

## **Directive on the use of the OBO Group whistleblower system**

### **§ 1 Objective, purpose and scope of this Directive**

(1) This Directive serves, among other things, to implement EU Directive 2019/1937 on the protection of whistleblowers and will be adapted to national law after national implementation if necessary.

(2) This Directive is intended to create a framework for the communication of leads to certain persons or via an electronic whistleblowing system. The purpose of this Directive is to ensure that the legitimate interests of the company, the whistleblowers, the persons affected by the notification and the general public are adequately taken into account.

(3) This Directive is also intended to ensure from a technical and organisational point of view that information can be received in accordance with the requirements of data protection and data security and processed, stored, passed on and archived taking into account the required confidentiality.

(4) The term information, includes factually any information on suspected unlawful or unethical facts in connection with the operation of the company, as well as preventive information about possible dangers in this regard. For example, about alleged cases or risks related to fraud, corruption, money laundering, financing of terrorist activities, bribery and bribery of business partners, acceptance of benefits, and performance of officials, forgery of documents, theft or embezzlement, protection of privacy and personal data as well as network security and information systems, public hazards, threats to the health or safety of our employees, in particular also with regard to human rights or environmental risks and/or violations of human rights-related risks.

(5) This Directive applies to all companies affiliated with OBO Bettermann Holding GmbH & Co. KG within the meaning of § § 15 ff. AktG (in this Directive "Company").

### **§ 2 Whistleblower**

(1) Any person, including employees, is entitled to submit information. Employees are in particular staff members, volunteers, trainees and interns of the company.

(2) This Directive does not oblige anyone to provide information. However, if there are legal, contractual or other obligations or duties to provide information, these shall remain unaffected by sentence 1.

### **§ 3 Relevant information, good faith, no labour law penalties**

(1) The whistleblower system is used exclusively to receive and process reports of information within the meaning of § 1.

(2) However, the whistleblowing system is not available in particular for general complaints or general inquiries. In this case, please contact:

[Contact Form](#)

(3) Only such information should be provided where the whistleblower is in good faith that the facts communicated by him are correct. The whistleblower is not in good faith when he is aware that a reported fact is untrue. In the case of doubt, corresponding facts must not be presented as fact, but as presumption, valuation or statement of other persons.

There are also no labor law sanctions in the event of good faith.

(4) It is noted that a whistleblower may be liable to prosecution if he claims untrue facts about other people against his better knowledge.

### **§ 4 Submission of information, proceedings**

(1) The provision of information on actual or suspected illegal/unethical conduct should be made to the following persons:

External independent ombudsperson  
DR. WEHBERG AND PARTNER mbB  
Auditors, tax consultants and lawyers  
OBO Information  
Feithstraße 177, 58097 Hagen  
Germany  
obo-hinweise@wehberg.de  
+49 (0)2331 1098 - 1234

(2) The submission of information is not bound to specific forms. In particular, these can be communicated personally, by telephone, in writing or text form (e.g. by letter or e-mail). Due to the simplification of the procedure, we encourage the submission via e-mail. In order to ensure confidential processing of postal notes, we ask you to attach the address supplement "OBO-Hints".

(3) The information may also be provided anonymously. Since no queries from the side of the Ombudsman to the whistleblower are possible with an anonymous notice, anonymous leads should only be made if a message attributable to it seems unreasonable to the whistleblower and (s)he wants to ensure that, for example, affected persons do not find out his or her identity under any circumstances.

(4) Receipt of the hint will be confirmed within seven days by the external independent ombudsperson under paragraph 1, provided the anonymity of the whistleblower does not conflict with this. The external independent ombudsperson shall examine and carry out any further enquiries. If the external independent ombudsperson considers that further follow-up action (in particular internal investigations) is necessary, it shall forward the notification and information to the designated OBO Group office after approval by the whistleblower. The name of the whistleblower shall be disclosed to the designated OBO Group office only after release to the external independent ombudsperson. The investigation shall be carried out as quickly as possible within the appropriate framework. The whistleblower shall be informed by the responsible office of the progress of the procedure. If a hint turns out to be incorrect or if it cannot be adequately substantiated with facts, this will be documented accordingly and the procedure will be terminated immediately.

### **§ 5 Protection of whistleblowers**

All information, including references to the whistleblower, will be processed confidentially and in accordance with applicable laws. Good faith information according to § 3 para. 3 shall not be sanctioned.

### **§ 6 Confidentiality and data protection**

(1) All information, regardless of their truthfulness, is likely to damage the reputation of the persons concerned, the whistleblowers and/or third parties as well as the company to the greatest extent. We will therefore treat them with particular confidentiality, going beyond the obligations arising from the data protection laws.

(2) In addition to the processing directory, which is to be kept properly und constantly updated, it is recorded in writing which persons may access the information and the associated data and what rights they have in the context of data processing. Persons in the company involved in the notification processing are obliged to maintain the confidentiality of the whistleblower beyond any data protection requirements.

(3) Further information on data protection can be found in the annex "Data protection" (**Annex 1**).

### **§ 7 IT and Data Security**

(1) IT solutions for receiving and processing information used at either OBO Bettermann Holding GmbH & Co. KG or the Ombudsperson's office must be checked by the Chief Compliance Officer (CCO) and the Data Protection Officer of both parties, if available, before use.

(2) The minimum requirements for the scope of the General Data Protection Regulation arise from Art. 32 GDPR. Particular attention will be paid to the special sensitivity of the hints and to the risks to persons and the company in the event of disclosure of information concerning whistleblowers' hints.

### **§ 8 Deletion concept**

(1) Data collected in connection with a report that is not relevant to the procedure will be deleted immediately. Otherwise, the data collected will generally be deleted within two months of completion of the procedure.

(2) In case of sufficient probability of official or judicial proceedings, such as in particular criminal, disciplinary or civil court proceedings based on a hint, the data will be stored – by way of derogation from paragraph 1 - until the final conclusion of the respective proceedings.

(3) The deletion of data within the whistleblower system must be carried out according to the respective time specifications of the deletion concept or after the deletion release by two separate users (four-eyes principle).

(4) Statutory provisions, such as in particular statutory retention obligations, remain unaffected by paragraphs 1 to 3 and must be observed as a matter of priority. The same applies if storage has been ordered by a court or official authorities.

#### **Annexes:**

Appendix 1 – Data protection

Menden, 15 December 2022

OBO Bettermann Holding GmbH & Co. KG

The Management Board