

# INTERNAL WHISTLEBLOWING PROCEDURE

## 1. INTRODUCTION

This document regulates internal whistleblowing procedure, Informant rights, the Nekstel's obligations referring to whistleblowing, as well as other issues relevant for whistleblowing and Informant protection. This document represents general act regulating internal whistleblowing procedure in sense of Law on Protection of Whistleblower.

## 2. REFERENCE DOCUMENTS

The rules requiring the adoption of general act on procedure relating to whistleblowing are:

- Law on Protection of Whistleblower

## 3. TERMINOLOGY

**Internal whistleblowing** is disclosing of information relating to violation of external regulations and internal rules (policies, rulebooks, procedures) by the employees, violation of human rights, as well as disclosure of information on safety hazards, hazards to public health, environment and causing damage of a larger scale. In particular, but not limited to, internal whistleblowing relates to:

- Any violations of the rules governing banking activities (i.e. any violations related to the savings, credit transactions, financial activities or any violation relating to activities connected with or instrumental to the Nekstel)
- Any violations related to Company internal policies and/or procedures
- Any conduct that leads to a conflict of interest, arising from the nonobservance of the rules and control procedures for such situations.
- Any criminal offenses, such as swindle, embezzlement, theft, corruption, money laundering, self-laundering, extortion, fraud, forgery, insider/internal dealing, inappropriate management of investment portfolios, improper handling of personal data, unauthorized access to IT systems and providing false information to the Authorities may fall within the scope of whistleblowing, if not already included as violations of the rules governing banking activities.

**Informant/Whistleblower** is an individual who discloses information about an illicit activity in connection to his/hers working relationship (employment, temporary employment, volunteering, or any other factual work for the Nekstel), employment procedure, business cooperation and right of ownership, i.e. all staff members, including the collaborators in a business relationship, may submit a report regarding such violations.

**Damaging action** is any action or omission to act with regard to the whistleblowing, which endangers or violates the right of the Informant or the person entitled to protection as the Informant, or puts such a person into an unfavorable position.

**Authorized Person or Delegate** is responsible person authorized to receive information and conduct a procedure related to internal whistleblowing.

**Authorized Public Body** – is a body of the Russian Federation, territorial autonomy or a local self-government unit or a holder of public authority, competent to act on information by which the whistleblowing is done, in accordance with the law.



## 4. DETAILED DESCRIPTION

### 4.1 Delivery of information

The process starts with the reporting of information to the Authorized Person. The Informant shall not be obliged to leave his/her personal data when reports information. The Authorized Person is obliged to act on anonymous reports as well, within his/hers authorizations.

The Authorized Person related to internal whistleblowing is Yevgenia Novikova, Deputy General Director, as primary contact. Alternatively, only if informant feels that, because of the nature of the report, the Internal Audit could potentially be in conflict of interest, the report shall be addressed to Yuri Issaev, General Director.

In case of Yevgenia Novikova absence, the information may be sent to Yuri Issaev.

Reporting could be made:

1. In writing:

- By electronic mail on the e-mail address of primary contact [yevgenia.novikova@nxtl.ru](mailto:yevgenia.novikova@nxtl.ru) or, alternatively, to [yuri.issaev@nxtl.ru](mailto:yuri.issaev@nxtl.ru)
- Direct handing of written document
- Via ordinary or registered mail letter for the attention of the person authorized to receive information and conduct a procedure, to the postal address: Yevgenia Novikova, Nekstel, office 56, premises X, bldg.5, Derbenevskaya str.1, Moscow, Russia, 115114.

2. Orally with written minutes on the information.

Ordinary or registered mail letters bearing a note that indicates that they are addressed to the Authorized Person, or, on the envelope of which it is visible that the letter relates to the internal whistleblowing, may be opened only by the Authorized Person related to the internal whistleblowing.

### 4.2 Receipt of Information

The Authorized Person is obliged, when receiving report, to inform the Informant that his/her identity may be disclosed to the competent authority if it would not be possible for that authority to act without the disclosure of the Informant's identity, as well as to inform him/her about the measures of protection of participants in a criminal proceeding.

After receipt of information, the Authorized Person is obliged to issue a confirmation on the receipt of information that must include:

- short description of the factual state on the information related to the internal whistleblowing;
- date, time, place, and manner of communication of the information related to the internal whistleblowing;
- number and description of enclosures delivered with the information on the internal whistleblowing;
- data about whether the Whistleblower wants information on his/her identity to be disclosed;
- data on the Nekstel; stamp; signature of the Authorized Person related to the internal whistleblowing.

The confirmation may contain the signature of the Informant and data of Informant, if he/she wishes so.

Date and time of the receipt of information means:

- date and time of the immediate delivery of written documents or oral delivery of information;
- date and time of the delivery of a letter to the post office in case of registered letter;



- date and time of receipt in case of ordinary or electronic mail.

The confirmation of the receipt of information should be issued to Informant, if possible, while the other copy is filed with the Authorized Person.

#### **4.3 Whistleblowing if information contains data classified as secret**

Information may contain data classified as secret.

