

European Union Whistleblower Policy – The Netherlands Procedure

THE NETHERLANDS PROCEDURE

This Country Procedure (the “**Procedure**”) supplements the European Union Whistleblowing Policy and provides guidelines for the implementation of the Dutch Whistleblower Protection Act (in Dutch: “*Wet Bescherming Klokkengeluiers*” hereafter the “**Dutch Whistleblower Legislation**”) which is based on the EU Whistleblowing Directive 2019/1937. In the event of a conflict, this Procedure will prevail.

Purpose and Scope

This Procedure is implemented in the Netherlands by the Mastercard local legal entity Mastercard Europe S.A., Gustav Mahlerplein 105, 1082 MS Amsterdam, the Netherlands Chamber of Commerce number 50304348 (hereafter referred as “**Mastercard Netherlands**”).

The following individuals associated with Mastercard Netherlands are encouraged to use the internal reporting process (“**Individual**” or “**Individuals**”):

- all employees currently in service of Mastercard Netherlands;
- Mastercard Netherlands employees whose employment relationship has ended;
- Mastercard Netherlands employees whose employment relationship has not yet started;
- Self-employed contractors working for Mastercard Netherlands;
- shareholders and members of the administrative, management or supervisory body, including non-executive members of Mastercard Netherlands;
- volunteers and paid or unpaid trainees of Mastercard Netherlands;
- any person working under the supervision and direction of contractors, subcontractors, and suppliers for Mastercard Netherlands.

The Individual(s), who have obtained, in the course of their professional activities, information related to the wrongdoings that may be reported as provided by the applicable law, relating to facts which have occurred or are very likely to occur in Mastercard Netherlands, may report such information internally in accordance with the applicable procedures, in particular where the Individual(s) consider that it is possible to remedy the breach effectively by this reporting. This also applies to Individual(s) who have obtained information outside of a work-related context, if the breach reported on is in the field of financial services, products and markets and the money laundering legislation.

In addition to the topics that are set out in the European Union Whistleblowing Policy, this Procedure applies to Individual(s) who report or disclose in good faith information relating to an act or omission involving the public interest in (“**Reports**”):

- a) the violation or risk of violation of a statutory regulation or internal rules of Mastercard Netherlands containing an obligation pursuant to a statutory regulation, or
- b) the danger to public health, to the safety of persons, to damage to the environment or to the proper functioning of Mastercard Netherlands by improper acts or omissions.

The public interest is at stake in any case if the act or omission affects not only personal interests and there is either a pattern or structural character or the act or omission is serious or extensive.

Personal Data

Mastercard Netherlands, as controller, may process personal data for the purposes of providing the internal reporting channels and to investigate Reports, according to (i) its obligation to comply with legal provisions regarding the implementation of a whistleblower channel in particular under the Dutch Whistleblower Legislation; and (ii) its legitimate interests in ensuring that employees comply with applicable law and its policies and procedures. When pursuing those legitimate interests, Mastercard Netherlands will balance them with the Individual's interests and fundamental rights and freedoms in relation to the protection of the Individual's personal data.

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In exceptional circumstances, such as where Mastercard Netherlands intends to disclose the Individual's identity to third parties, Mastercard Netherlands may process the Individual's personal data based on explicit consent, as the case may arise.


Non-use of the reporting channels set forth in this Procedure does not entail any consequences and providing personal data is voluntary. Failing to provide personal data may, however, delay or make it impossible for Mastercard Netherlands to act upon any Report submitted but does not entail any other consequences. If the Individual is the subject of a Report, the Individual will be informed about the collection of the Individual's personal data under the procedures set out below. Mastercard Netherlands only processes the Individual's personal data in accordance with applicable laws.

Mastercard Netherlands endeavors not to process data which are clearly not necessary for the purposes of investigating Reports and, if collected accidentally, such data will be deleted without undue delay. To that end, Individuals are invited to ensure that any information communicated when making a Report remains factual and directly relevant to the subject of the Report.

Internal Reporting

Any concerns regarding Reports can be reported to:

- [Local Reporting Counsel](#), (the "Complaint Manager")

As part of the Procedure, personal data acquired by Mastercard Netherlands may be transferred outside of the European Economic Area ("EEA"), including to countries which are not covered by an adequacy decision of the European Commission. To provide an adequate level of data protection for the transfer of personal data to such countries through the whistleblower channel in accordance with applicable data protection legislation, transfers of data outside of Mastercard are subject to agreements that include the European Commission's standard contractual clauses. The Individual can obtain a copy of such standard contractual clauses by contacting us at privacyanddataprotection@mastercard.com. Transfers within Mastercard are covered by Mastercard Binding Corporate Rules available here  [Mastercard - EEA and UK BCRs Internal Version - \(2022-03-07\).pdf](#).

Reports may be made anonymously via phone or web through the Ethics Helpline (easy access to country specific access codes and dialing instructions can be found at <http://www.mastercard.ethicspoint.com/>).

The identity of the Individual will be processed in a confidential manner. The identity of the Individual may only be communicated with their consent.

Mastercard Netherlands prohibits access to information contained in a Report, including the identity of the Individual, the person(s) targeted in the Report and any third party referred to in the Report, to staff members who do not have authority to access this information.

Retaliation against those making Reports, whether direct or indirect, will not be tolerated. This protection against retaliation provided by the Dutch Whistleblower Legislation, also extends to:

- a) Facilitators who assist a Reporter in the reporting process in a work-related context;
- b) Any persons who are connected with the Reporter such as colleagues or relatives of the Reporter and who could suffer retaliation in a work-related context, on the part of their employer, their client or the beneficiary of their services; and
- c) Legal entities that the Reporter controls, works for or is otherwise connected with in a work-related context (e.g., personal service companies, suppliers, distributors etc.).

