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Procedures for collecting and processing whistleblower alerts in France

Classification: Public

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Executive Summary

The purpose of the present note about *Procedures for collecting and processing whistleblower alerts in France* is to provide a description of our internal whistleblowing procedure at Allianz Technology SAS (hereinafter referred to as Allianz Technology France) as well as useful information regarding external procedure in France.

In order to collect and process reports submitted by whistleblowers, Allianz Technology France has implemented an internal procedure in accordance with the legal requirements in force in France and provided for in Law No. 2022-401 of 21 March 2022 aimed at improving the protection of whistleblowers (*Loi n° 2022-401 du 21 mars 2022 visant à améliorer la protection des lanceurs d'alerte*) as well as its applicative decree.

Allianz Technology France is committed to developing a culture of integrity which includes the possibility of contributing to the detection of compliance violations, including but not limited to:

- fraud, theft, corruption,
- violations of gift and entertainment policies and procedures,
- antitrust violations,
- financial irregularities or breaches of accounting or tax provisions,
- falsification and/or manipulation of company business and/or financial records,
- any kinds of discrimination or harassment,
- potential conflict of interest.

Reference herein made to "Allianz Technology" refers to Allianz Technology Group and Associates as well as Allianz Technology Business Segment. Allianz Technology Group means Allianz Technology SE, its Branches and Subsidiaries. Allianz Technology SE means Allianz Technology in Germany and Allianz Technology Branches.

Diversity disclaimer: Throughout this document all gender-specific terms are to be considered to refer to all gender identities.

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I. What is a whistleblower?

According to French law¹, a whistleblower is a natural person who reports or discloses, without direct financial compensation and in good faith, information regarding:

- a crime (e.g. voluntary homicide or rape),
- an offence,
- a threat or harm to the public interest in general,
- a violation or an attempt to conceal a violation of an international commitment regularly ratified or approved by France, of a unilateral act of an international organization taken on the basis of such a commitment, of the law of the European Union, of the law or of the regulations.

The information must relate to facts that have occurred or are very likely to occur in the entity concerned. It must have been obtained by the whistleblower during his or her professional activities or, otherwise, he or she must have personal knowledge of it.

Some facts, information and documents are excluded from the whistleblowing regime (Article 6.-II of Law No. 2016-1691 of 9 December 2016). Such is the case, for example, of what falls under the national defense secret or medical secret.

II. Who can be a whistleblower?

According to French law², a whistleblower can be one of the following:

- Employees;
- Persons whose employment relationship has ended, where the information was obtained in the course of that relationship;
- Persons who have applied for employment with the entity concerned, where the information was obtained in the course of that application;
- Shareholders, partners and holders of voting rights in the entity's board of management;
- Members of the administrative, management or supervisory body;
- External and occasional employees;
- The entity's contractors, their subcontractors or, in the case of legal entities, the members of the administrative, management or supervisory bodies of such contractors and subcontractors, and their employees.

¹ See Article 6 of Law No. 2016-1691 of 9 December 2016 (available [here](#)).

² See Article 8 of Law No. 2016-1691 of 9 December 2016 (available [here](#)).

III. How to report?

There are two types of reporting procedures. Therefore, a whistleblower can make an “internal” report (A.) directly to Allianz Technology or an “external” report before the competent authorities (B.).


A. Internal reporting process

Various means are available to whistleblowers to submit a report (1.), according to certain procedures (2.) and processing deadlines provided for by law (4.). Procedural guarantees govern the processing of the report (3.).

1. Reporting channels


The whistleblower may submit an internal alert to Allianz Technology in writing or orally.

Submitting a report in writing



Via BKMS Whistleblowing tool

- This reporting tool is available ([here](#)) in 16 languages and allows you to submit a report online and, if you wish, to remain anonymous.
- On this tool, you can submit any material, in any form or medium, that supports the report of events that have occurred or are very likely to occur in the entity concerned.
- By using this tool, your report will be received by the Allianz Technology Group Compliance Function, based in Germany, which will then transfer it without delay to the relevant Allianz Technology Compliance Function at local level.
- For more information on the processing of your personal data and your rights, you can consult the Data Privacy Policy of the BKMS Reporting Tool (available at the bottom of this [link](#)).



Via email

- To Allianz Technology France Compliance Officers:
 - Camille Conquer: camille.conquer@allianz.com
 - Marie-Caroline Berger Baton-Vermeersch: marie-caroline.berger-baton-vermeersch@allianz.com

Or

- To Allianz Technology Group Compliance function: ComplianceInvestigationsAZTandAZS@allianz.com

Or

- To Allianz SE Group Compliance function: compliance@allianz.com or anti-fraud@allianz.com

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Submitting a report in writing



Via snail mail

- To Allianz Technology France Compliance Officers:
Allianz Technology SAS
c/o Camille Conquer / Marie-Caroline Berger Baton-Vermeersch
Compliance, Risk, Process Mgt & Audit Coordination
Tour Allianz One
1, Cours Michelet
92076 Paris La Défense Cedex
France
- Or
- To Allianz Technology Group Compliance function:
Allianz Technology SE
c/o Allianz Technology Compliance
Dieselstraße 8
85774 Unterföhring
Germany

Submitting a report orally



In person *or*



By video conference

- You have the option of submitting the report directly in person or during a video conference with the Compliance Officers of Allianz Technology France.
- Please contact them by email at the following addresses to schedule an appointment:
 - Camille Conquer: camille.conquer@allianz.com
 - Marie-Caroline Berger Baton-Vermeersch: marie-caroline.berger-baton-vermeersch@allianz.com
- Depending on your choice, a physical meeting or a video conference will be arranged within 20 working days of receiving your request.

