

## **POLICY FOR WHISTLEBLOWING**

Björn Borg AB (publ)  
(556658-0683)

*This policy for whistleblowing was adopted by the Board on 16 August 2018*

## 1. Introduction

The Björn Borg Group is committed to conducting its business with honesty and integrity and expect all employees to maintain the standards prescribed by law and Björn Borg's Code of Conduct.

The purpose of this policy for whistleblowing is to (i) encourage employees to report serious wrongdoings and irregularities within the Björn Borg Group, such as breaches of laws and internal regulations, and (ii) lay down the routines applied within the group in ensuring that employees have relevant channels to file such reports. Such channels ensure that serious wrongdoings and irregularities can be identified and that reporting can be made by employees without fear of reprisal. Employees can find a short summary of instructions on how to report wrongdoings and irregularities in [Appendix 1](#).

This policy shall be made available to all employees within the Björn Borg Group, e.g. through Björn Borg's intranet.

This policy shall be reviewed and amended annually by the board of directors of Björn Borg AB.

## 2. Reporting channels

### First reporting channel - managers

When laws, regulations or internal rules are broken, employees shall report this to an immediate manager, another manager that such employee trusts (e.g. HR) or to Legal.

### Second reporting channel – whistleblowing channel

Only if the first reporting channel is not possible, the employee is not comfortable with speaking to its manager, or the employee is not satisfied with its manager's response, employees are encouraged to report to Björn Borg's whistleblowing channel (see below).

## 3. Second reporting channel; whistleblowing channel

The whistleblowing channel should be used to report only when:

- a) the regular reporting channels as per Section 2 above is not deemed suitable by the employee, and
- b) the matter concerns individuals in key positions or company management that are involved in serious wrongdoings that can have a material adverse effect on Björn Borg, regarding:
  - Serious irregularities that concern the group's vital interests or the lives and health of individuals, such as discrimination and harassment (sexual or otherwise) of a serious nature, serious environmental crimes or major deficiencies in occupational safety.
  - Accounting, internal accounting controls, auditing matters, bribery and banking and financial crime.

When filing a report to Björn Borg's whistleblowing channel, such report should be sent by email to Björn Borg's external legal counsel, Magnus Lindstedt ("ML") at Nord Advokater, email: [ml@nordadvokater.se](mailto:ml@nordadvokater.se) or by regular mail to Box 17012, 104 62 Stockholm, attn. Magnus Lindstedt. If email is chosen as the filing method, the report should be sent by a password protected document. Please follow the procedure in [Appendix 1](#), in order to ensure a secure transfer of the report.

ML will ensure that reports are kept anonymous, if requested by the employee. The employee may choose to be anonymous also in relation to ML, but is encouraged to reveal his/her identity to ML (but, if desired, request anonymity visavi Björn Borg which ML will then uphold).

The report should include information about the nature of the relevant case and the person that is subject to suspicions. The information should be as detailed as possible in order to ensure that the matter can be dealt with efficiently. The employee shall also specify in the report if it wishes to be anonymous visavi Björn Borg. The information should, as far as the employees know, be accurate and relevant to the reported issue. Employees should not include any sensitive personal data, such as race or ethnic background, political opinions, religious or other philosophical beliefs, membership in trade unions or information relating to an individual's health or data concerning a natural person's sex life or sexual orientation unless absolutely required for notification. All redundant personal data will be deleted.

The whistleblowing channel should not be used to report complaints about lack of leadership or other operational issues. If a report is judged to fall outside the purpose of this policy, such scope being as per this Section 3, first paragraph, item a) and b) above (below the "Scope"), then the report will be deleted and the employee will be notified via e-mail from ML that the report was deemed outside the Scope, unless the employee has chosen to send the report anonymously via regular mail (i.e. with no contact details for the employee) in which case no notification back will be sent.

Employees do not need specific proof of their suspicions, but all reporting should be made in good faith in accordance with this policy.

ML is responsible for reviewing the reported cases and determine whether the report falls within the Scope of this policy and shall also immediately delete all redundant personal data. If a report is deemed to fall within the Scope of this policy, ML shall inform the Chairman of the Board. ML and the Chairman shall involve such functions (e.g. HR, Legal, CEO and CFO) within the Björn Borg Group that are deemed necessary to involve in order to further investigate and determine how to proceed with the case. The Chairman of the Board and the functions within Björn Borg that have been involved in the case shall decide on necessary actions in order to address the filed report, and inform ML on how Björn Borg intend to proceed. If the employee has requested that its identity should be kept anonymous, ML shall report back to the employee on how the case will proceed, unless the employee has chosen to send the report anonymously via regular mail in which case no report back will be given. In other cases, the working group established within Björn Borg will be responsible to inform the employee on how the case will proceed.

