



Elektrobit

# Business Partner Code of Conduct (2023)

## Elektrobit Automotive GmbH



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## Document history

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## Legal disclaimer

Company-confidential and proprietary information

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## 1. Sustainable Business Practices

Sustainability and integrity are at the heart of our business and in the hearts of our people. With our businesses, our products and services, along our value chains and with our worldwide activities, we drive the ongoing transformation of the economy towards a healthy ecosystem for sustainable mobility and industries.

As a signatory of the United Nations Global Compact, Elektrobit as part of Continental has committed itself to its Ten Principles in the areas of human rights, labor, the environment and anti-corruption. Elektrobit is committed to honesty and integrity with respect to our entire business conduct towards employees, customers, suppliers, competitors, and other stakeholders.

Continental has laid down its group-wide Responsible Value Chain commitments on its [website](#). Elektrobit as part of Continental is committed to visionary and bold ambitions. Latest by 2050, and together with Continental's value chain partners, Elektrobit strives for

100 % carbon neutrality along the entire value chain, for 100 % emission-free mobility and industries, for a 100 % circular economy as well as for a 100 % responsible value chain. Therefore, Elektrobit is committed to respecting human and environmental rights in its business activities and along the supply chain. The Business Partners will support us in achieving these ambitions with their products, services, and operations, to reduce adverse impacts along the value chain and to create economic, social and ecological value for all our stakeholders and society.

Sustainable business practices and integrity are rooted in Elektrobit's company values, Codes of Conduct, respective rules and policies as well as international frameworks incl. the United Nations Sustainable Development Goals (SDGs), the United Nations Global Compact, the OECD Guidelines on Multinational Enterprises (MNE's) and the United Nations Guiding Principles on Business and Human

Rights with specific reference to the International Labour Organization (ILO) Conventions and Recommendations.

Elektrobit expects all of its Business Partners to act with the same fairness, honesty, responsibility and dedication to sustainability and integrity in all aspects of their business. This Business Partner Code of Conduct highlights important standards that are consistent with Elektrobit's values and which we expect each Business Partner including, but not limited to suppliers, consultants, vendors, brokers, contractors, agents, landlords, and others, to observe and strictly adhere to.

## 2. Compliance with Laws, Rules and Legal Regulations

The Business Partner will comply with all applicable laws, rules and regulations in the countries in which it operates and will maintain suitable measures to ensure compliance with such laws, rules and legal regulations.

### Compliance with Antitrust Laws

The Business Partner will strictly comply with all applicable antitrust laws, trade practice laws and any other competition laws, rules and regulations dealing for example with monopolies, unfair competition, restraints of trade and relationships with competitors and customers. Thus, the Business Partner will not enter into agreements with competitors or engage in other acts that may unfairly impact competition, including, but not limited to, price fixing or market allocations. The Business Partner will also comply with all applicable antitrust regulations dealing specifically with the relationship to distributors.

### Combatting Corruption

Continental and so also Elektrobit does not tolerate any form of corruption. Thus, the Business Partner will comply with applicable laws and regulations concerning corruption and bribery, including those concerning foreign corrupt practices. The Business Partner will neither engage in nor tolerate any form of

corruption, bribery, theft, embezzlement or extortion or the use of illegal payments, including any payment or other benefit to any individual or company for the purpose of influencing a decision in violation of applicable laws.

### **Export and Import Regulations**

The Business Partner will comply with all applicable import and export control laws, including, without limitation, sanctions, embargoes and other laws, regulations, government orders and policies controlling the transmission or shipment of goods, software, technology, services and payments.

### **Prevention of Money Laundering and Terrorist Financing**

Our Business Partners will strictly adhere to all applicable laws and regulation governing money laundering and the prevention of terrorist financing. Our Business Partners will abstain from engaging in such activities.

### **Data Compliance**

The Business Partner will strictly comply with all applicable national and international laws and regulations governing data protection, data security and other data not being personal. The handling of data should be done in a transparent and responsible way.

### **Artificial Intelligence (AI)**

If our Business Partner develops or uses AI, it will be done in an accountable, fair, explainable, and controlled way. Additionally, our Business Partners will ensure that their usage of AI complies with all applicable national and international laws and regulations and will respect ethical standards.

## **3. Conflict of Interest**

Our employees are expected to act in the best interest of their company. Private interests and personal consideration must not affect any business decision. Elektrobit and the Business Partner will avoid any activity or situation

which may lead to a conflict of an employee's private interest with a Business Partner and the business interest of Elektrobit or Continental. A Business Partner becoming aware of a conflict of interest situation will immediately notify Elektrobit about this.

## **4. Good working conditions and Human Rights**

The Business Partner will respect internationally recognized human rights as set forth in the Universal Declaration of Human Rights and standards by the ILO and provide healthy and fair working conditions globally. Therefore, the Business Partner will treat all individuals with respect and fairness and will comply with applicable national and international regulations.

