

Based on Article 16 of the Whistleblower Protection Act (Official Gazette of the Republic of Serbia no. 128/2014), BROKER-DEALER COMPANY TESLA CAPITAL JSC Belgrade, Cvijićeva 129, registration number: 17326015 (hereinafter referred to as the "Employer"), on November 3, 2015, issues the

GENERAL REGULATION ON WHISTLEBLOWER PROTECTION

On December 4, 2014, the Whistleblower Protection Act (hereinafter referred to as the "Act") came into force. The Act will be applicable from June 5, 2015.

Subject of the Act

This Act regulates whistleblowing, the whistleblowing procedure, the rights of whistleblowers, the obligations of state and other organs and organizations, legal and natural persons in connection with whistleblowing, as well as other matters of significance for whistleblowing and whistleblower protection.

Meaning of Terms

For the purposes of this Act, certain terms have the following meanings:

- 1) "whistleblowing" is the disclosure of information about violations of regulations, violations of human rights, abuse of public authority contrary to the purpose for which it was entrusted, danger to life, public health, safety, the environment, as well as for preventing extensive damage;
- 2) "whistleblower" is a natural person who engages in whistleblowing in relation to their employment engagement, employment procedure, use of services of state and other organs, holders of public authority or public services, business cooperation, and ownership rights in a commercial company;
- 3) "employer" is a body of the Republic of Serbia, territorial autonomy, or local self-government unit, holder of public authority or public service, legal entity, or entrepreneur who employs one or more individuals;
- 4) "responsible person" is a person in a legal entity entrusted with specific tasks related to management, business, or work processes, as well as a person in a state organ, territorial autonomy organ, or local self-government unit who performs specific duties;
- 5) "employment engagement" is an employment relationship, work outside an employment relationship, volunteering, performing a function, as well as any other factual work for an employer;
- 6) "authorized body" is a body of the Republic of Serbia, territorial autonomy, or local self-government unit or holder of public authority competent to act on the information by which whistleblowing is performed, in accordance with the law;

- 7) "harmful action" is any action or inaction related to whistleblowing that endangers or harms the whistleblower or a person entitled to protection as a whistleblower, or places these individuals in a disadvantaged position.

Prohibition of Preventing Whistleblowing

Preventing whistleblowing is prohibited. Any provision of a general regulation or individual act that prevents whistleblowing is void.

Taking harmful actions is prohibited.

Right to Whistleblower Protection

A whistleblower has the right to protection in accordance with the law if:

- 1) They engage in whistleblowing with the employer, an authorized body, or the public as prescribed by law;
- 2) They disclose information from Article 2, point 1 of the law (hereinafter referred to as "information") within one year from the date of becoming aware of the action for which they are whistleblowing, and no later than ten years from the date of the action;
- 3) At the time of whistleblowing, based on available information, an average person with knowledge and experience would believe in the truthfulness of the information, as well as in the whistleblower.

Right to Protection Due to Misidentification of Whistleblower

The right to protection as a whistleblower is granted to an individual who makes it plausible that harmful action has been taken against them. This applies if the party who carried out the harmful action mistakenly believed that the affected individual was a whistleblower or a related person.

Protection of Whistleblower Personal Data

The entity authorized to receive the information is obligated to protect the personal data of the whistleblower or any information that could reveal the whistleblower's identity. This is unless the whistleblower agrees to the disclosure of such data, in accordance with the law governing personal data protection.

Any individual who becomes privy to information from the above paragraph must protect such data.

The entity authorized to receive the information must inform the whistleblower, upon receiving the information, that their identity could be disclosed to the competent authority if not disclosing the whistleblower's identity would hinder the authority's actions. They must also inform the whistleblower about protective measures for participants in criminal proceedings.

If revealing the whistleblower's identity becomes necessary during proceedings, the entity authorized to receive the information must inform the whistleblower before doing so.

Information from the above paragraph cannot be disclosed to the party indicated in the information unless otherwise stipulated by specific law.

Prohibition of Whistleblowing Abuse

Abusing whistleblowing is prohibited.

Whistleblowing abuse is committed by an individual who:

- 1) Provides information knowing that it is not true;
- 2) Seeks unlawful gain alongside requesting action related to the information used for whistleblowing.

Types of Whistleblowing

Whistleblowing can be internal, external, or public.

Internal whistleblowing involves disclosing information to the employer.

External whistleblowing involves disclosing information to an authorized body.

