

BNG Irregularity Reporting Regulation

BNG whistleblower regulation, September 2025 version

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1 Introduction

At BNG, we consider a safe working environment to be very important. However, there may be situations where there is an irregularity, or the suspicion thereof, and you do not feel comfortable or less comfortable speaking out about it. In such cases, we invite you to report such situations via this reporting regulation. In this way, we can remedy the situation and prevent it for the future.

This regulation provides you with protection if you wish to make a confidential report about an irregularity at or caused by BNG.

The regulation was established on the basis of the Dutch Whistleblower Protection Act. This act is an implementation of European legislation (detailed in the annex under 'Directive'). The rules on reporting irregularities included in the Dutch Corporate Governance Code 2022 are also included in the regulation.

Scope

This regulation applies to persons who report a suspicion of an irregularity in the context of their work-related activities. These include BNG employees, interns, job applicants, former employees, volunteers, self-employed persons, consultants, directors, supervisory directors, shareholders, suppliers, cleaners and (sub)contractors.

In addition, the regulation applies to persons who assist the whistleblower (e.g. a confidential adviser), third parties involved (such as colleagues of the whistleblower or family members who have a work-related relationship with BNG) and the officials who receive or follow up the internal report (e.g. the internal investigators).

When we talk about BNG, this includes its affiliated subsidiaries.

Structure and maintenance of the regulation

Chapter three of the regulation sets out the principles of the regulation. Chapter four explains the internal reporting procedure. Chapter five sets out how you can make a report to the competent authority or make a report of wrongdoing public.

The appendices contain a number of definitions, an overview of relevant internal (reporting) regulations and the legal framework.

The Compliance department maintains the regulation in response to changes in laws and regulations or internal developments. The regulation will be approved by BNG's Executive Committee upon its entry into force, with due observance of the Works Council's right of consent.

2 Starting points

If you make a report, the following principles will be taken into account.

Protection of the whistleblower and others

- You, the person assisting you, third parties involved, the BNG reporting centre and investigator(s) may not be disadvantaged during and after the processing of a report under this regulation if you have reasonable grounds to believe that the reported information about the irregularity at the time of reporting is correct. The same applies to a disclosure, if you meet a number of additional requirements. You can read about these requirements in Chapter 5.3. If you believe that there is a disadvantage, you only need to demonstrate that you have reported on reasonable grounds and that you have suffered as a result. The burden of proof in this regard lies with BNG.
- You, the person assisting you and the third parties involved in making a report are protected from legal proceedings by BNG when disclosing information about what you have reported. This is on the condition that you have reasonable grounds to believe that the report is necessary to reveal the irregularity. In addition, making the report or making it public may not be in contravention of the Dutch Whistleblower Protection Act (Wet bescherming klokkenluiders) and this regulation.

Secrecy during the investigation

- Anyone involved in the report or investigation pursuant thereto has a duty of secrecy with regard to data of a confidential nature. An exception applies in the event that a statutory regulation or the implementation of the Dutch Whistleblower Protection Act requires you to provide this information.
- The report shall be treated confidentially. This means that the investigation is shielded from other employees. In cases where information about the report must be shared in the context of the investigation, you shall be informed about this.
- If employees are involved in the investigation, they are made aware of the confidentiality and secrecy obligation.
- Your identity as the whistleblower and information that can directly or indirectly identify your identity will not be shared with persons other than the BNG reporting centre without your permission. We will only share your identity with other people with your written consent.
- If you consult other BNG employees about your report, the requirements of confidentiality and secrecy also apply to them. It is important to point this out to them.

Advice from an internal or external confidential adviser

You are free to consult an adviser in confidence about a suspicion of an irregularity. This may be the (internal or external) confidential counselor, but that is not necessary; you are free to choose who you want to consult. You have the right to consult with an adviser throughout the process. In the event of wrongdoing, you can also obtain information and advice from the Huis voor Klokkenluiders (House of Whistleblowers). You can find more information in chapter 4.12.

Possibility of reporting to external reporting channels

You are free to make an external report to the Huis voor Klokkeluiders or to competent authorities via other external reporting channels in the event of an abuse. The manner in which an external report can be made is set out in Chapter 5.

3 Reporting an irregularity

3.1 When can you make use of this regulation?

If you have, receive or have had work-related activities at BNG, you can report an irregularity. An irregularity is understood to mean a behaviour or event that is or can become a wrongdoing or an integrity violation. See Annex 1 for the definitions. In both cases, you will be protected by this regulation.

