

AVS Römer GmbH & Co. KG – Compliance Management System

“Whistleblowing Policy”

Between

AVS Römer GmbH & Co. KG – hereinafter referred to as the “**EMPLOYER**” –

and

the whistleblowing employee – hereinafter referred to as the “**EMPLOYEE**” –

and not on a compulsory basis, but here regulated by the process

external whistleblowers – hereinafter referred to as “**EXTERNAL PARTIES**”,

a whistleblower system shall be introduced in the company to regulate the rights and obligations of the EMPLOYEE, EXTERNAL PARTIES and the EMPLOYER in the event of imminent risks as well as illegal acts, omissions or collusion becoming known by the EMPLOYER:

Section 1 Obligation to report

(1) Each EMPLOYEE is obliged to immediately report violations of law as well as violations of the EMPLOYER’s policies and procedures. Prior to submitting a report, the EMPLOYEE must take all reasonable steps to verify that there is reasonable cause to believe that the information on which the reported violation is based is true.

(2) EXTERNAL PARTIES are not obliged to report violations of law and violations of the EMPLOYER’s policies and procedures; they may do so voluntarily.

(3) The report must be submitted to the competent internal body, unless the conditions for reporting to the competent public authorities pursuant to Section 3 of this policy are met.

(4) The report should be submitted in writing using the email address whistleblower@avs-roemer.de or by letter (with **Whistleblower** added in bold) to AVS Römer GmbH & Co. KG, Reismühle 3, 94481 Grafenau, Germany

Section 2 Responsible internal bodies

Responsible internal bodies within the meaning of Section 1 are:

- the Whistleblower Officer, appointed by an internal body that the Compliance Officer selects and that fulfills “Article 9 of the Directive (EU) on the protection of persons who report infringements of Union law”.
- the Compliance Officer
- the managing partners,
- the managing directors,

Whistleblowers should always report to the Whistleblower Officer using the options specified in Section 1. If the whistleblower is not anonymous, the Whistleblower Officer will inquire whether the report should be anonymized. In this eventuality, the party mandated for whistleblowers has a duty to under no circumstances disclose the whistleblower’s identity. It is also prohibited for the competent internal bodies to ask for the whistleblower’s identity.

In principle, the Whistleblower Officer shall report the violation to the competent internal bodies, with an exception for instances in which the violation was committed by a person belonging to the competent body. In this eventuality, the report should be submitted to one of the other competent bodies (e.g. an external body in accordance with Section 3).

Section 3 Communication to external bodies

The report must be submitted to the internal bodies. By derogation from the above, the report may also be submitted to the competent public authorities authorized to receive reports if the EMPLOYEE or EXTERNAL PARTY is entitled to assume, on the basis of objective facts, that no effective action will be taken against the violation if it is reported to the internal bodies, or if the EMPLOYEE OR EXTERNAL PARTY is entitled to fear reprisals, or if the EMPLOYEE or EXTERNAL cannot reasonably be expected to make an internal report for other reasons.

Section 4 Reporting procedure and follow-up measures

(1) The Whistleblower Officer is obligated to promptly disclose every report as defined in Section 1 of this policy to the internal bodies pursuant to Section 2.

(2) If the notice was delivered by email, the Whistleblower Officer shall confirm receipt of the report to the whistleblower within seven calendar days of receiving the report. If an anonymous letter has been submitted, no acknowledgement of receipt can be issued.

(3) The responsible internal bodies pursuant to Section 2 shall examine the facts without delay and initiate the necessary and reasonable follow-up measures. These are measures to verify the validity of the allegations made in the report and, if necessary, to take action against the reported violation including by means of internal inquiries, investigations, prosecutions, measures to (re-)recover funds, or closure of the proceedings. If not anonymous, the competent internal body taking action pursuant to Section 2 shall ask the whistleblower for further information. If necessary, the Whistleblower Officer shall commission and supervise an internal investigation.

(4) The persons concerned must immediately be informed of the allegations and questioned, insofar as the clarification of the reported violation is not significantly impaired or jeopardized by doing so. Concerned persons within the meaning of the policy are natural or legal persons designated in the report or disclosure as a person who committed the violation or a person with whom the indicated person is associated.

