p.A. is attentive to the need to ensure conditions of correctness and transparency in the conduct of business and related corporate activities, to protect its image and reputation, the expectations of its stakeholders and the work of its employees, and is also aware of the importance of adopting a Model capable of preventing the commission of offences by its employees and all those who work for the achievement of the Company's objectives and are subject to its management or supervision.

Although the adoption of the Model does not constitute an obligation imposed by the Decree, but rather an optional choice made by each individual company, for the reasons mentioned above, LPE has decided to comply with the provisions of the Decree by launching a project for the analysis of its organisation, management, and control tools, aimed at verifying the conformity of the behavioural principles and control measures already adopted with the purposes of the Decree and, if necessary, a supplement to the currently existing system.

In the light of the above, the Company therefore approved this Organisation, Management, and Control Model for the purposes of Legislative Decree 231/2001, by resolution of the Board of Directors dated 25.01.2024.

By adopting the Model, the Company intends to pursue the following purposes:

- prohibit conduct that may constitute the offences referred to in the Decree;
- raise awareness that the breach of the Decree, the provisions contained in the Model and the principles of the Code of Business Conduct of ASM may result in the application of sanctions (fines and debarment) also against the Company;
- disseminate a corporate culture based on legality and awareness that the Company expressly disapproves of any conduct contrary to laws, regulations, internal provisions and, in particular, the provisions contained in this Model;
- achieve a balanced and efficient organisational structure, with particular regard to clear attribution of powers, the decision-making process and the transparency and reasons for the decisions made, preventive and subsequent controls on acts and activities as well as the correctness and truthfulness of internal and external information;
- enable the Company, by means of a system of controls and constant monitoring of the proper implementation of that system, to prevent and/or promptly counteract the commission of

offences pursuant to the Decree.

2.4. FUNDAMENTAL ELEMENTS OF THE MODEL

The Model consists of this General Part, in which the functions and principles of the document are set out and its essential elements are identified and regulated (the Preventive Control System, the Disciplinary System, and the sanctioning mechanisms, the characteristics of the Advisory Body and the updating process over time), of the Special Parts listing the offence-risks identified, and the related principles of conduct and control to prevent them. The fundamental elements, developed by LPE in defining this Model, can be summarised as follows:

- identification of the corporate activities within the scope of which it is conceivable that the predicate offences pursuant to Legislative Decree No. 231/2001 may be committed, carried out by mapping the so-called 'sensitive activities' (pursuant to the Decree), providing examples of possible ways in which offences may be committed and the instrumental processes within the scope of which, theoretically, the conditions and/or means for committing the offences covered by the Decree could occur;
- provision of specific control measures (as set out in the Special Part of this Model and in the corporate procedural system) relating to the areas of activity/processes deemed to be at potential risk of commission of offences, which are aimed at expressly regulating the making and implementation of the Company's decisions in order to provide precise indications on the system of preventive controls in relation to the individual offences to be prevented;
- establishment of an Advisory Body, with assignment of specific tasks to supervise the effective implementation and application of the Model;
- adoption of a system of sanctions (as explained in the Fourth Section of the General Part of this Model) aimed at ensuring the effective implementation of the Model and containing the disciplinary measures applicable in the event of breach of the provisions of the Model;
- performance of information and training activities on the content of this Model (as better described in Section Five of this General Part);
- provision of appropriate reporting channels.

2.5. IDENTIFICATION OF ACTIVITIES AT ‘OFFENCE RISK’

Article 6, para 2, sub-para a), of Legislative Decree No. 231/2001 expressly provides that the Organisation, Management, and Control Model of the Company shall identify the company activities within the scope of which the offences included in the Decree may be committed. Accordingly, the company, with the support of an external consultant, conducted an in-depth analysis of its business activities.

As part of this activity, the Company first analysed its organisational structure, represented in the company organisational chart, which identifies the company Departments and Functions, highlighting their roles and hierarchical lines.

Subsequently, the Company analysed its business activities on the basis of the information received from the functions’ Managers and top managers who, by virtue of their roles, have the broadest and deepest knowledge of the operations of the business sector they are responsible for. In particular, the identification of activities at risk within the company processes was based on interviews with the relevant company members in order to understand:

- The company’s organisational structure, with regard to hierarchical and functional reporting lines (activity performed through interviews);
- The set of company rules (i.e. procedures, instructions) and the control system in general;
- the powers and delegation system;
- the indications contained in the Confindustria Guidelines updated in June 2021;
- the company’s ‘history’, i.e. the prejudicial events that have affected the company in its past.

The results of the activity described above were put together in a descriptive sheet (the so-called Matrix of Crime Risk Activities or “231 Risk Assessment Document”), which describes in detail the risk profiles of commission of the offences referred to in Legislative Decree 231/2001, in the context of LPE’s processes and activities. Said Matrix of Crime Risk Activities, which constitutes a technical document supporting this Model, is kept at the Company’s registered office and is made available for consultation by the Directors, Statutory Auditors, the Advisory Body, and anyone who is entitled to view it.

In particular, the Matrix of Crime Risk Activities shows:

- i. the processes in the performance of which, again in principle, the conditions, instruments, and/or means for committing offences could come into existence, which are the following:
 1. Management of relations with the Public Administration and Judges;
 2. Management of procurement of goods, services and consultancies;
 3. Management of personnel selection, recruitment and administrative management of personnel;
 4. Management of communication activities;
 5. Management of environmental and Health & Safety at Work issues;
 6. Management of accounting and of monetary and financial flows;
 7. Management of relations with Shareholders and the Board of Statutory Auditors;
 8. Management of tax statements;
 9. Management of IT systems;
 10. Management of production and sales;
- ii. the so-called “sensitive activities”, i.e., company activities that may be associated with offences that may be committed, examples of possible ways and means of committing such offences.

2.6. THE INTERNAL CONTROL AND RISK MANAGEMENT SYSTEM

The Company’s internal control and risk management system consists of a set of tools, organisational structures, and corporate procedures aimed at contributing, through a process of identification, management, and monitoring of the main risks within the Company, to the sound and correct management of the business, consistently with the objectives set by the Board of Directors.

In particular, LPE’s internal control system is based not only on the rules of conduct laid down in this Model, but also on the following elements:

- the Code of Business Conduct di ASM;
- the hierarchical/functional structure (company organisational chart);

- the system of delegated powers and proxies;
- the system of company procedures also consisting of operating instructions;
- information systems aimed at the separation of functions and the protection of the information they contain, with reference both to management and accounting systems and to the systems used to support business-related operating activities;
- the "Preventive Protocols" adopted by the Company to prevent the risk of commission of the crime in the management of each of the above listed processes. In particular, the following Preventive Protocols, forming the Special Part, have been adopted:
 1. Management of relations with the Public Administration and Judges;
 2. Management of procurement of goods, services and consultancies;
 3. Management of personnel selection, recruitment and administrative management of personnel;
 4. Management of communication activities;
 5. Management of environmental and Health & Safety at Work issues;
 6. Management of accounting and of monetary and financial flows;
 7. Management of relations with Shareholders and the Board of Statutory Auditors;
 8. Management of tax statements;
 9. Management of IT systems;
 10. Management of production and sales.

