

**Publicly accessible PROCEDURAL REGULATIONS of the
Helmholtz Centre for Infection Research GmbH
for information in accordance with Section 8 of the Supply Chain Due Diligence Act**

1. Preamble

The Helmholtz Centre for Infection Research GmbH (hereinafter referred to as the "HZI"), as the obligated company, has set up a complaints procedure in the form of an internal reporting office to receive information on human rights and environmental risks in the supply chain as well as violations of human rights and environmental obligations. This reporting office has been outsourced to the law firm Heuking Kühn Lüer Wojtek ("**outsourced internal reporting office**"). This outsourced internal reporting office is intended to be used to report risks and breaches of obligations that have arisen as a result of HZI's business activities in its own business area or as a result of the activities of one of HZI's direct suppliers.

The outsourced internal reporting centre is part of the HZI's compliance management system. It helps to detect human rights and environmental risks and violations in the HZI's supply chain at an early stage (early warning system) and is intended to protect those affected from damage and disadvantages due to the violation of human rights and environmental obligations and corresponding risks (access to appropriate remedial action). Human rights or environmental grievances can not only cause lasting harm to those affected, but can also result in severe liability for the HZI and the responsible HZI employees. These risks are to be prevented with the help of the outsourced internal reporting centre.

The HZI ensures responsible and careful handling of all incoming reports, guarantees confidential, neutral and objective treatment and careful examination of any necessary measures. Whistleblower reports are intended to uncover human rights and environmental risks and related violations in the company and its supply chains, optimise internal processes and strengthen the trust of employees, customers and suppliers in the HZI companies and their manufacturing and procurement processes.

The complaints system protects in particular the whistleblowers, but also the persons concerned, from disadvantages that could arise from whistleblower reports. The HZI attaches the greatest possible importance to treating all whistleblower reports confidentially.

The HZI's complaints system fulfils the legal requirements of the Supply Chain Due Diligence Act, the Whistleblower Protection Act and other relevant regulations and laws (such as the General Data Protection Regulation).

These publicly accessible rules of procedure explain who can report which facts, how this is done in detail, which procedural steps are envisaged and what happens and must be observed after a whistleblower report.

2. Persons providing information

Whistleblowing can be reported by all persons who have become aware of human rights and environmental risks as well as violations of human rights or environmental obligations in connection with the activities of the HZI (hereinafter referred to as "**whistleblowers**").

These are in particular **persons affected** by human rights and environmental risks or persons affected and injured by violations of human rights or environmental obligations, such as employees of the HZI (employees, persons employed for vocational training, temporary workers and persons who are to be regarded as employee-like persons due to their economic independence).

In addition, whistleblower reports can be made by **third parties who have** some kind of relationship or contact with the HZI and observe a violation or grievance there, such as freelancers, employees and staff of (sub)contractors, suppliers, business partners and customers. The HZI's business partners are encouraged to inform their employees, as potentially affected parties, about the HZI's complaints system.

The Reporting Centre is also open to external persons who are not directly affected and who have no (or no longer have any) relationship with the HZI or its direct and indirect suppliers for the aforementioned purposes.

3. Content of the whistleblower reports

All matters that fall **within the scope of the German Supply Chain Due Diligence Act (LkSG)** and whose whistleblower report serves to detect human rights and environmental

risks and to clarify, minimise and end violations of human rights or environmental obligations can and should be reported.

Note:

Human rights risks are situations in which there is a sufficient probability of a violation of one of the following prohibitions due to actual circumstances:

- Prohibition of child labour, forced labour, slavery,
- Prohibition of disregard for labour protection and freedom of association,
- Prohibition of discrimination,
- Prohibition of withholding an appropriate wage,
- causing harmful soil change, water pollution, air pollution, harmful noise emissions or excessive water consumption,
- the prohibition of unlawful forced eviction and the prohibition of unlawful seizure of land, forests and waters whose use secures a person's livelihood,
- The prohibition of hiring or using private or public security forces if legal prohibitions are disregarded, violated or impaired during the deployment of the security forces due to a lack of instruction or control on the part of the company, or
- as well as the prohibition of an act or omission in breach of duty that goes beyond these alternatives, which is directly capable of impairing a protected legal position in a particularly serious manner and the unlawfulness of which is obvious when all relevant circumstances are reasonably assessed.

