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Privacy Policy

Table of Contents

Basic information on data protection

1. Purpose
2. Who is responsible for processing your personal data?
3. Category and source of the data
4. For what purpose and on what legal basis do we process your personal data?
5. How long will we retain your data?
6. Who will your data be shared with?
7. International data transfers
8. Rights of data subjects
9. Security measures and confidentiality

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Basic information on data protection

Personal data collected through the Internal Information System of Grupo Santomera (hereinafter, "Grupo Santomera" or the "Group") will be processed by "SANTOMERA BAY, S.L." as the legally responsible entity, for the purpose of helping to prevent potential criminal activity and implementing the legally required protective measures, thereby complying with the obligations arising from Law 2/2023 on the Protection of Whistleblowers.

The parties involved may exercise their rights of access, rectification, erasure, restriction, or objection, under the legally established terms, by contacting *dpo@santomerabay.com*. For further information, please refer to the Privacy Policy of the Internal Information System.

1. Purpose

The purpose of this "Privacy Policy" (hereinafter, the "Policy") is to provide information on the processing of personal data carried out for the management and investigation of reports submitted through the Internal Information System of Grupo Santomera.

To ensure the System is properly designed and configured, Grupo Santomera fully complies with applicable data protection regulations, and in particular with:

- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (hereinafter, the "General Data Protection Regulation" or "GDPR");
- Organic Law 3/2018 of 5 December on the Protection of Personal Data and the Guarantee of Digital Rights (hereinafter, the "LOPD");
- Organic Law 10/1995 of 23 November on the Criminal Code;

[1] For the purposes of this Policy, Santomera Group refers to the organization made up of the following companies:

- *Santomera Bay S.L.*
- *Narval Debt Advisory S.L.U.*
- *Wasseva Investment S.L.*
- *Kentia Quantum Inversiones S.L.*
- *Bear Cut Capital S.L.*
- *Crandon Unlimited Partners, S.L.*
- *Fairfield JV Capital S.L.*
- *Bedford RD Capital S.L.*
- *Tompson Debt Strategies S.L.*
- *Cause Bay Real Estate S.L.U.*
- *Ever Dynamic S.L.*

- Law 2/2023 of 20 February regulating the protection of persons who report regulatory infringements and the fight against corruption; and
- other implementing regulations, both European and Spanish, that may be applicable.

2. Who is responsible for processing your personal data?

This Internal Information System is intended for the Personnel and Third Parties of the companies that make up Grupo Santomera, listed below:

- *Santomera Bay, S.L.*
- *Narval Debt Advisory S.L.U.*
- *Wasseva Investment S.L.*
- *Kentia Quantum Inversiones S.L.*
- *Bear Cut Capital S.L.*
- *Crandon Unlimited Partners, S.L.*
- *Fairfield JV Capital S.L.*
- *Bedford RD Capital S.L.*
- *Tompson Debt Strategies S.L.*
- *Cause Bay Real Estate S.L.U.*
- *Ever Dynamic S.L.*

This System is only mandatory for those companies bound by Law 2/2023 on the Protection of Whistleblowers.

Notwithstanding the above, the entity legally responsible for the processing of personal data collected under this System is SANTOMERA BAY, S.L., with registered address at Paseo de Gracia, 110, 2° 2ª, 08008 Barcelona, and email address *dpo@santomerabay.com*.

3. Category and source of the data

This System may process personal information relating to both the whistleblower and the person reported, as well as any third parties involved in the reported events (for example, potential witnesses).

In this regard, it is not possible to define in advance which categories of personal data will be processed through this System, since this will depend on the information that the whistleblower chooses to provide when submitting the report, as well as the information the reported person provides in their defense, or that possible witnesses provide during any resulting investigation. In all cases, only the data strictly and objectively necessary to process the reports and, where applicable, verify the accuracy of the reported facts will be processed. Likewise, such data will be adequate, relevant, and not excessive.

In any case, Grupo Santomera may receive such personal data:

A. Directly from the data subject (by providing it when submitting the report, when making any submissions in their defense, or at any other point during the investigation); and,

B. Indirectly, from any individual or legal entity involved in the investigation, or from the companies making up the Group, when the person concerned works or provides services at—or for—any of them.

Finally, whistleblowers who wish to disclose their identity must provide Grupo Santomera with current and accurate personal data, so that the information held in its systems remains up to date and error-free.

4. For what purpose and on what legal basis do we process your personal data?

For legal purposes, it is hereby stated that the processing of data collected through this Internal Information System pursues the following purposes, each with its corresponding legal basis:

A. Compliance with Law 2/2023 on the Protection of Whistleblowers

First, we will process the information collected (whether provided by the whistleblower or gathered in the course of any resulting investigation) in order to (i) manage and investigate reports submitted through the System, and (ii) implement the legally established protective measures to prevent possible retaliation, thereby ensuring strict compliance with Law 2/2023 of 20 February on the Protection of Whistleblowers.

B. Performance of a task carried out in the public interest

Personal data collected through this System will be processed to prevent, detect, and uncover potential risks and breaches that may arise and that could give rise to criminal liability for Grupo Santomera. Furthermore, personal data will also be processed in order to keep evidence of the proper functioning of the Internal Information System.

