

maxingvest GmbH & Co. KGaA

# Rules of Procedure for Human Rights and Environmental Complaints

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## Foreword

maxingvest GmbH & Co. KGaA (“maxingvest”) offers a free complaints process. This enables persons and organizations to provide information about human rights and environmental risks, and breaches of human rights and environmental obligations, resulting from our activities, the activities of our operating subgroups TCHIBO GmbH and Tchibo Coffee Service GmbH, or the activities of direct or indirect suppliers.

The objective is to become aware of abuses in our supply chains at an early stage, to remedy these – where possible in dialog with the parties involved – and to develop and implement effective preventive measures. In addition to these Rules of Procedure, we have issued other internal regulations, standards, and working instructions setting out the procedure to be adopted, and the rights and duties of the employees who are to be involved in the complaints process. These additional requirements are in line with these Rules of Procedure. They are published internally within the organization.

These Rules of Procedure apply exclusively to maxingvest including its asset management subsidiaries.

Our operating subgroups have their own complaints processes and corresponding rules of procedure, which can be accessed via the following links:

- [TCHIBO GmbH](#)
- [Tchibo Coffee Service](#)

This document has been formulated in gender-neutral terms.

As maxingvest does not exercise a decisive influence (“bestimmender Einfluss”) over Beiersdorf AG, this affiliated company is not part of maxingvest's own business area within the meaning of section 2 (6) sentence 3 German Supply Chain Due Diligence Act (Lieferkettensorgfaltspflichtengesetz – LkSG) and therefore does not fall within the scope of the due diligence obligations under section 3 LkSG.

**Table of contents**

- I. Key principles ..... 5**
  - 1. Confidentiality/data protection ..... 5
  - 2. Anonymous reports..... 5
  
- II. Definitions of key terms ..... 5**
  - 1. Complaint..... 5
  - 2. Complainant..... 5
  - 3. Complaints Office ..... 5
  
- III. Procedures ..... 6**
  - 1. Complaints channels ..... 6
  - 2. Confirmation of receipt..... 6
  - 3. Admissibility of complaints..... 6
  - 4. Substantive examination of the case ..... 7
  
- IV. Plan to eliminate abuses; monitoring..... 7**
  
- V. Effectiveness review for the process ..... 8**
  
- VI. Reporting..... 8**

## I. Key principles

### 1. Confidentiality/data protection

We protect the identity of whistleblowers and of other people involved when receiving, forwarding, and processing reports, in line with the requirements of data protection law.

Whistleblowers' identities are only disclosed to third parties to the extent that this is absolutely necessary for investigating and following up on the reports submitted, or where this is required by law in the context of investigations by national authorities or legal action.

### 2. Anonymous reports

We also investigate anonymous reports. Specifically, our digital whistleblowing system offers a way of submitting reports anonymously.

Anonymous whistleblowers can opt to create a secured mailbox at the end of their complaint with which they can be contacted in the case of any queries or feedback. We do not know the whistleblower's identity in such cases, since no personal data is needed to create the mailbox.

Whistleblowers' identities are only disclosed to us where they have expressly consented to this in writing.

## II. Definitions of key terms

### 1. Complaint

For the purposes of these Rules of Procedure, a complaint is a report of a potential or actual breach of our [Due Diligence Obligations for Business Partners](#), of other actual or potential human rights violations, or of environmental damage in connection with our activities.

The complaint should be factually based and the complainant should be able to provide sufficient information about the risk or the breach.

There should be a connection to us or our supply chains.

### 2. Complainant

Any person or organization directly affected, representing the interests of a person or group that is directly affected, or having direct knowledge of a risk or breach can submit a complaint as defined in section II.1. to us. The complainant must have precise information on the case in hand in all events.

Complaints can be submitted anonymously. In this case it is particularly important to provide sufficient information (see section III.4.) when submitting the complaint, so as to help us investigate it.

### 3. Complaints Office

The Complaints Office handles all reports of actual or potential breaches of human rights and environmental standards at our company and in our supply chains (including both direct and indirect suppliers). It consists of the person responsible for human rights and environmental

risk management, Legal Affairs and Group Audit staff, and in some cases staff from our operating subgroups. The Complaints Office works impartially and staff handling complaints are independent, not required to follow instructions, and bound to secrecy. The Complaints Office can consult experts within and outside the company when handling complaints, while ensuring that data protection requirements and secrecy are preserved.

