

# **Code of Procedure**

**on the Complaints Procedure according to  
§8 Supply Chain Due Diligence Act (LkSG)**

**of the LEMKEN GmbH & Co. KG**

Status 01.01.2024

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## 1. Legal Basis

To implement the German Whistleblower Protection Act (HinSchG), LEMKEN introduced an appropriate whistleblowing mechanism several years ago. This system was later supplemented and expanded by the introduction of the complaints procedure in accordance with Section 8 (2) of the German Supply Chain Due Diligence Act (LkSG).

## 2. Scope of Application

The complaints procedure applies in cases of human rights or environmental risks, as well as violations of human rights or environmental obligations within the supply chain. This includes not only the company's own business operations but also those of direct and indirect suppliers. A risk is deemed to exist if there is a sufficient probability of a violation of one of the prohibitions under Section 2, Paragraph 2 (human rights risk) or Section 2, Paragraph 3 (environmental risk) of the LkSG, based on actual circumstances. It should be noted that the abusive use of the complaints procedure—such as deliberate misrepresentation—does not constitute a complaint within the meaning of the LkSG. Such misuse may be prosecuted under civil and criminal law.

## 3. Reporting Channels

The LEMKEN complaints procedure is accessible to all conceivable (potentially) affected or involved persons and offers whistleblowers the opportunity to submit their report or complaint via the following reporting channels, in either German or English:

### 3.1 "whizzla" online reporting system

Any whistleblower can use the internet platform to submit a report, also anonymously if desired:

<https://lemken.whizzla.com/>

### 3.2 E-mail

E-mail address:

[compliance@lemken.com](mailto:compliance@lemken.com)

### 3.3 In writing

By post to:

personal / confidential  
LEMKEN GmbH & Co KG  
Hinweisgeberstelle  
Weseler Str. 5  
46519 Alpen  
Germany

### 3.4 By telephone

Between 09:00 and 16:00 also anonymized or a non-anonymized:

Telephone hotline: 00492802-81-600

## 4. Responsibilities for the Implementation of the Procedure

LEMKEN has established a Complaints Office to oversee the execution of the procedure. The complaints officers serve as the primary contacts for all incoming reports and complaints. They are responsible for the operational execution of the complaints procedure, ensuring impartiality. They work independently, are not bound by instructions, and are obligated to maintain confidentiality.

## 5. Rules for Establishing Facts

Each report or complaint received is categorized into one of two categories:

### 5.1 Category-1-Report

An eligibility check determines whether the report or complaint falls within the scope of the HinSchG or the LkSG. If deemed eligible, the report is further assessed to determine whether it contains sufficient information to initiate a legal investigation.

### 5.2 Category-2-Report

This category includes all reports that do not meet the criteria for Category 1. These may involve notifications that do not fall under the scope of the HinSchG or the LkSG, or reports with abusive content. Reports with abusive content have no legal effect, are declared invalid complaints, and will not be processed further.

## 6. Confidentiality and Protection against Discrimination

All reports will be treated confidentially and in accordance with applicable data protection laws. Whistleblowers may submit their reports either anonymously or by stating their name. The more information provided, the more effectively the matter can be investigated and corrective measures taken.

LEMKEN guarantees every whistleblower effective protection against discrimination, punishment, and retaliation if they submit a report to LEMKEN in good faith - regardless of whether the complaint is ultimately deemed well-founded or unfounded.

## 7. Content of the Report

When submitting a report, the whistleblower is asked to provide the following voluntary information to enable LEMKEN to process the report effectively:

- **Contact Details:** Name and contact details of the whistleblower and, if different, of the affected person.
- **Employer:** Name of the relevant LEMKEN department or business partner.
- **Workplace:** Name of the workplace, including any details that enables LEMKEN to identify the specific location within the organization to which the report relates.
- **Alleged Violation:** Identification of the human rights or environmental risk or breach of duty, including a brief description of the facts, date/time/period and any available evidence.
- **Scope:** Number of affected persons and the whistleblower's assessment of the severity of the violation or the extent of its negative impact on human rights or the environment.
- **Solution Approach:** Does the whistleblower have any suggestions for resolving the situation?
- **Confidentiality:** Indication of whether LEMKEN should handle the information confidentially or transparently.
- **Parallel Procedure:** Have local or international authorities already been contacted? Has a formal complaint already been submitted to LEMKEN, another company, or other organizations? Has LEMKEN been made aware of the issue through other means?
- **Additional Information:** Are there other persons or organizations that have knowledge or evidence regarding the alleged violation? Are there any local ethnic, cultural, or political factors that may affect the the case?

## 8. Course of the Complaints Procedure

The handling and processing of a received report follow these steps:

- **Confirmation of Receipt**  
As soon as a report is received in the complaints system, the whistleblower will receive confirmation of receipt within a maximum of seven (7) days.
- **Review of the Information received**  
The complaints officers assess whether the report is complete and whether the reported violation or risk falls within the scope of the law.
- **Interim Status Report**  
The whistleblower will be informed whether their report falls within the scope of the HinSchG/LkSG and whether it contains sufficient information to enable a legal investigation. An interim status report will be provided within a maximum of 30 days.
- **Initiation of Follow-Up Measures**  
The complaints officers analyze the facts and assess potential legal consequences based on the relevant legal standards. If necessary, follow-up measures will be initiated to further clarify the matter. Internal experts or external legal and regulatory specialists may be consulted. All involved individuals or authorities participate in the process strictly on a need-to-know basis.
- **Mutual Settlement / Ombudsman Procedure**  
The ombudsman procedure is a voluntary procedure for both parties, aimed at mitigating reputational risks and facilitating resolution. Section 8 (1) sentence 5 LkSG allows the complaints officers to offer the whistleblower a mutual settlement procedure. However, this procedure does not relieve LEMKEN of its obligation to take corrective and preventive measures.
- **Discontinuation of Proceedings Due to Lack of Evidence**  
If no substantiated evidence can be found or the reported facts cannot be verified, the proceedings must be discontinued. The whistleblower will be informed accordingly.
- **Completion of the Procedure**  
Once the procedure is fully concluded, the whistleblower will be informed of the final status, the results, and any measures taken.

## 9. Further Legal Remedies

- **Submission to a Competent Authority**  
For further investigation or clarification, the case may be transferred to an authority in accordance with Paragraph 18 No. 4b of the HinSchG.