C. Other legally required uses

Finally, in certain cases, personal data may also be processed to comply with specific legal obligations to which we are subject. For example, where such data is requested by a Court or by any State Law Enforcement Agency.

5. How long will we retain your data?

The personal data collected (through the report submitted and, where applicable, during any subsequent investigation) will be retained for as long as necessary to address the reported facts, (ii) where applicable, for the duration of the relevant investigation, and finally, (iii) throughout the exercise of any applicable legal actions.

In any event, if three months have elapsed since receipt of the report without any investigative action having been initiated, the data will be deleted, unless the purpose of retention is to preserve evidence of the System's proper functioning.

Finally, once the above periods have elapsed, the data collected will be retained (i) to comply with any applicable legal obligations, and (ii) to address any potential claims or liabilities, keeping the data duly blocked and available, for the maximum legally established periods, to State Law Enforcement Agencies, Courts and Tribunals, and any competent Public Administrations, for a maximum legal period of ten years.

6. Who will your data be shared with?

As a general rule, Grupo Santomera will not disclose to any third party the data collected through its Internal Information System. Likewise, access to such data will be restricted to personnel who, given their duties, responsibilities, and functions, have been duly and previously authorized.

If, as a result of the investigation process, it is decided to adopt legal or disciplinary measures against the reported person, "SANTOMERA BAY, S.L." will forward the strictly necessary information to the Group entity with which the reported person holds a contractual relationship (whether employment or commercial-based, as applicable), in order to carry out and implement the relevant legal actions.

Data may also be provided to third parties to whom Grupo Santomera is legally required to disclose it: for example, Courts and Tribunals, the Public Prosecutor's Office, State Law Enforcement Agencies, or any competent Public Body, upon their request.

Grupo Santomera may also rely on the collaboration of third-party service providers, who may have access to such personal data and will process it on Grupo Santomera's behalf, as a result of the contracted services. In this regard, Grupo Santomera applies strict criteria when selecting its providers, in order to comply with its data protection obligations. To this end, and to govern the privacy conditions under which such third-party providers operate, Grupo Santomera will require them, among other obligations, to implement appropriate technical and organizational measures, to process personal data only for the agreed purposes and strictly in accordance with Grupo Santomera's documented instructions, and to delete or return the data once the provision of services has ended.

The foregoing is noted because Grupo Santomera may engage third-party providers operating, by way of example and not limitation, in the following sectors: legal advisory services, multidisciplinary professional services firms, or technology and IT service providers.

7. International data transfers

As a general rule, all personal data collected under this System will be processed within the European Economic Area, in full and strict compliance with General Data Protection Regulation (EU) 2016/679.

However, should personal data be transferred internationally, Grupo Santomera will inform you of such transfers, which will be carried out in accordance with applicable data protection regulations. In particular, sufficient safeguards will be adopted to ensure a level of protection equivalent to that required within the European Union.

8. Rights of data subjects

Individuals referred to in reports received (whistleblowers, reported persons, and witnesses) may exercise their right to access their personal data, as well as request the rectification of inaccurate data or, where applicable, request its erasure when the data are no longer necessary for the purposes for which they were collected. They may also request the restriction of, and object to, the processing of their data, under certain circumstances and for reasons related to their particular situation.

In accordance with the aforementioned Law 2/2023, if the person referred to in the reported facts exercises the right to object, it will be presumed, unless proven otherwise, that there are compelling legitimate grounds justifying the processing of their personal data.

Such rights may be exercised under the legally established terms, in particular in a manner and to an extent that does not allow the reported person to discover, through the exercise of these rights, the identity of the whistleblower.

Users may exercise the rights referred to above, under the terms and conditions set out in the applicable legislation, by writing to the postal address Paseo de Gracia, 110, 2º 2ª, 08008 Barcelona, or by sending an email to *dpo@santomerabay.com*.

If a satisfactory response is not received and the user wishes to file a complaint or obtain further information regarding any of these rights, they may contact the Spanish Data Protection Agency (Agencia Española de Protección de Datos) (www.agpd.es – C/ Jorge Juan, 6, Madrid), as the lead supervisory authority.

9. Security measures and confidentiality

Grupo Santomera will ensure that all necessary technical and organizational measures are implemented to safeguard the security of the data collected, in order to protect it from unauthorized disclosure or access.

In this regard, whistleblowers may choose whether or not to identify themselves when submitting a report. Anonymous reports are therefore permitted. Nevertheless, whistleblowers are encouraged to identify themselves, as this allows for gathering further information about the reported facts. In any case, the strictest confidentiality will be guaranteed regarding the identity of any whistleblower who chooses to identify themselves.

The whistleblower's identity may only be disclosed to administrative and judicial authorities, where legally required, for the proper handling of any administrative or judicial proceedings that may arise from the report submitted.

Finally, it is hereby stated that all persons who, by reason of their duties, become aware of the reports submitted are bound to maintain confidentiality regarding all information to which they have access.

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