A **breach of a human rights-related duty** is a violation of one of the aforementioned prohibitions.

Environmental risks are conditions in which there is a sufficient probability of a violation of one of the following prohibitions due to actual circumstances:

- Prohibition of the manufacture of mercury-added products, the use of mercury and mercury compounds in manufacturing processes and the treatment of mercury waste contrary to the provisions of the relevant conventions,
- Prohibition of the production and use of chemicals contrary to the provisions of the relevant conventions,
- Prohibition of non-environmentally sound handling, collection, storage and disposal of waste in accordance with the provisions of the relevant conventions,
- Ban on the export and import of hazardous waste and other waste as defined by the relevant conventions and European regulations.

A **breach of an environmental obligation** is a violation of one of the aforementioned prohibitions.

The aforementioned scope of application also includes all whistleblower reports that promote the settlement of disputes and the settlement of claims by affected parties.

Reporting a mere **suspicion** of a risk or violation is permitted if the whistleblower has sufficient reason to believe that the reported information is true and that this information constitutes a reportable matter.

It is **not necessary** for the whistleblower to have full **knowledge or evidence** of the suspicion in order to make a whistleblower report. It is sufficient for a whistleblower report to have a reasonable suspicion, i.e. sufficient factual indications, that a corresponding offence has been committed or is to be committed or that a corresponding risk has occurred or will occur.

Whistleblowers who are unsure whether their whistleblowing report is in connection with the provisions of the Supply Chain Due Diligence Act can contact the Reporting Centre at any time for information.

4. Contact us

Whistleblowers can use the following channels to submit whistleblower reports:

a) Reporting office

The HZI has commissioned the law firm Heuking Kühn Lüer Wojtek to fulfil the tasks of an outsourced internal reporting office.

This can be contacted by telephone during regular business hours (Mon-Fri 9am-6pm); letters, emails and faxes can also be sent outside these hours, but will only be processed during regular business hours:

Lawyer Dr André-M. Szesny, LL.M.
Heuking Kühn Lüer Wojtek
Georg-Glock-Straße 4
40474 Düsseldorf
Email: a.szesny@heuking.de
Phone: +49 (0) 221 600 55-217
Fax: +49 (0) 221 600 55-210

The information is recorded and processed by experienced lawyers at Heuking Kühn Lüer Wojtek and then forwarded in a legally compliant manner to the HZI office responsible for whistleblower reports.

The submission of complaints is generally free of charge for the whistleblower. Any costs for reporting by telephone or post will be reimbursed on presentation of proof. This may not be possible for anonymous reports, which is why the HZI recommends submitting anonymous reports via a generally free reporting channel such as the electronic reporting form or an email.

b) Signalling channels

The whistleblower report can be submitted to the Reporting Office at the contact details and times stated above.

- electronically via the web form on the website <https://whistlefox.heuking.de/start/hzi-gmbh>,
- by telephone,
- by email,

- by fax,
- by post
- or in person

be delivered.

c) Communication and dispute resolution

The internal reporting centre outsourced to Heuking Kühn Lüer Wojtek is available to the whistleblower under the reporting channels for queries and a discussion of the reported facts with experienced lawyers. The whistleblower will also be expressly informed of this offer in the confirmation e-mail.

If the whistleblower has provided a contact option and has agreed to be contacted, there is the possibility of mutual enquiries and consultation with regard to the reported facts and the processing status of the whistleblower report as well as for the purpose of dispute resolution.