An integrity violation is conduct or an event that constitutes a serious danger to the ethical conduct of BNG's business. Examples of integrity violations include bribery, fraud, abuse of power, conflicts of interest, intimidation and careless handling of confidential information. Wrongdoing occurs if the public interest is at stake or if there is an infringement of European Union law. Examples of wrongdoing include the deliberate over-crediting of customers or the violation of procurement rules. For the definition of wrongdoing, BNG is in line with the definition in the Whistleblower Protection Act. The definition is given in Annex 1 to this regulation.

If you have any doubts about whether a situation can be reported under this regulation (or another, more applicable internal (reporting) regulation), you can discuss this with the confidential counselor in confidence. You can also do this with the BNG reporting centre in relation to this regulation, on the understanding that the BNG reporting centre must follow up on this in certain cases, even if the whistleblower waives making a report.

3.2 Where can you report an irregularity?

You can report an irregularity (both an integrity violation and a wrongdoing) via the internal reporting procedure. You can read more about this in chapter 4.

If the irregularity is a wrongdoing, you can also report it via external reporting channels. More information about reporting to external reporting channels can be found in chapter 5.

In addition to this reporting regulation, there are other regulations, under which you can report an incident or undesirable behaviour, for example. An overview can be found in Annex 2.

4 Internal reporting procedure

This chapter describes how you can make an internal report of an irregularity and what the next steps are. The main steps are shown below.



4.1 The BNG reporting centre

You can report an irregularity internally to the BNG reporting centre. In doing so, you indicate the notification and all of the information reasonably required to be able to verify and assess the notification. Reporting can be done in different ways. This allows you to call, email, write to or contact the BNG reporting centre directly. You can also indicate that you want an appointment on site. You also indicate how you want further contact to take place.

The BNG reporting centre has set up two channels for making an internal report and handling it. In the event that the BNG reporting centre is referred to in the remainder of the regulation, both channels referred to below are referred to, unless explicitly stated otherwise.

4.1.1 BNG reporting centre – internal (the internal BNG reporting centre)

You can report an irregularity internally to the internal BNG reporting centre (hereinafter the internal BNG reporting centre). Your report to this internal BNG reporting centre will be handled within BNG.

The internal BNG reporting centre consists of the Head of Compliance and one or more Senior Compliance Officer(s) – expert(s) employee integrity – designated by the Head of Compliance. You can find out who these are on the intranet.

4.1.2 BNG reporting centre – external (the external BNG reporting centre)

In addition to the internal BNG reporting centre, BNG has also set up an additional reporting centre that is more at a distance from BNG. To this end, BNG has designated the Dutch Compliance & Integrity Professionals (NCIP) as an external organisation (hereinafter the external BNG reporting centre). The NCIP is separate from BNG and independent.

You can choose this reporting centre if you want to make an internal report but want to process it at a greater distance from BNG. Your report to the external BNG reporting centre will be handled by the NCIP. The NCIP will, however, contact the internal BNG reporting centre to indicate that it has received a report. No information is shared here from which your identity can be derived, unless you have given your written consent. Contact with you as the whistleblower takes place entirely via the NCIP.

You can contact the external BNG reporting centre in various ways: by telephone, by email, by post, on site or via the contact form on the NCIP website (ncip.nl). The contact details of

this BNG reporting centre can also be found on the intranet.

4.1.3 BNG reporting centre conflict of interest

Your report may be transferred to the other channel of the BNG reporting centre if it creates a potential conflict of interest with the internal BNG reporting centre or with the employee of the internal BNG reporting centre to whom you have reported. If there is a transfer to the other channel of the BNG reporting centre, you will be informed of this.

4.2 Anonymous reporting

In some cases, you may feel more comfortable making the report completely anonymous. In that case, you can write an anonymous letter or, for example, create a separate email address and send your report to the BNG reporting centre or use the reporting form on the NCIP website.

If you report anonymously, do not forget to indicate how the BNG reporting centre can contact you if you wish. If this is not stated, please note that it may not be possible to follow up your report properly due to a lack of information.

4.3 Acknowledgement of receipt of the internal report

You will receive confirmation from the BNG reporting centre within seven days of receiving your notification (if you have left your contact details). This confirmation of receipt shall contain the following:

- Your name as the reporter;
- A description of the (initial) notification;
- The date on which the notification was received;
- The date on which you will receive a message about the status and any further investigation at the latest.

The BNG reporting centre informs the ExCo of the receipt of the report and begins a preliminary investigation with due regard for confidentiality. The BNG reporting centre periodically informs you of the state of affairs.