Making Reports and acknowledgement

Reports may be made (i) in writing or (ii) orally, either by telephone or by any other voice mail system, including via the Ethics Helpline (easy access to country specific access codes and dialing instructions can be found at <http://www.mastercard.ethicspoint.com/>) and, at the request of the Individual, during a videoconference or a

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physical meeting (depending on the Individual's preference) organized within a reasonable period after receipt of the Report.

Where Individual(s) make a Report under this Procedure, the receipt of the Report will be acknowledged within seven (7) calendar days of receipt.

Investigation process

If an Individual submits a Report to the local channels identified in this Mastercard Netherlands Procedure, the Complaint Manager will carry out an assessment to determine the scope of any investigation. If the Complaint Manager is of the opinion that the Report made is sufficiently serious (i.e. if it cannot or can no longer be handled at the local level and/or its consequences exceed the local level), the Report may be shared with the Global Compliance Investigations Team who may ask the Individual to provide further information in connection with the investigation process. All persons or services involved in the investigation process have, by virtue of their position or status, the competence, authority and means necessary to carry out their role.

Where the Local Investigations Team considers that the Report would be handled more effectively by the Global Compliance Investigations Team, it will inform the Individual that the Report will be shared with the Global Compliance Investigations Team for the purpose of the investigation process. The original Local Investigations Team remains responsible and accountable, including for maintaining confidentiality, giving feedback, and addressing the reported Breach.

Feedback

Mastercard Netherlands will, within a reasonable period of time not exceeding three (3) months from the acknowledgment of receipt of the Report or, if no acknowledgment is received, three (3) months from the expiry of a seven (7) calendar day period following the reporting of the Report, provide the Individual with written information on the measures envisaged or taken to assess the accuracy of the allegations and where appropriate, to remedy to the issues provided in the Report, as well as the reasons for such measures.

Mastercard Netherlands will close the Report where the allegations are found to be inaccurate or unfounded or when the Report has become irrelevant. Where this is the case, the Individual will be informed in writing.

Retention Periods

Reports, including recordings, transcripts and minutes, will only be kept for as long as is strictly necessary and proportionate for their investigation and for the protection of the Individual, the subjects of the Report and any third parties mentioned in the Report, taking into account the time required for any further investigations. In particular, personal data relating to out-of-scope Reports will be destroyed without undue delay.

External Reporting

Mastercard Netherlands strongly encourages Reports to be made internally so that any concerns can be resolved. However, should Individuals decide to report their concerns externally in compliance with applicable provisions, this can be done with the following competent authorities for the Netherlands.

- Authority for Consumer & Markets, ACM (in Dutch: "*Autoriteit Consument en Markt*")
- Authority for Financial Markets, AFM (in Dutch: "*Autoriteit Financiële Markten*")
- Data Protection Authority (in Dutch: "*Autoriteit Persoonsgegevens*")
- De Nederlandsche Bank N.V.
- Dutch Whistleblowers Authority (in Dutch: "*Huis voor Klokkenhouders*")
- Health and Youth Care Inspectorate, IGJ (in Dutch: "*Inspectie gezondheidszorg en jeugd*")
- Dutch Healthcare Authority, NZa (in Dutch: "*Nederlandse Zorgautoriteit*")
- Nuclear Safety and Radiation Protection Authority (in Dutch: "*de Autoriteit Nucleaire Veiligheid en Stralingsbescherming*")
- Other authorities appointed by the minister or statute

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The relevant modalities can be found on the websites of each of the competent authorities concerned. It is also possible to seek advice on a confidential basis from the Advice Department of the Dutch Whistleblowers Authority before making a Report (advies@huisvoorklokkenluiders.nl).

Privacy Rights

Pursuant to applicable law, the Individual has the right to: (a) request access to the Individual's personal data; (b) request rectification of the Individual's personal data; (c) request erasure of the Individual's personal data (“the right to be forgotten”); (d) request restriction of processing of the Individual's personal data; (e) data portability where applicable (such as where processing is based on consent); (f) object to the processing of the Individual's personal data while Mastercard Netherlands verifies their processing; and (g) where applicable, to withdraw the Individual's consent at any time.

Mastercard Netherlands will not make use of automated decision-making, including profiling.

The Individual can exercise these rights by submitting an email to privacyanddataprotection@mastercard.com or submitting a question to Ask People Services at [AskHR \(ehr.com\)](https://askhr.ehr.com). Mastercard Netherlands will respond to such requests in accordance with applicable data protection law.

For more information about the processing of the Individual's personal data, please refer to the relevant Mastercard Privacy Notice applicable to your relation with Mastercard (for Mastercard employees: Mastercard Employee Privacy Notice – EEA).

Personal Data Processing

The personal data processed in the context of a disclosure pursuant to the Procedure shall be processed in compliance with applicable data protection legislation, including the EU Regulation 679/2016 (“GDPR”) and the Dutch GDPR Implementation Act (in Dutch: “Uitvoeringswet Algemene verordening gegevensbescherming”).

As a matter of exception from the general GDPR rules, Mastercard Netherlands will not inform the person who is referred to in the report as a person to whom the Breach is attributed or any third party mentioned in the report regarding their personal data processing and may not satisfy their relevant rights (right to access, rectification, erasure, etc.), as long as this is necessary and Mastercard has a legitimate interest such as: to prevent attempts to obstruct the report, to protect the investigation, to protect the Reporter's identity, and to protect the Reporter from any form of retaliation. Further details on how Mastercard Netherlands will process personal data for the purposes of providing the internal reporting channels and to investigate reports can be found [here](#) (for Mastercard employees), and [here](#) (for non-Mastercard employees).