

Vermis - Confecção De Vestuário, Lda.

SCREENPLAY

PROCEDURE FOR HANDLING INTERNAL  
COMPLAINTS

June 2023

1ST VERSION



## I. INTRODUCTION:

Within the scope of the general corruption prevention regime approved in annex to Decree-Law no. 109-E/2021, of December 9, the entities foreseen in said decree must have a reporting channel, in order to prevent, detect and sanction acts of corruption and related infractions, carried out against or through the entity (Article 5, paragraph 1).

Article 8, paragraph 1, of the same decree also establishes that the entities covered have an internal reporting channel and follow up on reports of acts of corruption and related offenses under the terms and the provisions of the legislation that transposes the Directive (EU) 2019/1937, of the European Parliament and of the Council, of 23 October 2019, on the protection of persons who report violations of EU law.

This transposition of the Directive was ensured by Law No. 93/2021, of December 20, which establishes the general regime for the protection of whistleblowers of infringements, which provides for the obligation to establish internal reporting channels (article 8 and following ) and external reporting channels (Article 12 and following).

According to Law n.º 93/2021, of December 20, the following is considered an offense for the application of this regime:

a) The act or omission contrary to the rules contained in the acts of the European Union referred to in the Annex to Directive (EU) 2019/1937 of the European Parliament and of the Council, to national rules that implement, transpose or comply with such acts or any other rules contained in the legislative acts of execution or transposition thereof, including those that provide for crimes or administrative offences, referring to the areas of:

- i) Public procurement;
- ii ) Services, products and financial markets and prevention of money laundering and terrorist financing;
- iii ) Product safety and compliance;
- iv ) Transport security;
- v) Protection of the environment;
- vi) Radiation protection and nuclear safety;



vii ) Food and feed safety, animal health and animal welfare;

viii ) Public health;

ix ) Consumer protection;

x) Protection of privacy and personal data and security of the network and information systems;

b) The act or omission contrary to and harmful to the financial interests of the European Union referred to in article 325 of the Treaty on the Functioning of the European Union (TFEU), as specified in the applicable European Union measures;

c) The act or omission contrary to the rules of the internal market referred to in paragraph 2 of article 26 of the TFEU, including the rules of competition and state aid, as well as the rules of corporate taxation;

d) Violent crime, especially violent and highly organized crime, as well as the crimes provided for in paragraph 1 of article 1 of Law no. economic-financial; It is

e) The act or omission that goes against the purpose of the rules or regulations covered by subparagraphs a) to c).

The present guide constitutes a guideline for the procedure regarding the treatment of complaints received in the internal and external complaint channel of Vermis , Lda., for the purposes of the mentioned diplomas.

## **II. Requirements to benefit from protection**

Law n.º 93/2021, of December 20, benefits the whistleblower who, in good faith, and having serious grounds for believing that the information is, at the time of the complaint or public disclosure, true, reports or publicly disclose an infringement.



An anonymous whistleblower who is subsequently identified benefits from the protection conferred by Law n.º 93/2021, of December 20, provided that he meets the conditions mentioned above. The whistleblower who files an external complaint without observing the rules of precedence provided for in subparagraphs a) to e) of paragraph 2 of article 7 of Law no. 93/2021 if, at the time of presentation, he ignored, without fault, such rules.

The protection conferred by Law n.º 93/2021, of December 20, is extended, with the necessary adaptations, to:

- a) Natural person who assists the complainant in the complaint procedure and whose assistance must be confidential, including union representatives or workers' representatives;
- b) Third party who is connected to the whistleblower, namely a co-worker or family member, and may be the target of retaliation in a professional context; It is
- c) Legal persons or similar entities that are owned or controlled by the whistleblower, for which the whistleblower works or with which he is in some way connected in a professional context.

### **III. Internal complaint channel - Form and Admissibility:**

The internal whistleblower channel allows for the safe submission and follow-up of complaints, also guaranteeing the exhaustiveness, integrity and conservation of the complaint, the confidentiality of the identity or anonymity of the whistleblowers and the confidentiality of the identity of third parties mentioned in the complaint, preventing access by unauthorized persons.

For the purposes of the general corruption prevention regime approved in annex to Decree-Law no. 109-E/2021, of December 9, and Law no. 93/2021, of December 20, the internal reporting channel of Vermis – Confecção de Vestuários, Lda., allows the presentation of complaints in writing and or verbally, anonymously or with the identification of the denouncer.



The complaint can be made anonymously. However, it is important for you to be aware that, in these situations, if you do not indicate an email address, the follow-up of the complaint will have to be ensured by telephone number 253 198 150, through the telephone service between 08:00 and 17:00 :00 (Monday to Friday).

The written denouncement can also be sent to the following e-mail address existing for this purpose: [canal.denuncia@vermis.pt](mailto:canal.denuncia@vermis.pt)

Verbal denouncement is allowed, at the request of the complainant, in a face-to-face meeting, in which case, having obtained the consent of the complainant, a written record will be drawn up. Vermis Ltd. \_ allows the complainant to read, rectify and approve the written record or transcript of the meeting, signing it.

The complaint must be written legibly, clearly and objectively, containing a brief description of the facts that motivate it.

#### **IV. Form of request for clarification of the complaint or provision of additional information:**

If necessary, Vermis , Lda. may ask the complainant to clarify the complaint presented or to provide additional information, which will be done, preferably, through the email address provided by the complainant or, in its absence, to the postal address or telephone number indicated by the complainant. In situations of anonymity, it is important to indicate an email address, a telephone number or another point of contact, at the choice of the complainant, in the event that it is necessary to ask the complainant to clarify the complaint presented or to provide information additional.