5. Confidentiality

The confidential treatment of all information and data submitted to the Reporting Centre is ensured at all times and in every processing step.

This applies in particular to the identity and personal data of the person providing the information and the person(s) affected by the information.

Only individual, previously defined, authorised persons who are obliged to maintain confidentiality have access to incoming whistleblower reports and information about the processing of the whistleblower report or follow-up measures. As a rule, these are the responsible persons in the (outsourced) internal reporting office at Heuking Kühn Lüer Wojtek and the HZI's Human Rights Officer. The reported data is treated confidentially, is not proactively disclosed to third parties and is protected from access by unauthorised persons.

The lawyers at Heuking Kühn Lüer Wojtek are bound to professional secrecy when receiving, processing and forwarding information. The responsible persons at the HZI are bound to confidentiality in individual cases either by corresponding agreements in the employment contract or with the help of supplementary agreements and have been instructed to maintain confidentiality through training. If the whistleblower report does not concern the HZI but another organisational unit, the company may pass on the contents of the whistleblower report and the results of the further clarification of the facts to this company or to this organisational unit for further processing of the whistleblower report.

In the course of the clarification measures and in the assertion, exercise or defence of legal claims, the HZI may also rely on the support of professionals bound to secrecy, such as law firms or auditing companies. In addition, (technical) service providers may be involved in the clarification and processing of the reported facts, who work for us as processors on the basis of corresponding agreements and are bound by instructions. These service providers may also become aware of the content of the whistleblower report, but are obliged to handle the data concerned confidentially.

Personal data of the whistleblower and the data subject may come to the knowledge of authorities, courts or third parties in exceptional situations, despite the protection of confidentiality. This is the case if the disclosure of this information to them is mandatory for the HZI, for example in the context of an official investigation (such as an investigation procedure) or if this is necessary for the assertion, exercise or defence of legal claims. In addition, under certain conditions, the HZI must also disclose the reported information to the persons affected by the whistleblower report.

In these cases of disclosure of the reported information by the HZI, the whistleblower - insofar as their identity and/or contact details are known to the HZI - will be informed in writing by the HZI's Human Rights Officer of the disclosure and the reasons for it before the disclosure is made to third parties. This notification will only be omitted if it would jeopardise the official investigation.

There is also the option for whistleblowers to report anonymously.

6. Acting impartially

All persons familiar with the whistleblower report or with the clarification of the facts act impartially when processing the whistleblower report. In particular, they act independently

and uninfluenced by the HZI and are not bound by instructions (from the HZI) regarding their activities in connection with the whistleblowing centre. In individual cases, they are obliged to act impartially either through corresponding agreements in the employment contract or with the help of additional agreements and are encouraged to do so through training.

7. Processing of the whistleblower report and follow-up measures

Once the whistleblower report has been received by the Reporting Centre, it is recorded and processed further. If necessary, follow-up measures (preventive and corrective measures) are initiated after the whistleblower report has been reviewed.

The procedure following receipt of a whistleblower report by Reporting Centre generally involves the following steps:

a) Confirmation of receipt and protocol check

The whistleblower will receive an acknowledgement **of receipt** from the Reporting Centre immediately, at the latest within **seven days of receipt of their whistleblowing report**, provided that they have provided a contact option for feedback as part of their whistleblowing report. The confirmation of receipt will include the personal data provided by the whistleblower and the facts of the case reported.

If a record of the contents of a (verbal) whistleblower report has been prepared by the Reporting Centre, the whistleblower will also be given the **opportunity** by the Reporting Centre to **review the record, correct it** if necessary and **confirm** it with their signature or in electronic form, provided that they have provided a contact option for feedback as part of their whistleblower report.

If no contact details are provided by the whistleblower as part of their whistleblowing report, confirmation of receipt and protocol review cannot take place.

b) Filtering and control

Upon receipt of the whistleblower report, the Reporting Centre first checks the reported facts for validity and credibility as well as their relevance for the HZI on the basis of the facts provided.