4.4 Recording of reporting information

4.4.1 Register

The notification will be included in a register upon receipt. This register is managed by the BNG reporting centre. The data of the notification included in the register will be destroyed if it is no longer necessary to comply with laws and regulations.

4.4.2 Voice message systems

If you wish to report it in person in a call, by telephone, video call or other voice messaging system, the BNG reporting centre records this in the following manner:

- i. Recording the interview in a durable and retrievable form (permission is requested from you in advance); or
- ii. A complete and accurate written representation of the conversation. You will have the opportunity to check, correct and sign to indicate your approval.

4.4.3 Processing of personal data

The following personal data is processed when this regulation is implemented:

- Name of the whistleblower;
- Position and team/department of the whistleblower;
- Email address of the whistleblower;
- Telephone number of the whistleblower;
- The person to whom the report relates (name, position and contact details, where relevant);
- If applicable, the names, role and contact details of the confidential adviser and/or third parties involved.

It cannot be ruled out in advance that other employment-related data will be processed when further research is carried out. Nor can it be ruled out in advance that special or sensitive personal data, such as medical data, criminal data or location data, can be processed during registration and research.

Personal data is only processed if this is relevant for the follow-up of the report. When processing personal data, the principles set out in the Privacy Policy are observed. More specifically, this means that the processing under this regulation is based on a legal basis, such as a legal obligation and/or the legitimate interest of BNG to investigate and prevent wrongdoing.

Data subjects have the right of access, rectification, restriction of processing and – in certain cases – deletion of their data. These rights may be restricted, where this is necessary to ensure the confidentiality of the report or the protection of other data subjects.

Personal data shall not be kept longer than is necessary for the purpose of the report and its handling. See below for details of the retention periods for processing under this reporting regulation. After the retention period has expired, the data is securely deleted or anonymised. BNG also takes appropriate technical and organisational measures to protect the data against unauthorised access. If you have any questions or requests regarding privacy rights, please contact the Privacy Office.

Situation	Retention period	Start retention period	What
- The report is not admissible. No further investigation will take place.	≤ 6 months	After the "inadmissibility" statement	Destruction of personal data in the notification.
- The report is admissible, but no further investigation will take place.	≤ 12 months	After the "admissibility" statement	Destruction of personal data in the notification.
- The report is admissible and further investigation will take place	≤ 12 months	After completion of the further investigation	Destruction of personal data in the notification and anonymisation of the investigation file.

4.5 Preliminary investigation

The BNG reporting centre will assess whether you can make the report under this regulation within five working days of sending the acknowledgement of receipt. The BNG reporting centre can call on the help of an internal investigator or decide to have this handled externally. In that case, the investigator acts in accordance with this regulation.

The information resulting from the preliminary investigation will be treated confidentially. This means that only the BNG reporting centre and, if applicable, the investigator have access to this data.

The BNG reporting centre will inform you of the content of the report, the extent to which the report falls under the regulation and the possible follow-up steps in the investigation. If the consultation leads you to believe that the report has already been followed up sufficiently and that the next steps in the regulation are not necessary, the procedure under this regulation will stop, unless the BNG reporting centre has serious reasons to continue the procedure in view of the seriousness of the irregularity.

4.6 Advice to start further investigation

If the preliminary investigation shows that the report falls under this regulation, the BNG reporting centre advises the ExCo to start further investigation. The ExCo informs the chair of the Supervisory Board (hereinafter referred to as SB) of the recommendation to start further investigation. If the report relates to the functioning of (one of the members of) the ExCo or the SB, the BNG reporting centre shall issue advice to the chair of the SB. If it concerns the Chair of the Supervisory Board (SB) himself, it shall be issued to the Vice-Chair.

The advice to the ExCo (or (vice) chair of the SB) shall be sent to you for information. The aim is to submit the advice to the ExCo (or (vice) chair of the SB) no later than three weeks after the acknowledgement of receipt. Your identity will not be mentioned or otherwise disclosed in the advice, unless you have indicated that you would like to do so. The BNG reporting centre also informs the person who is the subject of the report about the report and the advice, unless there are serious objections to this. Consider, for example, the situation in which the evidence can be removed.

4.7 Carrying out further investigation

After the advice has been given, the ExCo (or (vice) chairman of the SB) assigns the investigation to internal researchers, or, if there is insufficient internal capacity or expertise on the subject, to external researchers. The BNG reporting centre informs you of this by email or other means of communication as agreed. It indicates who is carrying out the investigation and how the investigation assignment will be conducted. The investigator acts in accordance with these regulations.