The information collected via the whistleblowing channel will only be used for the purpose of administering and investigating reported incidents and for addressing detected violations.

Information may be provided to authorities and other third parties if required by applicable laws or regulations or otherwise deemed necessary for the investigation or for Björn Borg to be able to take action in response to a report, such as for making a police report or if the information is required in the course of legal action.

Since 1 January 2017, a new law was implemented for the purpose of increasing the protection for whistleblowers. Under this law, it is prohibited for employers to expose workers to reprisals (including punishments such as termination or reassignment) as a consequence of reporting serious violations within a business.

#### **4. Processing of personal data within the scope of the whistleblowing channel**

Personal data will be processed within the scope of the whistleblowing channel about the employee that files a report under this policy, the employee subject to the report, and any other employees involved in the case that is reported. Such personal data will be processed in accordance with the General Data Protection Regulation (EU) 2016/679 and the Swedish Data Protection Authority's regulations processing of personal data concerning criminal offences (DIFS 2018:2).

When a working group is created for a relevant matter, one person in the working group shall be appointed as responsible for the processing of personal data hereunder. Such person shall ensure that only such personal data that is necessary for the case is processed, that the personal data is deleted when the case is closed, and that the individuals that are mentioned in the report or otherwise subject to the investigations are informed about the processing of their personal data (if legally required) and that personal data is stored and shared between the working group in a safe manner.

Information to employees filing a report is provided below. Information to other employees involved in the case shall be provided as soon as the case is opened by the working group. In certain cases, informing the person against whom an allegation has been made at an early stage may seriously impair the achievement of the objectives of the processing (ref Art 14.5.b of the GDPR). In such cases, provision of specific information might need to be deferred. Deferral of information should be decided on a case by case basis and be documented.

If you report through the whistleblowing channel, please see [Appendix 3](#), for further information about Björn Borg's processing of personal data in connection with such reporting.

## **5. Updates and Reviews**

This policy shall be reviewed annually by the board of directors and be updated when necessary.

## APPENDIX 1

### INFORMATION TO EMPLOYEES ON HOW TO USE THE WHISTLEBLOWING CHANNEL

Below is a summary on how you as an employee with Björn Borg can file a report through the Björn Borg Group's whistleblowing channel. For detailed information about the whistleblowing channel, please read the full policy for whistleblowing.

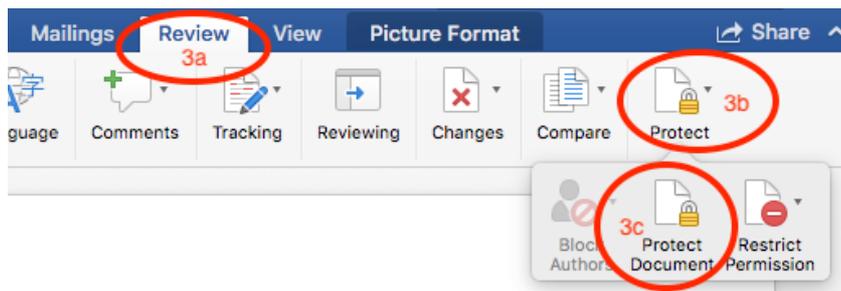
- **First reporting channel:** Björn Borg encourages a culture of openness and believes that such culture can prevent malpractice before it happens. You are therefore encouraged to raise issues directly with your manager or any other manager that you trust or to Legal. This should be the main channel for reporting irregularities or wrongdoings within Björn Borg.
- **Second reporting channel:** If you are not comfortable with making a report to anyone within Björn Borg, we have established a whistleblowing channel that can be used in certain situations. Such channel may only be used if a matter concerns individuals in key positions or company management that are involved in serious wrongdoings that can have a material adverse effect on Björn Borg, regarding:
  - Serious irregularities that concern the group's vital interests or the lives and health of individuals, such as discrimination and harassment (sexual or otherwise) of a serious nature, serious environmental crimes or major deficiencies in occupational safety.
  - Accounting, internal accounting controls, auditing matters, bribery and banking and financial crime.
- If you use the second reporting channel, your report should be sent by email to Björn Borg's external legal counsel, Magnus Lindstedt ("ML") at Nord Advokater, email: ml@nordadvokater.se or by regular mail to Box 17012, 104 62 Stockholm, attn. Magnus Lindstedt.
- If email is chosen as the filing method, the report should be sent by a password protected document. Please follow the procedure in Appendix 2 of the whistleblowing policy.
- ML will ensure that reports are kept anonymous, if requested by the employee. The employee may also choose to be anonymous also in relation to ML, by sending the report through mail, but is encouraged to reveal his/her identity to ML (but, if desired, request anonymity visavi Björn Borg which ML will then uphold).
- You will be informed about the continuing process of the case, either by Björn Borg or by ML, depending on whether you have chosen to be anonymous towards Björn Borg or not.

