



Internal Reporting System and Whistleblower Protection Policy

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1. INTRODUCTION

ENAIRe, a State-Owned Company of the [Ministry of Transport, Mobility and the Urban Agenda \(MITMA\)](#), is responsible for the planning, management, coordination, operation, maintenance and administration of air traffic, telecommunications and aeronautical information services, as well as of the communications infrastructure, facilities and networks of the air navigation system, with the aim of ensuring that the service is provided safely, efficiently, continuously and sustainably.

With the entry into force of [Act 2/2023 of 20 February, regulating the protection of persons who report violations of regulatory and anti-corruption requirements](#), ENAIRe approves this [Internal Reporting System and Whistleblower Protection Policy](#) as part of the [ENAIRe Governance and Management Model](#) within the [Regulatory Compliance Management System](#).

This [Policy](#) lays out the general principles regarding the internal reporting and whistleblower protection system, and must be duly advertised at the Company, pursuant to the provisions of the aforementioned [Act 2/2023](#).

2. OBJECT AND SCOPE OF APPLICATION

2.1. Purpose

This Policy reflects ENAIRe's commitment to the [culture of regulatory compliance](#) based on [ethics](#), promoting [dialogue and active listening](#) with our internal and external stakeholders, and [guaranteeing the protection of whistleblowers against potential reprisals](#).

The purpose of this Policy is to lay out the [general principles of the Internal Reporting and Whistleblower Protection System](#) (hereinafter, the "Internal Reporting System or "System"), which includes the [Ethical Channel](#) as a formal mechanism for communicating, checking or reporting irregularities. One of the guiding principles of its operation is to protect the person reporting any irregularities.

2.2. Subjective scope of application

This Policy applies to ENAIRe and all employees, the members of ENAIRe's Management Committee and Governing Board, who are required to know, understand and comply with the provisions of this Policy. It will also apply to subsidiaries or majority-owned companies of ENAIRe that do not have their own specific policy, including the ENAIRe Foundation.

Similarly, persons acting on behalf of and representing ENAIRe without being part of its organisation will undertake to act in accordance with this Policy when representing the Company or acting on its behalf in the performance of their duties.

2.3. Objective scope of application

Through the different Channels that are integrated into the Internal Reporting System, whistleblowers may report any known or suspected misconduct involving the following areas:

1. Any violation of the principles set out in the Code of Ethics;
2. Breaches of ENAIRe's Regulatory Compliance Management System or any internal ethics and compliance standards;
3. Events or behaviours that may have criminal implications;
4. Serious or very serious administrative violations;

5. Breaches of labour law involving occupational health and safety;
6. Any actions or omissions that may constitute violations of European Union law, provided that they:
 - a) Fall under the scope of the European Union acts listed in the annex to Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019;
 - b) Affect the financial interests of the European Union as set out in Article 325 of the Treaty on the Functioning of the European Union (TFEU); or
 - c) Have an impact on the internal market, as set out in Article 26.2 of the TFEU, including violations of European Union regulations involving competition and aid granted by the States, as well as violations involving the internal market in relation to acts that violate the rules of corporate tax or of practices whose purpose is to obtain a tax advantage that distorts the purpose or goal of the relevant corporate tax legislation.
7. Any other type of irregularity that may subject ENAIRE to liability.

The Internal Reporting System can also be used to submit relevant questions or queries.

3. WHISTLEBLOWERS

For the purposes of this Policy, a **whistleblower** is defined as:

- managerial and executive personnel, and ENAIRE employees, regardless of their functional or hierarchical position, and whether they are current or former employees, or personnel who are in selection or training processes (hereinafter, the "**Personnel**").
- natural or legal persons who, without being included in the previous paragraph, have obtained information on violations over the course of a professional, administrative, commercial or other relationship with ENAIRE (hereinafter, the "**Third Party**").

Whistleblowers, whether Personnel or Third Parties, can provide information on or report actions or omissions indicated in the objective scope of application of this Policy through the different channels that make up the Internal Reporting System.

4. OPERATING PRINCIPLES AND COMMITMENTS

The basic operating principles and commitments on which this Policy is based are as follows:

- ⇒ **Operational safety**: all the elements of the System will help preserve and safeguard the safety of air operations.
- ⇒ **Regulatory compliance**: corporate legality and ethics are core components of the System. As a result, all reports will be processed in a comprehensive and professional manner, and in compliance with the applicable laws and internal regulations and, in particular, with data protection regulations.
- ⇒ **Independence and impartiality**: the System will ensure an impartial hearing and fair treatment for all affected persons. Everyone involved in the process will act in good faith to determine the truth and ascertain the facts.
- ⇒ **Transparency and accessibility**: steps will be taken to ensure that the information on the System and its regulation is conveyed clearly and understandably, and that the System is accessible.
- ⇒ **Traceability and security**: the System will contain all the measures needed to ensure the integrity, monitoring and security of the information.