(5) If a report is obviously unfounded, if it was obviously submitted solely for denunciatory motives, or if it is a petty accusation, no further investigation is required; only the documentation obligations pursuant to Paragraph 7 sentence 1 apply.

(6) If the following conditions are met, the Whistleblower Officer shall be obliged to inform the managing partners, managing directors and the Compliance Officer within [24] hours of becoming aware of the situation:

- - imminent danger to the life, body or health of people,
- - other allegations of fraud

(7) For each reported incident, the Whistleblower Officer shall prepare a report in text form for the managing partners and the managing directors concerning the violation, the result of the review, and the recommended action, including the steps required for this and the timetable in response to the result. If the managing partners or the managing directors wish to deviate from the recommendation, reasons must be given for this.

(8) The whistleblower shall be entitled to information about the outcome of the review of the reported breach of duty and any measures initiated as a result. This does not apply if the report was made anonymously and/or if and insofar as the information is subject to legal, in particular data-protection-related, objections. Feedback to the whistleblower must be provided within three months of confirmed receipt of the report in accordance with Paragraph 2 or, if receipt has not been acknowledged to the whistleblower in violation of this policy, within three months of the expiry of the seven-day period following receipt of the report; if a shorter statutory period applies, that shorter statutory period shall prevail. The obligation to provide feedback also applies if, in the case of longer reviews, no review result is available after the expiry of three months. In this eventuality, the feedback is limited to information about the current status of the investigation.

Section 5 Protection of the whistleblower

An EMPLOYEE or EXTERNAL PARTY who makes reports in accordance with the law and the requirements of this policy shall not be subject to reprisals or threat of reprisals. Reprisals as defined by this policy are direct or indirect actions or omissions in a professional or business context that are triggered by an internal or external report or disclosure and which cause or may cause the whistleblower to suffer an unjust disadvantage.

Section 6 Confidentiality

(1) For the reporting procedure and follow-up measures, the confidentiality of the identities of the whistleblower and third parties mentioned in the report must be maintained. Similarly, the identity of concerned persons remains protected for the duration of any investigation triggered by the report or disclosure.

(2) The EMPLOYER shall ensure that unauthorized persons, i.e. all legal and natural persons who are not responsible for receiving reports and implementing follow-up measures and who

do not have a legal right to information, do not have access to information in accordance with Paragraph 1. This also applies to all other information from which the identity of the whistleblower or the concerned persons can be directly or indirectly deduced.

(3) The duty of confidentiality shall not apply if:

- a) the whistleblower has expressly consented to the publication of their identity,
- b) the whistleblower has intentionally disclosed their identity, or
- c) the disclosure constitutes a necessary and proportionate obligation in the context of an administrative or judicial investigation, in particular to safeguard the rights of defense of the concerned person.

Section 7 Sanctions

(1) Anyone intentionally or negligently making unfounded reports must expect sanctions under labor law (warning, termination). This applies in particular in the event of a report that violates Section 1 (1) Sentence 2 of this policy.

(2) The same shall apply to EMPLOYERS who, in particular as part of the competent body within the meaning of Section 2 of this policy, violate the legal specification or the requirements of this policy for the protection of persons within the meaning of Section 6 (1) of this policy.

(3) If EXTERNAL PARTIES intentionally or negligently make unfounded reports, this may result in termination of business relationships or other measures.

Section 8 Data protection

(1) The EMPLOYER shall ensure compliance with the respective applicable data protection provisions within the scope of the notification procedure; this shall also apply to the commissioning of external persons and bodies to conduct the notification procedure and follow-up measures.

(2) Personal data collected in the course of the procedure under this policy shall be erased as soon as a legal basis for their processing no longer exists.

Section 9 Information, training, duty to advise

(1) EMPLOYEES shall be informed on the intranet about the existence of the whistleblower system, the responsible bodies, and the protection of whistleblowers.

(2) The Whistleblower Officer shall be responsible for answering questions from EMPLOYEES regarding this policy and the rights and obligations arising on the basis of it.

(3) The responsible bodies shall be regularly trained on rights and obligations in accordance with this policy and the applicable legal regulations.