

## Whistleblower System and Rules of Procedure of **BELECTRIC GmbH**

Whether you are a customer, business partner or employee of BELECTRIC: If you notice anything that does not comply with the BELECTRIC **Code of Conduct**, we expressly ask for your assistance. Report things that seem strange or suspicious to you. You can do this either directly with our BELECTRIC compliance contact person, with our external, neutral ombudsman, lawyer Dr Johannes Dilling (+49 221 933 107 40, info@ra-dilling.de), with the whistleblowing tool of our parent company Elevion **Group (FaceUp)** or with the external reporting offices. Absolute confidentiality and discretion are guaranteed in all cases. The matter will be carefully examined and anonymity can also be guaranteed on request.

### **Three options for our complaints procedure**

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### **1. Ombudsperson Mr. lawyer Dr. Johannes Dilling**

BELECTRIC GmbH is committed to effective compliance. Compliance means respecting the law and BELECTRIC GmbH's internal rules as well as creating structures so that BELECTRIC GmbH, the company management and all its employees may behave lawfully. The Compliance Ombudsperson and the ISO 27001 certified whistleblowing system [www.safewhistle.info](http://www.safewhistle.info) are part of BELECTRIC GmbH's compliance system and compliance culture.

#### **Why has BELECTRIC GmbH appointed a Compliance Ombudsperson?**

Your reports help us to counteract violations of applicable law or BELECTRIC GmbH's internal guidelines at an early stage and to prevent damage to our employees, business partners, third parties and BELECTRIC GmbH. For this reason, BELECTRIC GmbH has appointed a Compliance Ombudsperson to whom employees, business partners and third parties can turn as an external, independent, and impartial contact if they have indications that violations of applicable law or internal BELECTRIC GmbH regulations have occurred.

#### **Which whistleblowers are protected?**

Any whistleblower who is acting in good faith shall be entitled to make report. Persons acting in good faith are covered by these Rules of Procedure. A whistleblower is acting in good faith if, at the time the report is made, the whistleblower believes that the information he or she has provided is true.

### Which violations are relevant?

All violations of applicable law are relevant, in particular from the area of white-collar crime or violations of human rights-related and environmental obligations, and in particular those in accordance with Section 2 (2) and (3) of the German Supply Chain Compliance Obligations Act (Lieferkettensorgfaltspflichtengesetz). Violations of BELECTRIC GmbH's internal regulations can also be reported.

However, if you have a question about your order, want to complain about a product, are dissatisfied with our performance or service, or have any other concerns, please use our usual **contact options**.

### How to make a report?

Please inform the Compliance-Ombudsperson,

- at which company or part of a company
- what
- when
- where
- with which participants

happened.

The Compliance Ombudsperson would also be interested to know which other persons - possibly not involved in the specific events - have knowledge and whether there are any relevant documents (e.g. e-mails, photos).

Before providing the information, please check carefully whether the information you provide is correct. In particular, you must not make any statements that you know to be false.

Please also inform the Compliance Ombudsperson how he can contact you in case of queries.

### Do I have to pay anything for making a report?

Making a report is free of charge for whistleblowers.

### How do I act correctly if I am not sure whether there is a relevant violation?

If you are not sure, please use phrases such as "*I believe...*", "*I think it is possible...*".

If you are uncertain about the presentation, the assessment and/or the course of action, you can talk to the Compliance Ombudsperson about the case beforehand - also anonymously - and free of charge.

### Do I have to reveal my identity when I make a report?

Whistleblowers can remain anonymous. Whistleblowers can arrange with the Compliance Ombudsperson how he can contact them in case of queries if the whistleblower wishes to remain anonymous. Even in the case of an anonymous report, no false information may be transmitted. Whistleblowers may demand that Dr Dilling does not disclose any identity known to him to BELECTRIC GmbH.

