

Whistleblower Policy

Integrity is important to Port of Antwerp-Bruges. Violations which compromise this can therefore be reported from now on. This can be done through the new whistleblower policy.

1. Who can report any violations?

The whistleblower policy applies to anyone who has obtained information about violations in a work-related context, including:

- (contractual and statutory) employees;
- self-employed individuals;
- shareholders;
- members of the Board of Directors;
- members of the Executive Committee;
- volunteers;
- (paid and unpaid) trainees;
- anyone working under the supervision and direction of contractors, subcontractors and suppliers.

These regulations also apply to parties whose working relationship has since ended, or is yet to begin.

2. What can be reported?

Through the whistleblower policy, violations in the following areas can be reported:

- public contracts;
- financial services, products and markets, prevention of money laundering and terrorist financing;
- product safety and product compliance;
- transport safety;
- environmental protection;
- radiation protection and nuclear safety;
- food and animal feed safety, animal health and animal welfare;
- public health;
- consumer protection;
- protection of privacy and personal data, and security of network and information systems;
- combatting tax fraud;
- social fraud prevention;
- violations which harm the financial interests of the European Union;
- violations related to the European single market.

On the other hand, the whistleblower policy is not intended for:

- any personal grievances of employees. That is the responsibility of the HR department;

- incidents, suspicious situations and complaints relating to the port area, the operation of the port or Port of Antwerp-Bruges. For this purpose a [report](#) can be made;
- harassment, unwanted or cross-border behaviour, discrimination, etc., as personal issues and psychosocial risks are not covered. For this, you can contact the internal and external confidential counsellors and colleagues in Social Welfare. More information about this can be found [here](#).

3. How can a violation be reported?

3.1 Internal reporting

People making reports are strongly encouraged to report violations through our internal reporting channels.

3.1.1 Reporting channels

Port of Antwerp-Bruges provides a single reporting channel accessible to people making reports both internally and externally.

Violations can be reported:

- via the *whistleblower form*

Using the whistleblower form, reports can be submitted anonymously.

3.1.2 Content of the reports

A report must always contain at least the following information for processing:

- optional: contact information of the person making the report:
 - first name;
 - surname;
 - email address;
 - telephone number.
- detailed description of the violation, ideally along with the time, date and location of any specific violations,
- optional: documentary evidence or useful documents related to the reported violation.

Does contact information also need to be filled out for an anonymous report?

No, if the report is submitted anonymously, the contact details and relationship with Port of Antwerp-Bruges or the business involved should not be filled in.

Anonymous reports are also carefully followed up.

Nevertheless, even when reporting anonymously, we recommend that you provide an email address - possibly anonymously. After all, we will contact you via this email address if we need additional information.

If the person reporting chooses nonetheless not to enter any contact information at all, it is not possible for us to contact them. Further investigation of the report may not then be possible. Indeed, the contact information allows us to contact the person reporting in order to obtain more information about the report. All things considered, the person reporting will then not receive any receipt notification or feedback.

The personal details of the person reporting will be treated with the utmost confidentiality.

3.1.3 Handling of the report

The Operational Excellence Department of the Human Resources Department (hereinafter "OP/HRO/EX") of Port of Antwerp-Bruges will receive the report and acknowledge receipt of the report to the person reporting within seven calendar days of receipt.

OP/HRO/EX will forward the report to the Legal Affairs Division of the Corporate Affairs Department (hereinafter "CA/LA").

If the reported violation does not fall within the scope of these regulations, CA/LA will inform the person reporting as soon as possible.

If the reported violation does fall within the scope of these regulations, CA/LA will initiate a further investigation, whether or not in cooperation with the Internal Audit Division of the Office of General Management (hereinafter "AD/IA").

Within three months of the receipt notification, CA/LA will inform the person reporting about the results of this investigation, those being:

- the measures planned or taken as a follow-up; and
- the reasons for that follow-up.

However, the person reporting will not be informed of the content of the investigation.

3.1.4 Registration of the report

Port of Antwerp-Bruges keeps a register of any reports received, in accordance with the applicable confidentiality requirements.

3.1.5 Confidentiality of the report

The identity of the person reporting is kept confidential in accordance with the Law dated 28 November 2022 concerning the protection of people reporting any violations of Union or national law established within a legal entity in the private sector.