The BNG reporting centre will provide you with information about the substantive assessment and, if applicable, the follow-up, no later than 2 months after the acknowledgement of receipt. If it is not possible to complete the investigation within this period, you will be informed of this. During the investigation, you will receive a progress report every four weeks,

even if no progress has been made.

The BNG reporting centre also informs the person who is the subject of the report, unless there are serious objections to this. The BNG reporting centre determines, if necessary in consultation with the person carrying out the investigation, whether there are serious objections and establishes the reasons for this. The BNG reporting centre informs the person who is the subject of the report that he can consult an adviser or confidential counselor for assistance.

The investigation is based on the following principles:

- The principles of Dutch and European privacy laws and regulations are observed;
- Data is collected lawfully and proportionately;
- Unlawfully obtained data is not used;
- Hearing both sides of the argument takes place. If no hearing can take place during the investigation, this will take place at the latest before the decision on the investigation is taken;
- The investigator shall ensure that the interviews conducted are recorded in writing and submit them to the person who has been heard for inspection, correction, approval and signature. That person receives a copy of this.
- The investigator has access to all available information or data of the organisation, may access and retrieve them to the extent reasonably necessary for the investigation.
- Employees are free to share documents with the researcher on their own initiative if they think this is necessary to carry out the research properly.

4.8 Investigation report

A draft report of the further investigation will be prepared. You as the whistleblower and the person who is the subject of the report are given the opportunity to respond to this, unless there are serious objections to this. These reactions are added in full to the report. The investigation report is then sent to the ExCo. You as the whistleblower and the person who is the subject of the report receive a copy of this via the BNG reporting centre, unless there are serious objections to this. If there are serious objections, the BNG reporting centre will consider whether they are serious enough not to share the draft report.

If the investigation concerns an ExCo or SB member, the report is sent to the chair of the SB. If it concerns the chair of the SB, it will be sent to the vice-chair.

4.9 Decision

The ExCo shall give its decision within four weeks of receiving the investigation report at the latest. An exception applies to cases in which the report relates to the performance members of the ExCo or the SB. In these cases, the chair of the SB will give a ruling (or the vice-chair in the case that it concerns the chair of the SB). In these cases, the BNG reporting centre has direct contact with the (vice-)chair of the SB. If more time is needed, you and the person who is the subject of the report will be notified of this in writing.

On the basis of the investigation report, the ExCo decides whether and, if so, which repressive and corrective measures must be taken and who will carry out these actions. The

ruling is based on the following principles:

- The decision will be taken within 3 months after acknowledgement of receipt (unless there is a postponement of which you were previously informed);
- The decision is clearly substantiated in writing (or by email) and is binding;
- The whistleblower, the person who is the subject of the report, the BNG reporting centre and the head of Internal Audit receive a copy of the decision. The BNG reporting centre shares the decision with the investigator and any other relevant persons involved in the conduct of the investigation.

The BNG reporting centre monitors that the actions from the decision are carried out.

4.10 Reporting irregularities to DNB and/or AFM

Under the Dutch Financial Supervision Act, BNG shall inform DNB (or AFM) without delay if the report qualifies as conduct or event that constitutes a serious danger to the ethical conduct of BNG's business. As soon as it is established that this is the case, this will be reported to the supervisory body without delay. This is handled via the usual process for this (not being the BNG reporting centre).

4.11 Tasks and powers of the BNG reporting centre

In order to properly implement this regulation, the following tasks and powers have been assigned to the BNG reporting centre:

- The BNG reporting centre is authorised to perform all actions required for a thorough investigation;
- If necessary, the BNG reporting centre can obtain information and/or advice from external parties for the purposes of the investigation and without prior permission; the ExCo makes available a sufficient and reasonable budget for this;
- If information and/or cooperation from BNG employees is required, this can be requested. Employees shall cooperate in this and from that moment on they have a duty of secrecy;
- If the report relates to the functioning of (one of the members of) the ExCo or SB, the BNG reporting centre shall issue advice to the chair of the SB. If it concerns the chair of the Supervisory Board (SB) themselves, it shall be communicated to the vice-chair;
- The BNG reporting centre ensures that the register and the investigation files are archived confidentially and that the retention periods are monitored;
- The BNG reporting centre monitors that the actions from the ruling are carried out.