The LPE's current internal control system, understood as the process implemented by the Company to manage and monitor the main risks and ensure sound and proper business management, is able to ensure that the following objectives are achieved:

- *"every operation, transaction, and action must be verifiable, documented, consistent, and coherent"*: every operation must be supported by adequate documentation which the relevant corporate bodies may at any time audit to certify the characteristics and reasons for such operation and identify who has authorised, carried out, recorded, and verified it.
- *"no one can autonomously manage an entire process"*: the control system in place at the company must ensure the application of the principle of separation of functions, whereby the

authorisation to carry out an operation must be the responsibility of a person other than the person who books it in the accounts, implements, or controls it. Furthermore, the system requires that (i) no one shall be granted unlimited powers; (ii) powers and responsibilities shall be clearly defined and known within the organisation; (iii) powers of authorisation and signature shall be consistent with the assigned organisational responsibilities.

- *“Documentation of controls”*: the performance of controls, including supervisory controls, carried out in accordance with the assigned responsibilities, must always be documented (including by possible reports).

2.7. CODE OF BUSINESS CONDUCT OF ASM

The Company, being determined to base the performance of its business activities on respect for legality and principles, has adopted a Code of Business Conduct of ASM, which enshrines a set of values and rules of ‘corporate ethics’ that the Company recognises as its own and which it demands compliance with by its corporate bodies, employees, and third parties.

This Model, the provisions of which are in any case consistent with and conform to the principles of the Code of Business Conduct of ASM, responds more specifically to the requirements expressed by the Decree and is therefore aimed at preventing the commission of the offences included in the scope of Legislative Decree 231/2001.

In particular, the Code of Business Conduct of ASM adopted in any case presents principles that are also capable of preventing the unlawful conduct referred to in Legislative Decree No. 231/2001, thus acquiring relevance also for the purposes of the Model and constituting a complementary element to it.

CHAPTER 3 - ADVISORY BODY

Article 6, para 1, of Legislative Decree No. 231/2001 requires, as a condition for benefiting from exemption from administrative liability, that the task of supervising the compliance with and the operation of the Model, taking care of its updating, be entrusted to an Advisory Body within the entity which, having autonomous powers of initiative and control, exercises the tasks entrusted to it on an ongoing basis.

The Decree requires the Advisory Body to perform its functions outside the operational processes of the Company, reporting periodically to the Board of Directors, being free from any hierarchical relationship with the Board of Directors itself and with the individual heads of Departments.

In compliance with the provisions of Legislative Decree 231/2001, the Board of Directors of LPE set up an Advisory Body with a single member.

In particular, the Advisory Body has been identified to meet the following requirements:

Autonomy and Independence. This requirement is ensured by its position in the organisational structure as a staff unit and in as high a position as possible, reporting to the company's top operational management, i.e. the Board of Directors as a whole.

Professionalism. This requirement is guaranteed by the professional, technical and practical knowledge available to the member of the Advisory Body.

Continuity of action. With reference to this requirement, the Advisory Body is required, through powers of investigation, to constantly monitor compliance with the Model by the Recipients, ensuring its implementation and updating, representing a constant reference point for all LPE personnel.

3.1 APPOINTMENT, TERM OF OFFICE, REVOCATION, AND TERMINATION

The Advisory Body remains in office for three financial years from the date of appointment and may in any case be re-elected.

At the end of the term of office, the Board of Directors in office, in any case, assesses whether the appointee is able to maintain the required impartiality and independence of judgement.

In any case, the member of the Body remains in office until a successor is appointed.

The Body shall be made of upright and professional persons of unquestionable value and none of them may be the spouse or a relative of a Director.

An external professional may be appointed as a member of the Advisory Body. The latter must not have any relationship with the Company that would constitute a conflict of interest.

The remuneration of the Advisory Body will not constitute a conflict of interest.

A person who is in one of the following situations may not be appointed as a member of the Advisory Body, and, if appointed, shall be revoked:

- marriage, kinship or affinity up to the 4th degree, and marriage-like cohabitation with (a) a Director, (b) persons who hold functions of representation, administration, or management of the Company or of one of its organisational structures with financial and functional autonomy, (c) persons who exercise, also de facto, the management and control of the Company, the Company's statutory auditors, and the auditing firm members as well as the other persons listed by law;
- actual or even potential conflicts of interest with the Company or its subsidiaries, which compromise their independence;
- direct or indirect ownership of shareholdings of such a size as to enable the exercise of significant influence over the Company or its subsidiaries;
- executive director functions held, in the three financial years preceding the appointment as member of the Advisory Body, in companies subject to bankruptcy, compulsory liquidation or similar procedures;
- public employment in central or local administrations in the three years preceding the appointment as member of the Advisory Body;
- a conviction, even if not final, or the application of the penalty on request (so-called "plea bargaining"), in Italy or abroad, for breaches relevant to the administrative liability of entities pursuant to Legislative Decree No. 231/2001;
- conviction, even if not final, or a 'plea bargaining' judgment applying a penalty that entails even temporary debarment from public office, or temporary debarment from the executive offices of legal persons and companies.

The termination of office may also occur due to renunciation of office, incapacity, revocation for just cause, or death.

Should any of the above-mentioned reasons for replacement or addition or ineligibility and/or

debarment arise against the Body, the latter shall immediately inform the other members of the Advisory Body and shall automatically cease to hold office. The Advisory Body notifies the Board of Directors, for the formulation of the replacement proposal to the Board of Directors pursuant to this paragraph.

The Board of Directors may revoke, by resolution of the board, the Body at any time for just cause, as well as provide for the suspension of the functions and/or powers of the Body and the appointment of an *interim* or revocation of powers by a reasoned act.

The following constitute just cause for revocation:

- ascertainment of a material breach by the Advisory Body in the performance of its tasks;
- failure to inform the Board of Directors of an actual or even potential conflict of interest, which prevents the continuation of office;
- the Company's conviction, which has become final, or a plea bargaining judgment, where records show that the Advisory Body has failed or has insufficiently supervised;
- breach of confidentiality obligations with regard to news and information acquired in the performance of the functions of the Advisory Body;
- a conviction, even if not final, or the application of the penalty on request (so-called "plea bargaining"), in Italy or abroad, for breaches relevant to the administrative liability of entities pursuant to Legislative Decree No. 231/2001;
- conviction, even if not final, or a 'plea bargaining' judgment applying a penalty that entails even temporary debarment from public office, or temporary debarment from the executive offices of legal persons and companies.

If revocation occurs without just cause, the revoked body shall have the right to apply for immediate reinstatement.

The Body may withdraw from the appointment at any time with at least 30 days' written notice, to be communicated to the General Manager by registered letter with acknowledgment of return. The Board of Directors shall appoint the new member at the earliest opportunity, and in any case within 60 days of the termination of the withdrawn member.

The Advisory Body may, in full autonomy, define the rules for its own operation in a specific Regulation, in particular defining the operating methods for the performance of the functions

entrusted to it. The Rules are then forwarded to the Board of Directors for acknowledgement.

