

# Code of Ethics and Conduct

This Code of Ethics and Conduct is valid for all employees of the entire EMS-Fehn-Group as well as for our suppliers and subcontractors and is to be applied and implemented accordingly.

## ETHIK- UND VERHALTENSKODEX – HAUPTINHALTE

Diese Leitlinien sind verpflichtend für alle Mitarbeiter/innen der EMS-Fehn-Group!



Respektiere jedes Individuum gleichermaßen  
Respect each individual equally



Vermeldung von Interessenkonflikten  
Avoidance of any conflicts of interest

## CODE OF ETHICS AND CONDUCT – MAIN ITEMS

The policy as well as the code of conduct are compulsory for all employees of the EMS-Fehn-Group!



Transparentes Vorgehen  
Transparency and Control



Unbestechlich und gegen Korruption  
Anti-bribery and anti-corruption



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## Introduction

The EMS-Fehn-Group (EFG) was established by several companies operating in the international transport sector. In its beginning EFG was active in the field of shipping, working together with many different nationalities and cultural backgrounds and was always anxious for the respectful and fair interaction with all partners. These values are implicit and unwritten to most, but whilst the companies cooperating with EFG and accompanied the amount of employees increase we have decided to spell them out.

Beyond our convictions and commitments built up from the start we wanted to formally set out a set of rules of ethics and conduct that apply to all internal and external companies and our employees.

This code serves as reminder that all activities of EFG involve more than only strict compliance with applicable laws and regulations. We set out the principles of business ethics that must guide our conduct under all circumstances in all countries, based on integrity, fairness and respect for the dignity and individual rights of all persons involved.

These rules have been determined, examined and approved in cooperation with the managing directors of all companies and will be made available to all employees accordingly. Compliance with these set out rules are verified during the daily business and by consulting both internal and external involved parties.

We, as EFG, are counting on each and every employee – in the offices, working areas or on board vessels – to internalize these rules so that we can continue to enjoy the trust of our clients, partners, shareholders and employees and to remain true to the values that bring us together. EFG expects that all our business partners will act in the same way as described in this code of ethics and conduct as a part of our business relationship and within the complete supply chain.



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## ETHICS AND CONDUCT POLICY

EMS-Fehn-Group's Ethics and Conduct policy sets out certain obligations and principles to its employees and subcontractors regarding general behaviour. These rules are meant to exceed the applicable laws and regulations beyond compliance to achieve exemplary professional conduct in the interest of EFG.

### Respect of individuals

EFG applies human resource policy in compliance with the applicable law. It does not tolerate any kind of racist behaviour in any way against any people, regardless their nationality, religion, culture or others. Violating against this will lead to drastically steps taken by EFG against the indicted person(s) and / or company(s).

### Compliance management

All companies and their employees must comply with all applicable laws and regulations, both national and international.

### Antitrust

Competition can only develop freely when it is fair. EFG is committed to integrity and fairness when competing others in the market. Conduct that undermines competition is not tolerated. EFG will compete in an ethically justifiable manner within the framework of the antitrust and competition rules in the market.



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### **Anti-Corruption**

The prohibition of corruption applies to EFG and to all persons acting on our behalf. In case of violations, it might lead to serious consequences both for the individuals involved as well as for the EMS-Fehn-Group.

### **Conflicts of interests**

Every company and employee under EFG is obliged to act loyal to the Group. Therefore, the employees may not accept any work offered by suppliers, clients or competitors which could affect their performance of duties within the group.

### **Transparency and control**

In order to continuously improve and develop the group's performance and quality management each employee shall take an active part in identifying, correcting and preventing any problems occurred.

### **Data protection and privacy**

To protect the personal data and privacy of our employees, customers and other parties concerned, every company and employee is obliged to comply with the actual laws and regulations in respect of data protection.

### **Fair wages / benefits and working hours**

We ensure that fair wages for working hours are paid regularly to employees. Paid wages meet or exceed the legal minimums. Working hours and public holidays comply with applicable national law.



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### **Child Labour and underage employees (minors)**

We do not tolerate child labour or any form of exploitation of young employees.

### **Corporate Social Responsibility (CSR)**

Social commitment and responsibility towards society are important parameters for us. We refer to our entire company (corporate responsibility), including customers, partners and suppliers as part of the supply chain. In our work, we take great care to preserve and protect nature. We promote sustainability in the group, the environmental awareness of our employees and active environmental protection.

### **Whistleblowing Protection**

We ensured that our employees can raise their concerns about misconduct or wrongdoing within our group without fear of victimization, subsequent discrimination, disadvantage or dismissal.

Our business partners are also required to comply with our obligations and principals mentioned in this code of ethics and conduct accordingly. Potential violations (internal or external) must be reported to the top management immediately. We reserve the right for legal consequences and immediate extraordinary termination of the business relationship with this business partner in case of non-compliance.

Detailed information about our obligations and principles as aforementioned can be found in this code of ethics and conduct. These rules and regulations are entering into force from the day set out and will be regularly reviewed and published to all parties concerned.