Further processing of the received, credible and valid information (forwarding the facts to the responsible office in the company, clarification of the facts, taking follow-up measures) only takes place if this is **provided for by law and/or legally permissible**. In order to check this, the reported facts are first examined with regard to the applicability of the statutory reporting option under the Supply Chain Due Diligence Act and categorised according to the type of risks and violations reported.

Inconclusive, incomprehensible, unsubstantiated or implausible whistleblower reports are **not processed further** by the outsourced internal reporting centre (so-called groundless whistleblower reports). This also applies to groundless whistleblower reports that have no connection to human rights and environmental risks or the clarification, minimisation and termination of violations of human rights or environmental obligations. In these cases, only an anonymised report without personal data will be prepared and filed stating that such a report has been received, together with reasons why the personal data will not be processed and the report will not be followed up. The whistleblower will be **informed** by the Reporting Centre - insofar as they have provided a contact option in their whistleblower report - that their report has not been processed further. If the whistleblower does not provide any contact details in their report, this information cannot be provided. For the avoidance of doubt, reports of breaches of the rules or other misconduct do not constitute groundless whistleblowing in the above sense and are therefore excluded from this regulation.

If the reporting person has provided a contact option and has agreed to be contacted, **both parties have** the opportunity to **ask questions and discuss** the reported facts and the processing status of the report. Contact between whistleblowers and the reporting centre enables further processing of the report, particularly in cases of initially "insufficient" reports: If a report cannot be further examined on the basis of the information available to the reporting centre for legal reasons, it is possible to obtain additional information before it is deleted: either the whistleblower can contact the reporting centre again on the basis of the relevant information and provide the missing information required for further examination, or the reporting centre can contact the whistleblower and request further information or documents.

c) Report

Following the procedure described above and after a legal review, the outsourced internal reporting office prepares a report on the whistleblower report - anonymised if necessary (see above) - which contains all relevant information on the whistleblower report that is permissible under data protection law.

In a next step, this report is then forwarded to the responsible office in the company, the Human Rights Officer at the HZI.

From this point onwards, the Human Rights Officer is responsible for the further legally compliant and confidential processing of the whistleblower report. The further handling of the whistleblower report and all further measures relating to the whistleblower report are carried out in compliance with the confidentiality requirement by every person and office involved in a whistleblower report.

Insofar as the whistleblower report or individual pieces of information from it are to be forwarded to other persons or departments within the company or to third parties (e.g. for the implementation of follow-up measures), the legality and permissibility of this forwarding of information must be legally checked in advance and the confidential treatment by the responsible department within the company must be ensured in advance. In particular, the persons who may obtain knowledge of this data and the process of the intended data processing must be defined in advance. All persons addressed must be expressly informed of the confidentiality requirement and undertake to comply with it.

d) Follow-up measures

Upon receipt of the whistleblower report, the responsible office in the company will examine the reported facts on the basis of the facts provided and the information available there for validity and credibility as well as the possibility of further data processing.

If there are grounds for suspicion, the HZI, represented by its management, is obliged to initiate investigations and follow-up measures in compliance with legal regulations. The Human Rights Officer of the HZI decides (if necessary in consultation with the outsourced internal reporting office) on the implementation of the same.

Follow-up measures may include

- (Further) contact with the whistleblower
- Carrying out internal investigations in your own business area or at the suppliers concerned or the respective organisational unit, if necessary by an appointed body (e.g. law firm)
- Contacting affected persons and work units
- Referral of the whistleblower to another (competent) body
- Conclusion of the procedure
- Submission of the procedure to a competent authority at the company or the respective organisational unit or a competent authority for the purpose of initiating preventive or corrective measures.

