



**Organization, management and control model pursuant
to Legislative Decree 231/2001**

Disciplinary System

LIST OF REVISIONS

REV.	DATE	NATURE OF THE CHANGES	APPROVAL
1	14.10.2022	Adoption	Board of Directors
2	22.01.2025	Update	Board of Directors

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1. PREMISE

The Disciplinary System suitable for sanctioning the violation of the Code of Ethics and the Organization, Management and Control Model is to be considered an indispensable element of the Model itself and an instrument which guarantees its effective implementation.

In this regard, the art. 6, paragraph 2, letter e) of the Legislative Decree 231/2001 provides that the Organization and Management Models must "introduce a Disciplinary System suitable for sanctioning the violation of the measures indicated in the Model".

The subsequent art. 7, paragraph 4, letter b) of the Decree establishes that the effective implementation of the Model also requires "a Disciplinary System suitable for sanctioning the violation of the measures indicated in the Model".

Plastitalia SpA (hereinafter also Plastitalia or the Company) has built its own Disciplinary System, reported in this document, based on the discipline of the articles mentioned above, on the jurisprudential judgments and on the indications provided by the Confindustria Guidelines.

The Disciplinary System is distributed to all workers and is also made known by posting it on company notice boards.

1.1 The main normative references in the disciplinary system

- art. 7 of Law 300/70 (Workers' Statute), art. 2104 of the civil code (diligence of the employee), art. 2105 of the civil code (obligation of loyalty), art. 2106 of the civil code (disciplinary sanctions) art. 2118 cc (withdrawal from the contract) and art. 2119 of the civil code (withdrawal for just cause);
- provisions of the applicable collective agreements (National Collective Agreement for Rubber and Plastic);
- art. 1176 of the civil code (diligence in fulfillment), 1218 of the civil code (debtor's liability) and 1456 (express termination clause);
- art. 1382 of the civil code (effects of the penalty clause) and art. 1456 of the Italian Civil Code (express termination clause);
- regulations relating to health and safety in the workplace (art. 20 Legislative Decree 81/08);
- Legislative Decree 24/2023 "Implementation of Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons reporting breaches of Union law and containing provisions on the protection of persons reporting breaches of national legislative provisions";
- ANAC Guidelines on the protection of persons reporting breaches of Union law and protection of persons reporting breaches of national legislative provisions.

The sanctions envisaged in the Disciplinary System, an integral part of the Organization, Management and Control Model, have the same disciplinary nature as the provisions pursuant to art. 7 of the Workers' Statute and its subsequent amendments and the disciplinary sanctions envisaged by the applicable National Collective Agreements.

1.2 Principles of the disciplinary system

The Disciplinary System has a preventive function: the violation of the Model and the Code of Ethics involves the activation of an internal, timely and immediate sanctioning mechanism by Plastitalia.

The application of disciplinary sanctions is independent of the outcome of any criminal proceeding, in order to contrast any prodromal behavior to the commission of the crimes pursuant to Legislative Decree 231/2001.

The identification of the sanction takes place according to the principle of adequacy and proportionality and in relation to the seriousness of the crime or, in any case, of the violation committed and ensuring, in the cases provided for by law and by the CCNL, the involvement of the interested party, who is guaranteed the possibility to justify his behavior after the dispute of the charge, also through the right to be assisted by a representative of the trade union association to which he adheres or confers mandate.

1.3 Content and recipient of the disciplinary code

This Disciplinary System states:

- the facts that are considered disciplinary relevant;
- the related sanctions, in accordance with the law and the CCNL;
- the procedures for contesting and imposing sanctions.

The sanctions identified in this Disciplinary System apply, with specific aspects, to:

- employees (who do not hold the position of manager);
- members of the Board of Directors and of the Board of Statutory Auditors;
- members;
- external subjects who act on behalf of the Company (self-employed workers, para-subordinate workers, suppliers, professionals, etc.).

2. APPLICABLE MEASURES

2.1 Employees

The sanctions that can be imposed on employees (managers, office workers and workers), in compliance with the provisions of the Civil Code, with the procedures referred to in article 7 of the Law of 30 May 1970, n. 300 (Workers' Statute) and the reference CCNLs may be:

- a) **verbal reminder;**
- b) **written warning;**
- c) **fine up to the amount of three hours' pay (monthly pay or salary and contingency allowance);**
- d) **suspension from work and pay for a period not exceeding 10 days of actual work;**
- e) **dismissal.**

In addition to the conduct already set forth in the CCNL, the following conduct shall be considered punishable under this Disciplinary System and in compliance with the provisions of the Civil Code, the procedures set forth in Article 7 of Law No. 300 of May 30, 1970 (Workers' Statute) and the applicable CCNL:

- *non-compliance with the principles and rules of conduct contained in the Code of Ethics adopted by the Company;*
- *non-compliance with the procedures, protocols (general and specific), regulations envisaged and referred to in the Organisation, Management and Control Model;*
- *non-compliance with the documentation obligations of the activities envisaged by the procedures referred to in the Organisation, Management and Control Model for processes at risk;*