This implies, among other things, the following:

- the identity of the person reporting will only be disclosed to those employees authorised to receive or follow up on reports. This also applies to any other information from which the identity of the person reporting can be directly or indirectly deduced.

The identity of the person reporting may be disclosed to others only if the person concerned gives his or her free and express consent.

- notwithstanding the above, the identity of the person reporting and any other information, from which the identity of the person reporting can be directly or indirectly deduced, may also be disclosed to others if it is a necessary and proportionate obligation in accordance with special legislation in the context of investigations by national authorities or judicial proceedings, and also to safeguard the rights of defence of the data subject.

3.1.6. Processing of personal data

The processing of personal data will be carried out in accordance with the Regulation (EU) 2016/679 dated 27 April 2016 concerning the protection of natural persons with regard to the processing of personal data and concerning also the free movement of such data, and the Law dated 30 July 2018 concerning the protection of natural persons with regard to the processing of personal data.

3.2 External reporting

People reporting can also provide information about violations through external reporting channels.

The following authorities are competent to receive external reports in accordance with the Royal Decree dated 22 January 2023 designating the competent authorities for the implementation of the Law dated 28 November 2022:

- 1) the Federal Public Service Economy for Small or Medium-sized Businesses, the Middle Class and Energy;
- 2) the Federal Public Service for Finance;
- 3) the Federal Public Service for Public Health, Food Chain Safety and the Environment;
- 4) the Federal Public Service for Mobility and Transportation;
- 5) the Federal Public Service for Employment, Labour and Social Dialogue;
- 6) the Programmed Public Service for Social Integration, Poverty Reduction, Social Economy and Metropolitan Policy;
- 7) the Federal Agency for Nuclear Control;
- 8) the Federal Agency for Medicines and Health Products;
- 9) the Federal Agency for the Safety of the Food Chain;
- 10) the Belgian Competition Authority;
- 11) the Data Protection Authority;
- 12) the Financial Services and Markets Authority;
- 13) the National Bank of Belgium;
- 14) the Board of Supervisors of Corporate Auditors;
- 15) the authorities reported in Article 85 of the Law dated 18 September 2017 concerning the prevention of money laundering and terrorist financing and the restriction of the use of cash;
- 16) the National Committee for the Security of the Supply and Distribution of Drinking Water;
- 17) the Belgian Institute for Postal Services and Telecommunications;
- 18) the National Institute for Sickness and Disability Insurance;
- 19) the National Institute for the Social Insurance of the Self-Employed;
- 20) the National Employment Service;
- 21) the National Social Security Service;
- 22) the Social Intelligence and Investigation Service;
- 23) the Anti-Fraud Coordination Autonomous Service (CAF);
- 24) the Shipping Control.

These authorities receive reports, follow up on these reports and provide feedback to the person reporting in accordance with the conditions and procedures set forth in Chapter 4 of the Law dated 28 November 2022.

The specific procedures will be determined by a regulation or circular of the competent authority and will be published on the website of the competent authority. However, at the time of drafting these regulations, no procedures had been published.

3.3 Public disclosure

People reporting may also disclose information about violations, under the conditions and in accordance with Chapter 5 of the Law dated 28 November 2022.

4. Protective measures

People reporting will not be treated adversely because of their report if they filed it in good faith.

People reporting will therefore be eligible for the protections as provided for in Chapter 7 of the Law dated 28 November 2022 if they:

- had reasonable grounds to believe that the information reported about violations at the time of reporting was accurate and that it fell within the scope of one of the areas listed under "2. *What can be reported?*";
- have reported or disclosed information about violations internally or externally.

This implies, among other things, the following:

- any form of retaliation against people reporting, including threats and attempts of retaliation, is prohibited;
- people reporting, who nevertheless believe they have been victimised or threatened with retaliation may file a reasoned complaint with the federal ombudsmen, who may initiate out-of-court protection proceedings or bring an action in court;
- people reporting, as the case may be, will also have access to the support measures as stipulated in Chapter 7, Section 2 of the Law dated 28 November 2022.

The Federal Institute for the Protection and Promotion of Human Rights is the central information point with regard to the protection of the people reporting.