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## Our Convictions

- [Private sector companies for transportation services](#)

EFG's corporate service is the safe and proper transport of cargo with any mode of transportation by well trained and professional personal. The transports reach from short distance tracks to the multimodal transport including own trucks and seagoing vessels. Further the cargo handling operation at certain seaports is arranged by EFG.

Additionally we represent compliance to all applicable laws and regulations, both international and national.

- [Evaluation of values](#)

The performance of the group is measured not only by the economic and financial results, rather than taking into account the environmental and personal values as well which are implemented since establishing of the companies. The effects of all services provided by EFG are checked and evaluated to exert minimum negative influence on the safety, (work) environment and cultural as also personal actuality.

- [Management model](#)

Overviewing the developments of all companies is appointed to separate managements throughout the group, though regular meetings are held for interchanging experiences and work developments of the different fields of operation. The model based on operating unit autonomy and empowerment of managers shall encourage each employee to perform to the best of his / her abilities within the provided framework.

- [Sharing of knowledge and success](#)

Seeking global competitive performance and pursuing long-term economic, safety and environmental goals EFG strive for sharing its successes with all employees alike as well as clients, shareholders and the community at large.



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### Our Commitment

- [Highly qualified personal](#)

EFG is aiming for keeping long-term jobs with professionally trained personal for supplying our clients with the utmost experience in safe and qualified services. To keep up with new developments in all areas EFG is offering each employee training to increase skills and knowledge for promotion.

The career development is applicable to all personal in the offices, working areas and on board vessels alike.

- [Occupational Health and Safety](#)

The first duty of EFG is to ensure occupational health and safety to all its employees. Achieving zero accidents to its employees and subcontractors alike is the objective given out by the top management. For that an internal group based Risk Assessment tool is implemented and updated permanently to have risks for safety of personal and cargo identified and preventive actions / measures are taken. All managements are closely involved in the implementation, monitoring and correcting the respective corrective and preventive measures.

- [Equality](#)

EFG set out principles of prohibiting discrimination on any grounds of persons related to skin, gender, religion, culture or age. These principles are based on mutual trust and respect to ensure that everyone is treated with dignity. EFG does not tolerate any form of discrimination in any way and takes appropriate actions if discovered.

- [Environmental Protection](#)

In all operating activities EFG strives to meet environmental standards to conservation and sustainability of natural resources, waste management and prevention of pollution. The environmental management systems are supplementing the quality management in its continuous development and improvement process.



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### EFG ethic rules

EFG sets out certain obligations and principles to its employees and subcontractors regarding general behavior. These rules are meant to exceed the applicable laws and regulations beyond compliance to achieve exemplary professional conduct in the interest of EFG.

Each and every employee must gain sufficient familiarity about the terms applicable for their respective activity being aware of all possible impacts such as country operating in, religious or cultural circumstances and common practices.

If this code of conduct is deemed incomplete or imprecise all parties are invited and encouraged to consult their superiors or group's quality department.

#### **a. Respect of individuals (human rights and labour rights)**

EFG applies human resource policy in compliance with the applicable law. It does not tolerate any kind of racist behavior in any way against any people, regardless their nationality, religion, culture or others.

We do not tolerate direct or indirect involvement in modern slavery, forced labor or human trafficking. The use of labor as punishment or as a means of ideological or political discrimination is not acceptable to us. No employee will be employed from our side against his/her own free will. Our employees have the freedom to terminate their employment with reasonable notice. We ensure that no form of deposit, recruitment fee, or equivalent advance is required from our employees, either directly or through recruitment agencies. We also expect this from our business partners. Violating against this will lead to drastically steps taken by EFG against the indicted person(s) and / or company(s).





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### **b. Compliance management**

All companies and their employees must comply with all applicable laws and regulations, both national and international. All employees must refrain from any actions involving employees, the company or the group into any illegal practices.

Any misconduct is to be reported to the superiors or quality management accordingly and will be brought to the attention of top management. The misconduct will then be evaluated and clarified with all means of the quality management.

### **c. Antitrust**

Competition can only develop freely when it is fair. EFG is committed to integrity and fairness when competing others in the market. Conduct that undermines competition is not tolerated. EFG will compete in an ethically justifiable manner within the framework of the antitrust and competition rules in the market.

Antitrust laws prohibit agreements or actions that might eliminate or discourage competition, bring about a monopoly, abuse a dominant market position, artificially maintain prices, or otherwise illegally hamper or distort commerce.

It is therefore explicitly prohibited, e.g. to make agreements dividing up markets, regions or customers, to make agreements not to compete, to discuss processes related to participation in tenders, or to exchange information about prices, market shares or other market conditions with competitors, customers and business partners in violation of the applicable law.

### **d. Corruption**

Corruptions undermine economic development and free competition. It ruins reputations and exposes both companies and individuals to risk EFG is against all forms of corruption does not occur in any parts of the company's business activities.

