

WHISTLEBLOWING

ICBC (Europe) SA and ICBC Ltd. Luxembourg Branch (ICBC) have implemented a Whistleblowing mechanism according to the requirements set out in the applicable regulation (including Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union Law, and Law of 16 May 2023 implementing Directive (EU) 2019/1937 on the protection of persons who report breaches of Union Law).

1. Objective

Whistleblowing means raising a wrongdoing, unethical or unlawful behavior or misconduct and reporting that information. Such concerns might relate to the actions of employees, authorized managers, directors, suppliers or other aspects of ICBC's business.

Not only ICBC staff members can use this reporting channel, but also any other persons not directly employed by ICBC but providing services to (such as temporary workers, self-employed, external consultants, counterparties, contractors, sub-contractors, suppliers, employees of other service providers), as well as any other persons or entities that participate or seek to participate in activities of ICBC.

Any person ("whistleblower") who reports (within ICBC or to an outside Authority) information on a wrongdoing helps preventing damage and detecting threat or harm to the public interest that may otherwise remain hidden.

2. Scope

There is no definitive list of what would be classified as "wrongdoing" for the purposes of Whistleblowing reporting but any acts, omissions, or improper practices affecting ICBC, its customers, employees, shareholders or the public which are illegal or are against National or European law or disturb the public interest, are in the scope of this Policy. Basically, all violations of the rules governing banking activities (such as credit transactions, provisions of investment services etc.) as well as any violation relating to activities connected with or instrumental to the Bank are subject to reporting. It is not necessary for financial loss to occur.

3. Reporting process

The whistleblowers can confidentially report any wrongdoing through the following channels:

- Contacting the Chief Compliance Officer or the Head of Human Resources Department through the dedicated form (Annex 1).
- By telephone to the Chief Compliance Officer: +3522686666060
- In writing by mail to the attention of Chief Compliance Officer or the Head of Human Resources Department to the following address, through the dedicated form (Annex 1): 32, Boulevard Royal, L-2449 Luxembourg – P.O. Box 278, L-2012 Luxembourg

Although the use of the above internal whistleblowing reporting channels is preferred, whistleblowers may also resort to external whistleblowing reporting channels at European level or national level. At Luxembourg level, a dedicated procedure allowing whistleblowers to contact directly Regulator for reporting purposes is available on the CSSF's website¹.

4. Guarantees for the whistleblower

- It is ensured that the confidentiality of the identity of the reporting person and any involved third party mentioned in the report is protected, preventing access thereto by non-authorized staff members. The information and all other personal data acquired are treated in compliance with the applicable Data Protection Regulation.
- Reports can also be submitted anonymously by the reporting person through their chosen reporting channel.
- The investigation will be conducted by or under supervision of the Chief Compliance Officer as speedily and sensitively as possible in accordance with all relevant laws and regulations. Each reported case will be assessed in the appropriate manner and that it may lead to an investigation. If the allegations are confirmed, ICBC will take all necessary measures to remediate the situation.
- If possible, the reporting person shall be informed about the action envisaged or taken as follow-up to the report and the grounds for the choice of that follow-up. The report considered as irrelevant will be closed and the whistleblower will be informed accordingly.
- ICBC shall ensure that there will be no retaliation against any whistleblower for having communicated, in good faith, the situations described above.
- Reporting persons should have reasonable grounds to believe, in light of the circumstances and the information available to them at the time of the reporting, that the matters reported by them were true. Those who, at the time of the reporting, deliberately and knowingly reported wrong or misleading information do not enjoy protection and shall be liable to a penalty. That requirement is an essential safeguard against malicious and frivolous or abusive reports. Protection is not lost where the reporting person reported inaccurate information on violations by honest mistake.

¹ Any person wishing to report breaches of the law that fall within the CSSF's remit, may address the CSSF in French, Luxembourgish, German or English:

- by means of the form available at the following link: <https://whistleblowing.apps.cssf.lu/index.html?language=en>;
- by email to: whistleblowing@cssf.lu;
- in person at the head office of the CSSF;
- by phone: +352 2625 1 2757 during office hours for a first contact.

ANNEX 1: Whistleblowing Report Form (external reporting)

1. Who committed the suspected violation?	
1.1 Was the suspected breach that you wish to report committed by the Bank itself or an employee or other?	<input type="checkbox"/> The Bank itself <input type="checkbox"/> An employee <input type="checkbox"/> Other. Please specify:
2. Personal details	
2.1 Would you like to remain anonymous?	<input type="checkbox"/> Yes, I would like to remain anonymous. <input type="checkbox"/> No, I would like to give my identity.
2.2 If you responded "No" to question 2.1, please provide your personal details.	Last name
	First name
	Entity
	Department
	Current position
	Email
	Postal address
	Telephone number
3. Consent	
3.1 The Bank will not reveal your identity without first obtaining your explicit consent. However, if the Bank received a court order in the context of further investigations or subsequent judicial proceedings, the Bank is obliged by law to reveal the identity of an informant, even without the informant's explicit	<input type="checkbox"/> Yes <input type="checkbox"/> No