3.2 FUNCTIONS AND POWERS OF THE ADVISORY BODY

The Advisory Body is entrusted with the following tasks:

- ensuring that the knowledge and understanding of and compliance with the Model is disseminated within the Company;
- monitoring the validity and adequacy of the Model, i.e., its actual capacity to prevent the conduct sanctioned by the Decree;
- supervising the implementation of the Model within the areas of activity potentially at risk of offences;
- notifying the Company's Board of Directors of the opportunity to update the Model, where the need for adaptation is found in relation to changes to the company conditions and/or regulations.

In carrying out these activities, the Advisory Body will perform the following tasks:

FUNCTIONS	
<ul style="list-style-type: none"> • coordinating and cooperating with the company Departments (also by means of special meetings) in order to better monitor the company activities identified in the Model as being at risk of offences; 	<ul style="list-style-type: none"> • verify the establishment and operation of specific 'dedicated' information channels (e.g., e-mail address), aimed at facilitating the flow of reports and information to the Body;
<ul style="list-style-type: none"> • verify the effective implementation of the information and training initiatives on the Model undertaken by the Company; 	<ul style="list-style-type: none"> • carry out targeted checks on specific transactions or acts carried out within the areas of corporate activity identified as potentially at risk of offences;
<ul style="list-style-type: none"> • carry out or arrange for checks to be carried out on the truthfulness and substantiation of the reports received, prepare a report on the activity carried out and propose to the HR Department in charge of adopting disciplinary sanctions against the Company's personnel, and the possible order of the measures referred to in Section Four; 	<ul style="list-style-type: none"> • verify and control the regular maintenance and effectiveness of all documentation relating to the activities/operations identified in the Model, with access to all documentation and information deemed useful in the context of monitoring;

<ul style="list-style-type: none"> immediately report any breaches of the Model by top managers to the Board of Directors; 	<ul style="list-style-type: none"> immediately report any substantiated breaches of the Model, by all Board of Directors, to the Board of Statutory Auditors;
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For the purposes of performing the tasks listed above, the Body is endowed with the following powers:

POWERS	
<ul style="list-style-type: none"> issuing provisions to regulate its activities and preparing and updating the list of information to be received by it from the company's Departments; 	<ul style="list-style-type: none"> making use of external consultants of proven professionalism in cases where this is necessary for the performance of verification and control activities or for updating the Model;
<ul style="list-style-type: none"> investigating the reports received in order to verify whether they constitute a breach of the Code of Business Conduct di ASM and/or the Model and to ascertain whether they are justified, reporting, at the completion of the investigations, to the relevant Department or Board of Directors, depending on the corporate role of the author of the breach, the opportunity to initiate disciplinary proceedings or to take appropriate sanctions against the author; 	<ul style="list-style-type: none"> ordering the heads of company Departments, and in any case all the Addressees, to promptly provide the information, data and/or news requested from them in order to identify aspects connected to the various company activities relevant to the Model and to the verification of its actual implementation by the Company;
<ul style="list-style-type: none"> accessing, without prior authorisation, any company document considered relevant for the performance of the functions assigned to it by Legislative Decree No. 231/2001. 	<ul style="list-style-type: none"> obtaining information on the outcome of disciplinary procedures or sanctioning initiatives taken by the Company for ascertained breaches of the Code of Business Conduct di ASM and/or the Model, and, if filed, asking for the reasons thereof.

The Board of Directors of the Company assigns to the Advisory Body an annual expenditure budget in the amount proposed by the Body itself and, in any case, adequate in relation to the functions entrusted to it. The Body independently decides on the expenses to be incurred in compliance with the corporate powers of signature and, in the case of expenses exceeding the budget, this must be authorised by the Board of Directors.

3.3 COMMUNICATION FLOWS FROM THE ADVISORY BODY

As mentioned above, in order to guarantee full autonomy and independence in the performance of its functions, the Advisory Body reports directly to the Company's Board of Directors.

In particular, the Advisory Body reports to the Corporate Bodies on the state of affairs concerning the implementation of the Model and the results of its supervisory activity by means of direct reporting, meetings (also by video conference), carried out in the following ways:

- at least once a year, to the Board of Directors by means of a written report, illustrating the monitoring activities carried out by the Body itself, the critical issues detected and any corrective or improvement measures required to ensure the operational implementation of the Model.
- promptly to the Board of Statutory Auditors, in relation to alleged breaches committed by top management or members of the Board of Directors, without prejudice to the Board of Statutory Auditors' right to request information or clarifications on the said alleged breaches.

The Advisory Body may be convened at any time by the Board of Directors and, in turn, has the power to request its convocation for matters concerning the operation and effective implementation of the Model or in relation to specific, urgent situations.

The above-mentioned reporting activities will be documented by means of minutes and stored in the body's records, in compliance with the principle of confidentiality of the data and information contained therein, as well as with the legal provisions on the processing of personal data.

In order to ensure a correct and effective flow of information, as well as for the complete and correct exercise of its tasks, the Body is also entitled to request clarifications or information directly from the persons holding key operational responsibilities.

3.4 INFORMATION FLOWS TO THE ADVISORY BODY

Legislative Decree No. 231/2001 sets out, among the requirements that the Model must meet, the establishment of specific information obligations vis-à-vis the Advisory Body by the Company departments, aimed at enabling the Body to perform its supervisory and verification activities.

In this regard, the following information must be provided to the Advisory Body:

- on a periodic basis, information, data, news and documents constituting derogations and/or exceptions to corporate procedures, previously identified by the Advisory Body and formally requested by the latter from the individual corporate areas (so-called information flows), in accordance with the procedures and time frames previously defined and communicated by the Advisory Body;

- within the scope of the verification activities of the Advisory Body, any information, data, news and document deemed useful and/or necessary for the performance of such verifications, previously identified by the Body and formally requested in good time from the individual areas.

To this end, a dedicated communication channel (an email address) has been set up for consulting the Advisory Body and has been communicated to the Recipients.

3.5 WHISTLEBLOWING

The Company adopts ASM Whistleblowing System, identifying ASM as an external provider. In accordance with a specific policy adopted by ASM and by the Company (the “Speak Up Policy”) and in compliance with the provisions of Legislative Decree 24/2023 on “*transposition of 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 and on the provisions concerning the protection of persons who report breaches of national laws*”, the Company has made specific and alternative reporting channels available to the Recipients, namely:

- filing a report with the direct manager, if it is not possible to do so, filing a report through the following local channels:
 - the HR Business Partner;
 - an Ethics Committee member or ambassador; or
 - an in-house legal counsel.
- sending an email to the ASM Global Compliance Officer (ComplianceOfficer@asm.com);
- using the independent external reporting line: the Speak Up line - available on a 24/7 basis. Such system is operated by an independent third-party provider and the reporting data is stored outside the Company and the Group.

The Whistleblower shall use the channel deemed most appropriate for the nature, urgency and content of the alert, preferring, where possible, the Speak Up - line available on a 24/7 basis.

These reporting procedures aim to ensure the utmost confidentiality of the identity of whistleblowers, also in order to avoid retaliation or any other form of discrimination or penalisation against them.

The Company guarantees the protection of whistleblowers against any direct or indirect form of

retaliation, discrimination or penalisation, application of sanctions, demotion, dismissal, transfer or submission to any other organisational measure having direct or indirect negative effects on working conditions for reasons directly or indirectly linked to the report.