### III. Procedures

#### 1. Complaints channels

We have set up the following reporting channels for complaints:

##### a. Complaints Office

Complaints can be submitted directly to the Complaints Office:

- By e-mail: [supply-chain-complaints@maxingvest.de](mailto:supply-chain-complaints@maxingvest.de)
- By post: maxingvest GmbH & Co. KGaA, Corporate Controlling, Complaints Office, Alter Wandrahm 17/18, 20457 Hamburg, Germany.

##### b. Digital whistleblowing system

Complaints can be submitted anonymously using the digital whistleblowing system. This can be accessed via the following link:

- <https://www.bkms-system.com/maxingvest-en>

Complaints received via the whistleblowing system that fall within the scope of the German Supply Chain Due Diligence Act (Lieferkettensorgfaltspflichtengesetz – LkSG) are forwarded by TCHIBO GmbH's Compliance Committee to the Compliance Office.

##### c. Internal channels

Employees can also use other internal channels and contact points in addition to the digital whistleblowing system to submit complaints; information about these alternatives can be found on the intranet.

#### 2. Confirmation of receipt

Complainants who provide contact details when submitting a complaint or who create a secured mailbox, will receive confirmation of receipt within 4 days.

#### 3. Admissibility of complaints

In a first step, the Complaints Office examines whether the complaint meets the definition given in section II.1. and therefore is admissible. One particularly important issue here is whether it relates to us.

The complainant will be informed promptly if the complaint is classified as inadmissible, giving the reasons for the decision.

#### 4. Substantive examination of the case

The Complaints Office examines the complaint. This is done by performing a case-by-case review of the facts involved using the following criteria, among other things:

- Severity of the potential breach/risk
- Evidence for the incident
- Connection to us or our supply chains
- Our contribution to causing it
- One-off event or a systematic abuse
- Our ability to remedy or prevent the issue

The facts of the case are discussed with the complainant. External assistance, e.g., from local staff or service providers, is obtained where necessary.

A statement will be requested from the person accused unless the complainant has ruled this out.

The more detailed the information provided about the complaint, the more rapidly the case can be resolved. The following information should be provided to facilitate investigation of the complaints, if possible:

- A precise description of the case:
  - When the incident took place
  - The name and position of the person affected (unless they have chosen to remain anonymous)
  - The name and address of the person or entity accused by the complainant
  - A description of the breach of the employees' or business partners' due diligence obligations
- The connection to us or one of our operating subgroups
- Evidence supporting the complaint
- The complainant's contact details in those cases in which the complaint was not made anonymously and contact is desired.

Where possible, the complainant will be actively involved in investigating the facts of the case.

The Complaints Office will inform the complainant promptly of the result of the substantive investigation and will give the reasons for any rejection. We will endeavor to perform the substantive examination as quickly as possible.

#### IV. Plan to eliminate abuses; monitoring

If the substantive examination reveals that the complaint is justified, we will endeavor to remedy the situation. The objective of the complaints process is to achieve a consensus-based solution with the complainant and the other parties involved.

In this context, we distinguish between the following:

- 1) Breaches that we caused directly or to whose occurrence we materially contributed, and

2) Breaches, that we neither caused directly nor to whose occurrence we materially contributed.

Re 1): Where we directly caused a breach, we will actively endeavor to remedy it. In addition, we will take measures to prevent such a breach reoccurring in future.

Re 2): In the case of breaches that were caused by our direct or indirect suppliers or contractual partners but that we neither caused directly nor to whose occurrence we contributed through our actions, we will exert our influence to remedy the infringement. We will set individually appropriate deadlines for implementing all measures and will contact the complainant after they have expired to check on this. We reserve the right to take additional appropriate measures if the original ones have not yet been successful, or to reduce any risk of recurrence. Relevant information on complaints will be anonymized in relation to the complainant and other persons involved and forwarded to the responsible internal department, so as to facilitate future risk assessment and update the risk analysis process.

## **V. Effectiveness review for the process**

The effectiveness of the complaints process is reviewed annually. If the complaints received indicate that an ad hoc review is required, this is performed promptly.

A critical review of the process is performed. An assessment is made as to whether the case was handled in consultation with the complainant, as intended. In addition, the review examines whether the cases reported have been permanently resolved and whether relevant information was forwarded to the departments concerned.

Any information provided by the complainants and other parties involved on how to improve the process is taken into account.

In addition, easy, barrier-free access is regularly verified and, where necessary, continuous improvements made.

## **VI. Reporting**

Cases received are evaluated annually and key indicators on the complaints involved compiled, including the number of complaints by topic and the access channel used.