Panevezio statybos trestas AB
(Code 147732969)

APPROVED BY
Order No. 66 dated 23 April 2021
by Managing Director
of *Panevezio statybos trestas* AB

DESCRIPTION OF PROCEDURE FOR PROVISION AND EXAMINATION OF INFORMATION ON BREACHES

SECTION I
GENERAL PROVISIONS

1. Description of Procedure for Provision and Examination of Information on Breaches (hereinafter referred to as 'the Description') establishes the procedure for provision of information on breaches, which are being allegedly arranged, have been committed or are being committed at *Panevezio statybos trestas* AB (hereinafter referred to as 'the Company'), receipt of information on breaches through an existing internal channel for providing information on breaches, assessment thereof and decision-making.

2. Any reports received shall be accepted, registered, investigated, measures to protect whistleblowers shall be ensured in accordance with the Law on Protection of Whistleblowers of the Republic of Lithuania (hereinafter referred to as 'the Law on Protection of Whistleblowers of the Republic of Lithuania), other legislation and the Description.

3. The following definitions shall be used in the Description:

3.1. **'Information on a breach'** means information on a breach, which is provided by a person through an internal channel for providing information on breaches or directly to a competent authority, or in public;

3.2. **'Competent person'** means a person appointed at the Company who administers internal channels for providing information on breaches, examines information on breaches received therethrough and ensures confidentiality of a person who has provided information on breaches;

3.3. **'Confidentiality'** means a principle of activities of the Company and employees thereof securing that the data of a person who has provided information on a breach and other information that enables to identify thereof directly or indirectly shall be processed solely for the purpose of performing work or service functions and that such information shall not be disclosed to any third parties, except for the cases laid down in the Law on Protection of Whistleblowers of the Republic of Lithuania;

3.4. **'Breach'** means a criminal act, administrative offence, official misconduct or breach of work duties or any other breach of law posing a threat or causing harm to the public interest, which is being allegedly arranged, is being committed or has been committed at the Company or of which

a whistleblower becomes aware through his present or former employment relationship, or contractual relationship with the Company;

3.5. **'Whistleblower'** means a person who provides information on a breach at the Company, with which he has or had employment or contractual relationship and who is recognised by the Company or an authority as a whistleblower;

3.6. **'Report'** means an application to a competent person, which meets formal requirements laid down in the Description and which contains specific information on a breach;

3.7. **'Internal channel for providing information on breaches'** means a procedure developed and applied at the Company in a prescribed manner for providing information on breaches at the Company, examining such information and notifying the person.

4. The provisions of the Description shall be applied to the persons who have or had employment or contractual relationship (consultancy, contracting, internship, traineeship, volunteering relationship, etc.) with the Company.

5. Provision of information with the purpose of protecting exclusively personal interests shall not be regarded as the report to be investigated in accordance with the procedure established by the Description.

SECTION II
FUNCTIONS AND RIGHTS OF THE COMPETENT PERSON

6. The competent person shall be responsible for compliance with the requirements of the Law on Protection of Whistleblowers of the Republic of Lithuania.

7. In implementing the requirements of the Description, the competent person shall perform the following functions:

7.1. register, analyse and confirm information on the breaches received through an internal channel;

7.2. cooperate with employees of the Company, competent authorities in providing and/or receiving any necessary information;

7.3. ensure confidentiality of the person who has provided information on the breach through the internal channel;

7.4. ensure that information received on the breach and data relating thereto are kept in a secure manner and are accessible solely to the persons authorised to investigate the breach;

7.5. perform any other functions laid down in the Description.

8. In performing the assigned functions, the competent person shall have the right:

8.1. to receive necessary information and data from the employees of the Company who are not subordinate thereto;

8.2. after examining information on the breach received through the internal channel, to make decisions related to such examination, which are binding on all employees of the Company.

SECTION III
PROVISION OF INFORMATION ON BREACHES

9. The breach may be reported through the internal channel for providing information on breaches by any person who has or had a service or employment relationship, or contractual relationship (consultancy, contracting, internship, traineeship, volunteering relationship, etc.).

10. Information on breaches shall be provided in writing. The person providing information on the breach shall complete the report in the approved format (Appendix 1). If the person providing information on the breach fails to comply with the report format and reports the breach in the free-form report, such report shall indicate who, when has committed, is committing or is arranging to commit the breach, how and what breach has been committed, is being committed or is being arranged, etc., the date and circumstances of the breach, the name, place of employment, other contact details thereof and, if possible, any available documents, data or information revealing the elements of the possible breach.

11. Any personal data requested for submitting the report shall be necessary for identification of the person in respect of granting the status of the whistleblower and shall be kept for three years from the date of receipt thereof.

12. The person providing information on the breach may submit the report to the competent person in the following ways:

12.1. by arriving at the Company at P. Puzino Str. 1, Panevezys directly;

12.2. to the competent person directly;

12.3. by sending the report by mail to the address indicated in Sub-clause 12.1. hereinabove. In case the report is sent by mail, 'TO THE COMPETENT PERSON IN PERSON' shall be added;

12.4. by sending the report by e-mail: skundai@pst.lt.

13. Information on the breaches may be provided because of:

13.1. a threat to public security or health, life or health of an individual;

13.2. environmental hazards;

13.3. impediment to or unlawful interference with investigations by law enforcement bodies or administration of justice by courts;

13.4. financing of illegal activities;

13.5. illegal or non-transparent use of public funds or assets;

13.6. unlawfully acquired assets;

13.7. concealment of the effects of the committed breach, obstruction of quantification of the effects;

13.8. other breaches.

14. The person providing information on the breach through the internal channel shall not be obliged to be fully convinced of reliability of the facts in the reports, he shall have no obligation to assess whether the reported breach corresponds to any elements of criminal or other offenses as defined by the legislation.