The Company ensures in all cases the confidentiality and anonymity of the whistleblower, without prejudice to legal obligations and the protection of the rights of the Company or of persons wrongly accused and/or in bad faith.

Please refer to the Speak Up Policy for any issue concerning the operational management of reports.

CHAPTER 4 - SANCTIONS SYSTEM

The definition of a system of sanctions, applicable in the event of the breach of the provisions of this Model, constitutes a necessary condition to ensure the effective implementation of the Model itself, as well as an indispensable prerequisite to allow the Company to benefit from the exemption from administrative liability. The system of sanctions - as provided for in paragraph 2 bis of Legislative Decree 231/2001 - must also comply with the provisions of the “decree transposing Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019” on the protection of whistleblowers.

The application of disciplinary sanctions is irrespective of a criminal conviction of the employee, executive, or top manager or of the commencement of criminal proceedings and even of commission of an offence that is relevant under Legislative Decree No. 231/2001.

For the purposes of the application of the disciplinary system, any action, behaviour, or omission that breaches the rules contained in this Organisation, Management, and Control Model, constitutes Relevant Conduct, which entails the application of possible sanctions.

The application of disciplinary sanctions shall be inspired by the principle of proportionality and gradualness and, in particular, the objective and subjective aspects of the relevant conduct shall be taken into account in the identification of the related sanction.

In particular, from an objective point of view and in terms of gradualness, account is taken of the:

- breaches of the Model that did not entail exposure to risk or entailed moderate exposure to risk;
- breaches of the Model that resulted in an appreciable or significant exposure to risk;
- breaches of the Model that constituted a criminal offence.

The relevant conduct takes on greater or lesser seriousness in relation to the circumstances in which the act was committed and the following subjective aspects:

- commission of several breaches with the same conduct;
- recidivism of the offender;
- level of hierarchical and/or technical responsibility of the person to whom the alleged conduct relates;
- shared responsibility with other parties competing in the breach of the procedure.

The sanctioning procedure is in any case referred to the relevant corporate function and/or bodies, also informing the Advisory Body.

4.1 SANCTIONS AGAINST EMPLOYEES THAT ARE NOT MANAGERS

In relation to employees, the Company must comply with the limits set out in Article 7 of the Workers' Statute with regard to both the sanctions that can be imposed and the manner in which disciplinary power is exercised.

Failure to comply - by employees - with the provisions of the Model and/or the Code of Business Conduct of ASM, and all the documentation that forms part of it, constitutes a breach of the obligations arising from the employment relationship pursuant to Article 2104 of the Civil Code and a disciplinary offence.

More specifically, conduct of an employee of the Company that can be qualified, on the basis of the preceding paragraph, as a disciplinary offence, also constitutes a breach of the employee's obligation to perform the tasks entrusted to him/her using the utmost diligence, in line with the Company's directives, as provided for in the applicable national collective bargaining agreement.

Upon notification of a breach of the Model, disciplinary action will be taken to ascertain the breach.

In particular, at the assessment stage, the employee will be notified in advance of the charge and will also be granted a reasonable period to reply. Once the breach is established, a disciplinary sanction proportionate to the materiality of the committed breach will be imposed on the offender.

Employees may be subject to the sanctions provided for in the applicable national collective bargaining agreement, which, by way of example, are set out below:

- oral reprimand;
- written reprimand;
- fine not exceeding 3 hours pay;
- suspension from work and pay for up to 3 working days;
- disciplinary dismissal.

In order to highlight the correlation criteria between breaches and disciplinary measures, it is specified that:

- disciplinary measures shall be imposed on an employee who:
 - breaches the provisions of the Model and all the documentation that forms part of it, or, in the performance of activities in areas at risk, adopts conduct that does not comply with the requirements of the Model itself, such conduct being construed as a failure to execute the orders given by the Company;
- on the other hand, terminating disciplinary measures are taken against an employee who:
 - in the performance of activities in areas at risk, adopts conduct that does not comply with the provisions of the Model, and the documentation that forms part of it, such conduct being deemed to constitute a lack of discipline and diligence in the performance of one's contractual obligations that is so serious as to undermine the Company's trust in the employee;
 - in the performance of the activities referable to the areas at risk, adopts conduct that is clearly contrary to the provisions of the Model and the documentation that forms part of it, such as to determine the concrete application against the Company of the measures provided for by Legislative Decree No. 231/2001, such conduct constituting an act that causes severe emotional distress and damage to the Company that do not allow the employment relationship to continue, even temporarily.

The Company may not take any disciplinary measures against the employee without complying with the procedures laid down in the applicable national collective bargaining agreement for individual cases.

The principles of correlation and proportionality between the breach committed and the sanction imposed are ensured by compliance with the following criteria:

- materiality of the committed breach;
- employee's task, role, responsibilities, and autonomy;
- predictability of the event;
- intentionality of the conduct or degree of negligence, imprudence, or inexperience;
- overall conduct of the offender, with regard to the existence or otherwise of precedent disciplinary measures under the terms of the applicable national collective bargaining agreement;

- other special circumstances characterising the breach.

It is understood that all the provisions and guarantees laid down in the national collective bargaining agreement concerning disciplinary proceedings will be followed; in particular, the following will be respected:

- the obligation - in relation to the application of disciplinary measures more serious than an oral reprimand - of prior written notification of the charge against the employee with a description of the facts constituting the breach and of the time limit of 5 days of receipt of the notification, within which the employee may present his/her justifications, and the hearing of the latter for his/her defence;
- the obligation not to take the disciplinary measure before the expiry of the minimum period of five (5) days, provided for in Article 7 of the Workers' Statute and the applicable national collective bargaining agreement, of the written notification of the charge;
- the obligation to communicate the adoption of the disciplinary measure in writing within the maximum time limits provided for in the respective national collective bargaining agreement of the expiry of the time limit set for submitting his/her justifications by the employee. Otherwise, justifications will be deemed to have been accepted.

The existence of a system of sanctions connected with non-compliance with the provisions of the Model, and the documentation that forms part of it, must necessarily be brought to the attention of employees through the means deemed most appropriate by the Company.

It is also without prejudice to the Company's right to claim compensation for damages resulting from an employee's breach of the Model. Any damages claimed will be commensurate to:

- the level of responsibility and autonomy of the employee who committed the disciplinary offence;
- the existence of any disciplinary record against him/her;
- the degree of intentionality of his/her conduct;
- the severity of its effects, by which is meant the level of risk the company reasonably considers itself to be.

4.2 MEASURES AGAINST EMPLOYEES WHO ARE MANAGERS

Non-compliance - by executives - with the provisions of the Model and the Code Of Business Conduct of ASM, and with all the documentation that forms part of it, including the breach of information obligations against the Advisory Body and the control of the behavior of its collaborators, determines the application of the sanctions referred to in the collective bargaining reference, in compliance with art. 2106, 2118 and 2119 cod. civ. and art. 7 of Law 300/1970.

The detection of any violations, as well as the inadequate supervision and the lack of timely information to the Advisory Body, may determine the suspension of workers with managerial qualifications as a precaution from work, without prejudice to the director's right to remuneration.

As a general rule, the following penalties may be imposed on management staff:

- suspension from work;
- termination of employment.