4.12 Advice from the Huis voor Klokkenuiders (House for Whistleblowers) on suspicion of wrongdoing

You can ask the Consultancy Department of the Huis voor Klokkenuiders for information and advice in the event of a suspicion of wrongdoing. You can do this confidentially for both a report via the internal reporting procedure (as described in chapter 4) and a report to a competent authority (see chapter 5). This only applies if there is a wrongdoing. If this is an integrity incident, this is not possible at the Huis voor Klokkenuiders. You can then consult a confidential counselor in confidence (see Chapter 2).

You can seek advice from the Huis voor Klokkenuiders if you intend to make a report, and also if you have already made a report. The person assisting you and the third parties

involved, such as family members and colleagues, can also contact the Huis voor Klokkenluiders for advice.

The request for advice may be made in writing or orally, whereby this information (or the identity of the applicant) is not shared within the Huis voor Klokkenluiders, unless you indicate that you have no objection. The information on the advice is not public.

You can also contact the Consultancy Department of the Huis voor Klokkenluiders for support in reporting suspicions of wrongdoing. As a whistleblower, you may be eligible for free legal aid through the Legal Aid Council. To qualify for this free legal aid, you need a referral letter from the Consultancy Department of the Huis voor Klokkenluiders. A lawyer or mediator can then support you in any conflict with BNG. In addition, as a whistleblower, you can contact Victim Support Netherlands for professional first-line psychosocial support after referral from the Consultancy Department of the Huis voor Klokkenluiders.

This support also applies to a person who wishes to make a report, a third party involved or a person who assists the whistleblower.

5 Reporting to a competent authority and disclosure

5.1 Report to a competent authority (also known as external reporting channels)

We encourage you to report your suspicion of an irregularity to the BNG reporting centre so that we can resolve it internally. However, in the event of wrongdoing, you are free to report it directly to a competent authority (also referred to as reporting via external reporting channels). Exactly what constitutes wrongdoing and competent authority can be found in the definitions in Annex 1.

The authority where you reported will send you a confirmation of receipt within 7 days. It will inform you within three months of receipt of the report about the assessment and possible follow-up of the report, unless this information can jeopardise the investigation or legal proceedings or is contrary to a legal obligation of confidentiality. This three-month period may be extended by three months on a one-off basis.

If you have reported to the wrong authority, this authority will request permission from you as the whistleblower to forward the report to the correct competent authority.

5.2 Disclosure

You can also choose to disclose your suspicion of wrongdoing. This includes disclosing facts or information to the public. For example, through the media, a blog or social media. We do not regard external reporting to authorities as disclosure in this regulation. Disclosure is subject to conditions if you wish to claim protection under this Regulation.

If you have not yet made a report to a competent authority, you will only benefit from protection in the event of disclosure if there is an imminent or real danger to the public interest or if there is a risk of disadvantage in the event of a report to an authority or if the wrongdoing is not likely to be remedied effectively. In this case, as in the case of a report to a competent authority, it must be a wrongdoing and not an integrity incident. You will find exactly what is meant by this in the definitions in Annex 1.

If you have reported (the suspicion of) wrongdoing to a competent authority (and possibly via the internal reporting procedure) and do not receive anything within three or six months (see section 5.1) or if it appears from reasonable grounds that your report is not adequately addressed, you can make the wrongdoing public with protection.

You can see disclosure as the last possible step if the report has not been properly handled internally and externally. It is a good idea to ask for (legal) advice before you make a suspicion of wrongdoing public. For example, by contacting the Consultancy Department of the Huis voor Klokkeluiders (see section 4.12).

5.3 Protection in case of notification to a competent authority or/and disclosure

You, the person assisting you, a third party involved, the BNG reporting centre, the investigators and any witnesses must not be disadvantaged because of reporting the suspicion of wrongdoing to a competent authority. This is subject to the condition that you have reasonable grounds to believe that the information reported is correct at the time of the report.

You, the person assisting you, a third party involved, the BNG reporting centre, the investigators and any witnesses must also not be disadvantaged because of the disclosure of the suspicion of wrongdoing. The following conditions apply:

1. You have reasonable grounds to believe that the information reported is accurate at the time of disclosure; And:
2. You first made an internal report and/or a report to a competent authority and you have reasonable grounds to believe that the investigation has not progressed sufficiently. Or:
3. You have reasonable grounds to believe that:
 - the wrongdoing may be an imminent or real danger to the public interest;
 - there is a risk of disadvantage in the case of notification to a competent authority;or
 - the wrongdoing is unlikely to be remedied effectively.

5.4 Loss of right to protection

The Whistleblowers Protection Act points to the possibility of losing protection or facing punishment if you deliberately and consciously make false or misleading information public. From BNG, we would like to indicate that it is important to consider what information you share and why when disclosing it. This is partly to protect yourself in a situation in which incorrect or misleading information has been revealed.