### **How is the identity of the whistleblower protected?**

Whistleblowers may ask the Compliance Ombudsperson to protect their identity and not to disclose their identity or any other information that may reveal their identity to BELECTRIC GmbH.

As a lawyer, Dr Johannes Dilling is a holder of professional secrecy and may not disclose the identity of a person providing information to third parties without incurring his criminal liability. Dr. Dilling has taken appropriate technical and organisational measures to protect the information he receives in such a way that third parties have no access to it.

The information that Dr. Dilling passes on to BELECTRIC GmbH is also treated confidentially and protected there. The persons responsible for processing the information at BELECTRIC GmbH are legally obliged to maintain confidentiality insofar as the violation of human rights and environmental obligations is reported. They are also contractually obliged to treat any information received, and in particular the identity of any whistleblower, confidentially. Furthermore, the persons responsible at BELECTRIC GmbH for processing the information are independent and not bound by instructions. In particular, they do not receive instructions from the company management regarding the content or the procedure, e.g. regarding the type and scope of the procedure or its termination. BELECTRIC GmbH ensures by organisational measures that only those persons who are responsible for processing the information have access to the information and the documents submitted with it.

Without the consent of the whistleblower, the identity of the whistleblower and any other information that may reveal the identity of the whistleblower may not be disclosed, even during internal investigations.

### **Is there a complete protection of confidentiality?**

No, it is not.

On the one hand, the German Whistleblower Protection Act (HinSchG) provides for exceptions to confidentiality in Section 9 para. 2, which, for example, that the identity of a whistleblower may be disclosed to a law enforcement agency if the latter so requests. Explicit reference is made to Section 9 para. 2 HinSchG.

On the other hand, only those persons enjoy confidentiality protection who are acting in good faith, i.e. who do not intentionally or grossly negligently transmit false information. A whistleblower who intentionally or grossly negligently provides false information must expect that his or her identity will become known through a request for information from the data subject pursuant to Article 15 (1) of the General Data Protection Regulation and that the data subject will assert claims for damages.

Finally, neither Dr. Dilling nor BELECTRIC GmbH are protected against seizure, i.e. in the event of an official investigation, authorities may seize documents from which the identity of the person providing the information can be deduced.

Whistleblowers who fear that their identity will become known are therefore advised to make a report anonymously. Even in the case of an anonymous report, no false information may be transmitted.

If you are not sure, please use phrases such as "*I think...*", "*I think it is possible...*", "*It could be that...*"

**Do I have to fear professional disadvantages if I make a report?**

No, professional discrimination and reprisals against whistleblowers are strictly prohibited. The BELECTRIC GmbH Supplier Code of Conduct and BELECTRIC GmbH's supplier contracts also contain provisions that BELECTRIC GmbH's suppliers must not take any reprisals if whistleblowers make a report. This also applies to threats and attempts of reprisals. Reprisals based on reports will not be tolerated. Whistleblowers are encouraged to report if they are subject to discrimination and reprisals by employees of BELECTRIC GmbH or by suppliers of BELECTRIC GmbH because they have made a report in good faith. BELECTRIC GmbH will respond to these employees or suppliers in an appropriate manner (e.g. by issuing a warning letter, holding a workshop, demanding compensation).

Within the reporting procedure and also at the end of the reporting procedure, the Compliance Ombudsperson will enquire with the whistleblowers if they have been subject to reprisals by employees of BELECTRIC GmbH or by suppliers of BELECTRIC GmbH. Even after the conclusion of the procedure, whistleblowers may report to the Compliance Ombudsperson if they have been subject to reprisals by employees of BELECTRIC GmbH or by suppliers of BELECTRIC GmbH.

**What is the position of the Compliance Ombudsperson?**

The Compliance Ombudsperson is not an arbitration board for disputes. The client relationship exists only between the company and the Compliance Ombudsperson. Nevertheless, the Compliance Ombudsperson acts impartially and is not bound by instructions from BELECTRIC GmbH. As a lawyer, the Compliance Ombudsperson is already bound by law to secrecy.