- *omission of the obligations deriving from art. 20 of Legislative Decree 81/08 on safety and health in the workplace;*
- *obstacle or evasion of the controls by the Supervisory Body, impediment of access to information and documentation towards the persons in charge of the controls;*
- *omitted information to the Supervisory Body as well as to the executive body in relation to information flows specified in the Model;*
- *failure to report non-compliance or irregularities committed by other workers and senior management;*
- violation of all the provisions provided for and regulated pursuant to Legislative Decree 24/2023;
- violation of the measures adopted by the Company to protect the whistleblower pursuant to Legislative Decree 24/2023, including the confidentiality of the whistleblower and/or all acts of possible retaliation against the whistleblower;
- in the (malicious or grossly negligent) making of biased, discriminatory or otherwise unfounded reports, when the civil liability of the reporting person for defamation or slander is ascertained, even by a first-instance judgment, in cases of wilful misconduct or gross negligence, unless the same has already been convicted, even in the first instance, for the crimes of defamation or slander or in any case for the same crimes committed with the complaint to the judicial or accounting authority.

In the event of criminally relevant conduct, the Company reserves the right to file a report or complaint, in compliance with the provisions of the relevant laws.

The type and extent of each of the sanctions mentioned above will be commensurate, pursuant to the provisions of the Disciplinary System, in relation to:

- the intentionality of the behavior or the degree of negligence, imprudence or inexperience, also having regard to the predictability of the event;
- the overall behavior of the worker, with particular regard to the existence or otherwise of the same disciplinary precedents, within the limits permitted by law;
- the worker's functions;
- the functional position of the persons involved in the facts constituting the fault;
- to the other particular circumstances that accompany the disciplinary violation.

Disputes, which will give rise to the application of sanctions other than simple verbal warnings, must necessarily be made in writing, so as to guarantee the traceability of the application and the precedents against the sanctioned subject.

2.2 Directors and Statutory Auditors

The following sanctions may be applied to directors and statutory auditors, in proportion to the seriousness of the infringement committed:

- verbal warning;
- written warning;
- revocation of office for just cause.

In accordance with the provisions of the Civil Code, revocation for just cause referred to in articles 2383,

paragraph 3, and 2400, paragraph 2, is identified as the sanction to be provided for more serious

infringements, which involve the compromise of the relationship of trust between the Cooperative and the administrator or mayor or the auditor.

The disciplinary power over the directors, auditors and statutory auditors lies with the Shareholders' Meeting which, in compliance with the provisions of the Civil Code and the Articles of Association and their subsequent amendments, is called to decide on any revocation or liability action against of the same. The conduct that can be sanctioned is the same attributable to the employees specified in the previous paragraphs.

The assessment and choice of the sanction to be imposed among the possible ones must take into account the seriousness and reiteration of the conduct. The reiteration of the behaviors indicated above constitutes a symptom of greater seriousness of the violations.

2.3 External subjects (external collaborators, partners, suppliers)

If the behaviors in violation of the Model or the Code of Ethics are carried out by self-employed workers, suppliers or other subjects who operate under contracts on behalf of Plastitalia, the only applicable measure is the termination of the contract pursuant to article 1456 of the civil code

With respect to such individuals, there is no disciplinary power on the part of the Company's top management, except for the Company's power to intervene on the basis of the contract by adhering to the contractual regulations set forth in the Civil Code.

The sanctions must correspond to what is included in the contractual clauses and to the laws on the specific subject of each relationship (express termination clauses that make explicit reference to compliance with the provisions of the Model and the Code of Ethics pursuant to art. 1456 of the civil code where applicable and/or of penalties pursuant to Article 1382 of the Civil Code).

2.4 Measures against the members of the Supervisory Body

Any measures to be taken against the members of the Supervisory Body in the face of conduct in violation of the Code of Ethics and/or the Model will be the responsibility of the Board of Directors. In the event of serious violations, the fact may be considered just cause for revocation of the assignment without prejudice to the application of any disciplinary sanctions envisaged by existing contracts.

3. INVESTIGATION AND APPLICATION OF SANCTIONS

If the news of behavior contrary to the provisions of the Model and/or the Code of Ethics reaches the Supervisory Body directly, the latter proceeds with the opening of an investigation phase aimed at verifying the truthfulness or validity of the violations directly detected or reported from third parties.

The SB examines all the reports in order to verify the validity of the news and starts an investigation.

During the preliminary investigation phase, the SB can request information, documents and data from the various corporate functions. At the conclusion of the preliminary investigation phase, the SB makes its own assessments regarding the existence or otherwise of the infraction, its causes and any need for corrective action on the Model.

In relation to the person who committed the infringement, the SB transmits the outcome of the investigation to the following bodies:

- in the event of violations committed by employees, to the Chairman of the Board of Directors, who, within the scope of the powers assigned, will proceed with the imposition of sanctions;
- in the event of violations committed by members of the Board of Directors and the Board of Statutory Auditors, to the Shareholders' Meeting for the purpose of appropriate resolutions;
- in the event of violations committed by external parties, to the Chairman of the Board of Directors who will initiate the procedure for the imposition of sanctions as indicated in the previous paragraphs. The contestation phase and any imposition of the sanction will be conducted in compliance with the provisions of the Civil Code, the Workers 'Statute and the applicable CCNL