## Appendix 2

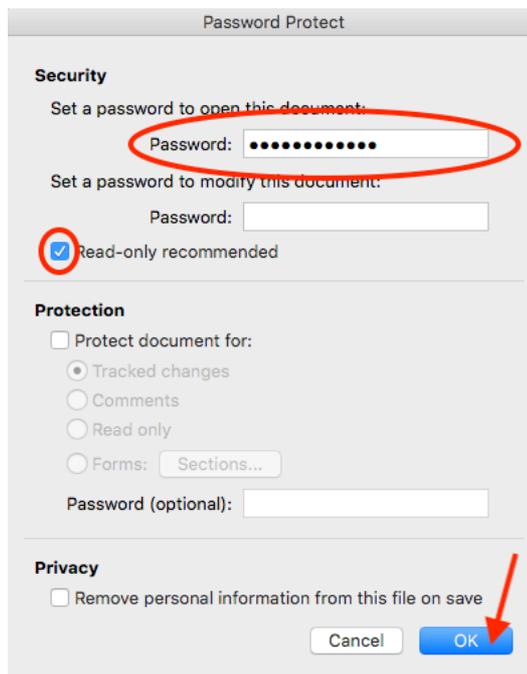
### INSTRUCTION ON HOW TO SEND A REPORT BY EMAIL THROUGH BJÖRN BORG'S WHISTLEBLOWING CHANNEL

If you send a report through Björn Borg's whistleblowing channel, the following procedure should be used.

1. Save your report in a word document.
2. When you have your word document
  - a. Click on the "Review" tab,
  - b. Click "Protect",
  - c. Click "Protect Document"



3. The box below will pop up. Fill in a password, tick the box read-only and click ok.



4. Create an email to ML and attach the password-protected report.
5. Send the password to the protected report in a separate email to ML.
6. If you need assistance with creating a password protected file, consult with IT.

## Appendix 3

### INFORMATION TO EMPLOYEES THAT REPORT THROUGH THE WHISTLEBLOWING CHANNEL ABOUT PROCESSING OF PERSONAL DATA

When you as an employee with Björn Borg uses the whistleblowing channel, Björn Borg will process personal data about you. This section specify such processing of personal data in more detail. If you are the subject of a report, you will be informed about the processing of your personal data in connection with such report, unless Björn Borg has a legitimate reason for delaying the provision of such information in accordance with this policy.

#### Categories of data processed

Björn Borg process personal data that you provide when you use the whistleblowing channel, such as email, name, title and any other information that you provide about you that is relevant for the case.

#### Purpose

Our purpose for processing your personal data is to deal with actual or suspected wrongdoings that can have a material adverse effect on Björn Borg (as specified in further detail above in this policy).

#### Legal ground

Björn Borg's legal ground for processing the personal data provided within the scope of the whistleblowing channel is that Björn Borg has a legitimate interest in investigating and dealing with serious wrongdoings by employees at Björn Borg, which can have a material adverse effect on the business of Björn Borg.

#### Erasure

Björn Borg, and any third party acting on behalf of Björn Borg, will erase the personal data processed about you in accordance with this policy immediately after making the determination about whether or not the case falls within the scope of this policy or not. If the matter falls within the scope of this policy, the personal data we have obtained about you will only be kept if it is necessary for the continuing investigation and handling of the relevant case. All personal data processed about you under this policy will be deleted when the case is closed.

#### Who is responsible for the processing of personal data relating to the whistleblowing channel?

Björn Borg AB (publ), org. no 556658-0683, Tulegatan 11, 113 53 Stockholm, is the controller of personal data processed in connection with the whistleblowing channel.

#### Who do we share your information with?

Björn Borg cooperates with an external legal counsel, Magnus Lindsted (ML), at Nord Advokater, for the purpose of enabling reporting on an anonymous basis if desired by you. When you file a report, ML will obtain your personal data if you do not choose to be anonymous towards ML.

#### Further information

Please see the GDPR Handbook for further information about the rights you have in connection with Björn Borg's processing of your personal data, who to contact with respect to privacy questions, or who you should contact if you have any complaints.