SECTION IV

ACCEPTANCE AND REGISTRATION OF REPORTS

15. The reports received through the internal channel of the Company shall be entered in the register which is not public (Appendix 2).

16. The report received at the e-mail address other than that indicated in Sub-clause 12.1. of the Description shall not be registered and shall be without delay forwarded to the e-mail address of the internal channel. Upon receipt of confirmation on delivery of the report to the internal channel in accordance with the procedure established in this paragraph, the forwarded information on the breach shall be without delay, but not later than within 3 working days from the date of forwarding thereof to the competent person, deleted.

17. In case the report is received by mail, such report shall not be registered by the employee performing document management functions. It shall be without delay, but not later than on the following working day, forwarded to the competent person, who shall enter it in the register designated for that purpose.

18. The competent person who has received information on the breach through the internal channel shall, at the request of the person who submitted it, without delay but not later than on the following working day, notify thereof in writing about receipt of such information.

SECTION V

ASSESSMENT, EXAMINATION OF INFORMATION ON BREACHES, DECISION MAKING

19. Upon receipt of information on the breach through the internal channel, the competent person shall without delay assess it.

20. Having assessed received information on the breach, the competent person shall make one of the following decisions:

20.1. forward the report to an authority based on its competence after determining the circumstances laid down in Subclauses 21.1. and 21.2. of the Description;

20.2. investigate provided information on the breach;

20.3. refuse to investigate the report if there is at least one of the grounds laid down in Clause 22 of the Description.

21. The competent person having assessed information on the breach and identified that:

21.1. information provided in the report is attributable to the exclusive competence of the Prosecutor's Office of the Republic of Lithuania, shall without delay, but not later than within 2 working days from the date of receipt of a report, forward thereof to the Prosecutor's Office of the Republic of Lithuania and notify thereof the person who has submitted the report;

21.2. information included in the report gives the reason believe that another breach of the legislation other than the one falling within the exclusive competence of the Prosecutor's Office of the Republic of Lithuania, has allegedly been committed, shall without delay, but not later than within 5 working days from the date of receipt of a report, forward the report to the authority empowered to investigate such breaches and notify thereof the person who has submitted the report.

22. The competent person shall not investigate the report and shall notify thereof the person who has submitted the report if:

22.1. information provided on the breach does not comply with the provisions of the Law

on the Protection of Whistleblowers of the Republic of Lithuania;

22.2. the report is based on information which is manifestly untrue;

22.3. the person refers to the competent authority repeatedly regarding the same circumstances, where the information on the breach provided previously was examined in accordance with the procedure laid down in the Description and the decision regarding thereof was made.

23. Within 5 working days from receipt of information on the breach, the competent person shall notify the person who has submitted information on the breach in writing about the decision made regarding the examination of information. The reasons shall be given for any decision not to examine information on the breach.

24. When examining provided information on the breach, the competent person shall be entitled:

24.1. to request employees of the Company to provide explanations, clarifications, documents and information;

24.2. to demand that the employee who has allegedly committed a criminal act, offense, breach of work duties was removed from work in accordance with the provisions of the applicable legislation.

25. After examining provided information on the breach, the competent person shall without delay notify in writing the person about:

25.1. the outcome of information examination;

25.2. the actions taken (or to be taken);

25.3. the decision made by the competent person;

25.4. the procedure for appealing against the decision made by the competent person;

25.5. liability applied after the breach has been established.

26. If the person who has provided information on the breach receives no reply or no action is taken at the Company in response to provided information, he shall have the right to apply directly to the competent authority – the Prosecutor's Office of the Republic of Lithuania and submit the report on the breach thereto directly.

27. The person who has provided information on the breach may consult the competent person on remedies or measures regarding the possible or adverse effects on him in relation to the facts of providing information on the breach, or may address the competent authority for his recognition as a whistleblower.

SECTION VI

CONFIDENTIALITY PROTECTION

28. All Information received by the competent person through the channels defined in the Description (in person, by e-mail) shall be classified as confidential.

29. Confidentiality shall be ensured regardless of the outcome of examination of information received on the breach.

30. Confidentiality shall not be necessary if the person who has

provided information on the breach requests so in writing or when his information is known to be false.

31. Provision of data and other information of the person who has provided information on the breach to the pre-trial investigation or other competent authorities investigating breaches, without disclosing such data to the Company, shall not be considered a breach of confidentiality.

32. When examining received Information, it may be collected in documents, magnetic, film or photographic tapes, photographs, other information carriers, pictures, drawings, schemes and any other means of information/data collection/storage. Confidential information can also be verbal, i. e. existing in human memory and not saved/expressed in any material form.

33. When exchanging, disclosing or requesting confidential information by the competent person, it shall be ensured that confidential information reaches the addressee in a secure manner.

34. In all unforeseen cases, when there is a possible threat to breach confidentiality requirements and disclose confidential information, the competent person shall be obliged to notify the CEO of the Company and at the same time provide measures to eliminate such threat.

35. Confidentiality requirements shall not apply to forwarding of information to the person to whom performance of duties related to such information has been transferred, and in other cases provided for in the legislation of the Republic of Lithuania.

36. The employees and other persons shall be obliged to notify the CEO of the Company of any suspicious behaviour or situation of the competent person or third parties that may pose a threat to security of confidential information.

37. The employees to whom the content of Information has become known in the course of their duties and the personal data of the employee providing the Information has become known in the course of their duties shall be obliged to ensure confidentiality of Information and personal data both during and after work.

SECTION VII
FINAL PROVISIONS

38. The Description shall be binding to all the employees of the Company from the date of approval.

39. The Persons who have breached the requirements of the Description shall be liable in accordance with the procedure established by the legislation.

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