

# WHISTLEBLOWING POLICY

The following whistleblowing policy has been produced for Fastighets AB Balder as of 11/01/2023.

## 1. BACKGROUND

We want to do everything we can to detect any misconduct in our organisation at an early stage. We believe that the engagement of employees and other stakeholders is an important part of this work. We therefore wish to promote a climate that encourages the reporting of misconduct as a natural and integral part of our business culture.

## 2. PURPOSE

The purpose of this policy is to ensure that the organisation's employees and other stakeholders feel safe and secure when reporting misconduct and other serious incidents, without fear of retaliation or other negative consequences. This policy also aims to ensure that whistleblowing reports are handled in accordance with our set procedures so that whistleblowers know that their reports are taken seriously and managed confidentially.

## 3. WHO IS COVERED BY THIS POLICY?

Anyone who, in a work-related context, has received or obtained information about an instance of misconduct and who belongs to one or more of the following business-related categories:

- a) an employee,
- b) a person who enquires about or applies for a job,
- c) a person who applies for or performs voluntary work,
- d) a person who applies for or undertakes a trainee position,
- e) a person who otherwise is available to perform or performs work under the control and management of the business,
- f) a contractor or other form of self-employed businessperson who applies for or performs an assignment,
- g) a person who is available to be or is a member of an administrative, management or supervisory body for the business,
- h) a shareholder who is available to be or is active in the company, or
- i) a person who has belonged to one of the above business-related categories and has received or obtained the information during their time in the business.



## 4. WHAT CAN BE REPORTED?

The whistleblowing service should be used to report information regarding misconduct where the disclosure of such information is in the public interest. Examples of misconduct that would normally be applicable include violations of laws and regulations, corruption, bribery, financial crime, misuse of funds and serious instances of harassment. The whistleblowing service also exists for the reporting of violations in relation to a variety of laws and regulations based on EU law where disclosure is deemed to be in the public interest<sup>1</sup>. As a general rule, information that only concerns your personal work situation, such as dissatisfaction with your salary or the like, does not constitute a whistleblowing case and should not be reported via the service. Please also note that there may be a reporting obligation which should be handled via other channels. The whistleblowing service should not be used for the disclosure of information in circumstances in which you have a reporting obligation pursuant to business-specific laws or regulations (for example, Lex Sarah or Lex Maria in Sweden).

You do not need to have proof that your report is true; it is sufficient that you are reporting your concerns in good faith. However, your report may not be based on rumours or hearsay, and it is not permitted to lie or knowingly provide false information.

## 5. PROTECTION IN CONNECTION WITH WHISTLEBLOWING

### 5.1 Protection in the form of discharge from liability

A reporting person may not be held liable for breaching a duty of confidentiality provided that the person in question, at the time of submitting the report, had reasonable grounds to believe that the report was necessary in order to disclose an instance of misconduct. This protection also applies under the same conditions when it comes to obtaining information for the purposes of the report, provided the reporting person does not become guilty of a crime by obtaining such information. Protection in the form of discharge from liability does not apply in circumstances involving a breach of a qualified duty of confidentiality or a duty of confidentiality pursuant to the Swedish Defence Inventions Act (1971:1078). Protection in the form of discharge from liability means that the reporting person cannot be held legally liable (i.e. in relation to criminal liability or liability for damages) for having breached a duty of confidentiality. Please note that the rules on discharge from liability do *not* entail a right to disclose documents from the business.

### 5.2 Protection against preventive measures and retaliation

A business operator may not prevent or attempt to prevent or impede the reporting of misconduct, nor is it permitted to take retaliation due to the reporting of misconduct. In this context, the term retaliation refers to any direct or indirect action which is taken or not taken and which gives rise to or could give rise to loss, damage or detriment for the reporting person (e.g. suspension, layoff, termination, changed work duties, reduction in salary, etc.). Furthermore, retaliation may not be directed against a person in the business who assists the

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<sup>1</sup> These concern, among other things, public procurement, financial services/products and markets, prevention of money laundering, financing of terrorism, product safety/compliance, transport safety, environmental protection, radiation and nuclear safety, food and feed safety, animal health and welfare, public health, consumer protection, privacy protection and protection of personal data, security of network and information systems, violations in relation to the EU's financial interests, violations of competition rules and regulations, and violations of rules and regulations relating to corporate tax.



reporting person with the report (such as an elected official or a health and safety officer), a person in the business with a connection to the reporting person (such as a relative or colleague), or a legal entity which the reporting person owns, works for or is otherwise associated with.

## 6. OUR WHISTLEBLOWING FUNCTION

A whistleblower has the possibility to submit their report via:

<https://whistle.qnister.com/balder>

To ensure your anonymity – please consider the following:

Make a note of the above link and type the address into your browser.

Do not use the organisation's computer or network.

Our whistleblowing function makes it possible for individuals to submit a written report via a secure and anonymous cloud service that is provided by an independent third party. If preferred, it is also possible to submit a report via telephone or by booking a face-to-face meeting. The various options, and more information about them, can be accessed via the link.

