

# TERMS AND CONDITIONS OF USE OF THE ETHICS CHANNEL

**WE RECOMMEND THAT YOU READ THIS DOCUMENT BEFORE FILING A NEW  
QUERY OR WHISTLEBLOWING REPORT**

This ethics channel is integrated into the Internal Ethics Information System (hereinafter, SIIE) of FIAP, about whose principles and key elements we inform you here (<http://FIAP.org/canal-etico>).

FIAP is committed to promoting a preventive culture of compliance based on the application of the ethical values included in its “[Code of ethics](#)” and on the principle of “zero tolerance” against any irregular and/or illicit conduct, providing for this purpose the necessary means seeing it is complied with. In this regard, FIAP expressly prohibits the commission of crimes in any form and any type of non-compliance that may constitute a violation of current legislation.

## Who is this channel for?

For all our stakeholders. In the case of whistleblowing, this may be done by:

- The alleged victim or their legal representative.
- The Works Council.
- Any person who had knowledge of any conduct that could be classified as such, as long as this is duly substantiated.

## What can be reported?

Through this channel you can inform us of:

- **Whistleblowing:** communication of any non-compliance or irregularity committed either by any person linked to the organisation - through a commercial, civil, labour or any other professional relationship - in the execution of FIAP activities, or in any way related to FIAP, as well as any event likely to be related to money laundering and terrorist financing activity, whether or not the transaction with the third party giving rise to it has materialised.

Therefore, any conduct that could be suspected of violating our “[Code of ethics](#)”, or of constituting an infringement or a possible criminal act will be considered instances of non-compliance or irregularity.

Complaints of a purely salary-related nature, as well as complaints from employees about their employment situation, shall not be considered as a complaint, as long as they do not involve a violation of the “[Code of ethics](#)”.

- **Ethics queries:** queries regarding interpretation or specification as regards ethics or ethical dilemmas.

In the case of **queries (not related to ethics issues), complaints, suggestions, requests for access to public information or accessibility**, the [communication channels](#) that we have set up on our website should be used. They will not, therefore, be considered to be whistleblowing.

## What is this channel for?

- To prevent, detect and provide an imminent response to any conduct contrary to our “[Code of ethics](#)”, with INTEGRITY being a value that must prevail in all our actions.
- To guarantee that ethics queries and reports and formal complaints received are treated effectively, establishing appropriate guarantees of confidentiality, privacy and due protection of the whistleblower.

## How can I report something?

FIAP has set up several different ways of submitting an ethics query or whistleblowing report:

- In writing: using the ethics channel.
- Verbally, either by requesting a face-to-face meeting with the person responsible for managing the ethics channel, depending on the subject matter, or by sending an audio (in which case the voice will be distorted) through the ethics channel (in which case, you must record additional information in writing).

Additionally, in the case of whistleblowing, a face-to-face meeting may be requested with the person responsible for managing the ethics channel, depending on the subject matter.

These methods are not incompatible with also filing the whistleblowing report through external channels.<sup>1</sup>

## Can I file anonymous whistleblowing reports?

If you are making a whistleblowing report, you can do so anonymously or by identifying yourself. Both options are valid, and depending on your choice, you will be asked for certain information. This means that it is not mandatory to identify yourself to make a whistleblowing report, but, if you decide to do so, FIAP guarantees the confidentiality of the identity and information provided in the whistleblowing

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<sup>1</sup> To date, the Independent Whistleblower Protection Authority has not yet been created. Therefore, any person who has knowledge of events that could constitute fraud or an irregularity in relation to projects or operations financed, in whole or in part, with European Union funds, may bring these facts to the attention of:

- The National Anti-Fraud Coordination Service (SNCA), through the [channel](#) that they have set up.
- The European Anti-Fraud Office (OLAF), following these [instructions](#).
- The European Public Prosecutor's Office, following these [instructions](#).

In the case of information on possible anti-competitive practices, you may use the [channel](#) set up by the Competition Department of the National Markets and Competition Commission.

report, as well as any subsequent communication or exchange of information during the processing of the case.

In any case, the information system on which the ethics channel is based uses information encryption mechanisms, in such a way that no one, except for the authorised persons who participate in the processing of the whistleblowing report, will be able to know the identity of the whistleblower, thus guaranteeing the highest level of confidentiality and data protection.

The identity of the whistleblower may only be communicated to the judicial authority, the Public Prosecutor's Office or the competent administrative authority within the framework of a criminal, disciplinary or sanctioning investigation. Therefore, the Foundation will inform you before communicating your identity, unless this could compromise the investigation or the judicial procedure.

In the case of ethics queries, identification is mandatory.

## What are my rights?

For FIAP, your protection as a whistleblower is a priority, and therefore it is important that you know all the rights that protect you, as long as the whistleblowing report is filed in good faith. You can read about them Consulting the '[Internal Ethical Information System Management Policy](#)'.

All actions or procedures will be carried out with the greatest caution and with due respect for the rights of all the people involved, who, in no case may receive unfavourable treatment for this reason, guaranteeing people's dignity and their right to privacy throughout the entire process, as well as equal treatment between women and men.

## What are my obligations?

To make responsible use of the ethics channel. When there are indications or reasons to believe that the report or information has been submitted in bad faith or using information obtained illegally, it will not be followed up and the whistleblower will not be covered by the protection guarantees deployed by FIAP. Likewise, making whistleblowing reports in violation of the law or that are intended to harm third parties will also be considered a misuse of the ethics channel.

Whistleblowing in these circumstances may constitute a serious infringement, for which FIAP reserves the right to take legal action in addition to the corresponding disciplinary measures.