The termination of the employment relationship can also apply in case of violation of the measures of protection of the signaler (whistleblower), as well as for the conduct of those who make, with intent or gross negligence, reports (whistleblowing) that prove to be unfounded.

In cases of serious violations, the Company may proceed to the termination of the employment contract without notice pursuant to and for the purposes of art. 2119 cod. civ.

4.3 MEASURES AGAINST THE BOARD OF ADMINISTRATION

In the event of an ascertained breach of the provisions of the Model, including those of the documentation that forms part thereof, by the component of the Board of Administration, the Advisory Body shall promptly inform the Board of Statutory Auditors so that it may take or promote the most appropriate and adequate initiatives, depending on the seriousness of the breach detected and in accordance with the powers provided for by the applicable laws and by the Corporate Bylaws.

Failure to set up reporting channels or to adopt procedures for the making and management of reports, as provided for in Legislative Decree 24/2023, or failure to comply with the aforementioned procedures with the provisions of Articles 4 and 5 of Legislative Decree 24/2023, constitutes a breach under this Model.

4.4 MEASURES AGAINST THIRD PARTIES

Non-compliance with the provisions of the Model, including the breach of the information obligations towards the Advisory Body, and the complementary documentation (e.g. ASM Code of Business Conduct) by third parties such as the consultants, suppliers or external collaborators may result in the termination of the contract or the revocation of the mandate for a just cause, without prejudice to the right to claim compensation for damages resulting from such conduct, including damages caused by the application by the court of the measures provided for by Legislative Decree no. 231/2001.

It follows that, where the aforementioned contracts contain a clause in which the third party undertakes to respect the principles laid down in the ASM Code of Business Conduct, in case of violation, the contractual relationship can be resolved for default pursuant to and for the effects of Article 1453 of the Civil Code.

4.5 SANCTIONS UNDER ARTICLE 6, PARA 2-BIS, OF LEGISLATIVE DECREE 231/2001 (WHISTLEBLOWING)

With reference to the system of sanctions relating to the proper handling of reports of offences pursuant to Article 6, paragraph 2 bis, of Legislative Decree no. 231/2001 (Whistleblowing), which must also comply with the provisions of the *“transposing decree of Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019”* on the protection of whistleblowers, the following are provided for:

- sanctions to protect the whistleblower against those who engage in direct or indirect retaliatory or discriminatory acts against the whistleblower for reasons directly or indirectly linked to the report;
- sanctions against anyone who has obstructed, even unsuccessfully, the reporting of unlawful conduct within the meaning of Legislative Decree No. 231/2001 or concerning the breach of the Model or the Code of Business Conduct of ASM relevant to Legislative Decree No. 231/2001;
- sanctions against those who, intentionally or due to their gross negligence, make reports that turn out to be unfounded.

In accordance with the provisions of Legislative Decree 24/2023, the protection against retaliation will apply to the following persons:

Protected parties	
<ul style="list-style-type: none"> employees of the entity, self-employed workers as well as those who collaborate with the company 	<ul style="list-style-type: none"> workers or collaborators supplying goods or services or carrying out works for third parties
<ul style="list-style-type: none"> freelancers and consultants 	<ul style="list-style-type: none"> volunteers and paid or unpaid trainees
<ul style="list-style-type: none"> persons with functions of administration, management, control, supervision, or representation of the entity 	<ul style="list-style-type: none"> facilitators and co-workers of the whistleblower
<ul style="list-style-type: none"> persons bound by a stable emotional or family relationship up to the fourth degree of kinship of the whistleblower 	<ul style="list-style-type: none"> entities owned by the whistleblower

They also apply if the report is made:

- when the legal relationship with the entity has not yet begun, if information on breaches was acquired during the selection process or at other contractual stages;
- during the probationary period;
- after the termination of the legal relationship if the information on breaches was acquired in the course of that relationship.

The sanctions are defined in relation to the role of the recipient of the sanctions, as indicated in the preceding paragraphs, to the extent that the breaches of the rules relating to the reporting system represent, in themselves, breaches of the provisions of the Model.

CHAPTER 5 - DISSEMINATION OF THE MODEL

The Company, aware of the importance of training and information with a view to prevention, defines a communication and training programme aimed at ensuring that the main content of the Decree and the obligations deriving therefrom, as well as the prescriptions laid down in the Model, are disseminated to all Recipients.

Training and communication are central tools in the dissemination of the Model and the Code of Business Conduct of ASM that the company has adopted, constituting an essential vehicle of the regulatory system that all employees are required to know, comply with and implement in the exercise of their respective functions.

To this end, staff information and training activities are organised by providing for different levels of detail according to the different degrees of involvement of personnel in activities at risk of offences. In any case, the training activity aimed at disseminating knowledge of Legislative Decree No. 231/2001 and of the provisions of the Model, is differentiated in terms of content and dissemination methods according to the Recipients' role, the risk level of the area in which they operate, and whether or not they hold representative and management positions in the Company.

The training activity involves all current personnel, as well as all resources that may be included in the company organisation in the future. In this respect, the relevant training activities will be planned and concretely carried out both at the time of recruitment and on the occasion of any changes in duties, as well as following updates or amendments to the Model.

With regard to the dissemination of the Model in the corporate context, the Company undertakes to carry out the following communication activities:

- during the recruitment stage, the HR Department ensures that new recruits are informed about the Organisation, Management, and Control Model prepared pursuant to Legislative Decree 231/2001 and the Code of Business Conduct of ASM, handing over a copy of both documents on the first day of work;
- possibility of access to a section of the company Intranet specifically dedicated to Legislative Decree 231/2001 and the Code of Business Conduct of ASM.

Communication is also implemented through the appropriate organisational tools to ensure widespread, effective, authoritative (i.e., issued at an appropriate level), clear and detailed, periodically updated, and repeated communication.

The courses are compulsory and the HR Function tracks and records staff participation in the training courses. Documents, in general, relating to information and training activities shall be kept by the HR Manager and made available for consultation by the Advisory Body and any person entitled to inspect them.

The Company also promotes knowledge of and compliance with the Code of Business Conduct of ASM and the Model among its business and financial partners, consultants, collaborators in various capacities, customers, and suppliers, to whom both documents are made available through online consultation on the Company's website.

CHAPTER 6 - ADOPTION AND UPDATES OF THE MODEL

The adoption and effective implementation of the Model is, by express legislative provision, the responsibility of the Board of Directors. It follows that the power to adopt any updates to the Model lies with the Board of Directors, which will exercise it by means of a resolution in the manner provided for its adoption.

Updating activities, both as supplements and amendments, aim to ensure the adequacy and suitability of the Model, which are assessed on the prevention function of commission of the offences provided for by Legislative Decree 231/2001.

On the other hand, the Advisory Body concretely verifies whether it is necessary or advisable to update the Model, informing the Board of Directors of such needs. The Advisory Body, within the scope of the powers granted in accordance with Article 6, paragraph 1, sub-para b) and Article 7, para 4, sub-para a), of the Decree, is responsible for making proposals to the Board of Directors on updates and adaptation of this Model.

In any case, the Model must be promptly amended and supplemented by the Board of Directors, also upon the proposal and after consultation with the Advisory Body, in the event of:

- variations and circumventions of the prescriptions contained therein that has proved its ineffectiveness and inconsistency for the purpose of preventing offences;
- significant changes in the internal structure of the Company and/or the way in which it carries out its business activities;
- regulatory changes.