Public whistleblowing involves disclosing information through mass media, the internet, public gatherings, or any other means that make the information accessible to the public.

Content of Information

Information includes details about violations of regulations, human rights abuses, misuse of public authority contrary to its intended purpose, endangerment to life, public health, safety, the environment, as well as information to prevent extensive damage.

Information may contain the whistleblower's signature and information about the whistleblower.

Employers and authorized bodies must act on anonymous reports related to information within their jurisdiction.

INTERNAL WHISTLEBLOWING

Employer Responsibilities

The employer must, within their authority, take measures to rectify established irregularities related to the information.

The employer must, within their authority, protect the whistleblower from harmful actions and take necessary measures to halt and mitigate the consequences of harmful actions.

The employer must not take actions to reveal the identity of an anonymous whistleblower.

The employer is obligated to provide all employed individuals with written information about their rights under this law.

The employer must appoint an authorized person to receive information and oversee the whistleblowing process.

The employer will display the General Whistleblowing Regulation as well as the Decision appointing the individual to receive information and manage the whistleblowing process on the employer's notice board.

Procedure

The procedure for internal whistleblowing starts with submitting the information to the employer.

The employer must act on the information promptly, no later than 15 days from the date of receiving the information.

The employer must inform the whistleblower of the outcome of the process within 15 days from the conclusion of the procedure mentioned in the previous paragraph.

At the whistleblower's request, the employer must provide them with updates on the progress and actions taken in the procedure, allow them to access case files, and enable their presence during proceedings.

Public Whistleblowing

Public whistleblowing can be done without prior notification to the employer or authorized body in cases of immediate danger to life, public health, safety, the environment, the occurrence of extensive damage, or if there's an immediate threat of evidence destruction.

When whistleblowing to the public, the whistleblower must respect the presumption of innocence, data protection rights, and avoid compromising ongoing legal proceedings.

Whistleblowing Involving Classified Information

Information may include classified data.

Classified data in line with data secrecy regulations are considered as classified data.

If classified data is included in the information, the whistleblower must first address the employer. If the information concerns an individual authorized to act upon such information, the information is submitted to the employer's manager.

If the employer does not act on the information containing classified data within 15 days, or if they fail to respond or take appropriate actions within their authority, the whistleblower can approach the authorized body.

As an exception to the previous point, if the information concerns the employer's manager, it is submitted to the authorized body.

If classified data is included in the information, the whistleblower cannot disclose it to the public unless otherwise stipulated by law.

If classified data is included in the information, the whistleblower and other individuals are obligated to adhere to general and specific measures for protecting classified data as prescribed by the law governing data secrecy.

WHISTLEBLOWER PROTECTION AND DAMAGE COMPENSATION

Prohibition of Detrimental Treatment of Whistleblowers

The employer is prohibited from subjecting the whistleblower to detrimental treatment in relation to whistleblowing. This particularly applies to situations where detrimental treatment involves:

- 1) Employment matters;
- 2) Internship or volunteer status;
- 3) Work outside employment;
- 4) Education, training, or professional development;
- 5) Job advancement, evaluations, acquiring or losing titles;
- 6) Disciplinary measures and penalties;
- 7) Working conditions;
- 8) Termination of employment;
- 9) Wages and other employment benefits;
- 10) Participation in employer profits;
- 11) Award payments and severance;
- 12) Job reassignment or relocation;
- 13) Failure to take protective measures against harassment by other individuals;
- 14) Mandatory health checks or assessments of work capability.

Provisions in a general regulation that deny or violate the rights of the whistleblower or put them in a detrimental position regarding whistleblowing are null and void.

Compensation for Whistleblowing Damage

In cases of damage caused by whistleblowing, the whistleblower has the right to receive compensation in accordance with the law governing contractual relations.

Judicial Protection of Whistleblowers

Whistleblowers subjected to detrimental actions related to whistleblowing have the right to judicial protection.

Judicial protection is achieved by filing a lawsuit for protection related to whistleblowing to the competent court within six months from the day of awareness of the detrimental action, or three years from the day the detrimental action was taken.

The court with jurisdiction over the detrimental action location or the plaintiff's residence is competent in the judicial protection process.

Supervision of Law Implementation

Labor inspection, or administrative inspection, supervises the implementation of this law in line with regulations governing their authority.

In Belgrade, on November 3, 2015

For the employer

Miodrag Ristić, CEO