The prohibition of corruption applies to EFG and to all persons acting on our behalf. In case of violations, it might lead to serious consequences both for the individuals involved as well as for EFG.



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Gifts, hospitality and invitations (however material or immaterial value and nature) may be offered or accepted if the value is negligible or reasonable for the provided circumstances. In doubt the superior or management is to be consulted prior acceptance or offering.

### **e. Conflicts of interests**

Every company and employee under EFG is obliged to act loyal to the Group. Therefore, the employees may not accept any work offered by suppliers, clients or competitors which could affect their performance of duties within the group.

In order to prevent the incidence of being involved into the conflict of personal against group's interests the employees must inform their superior or compliant / quality management to refrain from any involvement into business relation between the group and the third party concerned.

### **f. Transparency and control**

In order to continuously improve and develop the group's performance and quality management each employee shall take an active part in identifying, correcting and preventing any problems occurred.

Honest and accurate recording is of imminent necessity to provide full transparency in the operations and services, also in respect of applicable regulations and internal procedures.

The compliance is checked and confirmed during the daily business operation in cooperation with all employees. Additionally, periodical checks and audits are carried out by the group's representative quality department. Any obstruction of executing these audits properly or disclosure of records and documentation is prohibited and might lead to serious consequences.

### **g. Anti-bribery and anti-corruption (Bribery Act 2010)**

Our organization will follow all applicable (national and international) laws and regulations as well as the bribery act 2010 (or latest edition).



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### **h. Data protection and privacy**

To protect the personal data and privacy of our employees, customers and other parties concerned, every company and employee under EFG is obliged to comply with the actual laws and regulations in respect of data protection.

### **i. Fair wages / benefits and working hours**

We ensure that employees are regularly paid an appropriate wage for the hours they work, and that overtime is appropriately compensated (compensatory time off if possible). Paid wages meet or exceed the legal minimums. Working hours and public holidays comply with applicable national law.

### **j. Child Labor and underage employees (minors)**

We do not tolerate child labor or any form of exploitation of young employees. Only workers who are legally authorized to work in their facilities, but not below age of 15 are allowed to be employed. Employment relationships must be in compliance with national legislation. Appropriate documentation must be available.

### **k. Corporate Social Responsibility (CSR)**

Social commitment and responsibility towards society are important parameters for us. We refer to our entire company (corporate responsibility), including customers, partners and suppliers as part of the supply chain. In our work, we take great care to preserve and protect nature. We promote sustainability in the company, the environmental awareness of our employees and active environmental protection. Resources are used carefully, and unnecessary environmental pollution is reduced as far as possible. Suggestions and opportunities for improvement on the part of our employees are always welcome and will be incorporated accordingly after an appropriate review of effectiveness, success and feasibility.



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### I. Whistleblowing Protection

We ensured that our employees can raise their concerns about misconduct or wrongdoing within our company without fear of victimization, subsequent discrimination, disadvantage or dismissal. We also want to encourage our employees to raise serious concerns within the company rather than ignoring or "blowing the whistle" on a problem.

#### Our goals are:

- Encourage our employees to have the confidence to raise serious concerns at the earliest opportunity, and to challenge and respond to concerns about practices  
Provide our employees with the opportunity to raise these concerns and receive feedback on the actions taken
- Ensure that our employees receive a response to your concerns and that you know how to proceed if you are not satisfied
- Reassure our staff that you are protected from possible reprisal or harassment if you have made a report in good faith.

All concerns must be reported immediately to management. All information will be treated in confidence and every effort will be made not to reveal your identity if that is your wish. If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of your disclosure without your help, so you may be asked to come forward as a witness. If you agree to this, you will be offered advice and support.



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### Implementation

Each management of the group is responsible for implementing the ethic requirements set out in this code adapting specifically the features of activity and the country operating in. Compliance is required of all employees and all persons are urged to be vigilant with regards to their own and team members' conduct.

If an employee conceives the not compliance with any mandatory rule, law or regulation set out in this code it must be reported to the supervisor or quality department as soon as possible, for detecting and erasing this misconduct. Any complaint is brought to the attention of the Group's top management. All employees are reminded that the rules set out by the top management in this code are subject to them regardless of the position.

Any failures in corresponding with these rules constitute a fault and may be subject to sanctions and punishments appropriate to the fault, complying with the applicable laws. Such sanctions may include dismissal for fault and damages even if the failure is detected by the internal group controls.

Employees having questions about any of these rules and regulations or difficulties in understanding and implementing is invited to contact the top management or quality management ([quality@nwcompetence.com](mailto:quality@nwcompetence.com)).

### Concluding remark:

Our business partners are also required to comply with our obligations and principals mentioned in this code of ethics and conduct accordingly. Potential violations (internal or external) must be reported to the top management immediately. We reserve the right for legal consequences and immediate extraordinary termination of the business relationship with this business partner in case of non-compliance.

These rules and regulations are entering into force from the day set out and will be regularly reviewed and published to all parties concerned.