

Rules of Procedure according to § 8 para. 2 LkSG

I. Establishment and purpose of the complaints procedure

The company has established an appropriate complaints procedure in accordance with section 8 of the LKSG. The complaints procedure enables persons to point out human rights and environmental risks as well as violations of human rights-related or environmental obligations which have arisen as a result of the economic activities of a company in its own business sector or of a direct or indirect supplier.

II. Responsibility and accessibility

The complaints procedure is the responsibility of the external ombudsman, who can be contacted as follows:

Dr. Carsten Thiel von Herff, LL.M.

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E-mail: ombudsmannt@thielvonherff.de

Reporting platform: www.report-tvh.com

Homepage: www.thielvonherff.de

The lawyer of confidence acts as a self-employed and independent lawyer. He is impartial and is not subject to any instructions by the company with regard to the substantive handling of the case. The lawyer of confidence is bound to secrecy. If desired, he shall maintain the confidentiality of the identity of a person providing information.

III. Complaint procedure

The Ombudsperson receives the complaint and, if necessary, discusses the facts of the case with the person making the allegation. In any case, the person making the complaint receives an acknowledgment of receipt.

The Ombudsperson examines whether there has been a breach of duty within the meaning of the LkSG or a violation of other laws or internal rules. If there are sufficient indications of such a breach, he shall pass on the facts submitted to him in an admissible form to the company for investigation. The lawyer of confidence does not conduct an investigation himself in order not to jeopardise his neutrality.

The company shall follow up the tip-off in compliance with the law and internal rules and in consideration of the interests of all parties involved. The investigation shall be conducted expeditiously and without major interruptions.

Persons affected by an investigation must be treated fairly and with respect. The presumption of innocence shall apply to all persons affected. The right to be heard must be granted. Therefore, persons affected by a tip-off will be informed as soon as possible of the tip-off received and advised of their rights of access and rectification. However, if there is a serious risk that notification would jeopardise the investigation of the tip, notification may be postponed until after the investigation has been completed or until the risk has ceased to exist.

The legal assessment of the facts under investigation and the determination of appropriate measures to remedy and prevent improper business practices shall be made by the company, which may consult the confidential counsellor for this purpose. Measures may include, for example, appropriate civil action or the involvement of an authority. Even if no violations are found in a specific case, suggestions for changes in work and business processes as well as changes in organisational and behavioural rules may be appropriate.

The person making the report can obtain information on the state of affairs from the Ombudsperson at any time. Three months after receipt of the report, he or she will receive feedback on the follow-up to the report. At the latest after completion of the process, he or she will be informed of the result by the Ombudsperson to the extent legally permissible.

IV. Protection of the whistleblower

The whistleblower is in principle protected from discriminatory or disciplinary action. Any retaliatory action against them will not be tolerated. If there is any indication of retaliation against a whistleblower, the Ombudsperson must be contacted immediately.

If the lawyer of confidence has assured a whistleblower of confidentiality, he will not disclose his name and identity to the company or to third parties without the whistleblower's consent. Should the lawyer of confidence be questioned as a witness in criminal, civil or other proceedings, he will only disclose the name and identity of the person providing the information if he is permitted to do so in writing by both the person providing the information and the company.

The whistleblower's wish to protect his or her identity is opposed by the interest of the persons affected by the whistleblowing in the disclosure of the facts. For this reason, too, deliberate abuse of the opportunity to submit complaints and tips will not be tolerated. The lawyer of confidence should point out to the person giving the tip-off in the first interview that in the event of deliberate abuse of the complaints procedure his or her identity may be disclosed to the company.

V. Data Protection

The Ombudsperson shall ensure compliance with the legal obligations to retain data and the provisions of data protection law. The personal data collected is limited to information on the identity, function and contact details of the persons providing the information and the persons concerned, as well as to the other personal data that is absolutely necessary for processing the matter. In addition, only reported facts, processing details, follow-up of the report and inspection reports are stored.

For the personal data recorded in the course of reports and investigations, the retention period is two months after completion of the investigations. This period is extended accordingly if the conclusion of the investigation is followed by disciplinary or legal proceedings or other disputes for which the data must be used.

The Data Protection Officer shall periodically review the data protection compliance of the complaints procedure.

VI. Effectiveness of the Complaints Procedure

The effectiveness of the complaints procedure is reviewed once a year and on an ad hoc basis, for example if the company has to expect a significantly changed or significantly expanded risk situation in its own business area or at the direct supplier, for example due to the introduction of new products, projects or a new business area.