The protection is maintained when you have reported with the right intentions and your report has ultimately proved to be unfounded.

5.5 Indemnification of liability

You, the person assisting you, a legal entity assisting you, a third party involved and any witnesses heard in an investigation may not be held liable for reporting or disclosing wrongdoing if:

- no more information is shared than is necessary to make the notification;
- the notification or disclosure was made in accordance with the steps set out in this regulation and the principles set out in the Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons reporting infringements of Union law (europa.eu).

You, the person assisting you, a legal entity assisting you, a third party involved and any witnesses heard in an investigation may, however, be held liable if the acquisition of or access to information is punishable.

6 Reporting

The BNG reporting centre reports on an annual basis the number and nature of the reports received to the ExCo/SB. The number of reports under this regulation is also indicated every quarter in the compliance quarterly report for ExCo/SB and stated annually in the annual report by BNG.

Annex 1 – Definitions

This annex contains a number of definitions.

- a. *Disadvantage*: in any event, disadvantage is understood to mean dismissal or suspension, demotion, withholding of promotion, a negative assessment, a written reprimand, a transfer, a fine as referred to in Article 7:650 Dutch Civil Code, discrimination, intimidation, bullying or exclusion, libel or slander, the early termination of an agreement for the supply of goods or services and the withdrawal of a licence. Disadvantage is also understood to mean a threat and an attempt to disadvantage.
- b. *Third party involved*:
 - i. a third party who is connected to a whistleblower and who can be disadvantaged by the whistleblower's employer or a person or organisation with which the whistleblower is otherwise connected in a work-related context; and
 - ii. a legal person that is the property of the whistleblower, for which the whistleblower works or with which the whistleblower is otherwise related to work.
- c. *Competent authorities (non-exhaustive)*:
 - i. The Autoriteit Consument en Markt;
 - ii. The Autoriteit Financiële Markten;
 - iii. The Autoriteit Persoonsgegevens;
 - iv. De Nederlandsche Bank N.V.;
 - v. Het Huis voor Klokkeluiders.
- d. *BNG*: BNG Bank N.V. and its affiliated subsidiaries.
- e. *BNG reporting centre*: this is the reporting centre for reports of a suspected irregularity under the internal reporting procedure. The BNG reporting centre has set up two channels for making an internal report and handling it. The internal BNG reporting centre and the external BNG reporting centre.
- f. *ExCo*: the Executive Committee of BNG.
- g. *External BNG reporting centre*: This is an additional (external) channel of the BNG reporting centre. This reporting centre is located at a distance from BNG. As an external organisation, the NCIP has been designated as an independent BNG reporting centre.
- h. *Data of a confidential nature*: data of a confidential nature is in any event understood to mean:
 - i. data on the identity of a whistleblower and of the person to whom the irregularity is attributed or with whom that person is associated and information that can be traced to this person, and
 - ii. Information about a trade secret
- i. *Huis voor Klokkeluiders*: an independent administrative body charged with providing advice and investigating suspicions of wrongdoing.
- j. *Integrity violation*: a behaviour or event that constitutes a serious danger to the integrity of the conduct of the business of BNG.
- k. *Internal BNG reporting centre*: this is the internal channel of the BNG reporting centre. The internal BNG reporting centre consists of the Head of Compliance and one or more Senior Compliance Officer(s) – expert(s) employee integrity – designated by the Head of Compliance.
- l. *Employee*: a natural person with an employment contract, as well as a natural person who performs work for BNG other than from an employment relationship, such as temporary workers, self-employed persons, volunteers and trainees.

- m. *Whistleblower*: a natural person who, in the context of their past, present or future work-related activities, reports a suspicion of an irregularity to the BNG reporting centre or to a competent authority or makes a wrongdoing public.
- n. *Report*: report or notification of a suspicion of an irregularity.
- o. *Wrongdoing*:
 - i. A breach or risk of breach of European Union law. European Union law is laid down in a European regulation or directive. An infringement of European Union law is an act or omission which is unlawful or undermines its purpose and is harmful to the public interest; or
 - ii. An act or omission in which the public interest is at stake in:
 - 1. A violation or a risk of violation of a legal regulation or of internal rules that entails a specific obligation and that has been established by BNG on the basis of a legal regulation; or
 - 2. A danger to public health, a risk to the safety of persons, a risk of damage to the environment, a risk to the proper functioning of the public service or an undertaking as a result of an improper act or omission.