These and other follow-up measures can also be carried out by the law firm Heuking Kühn Lüer Wojtek, which has been commissioned to perform the tasks of the internal reporting office on behalf of the company.

e) Discussion of the facts and offer of dispute resolution

One of the aims of the HZI's complaints system is to identify and minimise or end human rights or environmental risks or violations of human rights or environmental obligations within the meaning of the Supply Chain Due Diligence Act.

Against this background, the HZI can also offer a dispute resolution procedure to the whistleblower after discussing the facts of the case between the outsourced internal reporting centre and the whistleblower.

f) Final feedback from the registration office

If the whistleblower has informed the Reporting Centre of a contact option, they will receive feedback from the HZI Human Rights Officer no later than three months after confirmation of receipt of the whistleblower report, stating what follow-up measures are planned or have been taken with regard to their report and the reasons for this decision.

If the whistleblower does not provide any contact details in their report, this information cannot be provided.

g) Data protection

Use of the whistleblower reporting centre is voluntary.

The processing of personal data is carried out in particular with regard to the personal data of the whistleblower and persons affected by the whistleblower report in compliance with the data protection regulations of the General Data Protection Regulation and the Federal Data Protection Act.

The data protection information www.helmholtz-hzi.de/de/service/datenschutz/ applies to the data processing of whistleblower reports within the HZI.

For data processing by Heuking Kühn Lüer Wojtek, the [data protection information there](#) applies.

8. Review

The effectiveness of the complaints procedure must be reviewed by the HZI at least once a year and on an ad hoc basis.

An event-driven review takes place if the HZI must expect a significantly changed or significantly expanded human rights or environmental risk situation in its own business area or at its direct supplier, for example due to the introduction of new products, projects or the establishment of a new business area at the HZI.

The review is repeated immediately if necessary and the corresponding measures are updated without delay.

9. Regulatory protection

Whistleblowers who report a suspected reportable offence are protected. They may not and will not be reprimanded for their whistleblowing report. Reprimands or reprisals because of such a report are prohibited by law and can result in both civil liability (compensation for damages) and liability under administrative offence law for the persons responsible or the HZI.

Whistleblowers therefore do not have to fear any adverse consequences under criminal law, civil law or labour law. In particular, whistleblowers are not at risk of any detrimental consequences regarding their employment contract or their professional advancement at the HZI. This also applies if a tip-off subsequently proves to be unjustified. Similarly, the HZI does not tolerate in any way any retaliation or discrimination against whistleblowers for using the whistleblower reporting centre.

However, this does not apply if whistleblowers deliberately and wilfully or through gross negligence report false information. In this case, the HZI reserves the right to take civil, labour and criminal action against the person who deliberately made the false report to the extent permitted by law.

10. Enquiries & Contact

All persons affected by these rules of procedure have the following contact options for queries:

Outsourced internal whistleblowing centre of the HZI

Lawyer Dr André-M. Szesny, LL.M.

Heuking Kühn Lüer Wojtek

Georg-Glock-Strasse 4

40474 Düsseldorf

Email: a.szesny@heuking.de

Phone: +49 (0) 221 600 55-217

Fax: +49 (0) 221 600 55-210

Responsible office at the HZI:

Dr Christiane Kügler-Walkemeyer

Human Rights Officer

Head of Legal and Licences

Inhoffenstrasse 7

38124 Brunswick

Email: christiane.kuegler-walkemeyer@helmholtz-hzi.de

Phone +49 (0)531 6181 2400

11. Final provision

This Directive shall enter into force on the date of its signature.

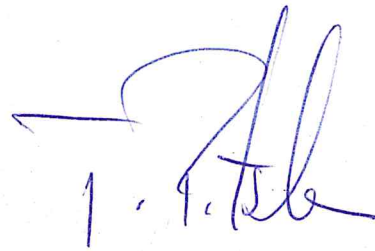
Changes must be made in writing.

Brunswick, 18 December 2023



Christian Scherf

Administrative Managing Director



ppa. Prof Dr Thomas Pietschmann

for the Scientific Managing Director
(Prof Dr Josef Penninger)