If the report is submitted in writing via the online form, it is up to you to choose whether you wish to remain anonymous or include your contact details. Regardless of whether or not you wish to remain anonymous, you will receive an anonymised ID and password which you can use to maintain contact with and receive feedback from the person who is investigating the report.

If you choose to submit your report verbally via the phone number which can be found via the link, you will only be contacted for further information and feedback if you choose to provide your contact details.

The reports are received by lawyers at Insatt AB and are handled as follows:

1. Insatt receives the report via Qnister's whistleblowing service or, alternatively, via telephone or a face-to-face meeting.
2. Feedback regarding receipt of the report is provided to the whistleblower within seven days (unless the reporting person has chosen to refrain from confirmation or Insatt has reason to believe that sending a confirmation would risk revealing the person's identity).
3. Insatt commences an assessment of the report – is it a whistleblowing case? If necessary, additional information is requested from the whistleblower if this is possible.
4. If appropriate, Insatt may invite the designated contact person/unit for the business or the Chairman of the Board (or someone appointed by these persons) to participate in the handling of the specific whistleblowing case.
5. Insatt assesses the report and determines whether or not it constitutes a whistleblowing case.
6. Feedback is provided to the reporting person.
7. Continued investigation, either by Insatt or by the designated contact person/unit for the business, of cases that are deemed to constitute whistleblowing cases. The investigator prepares a proposed action plan and preventive measures aimed at preventing similar



incidents from occurring in the future. A police report must be filed if there is suspicion of a crime. *Please note that the filing of a police report may mean that personal data, if such exists, or other data/information included in the report may be disclosed to investigating/judicial authorities.*

8. Feedback is provided to the reporting person regarding the continued investigation.
9. When the case is completed, it is scheduled for erasure in accordance with applicable legislation.



## 7. EXTERNAL REPORTING

The protection described above also applies when a report is submitted externally to a competent authority. The authorities appointed by the government have their own external reporting channels and procedures for receiving, following up and providing feedback on reports that fall within each authority's area of responsibility. The specific government-appointed authorities are responsible for such external reporting, and our organisation has no connection to such reporting channels. For more information about what it entails to submit an external report, as well as details of the appropriate authority to contact in Sweden, please refer to the Swedish Ordinance on the Protection of Persons Reporting Irregularities (2021:949). If the report concerns EU law, you can also submit your report to the EU's institutions, bodies or agencies. More information about the applicable procedure is available from each authority and EU body.

## 8. THE RIGHT TO PROCURE AND COMMUNICATE INFORMATION

### *Private business operators*

This policy and our internal reporting channel do not impact the applicability of the rules on freedom of speech and the right to procure and communicate information as provided for in the Swedish Instrument of Government, the Swedish Freedom of the Press Act and the Swedish Fundamental Law on Freedom of Expression.

It should, however, be noted that the principle of freedom of speech only applies in relation to the public domain and not in relation to a private employer. This means that there is no prohibition on employers to investigate the source of a publication and take retaliation due to someone having disclosed information for publication and/or procured such information.

However, according to the Swedish Whistleblowing Act, reporting persons who publish information are subject to protection in a manner equivalent to the protection applicable to internal and external reporting, although only if one of the following conditions are met:

- a) the reporting person has first reported the matter externally and has not received feedback from the recipient to a reasonable extent within three months or, if special reasons exist, within six months, or
- b) the situation entails danger to life, health or safety, or a risk of substantial environmental damage, or
- c) there are reasonable grounds to believe that external reporting would entail a risk of retaliation or would be unlikely to lead to effective remediation of the situation in question.



*Public business operators (including companies owned by a municipality or region and private businesses in the area of healthcare, care or education which are to some extent publicly funded)*

This policy and our internal reporting channel do not impact the applicability of the rules on freedom of speech and the right to procure and communicate information as provided for in the Swedish Instrument of Government, the Swedish Freedom of the Press Act and the Swedish Fundamental Law on Freedom of Expression.

The right to communicate information is provided for by the Swedish Freedom of the Press Act and the Swedish Fundamental Law on Freedom of Expression and entails a right to disclose information to mass media for publication. The right to procure information means that each and every individual has a right to procure information intended for publication in a mass medium that is subject to the fundamental laws of Sweden. The right to communicate information does not cover information that is subject to a qualified duty of confidentiality, nor does it entail a right to disclose confidential/classified documents (for private businesses, it does not cover the disclosure of documents at all). Furthermore, it does not apply if the disclosure would entail a violation of national security.

The Swedish Whistleblowing Act provides for supplementary protection in connection with the publication of information, which applies in parallel with the constitutional right in Sweden to procure and communicate information. The regulations provide a reporting person who publishes information with protection equivalent to the protection applicable to internal and external reporting, although only if one of the following conditions are met:

- a) the reporting person has first reported the matter externally and has not received feedback from the recipient to a reasonable extent within three months or, if special reasons exist, within six months, or
- b) the situation entails danger to life, health or safety, or a risk of substantial environmental damage, or
- c) there are reasonable grounds to believe that external reporting would entail a risk of retaliation or would be unlikely to lead to effective remediation of the situation in question.

Policy approved 2023-01-10

The Board of Directors at Fastighets AB Balder