- ⇒ **Confidentiality and anonymity:** the System will guarantee anonymity and the utmost confidentiality of the identity of the whistleblower, of the information reported and of any actions taken as a result. The System will also allow reports to be submitted anonymously.
- ⇒ **Discretion:** the System will ensure that the people involved in processing and investigating the reports act with the utmost discretion with regard to the facts they are aware of due to their position or function.
- ⇒ **Diligence and speed:** the System will ensure that the investigation and conclusion of the reported events are processed with due professionalism, diligence and without undue delay, so that the process can be completed as quickly as possible while offering all assurances.
- ⇒ **Good faith:** the System shall ensure that the information reported is honest, complete and truthful, without prejudice to any inaccuracies or omissions that the whistleblower may involuntarily engage in.
- ⇒ **Respect and protection for people and prohibition of reprisals:** the System will ensure that the relevant measures are taken to guarantee the right to protection against retaliation, as well as the dignity and privacy of the persons concerned.
- ⇒ **Respect for fundamental rights:** The System guarantees the right to information, the right to defence, the right to contest evidence, the right to a presumption of innocence and the right to honour of all persons involved in the process. These persons also have the right to be heard at any time, in the way deemed appropriate to ensure the successful outcome of the investigation.

5. CHANNELS THAT MAKE UP THE INTERNAL REPORTING SYSTEM

At ENAIRe, we have many channels for communicating with our Personnel and Third Parties to promote dialogue and active listening as part of the culture of regulatory and ethical compliance that is the basis of our Internal Reporting System:

- ⇒ **Ethical Channel ("Channel"):** online platform accessible on ENAIRe's website and intranet in a separate and easily accessible section. The platform has measures to safeguard the security and integrity of the information and processing of personal data.
- ⇒ **Harassment mailbox:** email address set up specifically to report potential harassment situations. Communications or reports on harassment will be governed by specific internal procedures and rules.
- ⇒ **Postal mail:** Avenida de Aragón s/n Bloque 330, portal 2, Parque Empresarial Las Mercedes, 28022 (Madrid). Mark it to the attention of the Manager of the Internal Reporting System ("A/A Responsable del Sistema Interno de Información").
- ⇒ **In-person meeting:** option to report any behaviour verbally by requesting an in-person meeting with the Head of the Internal Reporting System.

If any information provided for in this Policy is reported by any way other than those specified above, an effort will be made to process said information in accordance with the provisions herein.

Without prejudice to the above Channels for reporting irregularities, the government or public administration of each country in which ENAIRe is present may have official channels that it makes available to people. In the case of the European Union, Member States have designated the competent authorities to whom regulatory breaches can be reported, either directly or after reporting them through ENAIRe's Internal Reporting System. All Personnel and Third Parties are clearly and accessibly informed of the external

channels on ENAIRE's website (as they are set up, and/or by reporting their existence and/or means or channels of communication).

6. HEAD OF THE INTERNAL REPORTING SYSTEM

ENAIRE's Governing Board shall appoint the manager of ENAIRE's Internal Reporting System.

The persons included in the scope of this Policy are required to cooperate with the System Manager under the terms of this Policy and any implementing rules.

In any case, the System Manager shall act independently of any other ENAIRE bodies, committees or personnel.

7. SUPERVISION MECHANISMS

The body responsible for supervising the operation of and compliance with this policy is the [regulatory compliance body](#).

8. ADVERTISING AND DISCLOSURE

In compliance with the requirements of the international transparency standards and practices, this Policy will be made available to all stakeholders on ENAIRE's [website](#) and on its intranet for their information and consultation.

Similarly, the Policy will be appropriately communicated and [disseminated](#) internally using existing tools, to aid everyone acting on behalf of ENAIRE to understand and apply it.

9. APPROVAL AND VALIDITY

Following its presentation to the Management Committee on 17 May 2023, this Policy was approved by ENAIRE's Governing Board at its meeting of 31 May 2023, coming into force on 13 June 2023. It shall remain in force until amendments are made to the Policy.

This Policy is subject to review and updating as needed to adapt it to any regulatory, social, economic or organisational changes.