

ABSL DACH CODE OF CONDUCT

Version: 29.11.2022

1. Individual Responsibility

Ethical and lawful conduct demands the cooperation and responsibility of every individual that works for or acts on behalf of ABSL DACH. Compliance with this Code of Conduct is mandatory at all levels of ABSL DACH. This Code of Conduct applies to ABSL DACH as well as its members and contractors.

2. Compliance with Antitrust Laws

ABSL DACH is committed to comply with European Union and national antitrust laws. ABSL DACH's activities must on no account lead towards a restriction of competition between members, nor must meetings of members organized or supported by ABSL DACH be used by members to discuss or coordinate future market behaviour resulting in a restriction of competition. More generally, the platform offered by ABSL DACH to its members must not be misused for activities prohibited by the antitrust rules.

ABSL DACH is not allowed to provide detailed information concerning the operational or commercial activities of its member companies. This is a direct consequence of its antitrust guidelines and its policy concerning the confidentiality of its member company data. The objectives of ABSL DACH are the co-operation amongst the national organizations and companies in all matters that contribute to the development of the business services sector, and the representation of the common interests of its members vis-à-vis third parties, notably the national institutions and other international organisations. Within this framework there is no role whatsoever for ABSL DACH in any commercial transaction.

ABSL DACH also serves as a communication centre where statistical data are collected and distributed and where members exchange general information. Such exchange is on principle not objectionable.

The following conduct between or among competing members of ABSL DACH is illegal under the antitrust laws and can result in substantial monetary damages, regulatory fines, criminal sanctions, and other remedies. Consequently all such actions violate this Code and must not be undertaken between members using ABSL DACH mailing lists, meetings, task forces, document exchanges or other means involving ABSL DACH. These actions include:

- Price fixing (agreeing on pricing or any other price terms);
- Customer allocation (agreeing not to compete for certain customers);
- Agreeing not to do business with certain customers;
- Territory or market allocation (agreeing not to compete in certain geographic areas or in market segments);

- Bundling or tying products or services protected by copyrights or patents to the purchase of other unprotected products or services.

Matters that should NEVER be discussed during a meeting of competing members of ABS DACH:

- Individual ABS DACH member or industry prices, including any matters affecting price, such as discounts, rebates, price changes, profit margins - this includes both current and recent pricing;
- Individual ABS DACH member costs, including costs of components or distribution costs;
- Any plan to bid for a customer's business;
- How to divide a category between competitors;
- Individual ABS DACH member terms and conditions of sale;
- Individual ABS DACH member sales or process-related information, including sales volumes, market shares, sales revenues; and/or
- Individual ABS DACH member's confidential future plans, including plans relating to marketing strategy, production or technology.

3. Conflicts of Interest

A “conflict of interest” exists when the private interests of a member of ABS DACH interferes – or even appear to interfere – in any way with ABS DACH’s interests. For example, conflict of interest situations can arise when a member of ABS DACH receives improper personal benefits as a result of its position with ABS DACH. Loans to, or guarantees of obligations of ABS DACH members and their family members may create conflicts of interest. The existence of a conflict depends upon the circumstances, including the nature and relative importance of the interest involved. If the member of ABS DACH becomes aware of any potential or actual conflict of interests, then the member shall immediately inform ABS DACH. Where ABS DACH forms the view that such a conflict does or could exist, it may direct the member to take action(s) to resolve that conflict, and the member shall comply with that instruction.

4. Compliance with anti-corruption, anti-money laundering, tax, sanctions and other applicable laws

ABS DACH acts in compliance with anti-corruption, anti-money laundering, tax, sanctions and other applicable laws. In particular, ABS DACH will not engage in any activities which amount or contribute to, incentivize, or aid and abet bribery, extortion, fraud, deception, collusion, embezzlement, money-laundering, tax evasion, or any other acts in violation of anti-corruption, anti-money laundering, tax, sanctions and other applicable laws. ABS DACH will oblige each of its suppliers and subcontractors to comply with anti-corruption, anti-money laundering, tax, sanctions and other applicable laws.

In addition, ABS L DACH requires that each member of ABS L DACH must not, and shall ensure that each of its suppliers and subcontractors will not, interact with ABS L DACH or use any ABS L DACH mailing lists, meetings, task forces, document exchanges or other means or resources in any way which amounts or contributes to, incentivizes, or aids and abets bribery, extortion, fraud, deception, collusion, embezzlement, money-laundering, tax evasion, or otherwise violates anti-corruption, anti-money laundering, tax, sanctions and other applicable laws.

5. Confidentiality of Information

Members of ABS L DACH must maintain the confidentiality of all confidential information that they receive, from whatever source, as a result of their membership in ABS L DACH except where disclosure is (i) authorized by the provider of this confidential information or (ii) required by laws or regulations. If disclosure of confidential information is required by law or regulation, one must provide ABS L DACH with prompt notice of the disclosure requirement. Confidential information includes all non-public information that might be of use to any third party, including competitors, or harmful to the ABS L DACH, its members or partners if disclosed. It also includes information that third parties have entrusted to ABS L DACH. The obligation to preserve confidential information continues even after the membership in ABS L DACH ends.

6. Further Information and Contact

ABS L DACH has established responsibility for Governance and Risk to oversee implementation of the Code of Conduct and all supplemental guidelines and to serve as a resource, should any questions arise. All communication should be directed to ABS L DACH via info@absl-dach.com.