The Advisory Body will continue to be responsible for the following tasks:

- periodic checks to identify any updates of the company's activities for the purpose of updating the mapping of sensitive activities;
- liaison with the HR Manager for staff training programmes;
- interpretation of the relevant legislation on predicate offences, as well as any Guidelines that may have been drawn up, also as an update to existing ones, and the verification of the adequacy of the internal control system in relation to the regulatory requirements or to the Guidelines;
- verification of the need to update the Model.

The Heads of the Departments concerned draft and amend the operating procedures for which they are responsible, when such changes appear necessary for the effective implementation of the Model, or if they prove to be ineffective for the purpose of the proper implementation of the provisions of the Model. The relevant corporate functions are also responsible for any amendments or supplements to the procedures necessary to implement any revision to this Model.

Amendments, updates, and supplements to the Model must always be communicated to the Advisory Body.




**REGULATORY APPENDIX TO THE ORGANIZATION AND MANAGEMENT MODEL
PURSUANT TO LEGISLATIVE DECREE NO. 231/2001
(updated to September 30, 2023)**


**LIST OF PREDICATE OFFENCES OF ADMINISTRATIVE LIABILITY PURSUANT TO
LEGISLATIVE DECREE 231/2001**

1. Offences against the public administration (Articles 24 and 25 of the Decree):

- Embezzlement (Article 314 of the Criminal Code);
- Embezzlement by profiting from another person's error (Article 316 of the Criminal Code);
- Misappropriation of public funds (Article 316 bis of the Criminal Code);
- Undue receipt of public funds (Article 316 ter of the Criminal Code);
- Fraud to the detriment of the State or a public body or the European Union (Article 640, para 2, sub-para 1, of the Criminal Code);
- Aggravated fraud for obtaining public funds (Article 640 bis of the Criminal Code);
- Computer fraud (Article 640 ter of the Criminal Code);
- Extortion by a public officer (Article 317 of the Criminal Code);
- Corruption for the exercise of a function (Article 318 of the Criminal Code);
- Bribery for an act contrary to official duties (Article 319 of the Criminal Code);
- Aggravating circumstances (Article 319 bis of the Criminal Code);
- Bribery in judicial proceedings (Article 319 ter of the Criminal Code);
- Undue inducement to give or promise benefits (Article 319 quater of the Criminal Code);
- Bribery of a person in charge of a public service (Article 320 of the Criminal Code);
- Penalties for the bribe-giver (Article 321 of the Criminal Code);
- Incitement to bribery (Article 322 of the Criminal Code);

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- Embezzlement, extortion by a public officer, undue inducement to give or promise benefits, bribery and incitement to bribery, abuse of power of members of international courts or bodies of the European Union or of international parliamentary assemblies or international organisations and of officials of the European Union and foreign States (Article 322 bis of the Criminal Code);
- Abuse of power (Article 323 of the Criminal Code);
- Trading in influence (Article 346 bis of the Criminal Code);
- Fraud in public supplies (Article 356 of the Criminal Code);
- Fraud in agriculture (Article 2 Law no 898/1986).

2. Computer crimes and unlawful processing of data (Article 24 bis of the Decree):

- Falsification of a public electronic document or a document constituting proof (Article 491 bis of the Criminal Code);
- Unauthorised access to a computer or telecommunications system (Article 615 ter of the Criminal Code);
- Unauthorised possession and distribution of access codes to computer or telecommunications systems (Article 615 quater of the Criminal Code);
- Distribution of equipment, devices or computer programs intended to damage or interrupt an information or telecommunications system (Article 615 quinquies of the Criminal Code);
- Interception, obstruction or illegal interruption of information or telecommunications system communications (Article 617 quater of the Criminal Code);
- Installation of equipment that can intercept, obstruct or interrupt computer or telecommunications system communications (Article 617 quinquies of the Criminal Code);
- Damage to computer information, data, and programmes (Article 635 bis of the Criminal Code);
- Damage to information, data, and computer programmes used by the State or other public body or in any case of public utility (Article 635 ter of the Criminal Code);



- Damage to computer and telecommunications systems (Article 635 quater of the Criminal Code);
- Damage to computer and telecommunications systems of public utility (Article 635 quinquies of the Criminal Code);
- Computer fraud by the entity that provides electronic signature services (Article 640 quinquies of the Criminal Code);
- Scope of national cyber security (Article 1, para. 11, Decree-Law 105/2019).

3. Organised crime (Article 24 ter of the Decree):

- Criminal association (Article 416 of the Criminal Code);
- National or foreign Mafia-type associations (Article 416 bis of the Criminal Code);
- Vote-trading between politicians and Mafia (Article 416 ter of the Criminal Code);
- Kidnapping for ransom (Article 630 of the Criminal Code);
- Association for the purpose of illicit trafficking in narcotic or psychotropic drugs (Article 74, Presidential Decree No. 309 of 9 October 1990);
- Criminal offences of illegal manufacture, introduction into the State, offer for sale, transfer, possession, and carrying in a public place or place open to the public of weapons of war or similar weapons or parts thereof, explosives, illegal weapons, and also of common firearms, excluding those provided for in Article 2, para 3, of Law No. 110 of 18 April 1975 (Article 407, para 2, sub-para (a)(5), of the Code of Criminal Procedure).

4. Offences relating to counterfeiting of currency, public credit notes, official stamps, and identification instruments or marks (Article 25 bis of the Decree):

- Counterfeiting of currency, spending, and bringing counterfeited currency into the State in association with others (Article 453 of the Criminal Code);
- Alteration of currency (Article 454 of the Criminal Code);
- Spending and bringing counterfeit currency into the State without association with others (Article 455 of the Criminal Code);



- Spending of counterfeit currency received in good faith (Article 457 of the Criminal Code);
- Counterfeiting of official stamps, bringing into the State, acquiring, possessing, or placing counterfeit official stamps in circulation (Article 459 of the Criminal Code)
- Counterfeiting of watermarked paper used to make public credit notes or official stamps (Article 460 of the Criminal Code);
- Manufacturer or possession of watermarks or tools used to forge currency, official stamps, or watermarked paper (Article 461 of the Criminal Code);
- Use of counterfeited or altered official stamps (Article 464, paras 1 and 2, of the Criminal Code);
- Forgery, alteration or use of trade marks, distinguishing signs or patents, models, and drawings (Article 473 of the Criminal Code);
- Introduction into the State and trade of industrial products with false signs (Article 474 of the Criminal Code).

5. Crimes against industry and trade (Article 25 bis 1 of the Decree):

- Disrupting the freedom of industry or commerce (Article 513 of the Criminal Code);
- Unlawful competition using threats or violence (Article 513 bis of the Criminal Code);
- Fraud against national industries (Article 514 of the Criminal Code);
- Fraud in the conduct of trade (Article 515 of the Criminal Code);
- Sale of non-genuine foodstuffs as genuine (Article 516 of the Criminal Code);
- Sale of industrial products with deceptive marks (Article 517 of the Criminal Code);
- Manufacture and sale of goods made by usurping industrial property rights (Article 517 ter of the Criminal Code)
- Counterfeiting of geographical indications or denominations of origin of agricultural food products (article 517 quater of the Criminal Code).