**What happens with the report?**

The Compliance Ombudsperson will inform you within 24 hours that the report has been received. The Compliance Ombudsperson clarifies the facts of the case with the whistleblower, what expectations the whistleblower has with regard to possible preventive or remedial measures and checks whether the report falls within the scope of application of these rules of procedure, in particular whether there could be a breach of duty related to human rights or the environment within the meaning Section 2 (2) and (3) of the German Supply Chain Compliance Obligations Act (Lieferkettensorgfaltspflichtengesetz). If, in the view of the Compliance Ombudsperson, there is no relevant violation, he will give reasons for this to the whistleblower. If, on the other hand, a relevant violation appears to be possible, the Compliance Ombudsperson will prepare the report and pass it on confidentially to the BELECTRIC GmbH legal department. If necessary, the BELECTRIC GmbH legal department will decide with the company management how to deal with the report. If there are sufficiently concrete grounds for suspicion of legal or policy violations, these are investigated internally in order to clarify and remedy possible misconduct. This is also done confidentially and discreetly in order to protect the interests of the whistleblowers and the persons concerned by the report. No later than three months after the report, the whistleblower receives feedback from the Compliance Ombudsperson as to whether the reported violation could be established. If this is the case, the violation will be remedied. The expectations of the whistleblower will be taken into account. The whistleblower is encouraged to report it if he/she feels that the remedial action taken is not sufficient.

### How to contact the Compliance Ombudsperson?

You can contact the Compliance Ombudsperson by any conceivable means (telephone, mail, fax, post or via the whistleblower system [www.safewhistle.info](http://www.safewhistle.info)). The Compliance Ombudsperson is also available for personal meetings with whistleblowers, if desired also by way of audio-visual transmission. If you want encrypted communication, you can also use the messenger services Signal and Threema to contact the Compliance Ombudsperson. It is also possible to send encrypted e-mails to the Compliance Ombudsperson via Protonmail to the following address:

[RADilling@protonmail.com](mailto:RADilling@protonmail.com)

The contact details are as follows

Rechtsanwalt Dr. Johannes Dilling  
Landgrafenstraße 49  
D-50931 Köln/Cologne  
Germany

Telephone: +49 (0) 221 933 107 40

Mobile: +49 (0) 163 347 6111

Fax: +49 (0) 221 933 107 42

[www.ra-dilling.de](http://www.ra-dilling.de)

[www.safewhistle.info](http://www.safewhistle.info)

Threema-ID: 3PX6278J

E-Mail: [info@ra-dilling.de](mailto:info@ra-dilling.de); [RADilling@protonmail.com](mailto:RADilling@protonmail.com)

Via the whistleblower portal [www.safewhistle.info](http://www.safewhistle.info), the messenger services to be found there, by e-mail and by post, whistleblowers can report violations in a language of their choice. Likewise, whistleblowers may request that an interpreter with a special obligation of confidentiality joins personal meetings with the Compliance Ombudsperson and that this interpreter is able to translate from and into the national language of the whistleblower.

At the special request of a whistleblower, BELECTRIC GmbH will provide at its costs a Compliance Ombudswoman as a contact person in individual cases.

## 2. FaceUp – our shareholder's whistleblowing tool

Do you suspect unethical behaviour in our organisation or would you like to give us feedback? Use our whistleblowing channel.

Our shareholder also values ethical behaviour and mutual respect. If you observe unethical behaviour that is difficult to discuss in person, our parent company has set up a whistleblower channel. Through this channel, you can safely send reports of illegal or unethical behaviour, suggestions for improvement, questions or any feedback. All reports will be handled by designated individuals within our organisation. Information sent via the whistleblowing channel is completely secure and anonymous.

### How to send a report correctly?

Always send true information. Use the FaceUp link, the QR code or the flyer. Be as specific as possible - describe the situation and the people involved in detail.