The classified information referred to in paragraph 1 of this item shall be considered data that, in accordance with the regulation on confidentiality of data, have been previously classified as secret.

If information contains data classified as secret, the whistleblower is obliged to contact the Authorized Person first, and if the information refers to the Authorized Person and to the alternative contact simultaneously, the information is submitted to the Board of Directors.

In the case that the information containing data classified as secret is not processed within 15 days, i.e. no response was given or appropriate measures within its competence were not taken, the whistleblower may contact the authorized public body.

Exceptionally from paragraph 3 of this item, in the case that the information relates to the Board of Directors member, the information shall be submitted to the authorized public body.

If information contains data classified as secret, the whistleblower shall not make public whistleblowing, unless otherwise specified by law.

If information contains data classified as secret, the whistleblower and other persons are obliged to comply with general and specific measures for the protection of data classified as secret prescribed by the law that regulates the secrecy of data.

#### **4.4 Proceedings with received information**

The Authorized Person shall act upon information without delay, within 15 days from the date of report submission.

Depending on the character of the received information (type of the event, involved persons), the Authorized Person undertakes actions to verify the information and eliminate consequences of damaging actions occurring in relation to the received information. When undertaking actions, the Authorized Person may conduct proceedings independently or in cooperation with organizational units which are, according to the Organization Code, competent for control of the business activities within the Nekstel, while complying with the principle of protection of the Whistleblower's identity.

During proceedings, the Nekstel is obliged, on Informant's request, to provide information on course and actions undertaken, enabling him/her to get insight into file documents and to participate in process.

If during proceedings, statements of persons who have knowledge about the information are taken with a purpose of verification of information, minutes shall be made thereof. The person giving the statement shall be entitled to confirm the contents of the minutes.

After the completion of the procedure, report is made on actions taken during the proceedings related to the information, undertaken and planned measures with a purpose of eliminating the observed irregularities and consequences of damaging action. The report shall be submitted to the Informant. The Informant may give his/her comments on the report.

The Authorized Person is obliged to inform the Informant about the final outcome of the procedure after its completion, within 15 days after the completion.

#### **4.5 Protection of Informant**

The Authorized Person is obliged to protect Informant's personal data, i.e. data based on which the identity of the Informant can be disclosed, unless Informant agrees with the disclosure of that information, in accordance with the law that governs the protection of personal information.



Any person who becomes aware of information based on which the identity of Informant can be revealed is obliged to protect that information. Data based on which identity of Informant can be revealed shall not be communicated to the person indicated in the information, unless otherwise prescribed by particular law.

If during the proceedings is necessary to disclose Informant's identity, Authorized Person is obliged to inform Informant before disclosure of his/her identity.

The Nekstel shall not, by doing or omitting to do something, put the Informant in more unfavorable position with regard to the whistleblowing, in particular if more unfavorable position relates to: employment; acquiring trainee or volunteer status; work outside the employment; education, training or professional development; promotion at work, assessment, acquiring or losing a title; disciplinary measures and penalties; working conditions; employment termination; salary and other remuneration from employment; participation in the profit of the employer; payment of benefits and severance pay; scheduling or moving to another workplace; not taking precautionary measures to protect against harassment by others; referral to mandatory medical examinations or referrals to assess work ability..

The Informant shall be entitled to protection in line with the Law on Protection of Whistleblowers, if:

- he/she discloses information in a way prescribed by the law;
- he/she discloses information within a year from the date he/she became aware of the action which is the reason for whistleblowing, and no later than ten years from the date of the performance of that action;
- at the time of whistleblowing, based on available data, a person with average knowledge and experience as the Informant would believe in the veracity of the information.

The same right to protection shall be granted to other persons as to the Informant, against whom a damaging action has been undertaken based on the disclosed information, in line with the Law.

The Informant against whom a damaging action related to the whistleblowing has been taken is entitled to a court protection. The court protection shall be exercised by lodging a lawsuit for protection in relation to the whistleblowing to competent court within six months from the date of awareness that damaging action was made, or three years from the date of the occurrence of the damaging action.

#### **4.6 Compensation of Damages Occurring Due to Whistleblowing**

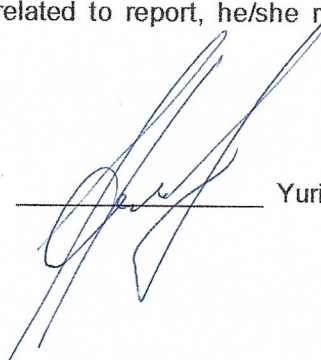
In case of damage incurred due to whistleblowing, the Informant shall be entitled to compensation in line with the law governing contracts and torts.

#### **4.7 Prohibition of Abuse of Whistleblowing**

Abuse of whistleblowing is prohibited. Abuse of whistleblowing is made by a person who:

- discloses information he/she knows is untrue;
- apart from a request for undertaking actions related to report, he/she requires unlawful gain/interest.

10 November 2020    General Director OOO Nekstel



Yuri Issaev