6. Corporate offences (Article 25 ter of the Decree):



- False corporate reporting (Article 2621 of the Civil Code);
- Minor acts (Article 2621 bis of the Civil Code);
- False corporate reporting of listed companies (Article 2622, Civil Code);
- Obstruction of controls (Article 2625, para 2, of the Civil Code);
- Undue repayment of contributions (Article 2626 of the Civil Code);
- Unlawful distribution of profits and reserves (Article 2627 of the Civil Code);
- Unlawful dealing in the stocks or shares of the company or its parent company (Article 2628 of the Civil Code);
- Transactions prejudicial to creditors (Article 2629 of the Civil Code);
- Failure to disclose a conflict of interest (Article 2629 bis of the Civil Code);
- Fictitious capital formation (Article 2632 of the Civil Code);
- Improper distribution of the company's assets by its liquidators (Article 2633 of the Civil Code);
- Corruption between persons in private transactions (Article 2635 of the Civil Code);
- Incitement to bribery among private individuals (Article 2635 bis of the Civil Code);
- Unlawfully influencing the shareholders' meeting (Article 2636 of the Civil Code);
- Market rigging (Article 2637 of the Civil Code);
- Obstructing the functions of the public supervisory authorities (Article 2638, paras 1 and 2, of the Civil Code);
- False or omitted declarations for the issue of the preliminary certificate (Article 54 of Legislative Decree No. 19/2023).

7. **Crimes for the purpose of terrorism or subversion of the democratic order (Article 25 quater of the Decree):**

- Subversive associations (Article 270 of the Criminal Code);



- Associations whose scope is terrorism, including international terrorism, or the subversion of the democratic system (Article 270 bis of the Criminal Code);
- Assistance to members (Article 270 ter of the Criminal Code);
- Co-opting for the purposes of terrorism, including international terrorism (Article 270 quater of the Criminal Code);
- Organisation of transfers for the purposes of terrorism (Article 270 quater 1 of the Criminal Code);
- Training in activities for the purposes of terrorism, including international terrorism (Article 270 quinquies of the Criminal Code);
- Financing of conduct for the purposes of terrorism (Article 270 quinquies 1, of the Criminal Code);
- Subtraction of seized property or money (Article 270 quinquies 2 of the Criminal Code);
- Conduct for the purposes of terrorism (Article 270 sexies of the Criminal Code);
- Attack with purpose of terrorism or subversion (Article 280 of the Criminal Code);
- Act of terrorism with deadly weapons or explosives (Article 280 bis of the Criminal Code);
- Acts of nuclear terrorism (Article 280 ter of the Criminal Code);
- Kidnapping for the purpose of terrorism or subversion (Article 289 bis of the Criminal Code);
- Incitement to commit any of the offences provided for in Chapters 1 and 2 (Article 302 of the Criminal Code);
- Political conspiracy by agreement (Article 304 of the Criminal Code);
- Political conspiracy by association (Article 305 of the Criminal Code);
- Constitution and participation in armed gangs (Article 306 of the Criminal Code);
- Assistance to the participants of conspiracies or armed gangs (Article 307 of the Criminal Code);
- Possession, hijacking, and destruction of an aircraft (Article 1, Law No. 342/1976);
- Damage to ground installations (Article 2, Law No. 342/1976);



- Provisions on offences against the safety of maritime navigation and the safety of fixed installations on the intercontinental platform (Article 3, Law No 422/1989);
- Diligent repentance (Article 5, Legislative Decree No. 625/1979);
- International Convention for the Suppression of the Financing of Terrorism New York 9 December 1999 (Article 2, Conv. New York 9/12/1999).

8. Female genital mutilation (Article 25 quater 1 of the Decree):

- Female genital mutilation (Article 583 bis of the Criminal Code).

9. Offences against individuals (Article 25 quinquies of the Decree):

- Forcing and holding persons in slavery or servitude (Article 600 of the Criminal Code)
- Prostitution of minors (Article 600 bis, para 1, of the Criminal Code);
- Minors pornography (Article 600 ter of the Criminal Code);
- Possession of or access to pornographic material (Article 600 quater of the Criminal Code);
- Virtual pornography (Article 600 quater 1 of the Criminal Code);
- Solicitation of minors (Article 609 undecies of the Criminal Code);
- Tourist initiatives aimed at exploiting prostitution of minors (Article 600 quinquies of the Criminal Code);
- Trafficking in human beings (Article 601 of the Criminal Code);
- Purchase and sale of slaves (Article 602 of the Criminal Code);
- Illegal intermediation and exploitation of labour (Article 603 bis of the Criminal Code).

10. Market abuse (Article 25 sexies of the Decree):

- Abuse or illegal communication of insider information. Recommending or inducing others to commit insider trading (Article 184 of Legislative Decree No. 58/1998);
- Market manipulation (Article 185 of Legislative Decree 58/1998).



11. Unintentional offences committed in breach of accident prevention and occupational health and hygiene regulations (Article 25 septies of the Decree):

- Manslaughter (Article 589 of the Criminal Code);
- Unintentional personal injuries (Article 590 of the Criminal Code).

12. Money laundering offences (Article 25 octies of the Decree):

- Receiving stolen goods (Article 648 of the Criminal Code);
- Money laundering (Article 648 bis of the Criminal Code);
- Use of money, goods or assets of illicit origin (Article 648 ter of the Criminal Code);
- Self-laundering (Article 648 ter 1 of the Criminal Code).

13. Crimes relating to non-cash payment instruments (Article 25 octies 1 of the Decree):

- Misuse and counterfeiting of non-cash payment instruments (Article 493 ter of the Criminal Code);
- Possession and distribution of computer equipment, devices, or programmes aimed at committing offences involving non-cash payment instruments (Article 493 quater, of the Criminal Code);
- Computer fraud aggravated by performance of a transfer of money, monetary value, or virtual currency (Article 640 ter of the Criminal Code).

14. Copyright infringement offences (Article 25 novies, of the Decree)

an extract (not exhaustive) of the headings of the offences is reproduced below for convenience of reference:

- Making available to the public, in a system of telematic networks, by means of connections of any kind, a protected intellectual work, or part thereof (Article 171, para 1, sub-para a) bis, Law 633/1941);
- Offences referred to in the preceding point committed on other people's works not intended for publication if their honour or reputation is offended (Article 171, para 3, of Law 633/1941);
- Unauthorised duplication for profit of computer programs; import, distribution, sale, possession for commercial or business purposes or leasing of programs contained on media without the Italian Society of Authors and Publishers (SIAE) mark; provision of means to allow or facilitate the arbitrary



removal or the functional evasion of devices that protect computer programs (Article 171 bis, para 1 of Law 633/1941);

- Reproduction, transfer to another medium, distribution, communication, presentation or demonstration in public, of the content of a database; extraction or re-use of the database; distribution, sale, or lease of databases (Article 171 bis, para 2, Law 633/1941);
- Unauthorised duplication, reproduction, transmission or dissemination in public by any process, in whole or in part, of intellectual works intended for the television, cinema, sale or rental of records, tapes or similar media or any other media containing audio or video materials of musical, cinematographic or audiovisual works assimilated or sequences of moving images literary, dramatic, scientific or didactic, musical or dramatic-musical, multimedia works, even if included in collective or composite works or databases, reproduction, duplication, transmission or unauthorised dissemination, sale or trade, transfer for any reason or unauthorised importation of more than fifty copies or specimens of works protected by copyright and related rights, placing in a system of telematic networks, through connections of any kind, of an original work protected by copyright, or part thereof (Article 171 ter Law 633/1941);
- Failure to notify the Italian Society of Authors and Publishers (SIAE) of the identification data of the media not subject to the mark or false declaration (Article 171 septies Law 633/1941);
- Fraudulent production, sale, import, promotion, installation, alteration, utilisation for public and private use of equipment or parts thereof for decoding audiovisual broadcasts with authorised access by air or by satellite, cable, in analogue or digital form (Article 171 octies, Law 633/1941).