In accordance with local law, these include, but are not limited to:

- The prohibition of forced labor, including any forms of modern slavery, human trafficking as well as unethical recruitment practices,
- the prohibition of child labor,
- maintain an inclusive and cooperative environment with no retaliation, free from violence or harassment,
- the rejection of any form of discrimination, including but not limited to, nationality, ethnicity, gender, disability, age, sexual identity or sexual orientation, religion and beliefs, social status, or any racially motivated discrimination,
- the provision of transparent and fair remuneration and benefits, at least equivalent to the country's legal minimum wage,
- reasonable working hours and sufficient resting periods,
- respecting the right to freedom of association and collective bargaining,
- creating safe and healthy work environments,

- responsible security practices by all security personnel used or contracted by the Business Partner,
- as well as acknowledging and respecting the existence of land use, customary right and associated rights from local communities, indigenous people and individuals especially wherever these secure the livelihood of people.

Continental supports the United Nations Women's Empowerment Principles and strongly encourages its Business Partners to formally support the UN Women's Empowerment Principles in their own operations and their supply chains as well.

## **5. Environment and Climate Protection**

The Business Partner will operate its business in a safe and responsible manner based on a systematic management approach and protects the environment and will comply with applicable national and international regulations as well as our rules.

The Business Partner will use resources in a sustainable manner by reducing consumption of resources like energy, water, raw materials and supplies. Furthermore, the Business Partner will install and maintain adequate environmental protection management procedures, including, but not limited to climate protection, air quality, responsible chemicals management, soil protection, protection of water bodies, biodiversity, waste treatment and handling, noise prevention and the prevention of deforestation. Requirements by the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal must be followed.

## **6. Safety and Health**

The Business Partner will operate its business in a safe and responsible manner.

Thereby the Business Partner is committed to manufacture and deliver safe products to Elektrobit and provide a safe, healthy and ergonomic working environment that supports accident prevention and minimizes exposure to health risks to the Business Partner's employees and contractors. To achieve this goal a safety and health management system for continual improvement must be implemented, including, but not limited to emergency management, fire prevention and a responsible management of chemicals. Requirements set forth by the Minamata Convention of Mercury, the Stockholm Convention on Persistent Organic Pollutants, and the ILO Occupational Safety and Health Convention 155 must be followed.

## **7. Supply Chain Due Diligence**

Business Partners will implement due diligence processes in order to identify, prevent and mitigate risks for negative human rights and environmental impacts in their supply chains, including appropriate grievance mechanisms and reporting, based on the United Nations Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises as well as respective guidelines.

The Business Partner will comply with all applicable laws concerning supply chain due diligence.

## **8. Minerals from Conflict Affected and High-Risk Areas**

As part of overall supply chain due diligence, the Business Partner is expected to support due diligence and traceability throughout its supply chains for all minerals. The Business Partner is expected to be aware of applicable legal requirements in relation to minerals from conflict-affected and high-risk areas and shall ensure compliance with such laws, in line with the OECD Due Diligence Guidance for

Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas. Thereby the Business Partner will

- perform due diligence on its supply chains to determine whether products sold to Elektrobit as part of Continental contain critical minerals or materials,
- and complete the most recent versions of the relevant reporting templates such as Conflict Minerals Reporting Template (CMRT) & Cobalt Reporting Templates (CRT)/ “Extended Minerals reporting Template” (EMRT) provided by the “Responsible Minerals Initiative” (RMI) based on accurate and truthful information from the Business Partner’s own suppliers, be ready to provide current and updated information such as CMRTs, CRTs & EMRTs to Elektrobit as part of Continental and work towards eliminating non-conformant, sanctioned and high risk smelters in its respective supply chains.

## 9. *technical* Compliance

The Business Partner, who delivers materials or components that enter Elektrobit products or provide goods or services that are used for the production of Elektrobit products or services, will develop, manufacture and supply products (including systems, hardware and software) and services that are in line with the valid binding product requirements of

- › **Product Safety**, a product property, is the freedom from unacceptable risk for consumers caused by a product.
- › **Product Conformity** is the fulfillment of requirements regarding product related technical compliance obligations. It covers all requirements that cannot be clearly assigned to one of the defined *technical* Compliance categories but are necessary to fulfill technical compliance obligations. In order to be technically compliant, the actual properties of a product must match the documented properties. This includes in particular

homologation, certification procedures and advertising.