<p>consent. Do you consent to the Bank forwarding your personal data to National and European Competent Authorities, if relevant to the procedure for following-up on your whistleblowing report?</p>	
4. Description of the suspected violation	
<p>4.1 Occurrence date (MM/DD/YYYY)</p>	<p>.....</p>
<p>4.2 Is the alleged violation still on-going?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Unknown</p>
<p>4.3 Provide the name of the entity/person that committed the suspected violation</p>	<p>4.1.a. Entity</p> <p>.....</p>
	<p>4.1.b. Employee</p> <p>Last name</p> <p>.....</p>
	<p>First name</p> <p>.....</p> <p>Department</p> <p>.....</p>
<p>4.4 Provide the country where the suspected violation occurred</p>	<p>.....</p>
<p>4.5 Is there any other entity/country involved?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p>.....</p> <p>.....</p> <p><input type="checkbox"/> No</p>
<p>4.6 Who are the main parties involved?</p>	<p><input type="checkbox"/> The Bank</p> <p><input type="checkbox"/> Individuals</p> <p><input type="checkbox"/> Legal entities</p> <p><input type="checkbox"/> Government Agencies</p> <p><input type="checkbox"/> Other. Please specify:</p> <p>.....</p>
<p>4.7 Are you, or were you,</p>	<p><input type="checkbox"/> Yes. Please specify how you are, or were, associated with the party you are filing a</p>

<p>associated with the party involved when the alleged violation occurred?</p>	<p>whistleblowing report against:</p> <p>.....</p> <p>.....</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Unknown</p>
<p>4.8 What was the initial form of contact between you and the person/entity against whom you are filing this report?</p>	<p>.....</p> <p>.....</p>
<p>4.9 Please select the option(s) that describes your report</p>	<p><input type="checkbox"/> Criminal activity (such as embezzlement, theft, money laundering, fraud etc.);</p> <p><input type="checkbox"/> Breaches of internal policies and procedures, customer treatment standards, etc.;</p> <p><input type="checkbox"/> Manipulating procedures / Manipulating IT systems</p> <p><input type="checkbox"/> Breaches of regulatory or legal requirements;</p> <p><input type="checkbox"/> Breaches of the financial accounting and auditing obligations;</p> <p><input type="checkbox"/> Breaches of Market Abuse Regulation, including: insider dealing, unlawful disclosure of inside information and market manipulation;</p> <p><input type="checkbox"/> Bribery and corruptions practices;</p> <p><input type="checkbox"/> Altering or removing remitter of beneficiary information in payment instructions to avoid the detection of sanctioned individuals, entities or jurisdictions;</p> <p><input type="checkbox"/> Other risks or dangers at work including IT security;</p> <p><input type="checkbox"/> Behavior endangering the staff health and safety</p> <p><input type="checkbox"/> Other. Please specify:</p> <p>.....</p> <p>.....</p> <p>.....</p>
<p>4.10 Please describe in detail all facts pertinent to the suspected violation. Explain why you believe the facts described constitute a violation.</p>	<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
<p>4.11 Please detail how you came to know about the suspected</p>	<p>.....</p>

<p>activities</p>	<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
<p>4.12 If possible, please state the regulatory/legal obligation that you suspect to have been breached</p> <p><i>(e.g. legal obligation under Circular CSSF 07/307, obligation under Code of Conduct)</i></p>	<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
<p>4.13 Do you know the estimated loss (value) for the Bank or parties involved, if any?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p>.....</p> <p>.....</p> <p><input type="checkbox"/> No</p>
<p>4.14 Do you have any evidence/documentation to support the submission of your whistleblowing report?</p>	<p><input type="checkbox"/> Yes, I have evidence in my possession to support the submission of this whistleblowing report and can provide them.</p> <p><input type="checkbox"/> Yes, I know the existence of documents to support the submission of this whistleblowing report.</p> <p><input type="checkbox"/> No</p>
<p>4.15 Please provide the location of all supporting materials in your possession.</p>	<p>.....</p> <p>.....</p> <p>.....</p>
<p>4.16 Have you reported this matter to other persons/authorities?</p>	<p><input type="checkbox"/> Yes. Please specify when and to whom (if known, please provide the full name and current position of the person to whom this suspected violation has been reported).</p> <p>.....</p> <p>.....</p> <p>.....</p> <p><input type="checkbox"/> No</p>

<p>4.17 Have you taken any action regarding your report?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p><input type="checkbox"/> No</p>
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<p>4.18 Please include in this section information that you have not been able to provide elsewhere.</p>	<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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5. Submission of the report

I agree with the content of this whistleblowing report and understand that (i) it will be assessed by the Whistleblowing Officer and (ii) it may lead to an investigation conducted by the Whistleblowing Officer as seedily and sensitively as possible in accordance with all relevant laws and regulations.

Date of the report (MM/DD/YYYY)

Signature (in case the whistleblower decided not to remain anonymous)

6. Wistleblowing Officer (for ICBC use only)

Date of acknowledgment (MM/DD/YYYY)

Last name

First name

Department

Position.....

Signature