### Stay in contact

We would be delighted if you could stay in touch with us. We may ask for further information and also inform you about the resolution of your report. Therefore, keep the key to your report safe, which will be displayed after the report has been sent. You can use this key to return to your report at any time.

[Report | FaceUp](#)



### 3. External reporting offices

Whistleblowers may also choose to report information about violations to external reporting offices.

#### **Bundesamt für Justiz (Federal Office of Justice)**

The main external reporting office is the

Bundesamt für Justiz  
Adenauerallee 99 - 103  
53113 Bonn  
Germany

Information on the notification procedure at the Federal Office of Justice, to which reference is made in accordance with Section 24 (4) sentences 1, 2 HinSchG, can be found here: <https://www.bundesjustizamt.de/DE/MeldestelledesBundes/MeldestelledesBundes.html>

The online registration procedure can be found under the following link: [https://www.bundesjustizamt.de/DE/MeldestelledesBundes/MeldestelledesBundes\\_node.html](https://www.bundesjustizamt.de/DE/MeldestelledesBundes/MeldestelledesBundes_node.html)

#### **Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin; Federal Financial Supervisory Authority)**

The competent external reporting office for reports pursuant to Section 21 No. 1 and No. 2 HinSchG is

Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin)  
Graurheindorfer Straße 108  
D-53117 Bonn  
Germany

Information on the notification procedure at the Federal Financial Supervisory Authority, to which reference is made pursuant to Section 24 par. 4 sentences 1, 2 HinSchG, can be found here:

[https://www.bafin.de/DE/DieBaFin/Hinweisgeberstelle/hinweisgeberstelle\\_node.html](https://www.bafin.de/DE/DieBaFin/Hinweisgeberstelle/hinweisgeberstelle_node.html)  
[https://www.bafin.de/DE/DieBaFin/Hinweisgeberstelle/2\\_Anonyme\\_Hinweisabgabe/AnonymeHinweiserteilung\\_node.html](https://www.bafin.de/DE/DieBaFin/Hinweisgeberstelle/2_Anonyme_Hinweisabgabe/AnonymeHinweiserteilung_node.html)

The online registration can be found under the following link:

<https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=2BaF6&c=-1&language=ger>

#### **Bundeskartellamt (Federal Cartel Office)**

The competent external reporting office for reports pursuant to Section 22 (1) HinSchG is

Bundeskartellamt  
Kaiser-Friedrich-Straße 16  
D-53113 Bonn  
Germany

Infringements can be reported at any time, irrespective of the outcome of proceedings via an internal report.

Information on the notification procedure at the Federal Cartel Office, to which reference is made pursuant to Section 24 (4) sentence 1, 2 HinSchG, can be found here:

<https://www.bkms-system.net/bkwebanon/report/channels?id=bkarta&language=ger>

The online registration can be found under the following link:

[https://www.bundeskartellamt.de/DE/Kartellverbot/Hinweise\\_auf\\_Verstoesse/Hinweise\\_node.html;jsessionid=6C027096AE96D7C61C42A5EC4BFE49FC.2\\_cid508](https://www.bundeskartellamt.de/DE/Kartellverbot/Hinweise_auf_Verstoesse/Hinweise_node.html;jsessionid=6C027096AE96D7C61C42A5EC4BFE49FC.2_cid508)

### **European Anti-Fraud Office**

You can also report - anonymously if you wish - possible cases of fraud or other serious irregularities with a potentially negative impact on EU funds to the European Anti-Fraud Office (OLAF):

Europäische Kommission  
Europäisches Amt für Betrugsbekämpfung (OLAF)  
BE-1049 Bruxelles  
Belgium

Information on the notification procedure at the European Anti-Fraud Office, to which reference is made pursuant to Section 24 par. 4 sentences 1, 2 HinSchG, as well as the online registration procedure can be found here: [https://anti-fraud.ec.europa.eu/index\\_de](https://anti-fraud.ec.europa.eu/index_de)