- › **Product Environmental Compliance** includes the Product Environmental Footprint (e.g. emission, consumption and resource efficiency). Further, materials and circular economy are aspects of Product Environmental Compliance. In order to be technically compliant, assessment of significant environmental aspects of products during the entire product life cycle and minimization of potential impacts on the environment by products must be ensured.
- › **Product Cybersecurity & Privacy** is the absence of unreasonable risk of unauthorized manipulation (Integrity), inhibiting (Availability), and access (Confidentiality) to products and their functions. Product Privacy includes that necessary technical measures are taken to consider the protection of personal identifiable information (PII). In order to be technical compliant, cybersecurity and data protection must be considered throughout the whole product life cycle and the underlying management system must be ensured.
- › **Intellectual Property:** In order to be technically compliant, third-party intellectual property must be respected and lawfully used. This includes, for example, actively prohibiting the usage of any counterfeit parts (plagiarism) along the supply chain and ensuring that the products do not infringe any third-party intellectual property, at least by conducting, legally assessing and documenting searches for third-party intellectual property rights with the care that is customary in the respective industry.

Compliance with legal technical regulations and applicable external standards and norms as well as with *technical* Compliance requirements imposed by Continental must be ensured throughout the product life cycle, starting with the product strategy process until the end of life.

The Business Partner enables its employees to act according to the above-mentioned *technical* Compliance requirements by establishing and providing adequate structures and processes. Furthermore, the Business Partner fully cooperates with Continental in their *technical* Compliance processes if necessary, regarding overarching *technical* Compliance relevant processes and required transparency.

Any potential infringement to *technical* Compliance must be notified to Elektrobit immediately in writing.

## 10. Business Information and Intellectual Property

It is the Business Partner's responsibility to ensure that any sensitive business information or trade secrets gained by virtue of the business activities with Elektrobit as part of Continental (hereinafter referred to as "Business Information") is held in strict confidence and not improperly used or disclosed to third parties.

The Business Partner ensures that any business information is appropriately collected, processed, secured and stored based on its criticality.

Furthermore, the Business Partner will respect Elektrobit's and Continental's registered and unregistered intellectual property, protect and secure it as confidential information (if not already disclosed to third parties) and not use it for any other purposes than those explicitly agreed upon with Elektrobit unless the respective use is admissible under the applicable law. The Business Partner will not use Elektrobit' or Continental's intellectual property for and in connection with counterfeits and other products that are not manufactured for Elektrobit or Continental.

## 11. Business Continuity

With regards to the business continuity and supply chain, the Business Partner constantly performs comprehensive activities of identifying and assessing risks.

For identified risks mitigation measures as well as backup and continuity plans are carried out and tested on a regular basis to minimize the impact of interruptions and disruptions for operations supporting Elektrobit's business.

## 12. Compliance with this Business Partner Code of Conduct

Elektrobit as part of Continental regards the provisions of this Business Partner Code of Conduct, which we may amend from time to time, to be essential for the business relationship between Elektrobit and the Business Partner. Therefore, compliance with the provisions herein is essential for the business relationship between Elektrobit and the Business Partner which is acknowledged and agreed by the Business Partner.

In case of significant breaches of this Business Partner Code by the Business Partner, Elektrobit reserves the right to terminate the business relationship with the Business Partner subject to applicable laws.

The Business Partner will support Elektrobit's implementation of legally required and, based on the risk exposure, other due diligence processes by actively participating in related initiatives, e. g. self-assessment questionnaires or formal certification of compliance. Continental reserves the right to conduct or require an audit related to the Business Partner's compliance with this Business Partner Code of Conduct in an appropriate manner. (Past) third party audits may be considered as equivalent. Any audit will be scheduled at business hours mutually agreed with the Business Partner and will be prepared by the Business Partner providing an appropriate level of documentation which substantiates in a clear and transparent manner the adherence to this Business Partner Code.

Where appropriate, the Business Partner will participate in initial or further training measures proposed by Continental to ensure the Business Partner's compliance to laws, rules and legal regulations according to Section 2 above.

The Business Partner will use its best efforts to be familiar with the business practices of its

suppliers, sub-contractors and other business partners and to require all such suppliers, subcontractors and business partners to comply with this Business Partner Code of Conduct or the values laid down herein. The Business Partner and Continental will discuss any questions in relation to this Business Partner Code of Conduct in a trustful and respectful manner.

### **13. Grievance and Complaints Mechanism**

The Business Partner and its respective employees as well as stakeholders and rights-holders in general are encouraged to report violations of this Business Partner Code of Conduct to the Continental Integrity Hotline.

Contact details and Rules of Procedure are available on the Continental website (<https://www.continental.com/hotline>).

Business Partners shall support any investigations into alleged violations. Additionally, in line with their own due diligence efforts, Business Partners should provide grievance/ complaints mechanisms or support respective sector or country specific non-judicial mechanisms.

*We hereby confirm that we share, respect and adhere to and apply the Business Code values as stated in the above Business Partner Code of Conduct.*