Ad 1: There shall be a breach of European Union law if an act or omission is unlawful and relates to European Union law or undermines the purpose or application of those rules in European Union law.

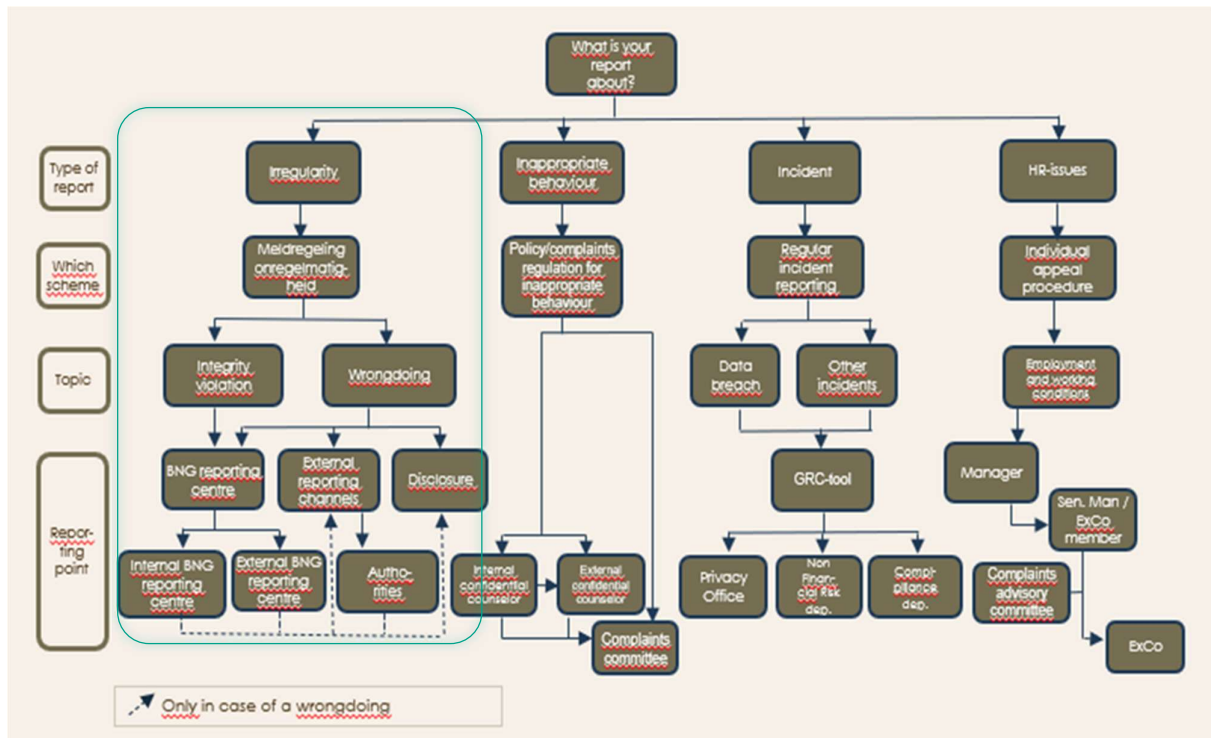
Ad 2: In any event, the public interest is at stake if (i) the act or omission does not concern only personal interests and (ii) there is a pattern or structural character or the act or omission is serious or extensive.
- p. *Researcher*: the person or organisation designated by the BNG reporting centre or the ExCo who carries out the preliminary or further investigation. This role can be invested both internally and externally.
- q. *Irregularity*: a behaviour or event that is or can become a violation of integrity or a wrongdoing.
- r. *Disclosure*: the disclosure of facts or information to the public. For example, through the media, a blog or social media. We do not regard external reporting to authorities as disclosure in this regulation.
- s. *Reasonable grounds*: That it is reasonable to assume that the information is correct at the time of reporting. For example, because you have seen/experienced things yourself or can demonstrate with documents (papers, emails, photos, etc.) on which your suspicion is based. This does not include rumours or suspicions that are not based on anything.
- t. *Regulation*: the BNG Irregularity Reporting Regulation.
- u. *Register*: register that keeps the BNG up to date on reports.
- v. *Directive*: Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 (EU 2019, L 305) on the protection of persons reporting infringements of Union law.
- w. *European Union law*: all EU directives to which an EU infringement may relate, which are considered material¹. See the annex to the EU Directive for this.
- x. *Decision*: the reasoned reaction of the ExCo or the Supervisory Board (hereinafter referred to as the SB) to a reported (suspected) irregularity which has been investigated in further detail by the BNG reporting centre and which has been provided for advice.