#### **V. Follow-up of the internal complaint:**

For the purpose of following up on the complaint, a number will be assigned when it is submitted. Vermis Ltd. \_notifies, within seven working days, the complainant of receipt of the complaint.



Vermis Ltd. \_ also informs the complainant, in a clear and accessible manner, of the requirements, competent authorities and form and admissibility of the external complaint, pursuant to paragraph 2 of article 7 and articles 12 and 14 of Law no. 93/2021, of December 20.

Vermis Ltd. \_ communicates to the complainant the measures envisaged or adopted to follow up on the complaint and the respective grounds, within a maximum period of three months from the date of receipt of the complaint.

The complainant may request, at any time, a notification from Vermis , Lda. of the result of the analysis carried out on the complaint within 15 working days of its conclusion.

#### **VI. Type of measures that can be taken to follow up on complaints:**

Following the complaint, Vermis , Lda. performs the appropriate internal acts to verify the allegations contained therein and, where appropriate, to the cessation of the reported violation, including by opening an internal investigation or communicating to the competent authority to investigate the violation, including the institutions, bodies or agencies of the European Union.

#### **VII. Confidentiality:**

The identity of the whistleblower, as well as the information that, directly or indirectly, allow deducing his identity, are confidential in nature and access is restricted to the persons responsible for receiving or following up on complaints. The obligation of confidentiality extends to anyone who has received information about complaints, even if they are not responsible or incompetent for receiving and handling them. The identity of the whistleblower is only disclosed as a result of legal obligation or court decision.

#### **VIII. Processing of personal data:**



The processing of personal data complies with the provisions of the General Regulation on Data Protection, approved by Regulation (EU) 2016/679 of the European Parliament and of the Council, of April 27, 2016, in Law n.º 58/2019, of 8 of August, which ensures the implementation, in the national legal order, of Regulation (EU) 2016/679, and in Law no. prevention, detection, investigation or repression of criminal offenses or the execution of criminal sanctions. Personal data that are manifestly not relevant to the handling of the complaint are not retained and are immediately deleted.

#### **IX. Storage of complaints:**

Vermis , Lda., keeps a record of complaints received for a period of, at least, five years and, regardless of that period, during the pendency of judicial or administrative proceedings relating to the complaint .

#### **X. Protection measures:**

Whistleblowers enjoy the protection measures listed in articles 21 and 22 of Law No. 93/2021, of December 20, and it is prohibited to carry out acts of retaliation against the whistleblower, considering an act of retaliation as the act or omission that, directly or indirectly, occurring in a professional context and motivated by an internal or external complaint or public disclosure, causes or may cause the complainant, unjustifiably, property or non-pecuniary damage. Threats and attempted acts and omissions referred to whistleblowers are also considered acts of retaliation.



Regardless of the civil liability that may arise, the complainant may request the appropriate measures to the circumstances of the case, in order to avoid the verification or extension of the damages. In addition, whistleblowers are generally entitled to legal protection.

#### **XI. Complainant's responsibility:**

The denunciation or public disclosure of an infringement, made in accordance with the requirements imposed by Law n.º 93/2021, of December 20, does not, in itself, constitute grounds for disciplinary, civil, administrative or criminal liability of the complainant. The whistleblower who denounces or publicly discloses an infringement in accordance with the requirements imposed by the aforementioned law is not responsible for violating any restrictions on the communication or disclosure of information contained in the complaint or public disclosure, nor is he responsible for obtaining or accessing the information that motivates denunciation or public disclosure, except in cases where obtaining or accessing the information constitutes a crime. The foregoing does not affect the possible liability of whistleblowers for acts or omissions not related to the complaint or public disclosure, or that are not necessary for the reporting or public disclosure of an infringement under the terms of the aforementioned law.

#### **XII. Reporting channel contact details:**

Complaints may be submitted in writing, as referred to in III) of this guide, or sent to the address RUA DE S.PAIO PADROEIRO, n.º 178, 4815-298 MOREIRA DE CÓNEGOS, GUIMARÃES.

Verbal complaints can be made through the telephone number 253 198 150, through the telephone service between 08:00 and 17:00 (Monday to Friday).





In this case, telephone communications are not recorded, and a faithful written record of the communication is drawn up.

Vermis Ltd. \_ **does not provide advice** to individuals considering filing a complaint.

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## PROCEDURE:

<b>PHASES</b>	<b>COMPLAINT</b>	<b>INTERNAL SERVICES VERMIS, LTD.</b>
1	Submit the complaint.	
2		Complaint registration.
3		Analysis of the content of the complaint.
4	The complainant is notified of the receipt of the complaint and its processing.  (Deadline of seven working days)	
5		VERMIS, LTD. proceeds with the investigations considered adequate to fully clarify the situation.
5.1		At the end of the investigation process, the respective technical report is prepared for superior decision.  1 – The technical report must propose:  2 – The archiving of the complaint, when it is considered unfounded, in view of the evidence collected;

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		3 – or The adoption of the necessary measures, with a view to the cessation of the denounced infraction, including by opening an internal inquiry or communicating the competent authority to investigate the infraction, when the denunciation is considered pertinent, in view of the evidence gathered.
5.2		Decision by VERMIS, LDA.
5.3	VERMIS, LTD. notifies the complainant of the measures envisaged or adopted to follow up on the complaint and the reasons for it. [Maximum period of three months from the date of receipt of the complaint].	