Likewise, the repeated and unfounded making of whistleblowing reports that may alter the normal performance of the system will not be considered a responsible use of the ethics channel.

## Who will receive and process the whistleblowing report or ethics query?

The **Ethics Committee** is the collegiate body designated by the Permanent Commission of FIAP as the party responsible for the SIIE. The Ethics Committee is made up of the Operations Department, the Human Resources Department, the Legal Services Department, the Internal Audit and Risk Control Department and the Data Protection Officer, and therefore their position as a member of the

Committee will be maintained for as long as they are responsible for the area appointed. The Internal Audit and Risk Control Department will also act as Technical Secretariat, supporting the Ethics Committee in the operational management of said body.

Within it, two people have been appointed who will be responsible for managing the ethics channel:

- Human Resources Department for whistleblowing reports of sexual harassment, workplace harassment, discrimination or other labour-related content.
- Internal Audit and Risk Control Department for all other whistleblowing reports.

The ethics channel will allow you to address a person other than the designated one in the event that there is a possible conflict of interest due to being involved in some way in the events reported. The person, member of the Ethics Committee, designated by default in the event of conflicts of interest, will be the Legal and General Services Department, unless this is also involved in the event reported.

In addition, two other bodies participate in the processing of whistleblowing reports: the **investigating team** (appointed by the Ethics Committee) and **decision-making body** (Manager, General Secretary or Management, except in situations of conflict of interest in which it will be the Chair of the Permanent Committee). In any case, the number of people with access to the information will be limited to preserve its confidentiality.

In the case of ethics queries, these people or other members of the Ethics Committee will be able to answer them.

## What happens after reporting?

In the case of ethics queries, we will answer as soon as possible. If you are submitting a whistleblowing report, these will be the steps to follow:

- **Acknowledgment of receipt.** Once the whistleblowing report is registered in the ethics channel, receipt of the report will be automatically acknowledged, and the whistleblower will be provided with an identifier and password to be able to follow up on their whistleblowing report.
- **Request for information.** If after reviewing the information provided, it is considered that it is not clear, relevant or complete, we can request its expansion or clarification through the chat function that is enabled in the ethics channel and that allows two-way communication. You will have a maximum period of 5 business days to give an answer.
- **Preliminary analysis of the whistleblowing report.** The aim is to analyse its relevance, based on a series of internally predefined criteria. After this analysis, the whistleblowing report may be accepted, dismissed or an agreed solution reached (only in the case of harassment whistleblowing reports). We will communicate the decision to you via chat, detailing the reason if it is rejected. If you do not agree with the decision, you will be able to present new evidence or arguments within a maximum period of 5 calendar days from the date of communication of the decision.
- **Investigation.** If the whistleblowing report is accepted for processing, an investigating team will be appointed, based on suitability criteria. Management and a member of the Works Council will always participate, unless there is a possible conflict of interest.

In any investigation it is essential to ensure the rights that protect the affected person or persons. Therefore, in the course of the investigation, the investigating team must notify the person(s) about the acts that have been reported, so that they can undertake their defence. Under no circumstances will your identity or that of the victim, if this is someone else, be communicated to them, nor will they be given access to the whistleblowing report.

We will communicate this decision to you through the chat, as well as to the victim (if this is someone else) and to the affected person or persons, detailing the reason if it is rejected.

- **Resolution of the investigation.** If any of the parties involved do not agree with the decision, they may present their arguments within a maximum of 10 calendar days from the communication of the decision, and present new evidence or arguments. After analysis of the arguments, if received, these may lead to a modification of the decision previously adopted, leading to the final resolution of the investigation.

In those cases, in which it is concluded that there has been a breach or irregularity, the decision will be raised to the FIAP's decision-making body, which will issue an opinion on the matter.

We will communicate this decision to you through the chat, as well as to the victim (if this is someone else) and the affected person(s). If any of you do not agree, you may file an appeal in writing within a maximum of 15 business days starting from the notification of the opinion, where the requests that are presented and the legal bases on which said requests are based will be explained with reasons.

The investigation must conclude within a maximum of three months, starting from the receipt of the whistleblowing report. In particularly complex cases that require an extension of the deadline, this can be extended up to a maximum of three additional months.

FIAP reserves the right to take any legal action it deems appropriate against the natural and/or legal person who has committed criminal acts, at all times prioritising the freedoms, rights and protection of the victim. In such case, the information will be sent to the Public Prosecutor's Office or the European Public Prosecutor's Office (if the events affect the financial interests of the European Union), always after the Management or General Secretariat has informed the Board of Trustees.

## What happens with personal data?

All personal information included in the ethics channel, as well as that arising from investigations or procedures carried out, will be processed by FIAP as the Data Controller, with address at Avenida del Partenón, 16-18, 28042 – Madrid.

The purpose of this processing is to carry out the management of ethics queries and whistleblowing reports received through the ethics channel, as well as to execute the actions provided for in both the internal policies and procedures, as well as those provided for in current regulations on whistleblower protection.

Personal information will only be communicated to courts, tribunals, the Public Prosecutor's Office and Law Enforcement Agencies in the legally established cases. The data will be retained in accordance with the periods established by FIAP in its policies and procedures, aligned with the legally established deadlines and, in any case, will be kept to address any possible liabilities.

As a user of the ethics channel, you can exercise your rights, at the address indicated above, or via email at [protecciondatos@FIAP.es](mailto:protecciondatos@FIAP.es). If you would like more information on data protection, consult our [Privacy Policy](#).