¹ This includes (but is not limited to) breaches of regulations concerning: a) public procurement, b) financial services, product and markets, prevention of money laundering and financing of terrorism, c) protection of the environment, d) public health, e) consumer protection, f) protection of privacy and personal data, and security of network and information systems and g) the internal market (including competition, state aid, tax-benefit structures). For a complete list, please refer to Article 2 of Directive (EU) 2019/1937.

- y. *Suspicion of an irregularity*: the suspicion of a whistleblower that within the organisation in which they work or have worked or at another organisation if they have come into contact with that organisation as a result of their activities, is an irregularity insofar as the suspicion is based on reasonable grounds, which arise from the knowledge that the whistleblower has acquired from their employer or from the knowledge that the whistleblower has acquired as a result of their activities at another company or organisation.
- z. *Work-related context*: future, current or past work-related activities at BNG through which, regardless of the nature of that work, persons can obtain information about an irregularity and where those persons can be disadvantaged if they report such information.

Annex 2 – Overview of various arrangements under which you can report matters

If you have any doubts about whether or not you can report a situation under this reporting regulation, you can discuss this informally and confidentially with the confidential counselors or possibly with the internal or external BNG reporting centre². A different (complaint) regulation may be more applicable. Below is an overview of the various regulations at BNG under which you can report matters and where, with the present regulation in the above-mentioned framework.



² If you want to "spar" with the BNG reporting centre, there may be situations in which the BNG reporting centre must, nevertheless, follow up on this, while as a reporter you may still decide not to follow up on your suspicion.

The table below describes the arrangements in a little more detail.

Subject	Irregularity reporting regulation	Policy and complaints regulations for inappropriate behaviour	Regular incident reporting	Individual appeal procedure
<i>Complaints about which</i>	Irregularity: existing or possible (1) Wrongdoing; (2) Integrity violation	Inappropriate behaviour: "direct or indirect undesirable statements or actions, which are expressed in verbal, non-verbal or physical behaviour towards a person, which behaviour is experienced as being undesirable and/or unwanted and constitutes a violation of their integrity."	<ul style="list-style-type: none"> - Incidents regarding business operations (operational incidents) - Security incidents, including data breaches - Compliance Incidents - unethical behaviour 	Individual employment conditions and/or individual working conditions + job rating
<i>Who can report</i>	Persons who have, receive or have had a 'work-related relationship' with the bank	Employees with an employment contract and external employees	Employees including external employees	Employees with an employment contract
<i>Report anonymously</i>	Yes	To the confidential counselor: yes To the Complaints Committee: no	No	No
<i>Examples</i>	<p>Wrongdoing:</p> <ul style="list-style-type: none"> • Serious violation of licensing obligations based on CRD/CRR and MiFID. • Serious, large, systematic violation of other EU legislation such as the MAR, AVG, AMD/Wwft. <p>Violation of integrity:</p> <ul style="list-style-type: none"> • The examples mentioned for wrongdoing • Violation of sanctions regulations • Gross errors in published annual accounts • Policymaker commits serious criminal offence • Serious conflict of interest of policymaker 	<ul style="list-style-type: none"> • (Sexual) harassment • Discrimination • Aggression and violence; psychological or physical harassment, threats or attacks • Bullying 	<ul style="list-style-type: none"> • Report does not meet legal requirements • Errors in system or process • Confidential information sent to wrong person via email • Overly broad access to a file containing personal data 	<ul style="list-style-type: none"> • Unjustified job rating • Unreasonable withholding from awarding periodic salary scale increases • Unreasonable withholding of awarding a higher salary scale • Failure to grant a request for long-term leave

Subject	Irregularity reporting regulation	Policy and complaints regulations for inappropriate behaviour	Regular incident reporting	Individual appeal procedure
Supreme decision-maker	<ul style="list-style-type: none"> <li data-bbox="375 365 630 499">• Serious disadvantage of stakeholders such as customers or investors Exco (or chair of the SB if the report concerns Exco member or SB member)	ExCo	N/A	ExCo

Annex 3 – Legal framework

This regulation was established on the basis of the following laws and regulations.

- Dutch Whistleblowers Protection Act (Wet bescherming klokkenluiders)
- Directive (EU) 2019/1937 on the protection of persons reporting infringements of Union law
- Legal aid and mediation subsidy regulation under the Whistleblower Protection Act
- Dutch Corporate Governance Code 2022
- Financial Supervision Act (Wet op het financieel toezicht)
- European General Data Protection Regulation (GDPR)