



# WHISTLEBLOWING PROCEDURE

## 1. PURPOSE OF THE MECHANISM

The whistleblowing mechanism of the ARKEMA Group (also referred to herein as the "whistleblowing procedure") allows any employee of the Group (or assimilated) or external and occasional partner thereof (subcontractor, intermediary, supplier, customer) to report any malfunctions, in connection with the Group, that he/she may be aware of. The procedure thus contributes to maintaining honest practices within the ARKEMA Group and improving its Business Compliance and Ethics Program.

In order to implement this whistleblowing procedure, the Whistleblowing Committee, which replaces the Ethics Mediator, is created.

The whistleblowing mechanism is a reporting channel complementary to the traditional reporting channels (supervisors, staff representatives, human resources, etc.). In this sense, the use of this mechanism is in no way mandatory. No disciplinary action can be taken against an employee who has raised a concern to his/her supervisors or staff representatives, etc., instead of using the whistleblowing mechanism.

This whistleblowing mechanism is set up for the purposes of complying with the legal obligations imposed on the ARKEMA Group, as well as for the pursuit of its legitimate interests, subject to applicable local laws and regulations.

## 2. SCOPE OF THE MECHANISM

The whistleblowing mechanism of the ARKEMA Group is open to any employee or external and occasional partner of the Group.

The whistleblowing mechanism can be used for the reporting of facts relating to:

- the existence of conducts or situations contrary to the *Business Conduct & Ethics Code of Arkema* (including the *Anti-Corruption Policy* appended to it) or to the *Code of Conduct for Arkema Suppliers*, and which concern acts of corruption or influence peddling;
- a crime or an offence;
- a serious and flagrant breach of an international commitment duly ratified or approved by France, or of an unilateral act of an international organisation taken on the basis of such a commitment;
- a serious and flagrant violation of a law or regulation;
- a threat or serious harm to the public interest.

For example, the whistleblowing procedure is particularly applicable for all facts which could be detrimental to the ARKEMA Group in the following areas:

- finance;
- competition;
- work;
- health;
- environment.

Facts, information or documents, regardless of their form or media, covered by national defence secret, medical privacy or the secrecy of relations between a lawyer and his client, are excluded from the scope of this mechanism.

Any person wishing to disclose a concern via the whistleblowing mechanism must:

- Act in **GOOD FAITH**;
- Act in a **DISINTERESTED** manner, i.e. the person does not gain any benefit from or is not compensated for his/her action;
- Have had **PERSONAL KNOWLEDGE** of the facts revealed; in this sense, a rumour does not justify to disclose a concern;
- To the extent possible, **IDENTIFY THEMSELVES**; to allow an effective processing of the concerns gathered via this mechanism, the ARKEMA Group encourages the whistleblower to reveal his/her identity.

It is expressly recalled that the misuse of the whistleblowing mechanism, i.e. a use made in bad faith or with intent to harm others, may expose the whistleblower to possible disciplinary action or prosecution. Making an intentional false statement is a criminal offence punishable by imprisonment and a fine.

Conversely, the use of the whistleblowing mechanism in good faith, even if the facts subsequently prove to be incorrect or give rise to no further action, will not expose the whistleblower to any disciplinary action.

### 3. PROTECTION OF THE WHISTLEBLOWER

The ARKEMA Group will protect anyone who discloses a concern in good faith and in a disinterested manner. The whistleblower cannot be subject to any retaliation on a professional level for having disclosed a concern in accordance with the provisions of this procedure. Any act or threat of retaliation of such kind will be punishable by disciplinary sanctions.

Any item which enables to identify the whistleblower cannot be disclosed (including to the person(s) targeted by him/her), except to the judicial authority, and with the whistleblower's consent.

### 4. USING THE MECHANISM

Any person who wishes to raise a concern can do so via the following secure email address, dedicated to the whistleblowing mechanism:

alert@arkema.com

The recipients of this concern are the members of the Whistleblowing Committee, as referent designated by the ARKEMA Group.