15. Offence of inducement not to make statements or to make false statements to the judicial authorities (Article 25 decies of the Decree):

- Inducement not to make statements, or to make false statements to judicial authorities (Article 377 bis of the Criminal Code).

16. Environmental offences (Article 25 undecies of the Decree):

- Environmental pollution (Article 452 bis of the Criminal Code);
- Environmental disaster (Article 452 quater, of the Criminal Code);



- Unintentional offences against the environment (Article 452 quinquies of the Criminal Code);
- Trafficking and abandoning highly radioactive material (Article 452 sexies of the Criminal Code);
- Aggravating circumstances (Article 452 octies of the Criminal Code);
- Killing, destruction, capture, removal, detention of specimens of protected wild animal or plant species (article 727 bis of the Criminal Code);
- Destruction or deterioration of the habitat in a protected site (article 733 bis of the Criminal Code);
- Import, export, possession, use for profit, purchase, sale, display or possession for sale or commercial purposes of protected species (Articles 1, 2, 3 bis and 6, Law No. 150/1992);
- Discharges of industrial wastewater containing hazardous substances, without an authorisation or after the authorisation has been suspended or revoked and discharges into the waters of the sea, by ships or aircraft, of substances or materials for which there is an absolute prohibition on spills (Article 137, paras 2, 3, 5, 11, and 13, of Legislative Decree 152/2006);
- Unauthorised waste management activities (Article 256, paras 1, 3, 5, and 6, second sentence of Legislative Decree 152/2006);
- Failure to clean up the sites in accordance with the project approved by the relevant authority (Article 257, paras 1 and 2, of Legislative Decree 152/2006);
- Breach of reporting obligations, keeping of mandatory registers and forms (Article 258, para 4, second sentence of Legislative Decree 152/2006);
- Illegal shipment of waste (Article 259, para 1, of Legislative Decree 152/2006);
- Activities organised for the illegal trafficking of waste (Article 452 quaterdecies of the Criminal Code);
- Exceeding emission limit values causing exceeding air quality limit values (Article 279, para 5, of Legislative Decree 152/2006);
- Elimination and reduction of the use of harmful substances (Article 3 Law No. 549/1993);
- Wilful pollution by ships (Article 8 of Legislative Decree No. 202/2007);



- Unintentional pollution by ships (Article 9 of Legislative Decree No. 202/2007).

17. Offence of employment of illegally staying third-country nationals (Article 25 duodecies of the Decree):

- Provisions against illegal immigration (Article 12, paras 3, 3 bis, 3 ter, and 5 of Legislative Decree No. 286/1998);
- Employment of illegally staying third-country nationals (Article 22, para 12 bis, of Legislative Decree No 286/1998).

18. Racism and xenophobia (Article 25 terdecies of the Decree):

- Promotion of and incitement to commit offences on account of racial, ethnic, and religious discrimination (Article 604 bis, para 3, of the Criminal Code).

19. Sports fraud (Article 25 quaterdecies of the Decree):

- Fraud in sports competitions (Article 1 Law No. 401/1989);
- Unauthorised exercise of gambling or betting activities (Article 4 Law No 401/1989).

20. Tax offences (Article 25 quinquiesdecies of the Decree):

- Fraudulent declaration through the use of invoices or other documents for non-existent transactions resulting in a fictitious liability of €100,000 or more (Article 2, para 1, of Legislative Decree No. 74/2000);
- Fraudulent declaration through the use of invoices or other documents for non-existent transactions resulting in a fictitious liability of less than €100,000 (Article 2, para 2 bis, of Legislative Decree No. 74/2000);
- Fraudulent declaration by means of other artifices (Article 3 of Legislative Decree No. 74/2000);
- False declaration (Article 4, Legislative Decree No. 74/2000);
- Omitted declaration (Article 5, Legislative Decree 74/2000);
- Issue of invoices or other documents for non-existent transactions amounting to €100,000 or more (Article 8, para 1, of Legislative Decree No. 74/2000);



- Issue of invoices or other documents for non-existent transactions for amounts of less than €100,000 (Article 8, para 2 bis, of Legislative Decree No. 74/2000);
- Concealment or destruction of accounting documents (Article 10 of Legislative Decree No. 74/2000);
- Undue compensation (Article 10 quater, Legislative Decree No. 74/2000);
- Fraudulent evasion of taxes (Article 11 of Legislative Decree No. 74/2000).

21. Smuggling (Article 25 sexiesdecies of the Decree):

- All offences under Presidential Decree 43/1973.

22. Crimes against cultural heritage (art. 25 septiesdecies of the Decree):

- Violations regarding the alienation of cultural property (art. 518-novies of the Criminal Code);
- Misappropriation of cultural property (art. 518 ter of the Criminal Code);
- Illicit importation of cultural goods (Article 518i of the Criminal Code);
- Illicit exit or export of cultural property (Article 518 undecies of the Criminal Code);
- Destruction, dispersion, deterioration, defacement, defacement and illegal use of cultural or landscape goods (art. 518 duodecies penal code);
- Counterfeiting of works of art (art. 518 quaterdecies, Criminal Code);
- Theft of cultural property (art. 518 Criminal Code);
- Receiving stolen cultural goods (art. 518 quater Criminal Code);
- Forgery in private writing related to cultural goods (art. 518 Criminal Code).

23. Laundering of cultural goods and devastation and looting of cultural and landscape goods (Article 25 duodevicies of the Decree):

- Laundering of cultural goods (Article 518 sexies of the Criminal Code)
- Destruction and looting of cultural and landscape goods (Article 518 terdecies of the Criminal Code)

23. Transnational offences:

- Definition of transnational crime (Article 3 Law No. 146 of 16 March 2006);



- Criminal association (Article 416 of the Criminal Code);
- National or foreign Mafia-type associations (Article 416 bis of the Criminal Code);
- Association to commit offences for the purpose of smuggling foreign processed tobacco (Presidential Decree 43/1973, Article 291 quater);
- Association aimed at illegal trafficking of narcotic or psychotropic substances (Article 74, Presidential Decree 309/1990);
- Provisions against illegal immigration (Article 12 of Legislative Decree 286/1998);
- Inducement not to make statements, or to make false statements to the judicial authorities (Article 377 bis of the Criminal Code);
- Aiding and abetting (Article 378 of the Criminal Code).