2. Reporting terms and conditions

Considerations for all reporting channels

When submitting an alert, please provide as many details as possible to allow its review. However, if you do not have access to detailed information, this should not prevent you from voicing your concerns.

It is useful for our investigations team handling your report if you provide your name and/or an e-mail address when submitting a report. This enables us to contact you in case we have any follow-up questions. If you would prefer to remain anonymous, we will respect your decision and your concern will still be investigated.

Consideration of the report is based only on factual, detailed and objectively formulated data, directly related to the scope of the reporting channel and strictly necessary to verify the reported facts.

Only the following categories of data may be collected:

- **Initial data:** The facts reported, the identity, function and contact information of the person submitting the report, and the identity, function and contact information of the implicated person.
- **Data related to the processing of the alert:** The elements contributing to the verification of the reported facts, the reports of the verification operations and the follow-up given to the alert.

Additional considerations for anonymous reporting

Should you wish to submit a report anonymously, please use the BKMS Whistleblowing tool (available [here](#)). This will keep you informed of the follow-up of your alert.

The BKMS Whistleblowing tool allows you to communicate anonymously (via a secured mailbox) with the team in charge of processing your alert.

If you prefer not to disclose your identity in your report, you will simply be required to register in the BKMS Whistleblowing tool using any user name you choose, together with a personal code.

The team in charge will have access to the information provided by you and will not be able to know your true identity unless you reveal it to them. If you choose to report anonymously for any reason, please pay attention not to provide any information that could reveal your identity.

Additional considerations for oral reporting

All verbal reports are recorded.

Therefore, during a video conference or in person meeting, your report is collected by establishing, with your consent, accurate minutes.

You can review, amend and approve the minutes by signing them.

The minutes can only be retained for the time strictly necessary and proportionate to the processing of the report and the protection of their authors, the persons they refer to and the third parties they mention.

3. Whistleblowing process and guarantees at Allianz Technology

Allianz Technology examines all submitted messages and ensures that they remain confidential and that all involved parties are treated equally.

Pursuant to Decree No. 2022-1284 of 3 October 2022, the procedure gives an undertaking of the **integrity** and confidentiality of the information collected in a report, in particular the identity of the report author, the implicated person(s) and any third party mentioned in the report.

This internal procedure is intended to enable the reporting of objective facts and not to stigmatize individuals.

Allianz Technology **does not tolerate retaliation in any form**. Therefore, anyone who submits a report in good faith will not face sanctions, even though the facts are later proven to be inaccurate.

Your information will be treated **confidentially**. We take appropriate steps to make careful use of all information received, and to safeguard the interests of all involved persons. All data provided is processed according to applicable data privacy requirements.

With respect to the **retention of personal data**:

- The information contained in the reports is archived in a secure manner and the right to be forgotten is observed.
- When a report is not followed by a disciplinary or judicial procedure, the data relating to this report is destroyed if the issue raised does not fall within the scope of this procedure or archived for 2 months, with effect from the closure of the verification operations.
- When a disciplinary or judicial procedure is initiated, the data relating to the report is retained until the end of the procedure.

4. Investigating and reporting processing time

When you submit a report via any of the above means, you will receive a written acknowledgement of receipt within 7 business days of receiving your report.

If you wish to submit a report in person or via video conference, a physical meeting or video conference will be arranged within 20 business days of receiving your request.

During the procedure, you will be informed in writing within a reasonable timeframe (not exceeding 3 months):

- of the measures considered or taken to assess the accuracy of the allegations and, if applicable, to remedy the subject matter of the report and the reasons for such measures,
- of the reasons why Allianz Technology considers that, where applicable, your report does not comply with the legal requirements and of the follow-up given to such a report.

Finally, you will be informed of the closure of the case.

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B. External reporting process

The whistleblower may also submit an external report to the competent authorities if they so wish.

This external report may be submitted either following an internal report or, since 1st September 2022, directly:

- To the competent authority among those designated by Decree No. 2022-1284 of 3 October 2022. The list of competent authorities is available in the annex of the aforementioned decree (available [here](#)),
- To the Defender of Rights (*Défenseur des droits*), who will direct it to the authority or authorities best able to hear it,
- To the judicial authority,
- To an institution, body or agency of the European Union competent to collect information on violations falling within the scope of Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019.

IV. Legal texts and references

- Law No. 2016-1691 of 9 December 2016 on transparency, the fight against corruption and the modernisation of economic life (*Loi n° 2016-1691 du 9 décembre 2016 relative à la transparence, à la lutte contre la corruption et à la modernisation de la vie économique*) (available [here](#))
- Law No. 2022-401 of 21 March 2022 aimed at improving the protection of whistleblowers (*Loi n° 2022-401 du 21 mars 2022 visant à améliorer la protection des lanceurs d'alerte*) (available [here](#))
- Decree No. 2022-1284 of 3 October 2022 relating to the procedures for collecting and processing whistleblower alerts and establishing the list of external authorities instituted by Law No. 2022-401 of March 21, 2022 aimed at improving the protection of whistleblowers (*Décret n° 2022-1284 du 3 octobre 2022 relatif aux procédures de recueil et de traitement des signalements émis par les lanceurs d'alerte et fixant la liste des autorités externes instituées par la loi n° 2022-401 du 21 mars 2022 visant à améliorer la protection des lanceurs d'alerte*) (available [here](#))

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V. Document information

Document	Procedures for collecting and processing whistleblower alerts in France
Author(s)	Allianz Technology France Compliance Officer: Marie-Caroline Berger Baton-Vermeersch
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Department	Compliance
Area of Application	Allianz Technology SAS