The email must:

- contain a **DETAILED DESCRIPTION OF THE FACTS REPORTED** as well as any document likely to substantiate the concern;

- contain **INFORMATION ENABLING AN EXCHANGE** between the whistleblower and the Whistleblowing Committee;
- be written, to the extent possible, in **FRENCH** or **ENGLISH**. A concern disclosed in the language of the whistleblower is also possible.

The whistleblower is informed by email without delay of the receipt of his/her concern by the Whistleblowing Committee.

## 5. THE PROCESSING OF A CONCERN

The processing of a concern includes an automated processing of personal data implemented in accordance with the conditions laid down by the French data protection agency: the CNIL (*Commission Nationale de l'Informatique et des Libertés*).

Only the following categories of data may be processed:

- the identity, position and contact details of the whistleblower;
- the identity, position and contact details of the persons targeted in a concern;
- the identity, position and contact details of the persons involved in the receipt or processing of a concern;
- the facts reported;
- the evidence gathered within the framework of the verification process of the facts reported;
- a record of the verification operations;
- the actions taken.

Within a reasonable period of time from the email acknowledging receipt of the concern by the Whistleblowing Committee, the employee or external and occasional partner who raised the concern is informed by email of the indicative time needed for the verification process of his/her concern.

For the sole purpose of processing the concern, third parties to the Whistleblowing Committee may be involved in the verification process of the facts reported, in agreement with said committee.

If an individual is targeted in a concern, he/she is informed, upon the recording of his/her personal data, to enable him/her to oppose the processing of this data. However, when precautionary measures are necessary, in particular to prevent the destruction of evidence relating to the facts reported, the information of such individual takes place after the adoption of these measures. The items likely to identify the person targeted in a concern cannot be disclosed, except to the judicial authority, and once the merits of the concern have been established.

Within the framework of the verification process of a concern, the Whistleblowing Committee may question any employee or any other person it deems necessary and request any assistance or communication of documents that it may consider useful in the framework of this investigation.

At the end of the verification process, the employee or external and occasional partner who raised the concern and the person(s) targeted in such concern are informed by email of the actions taken.

## **6. RIGHTS OF THE PERSONS CONCERNED**

Within the framework of the whistleblowing mechanism, ARKEMA FRANCE, as data controller, will collect and process personal data in accordance with the provisions of this procedure.

The persons concerned by this processing have the right to access and request rectification of their data, as well as the right to oppose the processing for reasons related to their particular situation or to request that the processing be limited. These persons also have the right to define instructions relating to the fate of their data after their death.

These rights may be exercised by sending a request to [alert@arkema.com](mailto:alert@arkema.com).

## **7. CLOSURE OF THE PROCESSING**

When the facts reported clearly fall outside the scope of the whistleblowing mechanism, the data relating to said concern is destroyed without delay.

When no action is taken following the disclosure of a concern (in particular because the alleged facts are not sufficiently serious), the items of the file likely to allow the identification of the whistleblower and the persons targeted by him/her are destroyed within two (2) months from the closing date of all verification operations. The employee or external and occasional partner who raised the concern and the persons targeted by him/her are informed without delay of this closing date by email.

When disciplinary proceedings or legal proceedings are instituted against a person targeted or a whistleblower having misused the whistleblowing mechanism, the items of the file likely to allow the identification of the whistleblower and the persons targeted by him/her are retained until the end of these proceedings.

## **8. GUARANTEE OF CONFIDENTIALITY**

It is expressly recalled that all precautions are taken within the framework of the whistleblowing mechanism to guarantee the strict confidentiality of the whistleblower, the facts reported and the persons targeted, including with potential external third parties involved in the processing of the concern.

The members of the Whistleblowing Committee, as well as the third parties to this committee who may be involved in the verification process of a concern, have individually and contractually undertaken to guarantee the confidentiality of the data collected and processed within the framework of the whistleblowing mechanism.

It is a criminal offence, punishable by imprisonment and a fine, for the recipients of a concern to disclose confidential items.