

03/11/2022

## NEW WHISTLEBLOWER REGULATION Memo

### Presentation

In 2018, the HighCo Group adopted an anti-corruption code of conduct as well as an internal whistleblowing system, in compliance with the Sapin 2 Act of 2016.

The "Waserman" act of 21 March 2022 and its implementation decree of 3 October 2022 have strengthened the protection of whistleblowers, mainly through:

- **The possibility for persons other than Group employees to report;**
- The widening of the range of reportable breaches, threats or harm occurrences;
- **Simplified reporting procedures** (choice of 3 possible channels: internal reporting, external reporting, public disclosure under certain conditions) and shorter processing times for internal alerts (7 days to acknowledge receipt and 3 months to process);
- **Strengthening of whistleblower protection measures, in particular against retaliation (now sanctioned), and a new protection for "facilitators" who assist whistleblowers.**

These new laws require HighCo to review its internal whistleblowing system.

Pending the publication by the *Middlenext* association, of which HighCo is a member, of a model for a new whistleblowing system in early 2023, you will find below a brief summary of the procedures for making a report (internal channel) and, at the bottom of the page, the links to the applicable legislation<sup>1</sup>.

### How to report

In order to guarantee the confidentiality and impartiality of this system, HighCo has entrusted an **independent external party** with the task of collecting the reports and determining whether they are admissible or not. The firm in question is **Labrador Ethics & Compliance**, in partnership with **Nest Avocats**, both of which are independent firms.

To report an incident or abnormal situation, any employee of the HighCo Group or third party concerned can send a written report to the following e-mail address [alerte\\_highco@nest-avocats.com](mailto:alerte_highco@nest-avocats.com). This is a **secure, confidential, external e-mail address** that does not pass through HighCo's computer network.

The whistleblower must provide their identity in the email indicating their surname, forename and contact details (tel.) as well as their function or status and must provide all supporting details, information or documents that corroborate the report.

**Whistleblowers may remain anonymous** if they so wish. In this case, they must specifically indicate this in their report.

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<sup>1</sup> Applicable legislation:

Amended Sapin Act <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000033558528/2022-10-14/>

Waserman Act: <https://www.legifrance.gouv.fr/lord/id/JORFTEXT000045388745/>

Implementing decree: <https://www.legifrance.gouv.fr/lord/id/JORFTEXT000046357368>