

CODE OF CONDUCT COMPETITION

VERSION 01/2021

CODE OF CONDUCT (COMPLIANCE)

WHAT IS THE WEIG CODE OF CONDUCT?

It is a set of rules for all employees and all companies of the WEIG Group that should help them behave in accordance with applicable laws and generally accepted ethical standards.

WHY DO WE NEED A CODE OF CONDUCT?

- It assures the companies that the rules are known and complied with and prevents violations of the law.
- As an internationally active group of companies, our business partners, customers, suppliers, and service providers expect us to have defined such a set of rules in writing.
- It gives employees certainty regarding how they must or may behave. A point of contact bound by confidentiality is available to all employees.

WHAT DOES THE CODE OF CONDUCT COVER?

- The rules cover all areas in which employees work and have contact. Assistance is available, including for matters such as
- Dealing with business partners
 - Suppliers (e.g. accepting gifts)
 - Customers (e.g. granting advantages)
 - Competitors (e.g. antitrust conduct)
 - Associations (e.g. antitrust conduct)
- Dealing with public interest groups
 - Authorities (e.g. public contracts)
 - Associations (e.g. granting of donations)
- Dealing with colleagues and employees
 - Leadership (e.g. clear remits)
 - Discrimination (e.g. observance of personal rights)
 - Safety at work (e.g. wearing protective clothing)

- Handling Information
 - Confidentiality (e.g. production or development processes)
 - Financial data (e.g. truthful records)
 - Data protection (e.g. storage of personal data)
- Dealing with conflicts of interest
 - Secondary employment (e.g. approval requirements)
 - Private interests (e.g. private commissioning of business partners)
- Handling company property
 - Use (e.g. exclusively for business purposes)

WHEN IS THE CODE OF CONDUCT APPLICABLE?

As the rules refer to existing and effective laws, there is no specific validity date.

WHO IS YOUR POINT OF CONTACT?

Mr. Michael Buchner was appointed as the officer. Unless expressly exempted from this, he is obliged to maintain absolute confidentiality and will be happy to answer any questions you may have.

CONTACT DETAILS:

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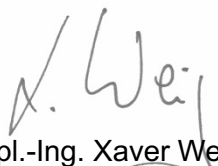
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1. Preamble


The WEIG Group expects all of its employees, managers and company management to comply with applicable laws and other regulations in their work for the WEIG Group.

This duty of employees applies to all laws and regulations, regardless of their nature and content. Compliance with antitrust regulations is of particular relevance to the WEIG Group.

The purpose of this **Code of Conduct** for **Competition** is to ensure that the WEIG Group complies with antitrust regulations and provides guidance to every individual employee in their day-to-day work.



Dipl.-Ing. Xaver Weig



Dipl.-Kfm. Moritz J. Weig

A. GENERAL PRINCIPLES

1. COMMITMENT TO ANTITRUST-COMPLIANT ACTION

For the WEIG Group, the primary objective is to meet the requirements of antitrust law and to only operate within the prescribed and constantly changing legal framework.

Compliance with this **Code of Conduct on Competition** is of great importance. Violations of antitrust rules can have significant consequences. They may lead to obligations to pay fines or compensation for damages on the part of the company concerned and on the part of responsible individuals, and in some cases to criminal liability. Contracts and agreements that violate antitrust law are not enforceable. In addition, there is the intangible damage that the WEIG Group may suffer as a result.

2. WHAT TO DO IF ANYTHING IS UNCLEAR

If there are any uncertainties or doubts about the legal assessment of an activity, employees must immediately contact the management or business unit heads of the company where they are employed, and in any case before the measure is implemented.

In all cases of doubt, further discussion of a topic (e.g. in a roundtable discussion) must be suspended and the management must first be consulted. They shall seek qualified legal advice. Only after the management has given its explicit consent can discussion of the issue continue.

3. NON-COMPLIANCE

Any employee who has evidence of unlawful conduct, in particular conduct in violation of antitrust law, is obliged to report this to the Compliance Officer of the WEIG Group. All reports can also be made anonymously. In all other respects, please refer to the WEIG Group's General **Code of Conduct**.

Violations of the principles of this **Code of Conduct for Competition** are taken very seriously by the WEIG Group and may result in disciplinary action (warning, transfer) up to and including termination without notice.

B. GENERAL RULES OF CONDUCT

Employees of the WEIG Group are committed to fair competition and will not enter into any prohibited agreements.

The following principles are intended to assist every WEIG Group employee in complying with the statutory provisions of antitrust law.

In day-to-day practice, the following principles must be observed in particular:

- No direct **agreements/exchange of information** with competitors on prices, price components, other terms of sale, offers, customers, territories, production and sales quotas, turnover, etc. In particular, any agreement on retail prices, minimum prices, price ranges, purchase prices, dates of price increases are prohibited, as well as on individual price components, calculation bases, the passing on of increased upfront costs or the granting of discounts.
- In particular, no such agreements or exchange of information in the context of **calls for tenders** (punishable).
- No **co-ordination of behaviour** by means of unilateral statements (e.g. a price increase announcement with the intention of eliciting a similar reaction from competitors).
- For established partnerships: Strict **confidentiality** for data relevant to competition.
- In the case of comments by competitors that are relevant to competition: **Explicit protest**, otherwise there may be a tacit agreement.
- Agreements with **suppliers/buyers** are problematic under antitrust law if the buyer is restricted in terms of resale of the contractual products (e.g. restrictions on resale price, customer group, sales territory, conditions).
- Legal advice must be sought for all **most-favoured-nation clauses, exclusive agreements**, and **non-competition clauses**.
- **Conditions:** In particular, it is prohibited to agree on the scope of warranties and guarantees, on terms of delivery and payment or on the performance of accompanying services.
- **Customers:** In particular, any agreement regarding which customers or customer groups are supplied by one competitor or the other is prohibited; mutual respect of 'regular customers' is also prohibited.

- **Delivery territories:** In particular, any agreement on the division of delivery territories is prohibited, for example, in such a way that each competitor 'reserves' a delivery territory in which the other competitor does not operate.
- **Quotas and capacities:** In particular, any agreement on the reduction or restriction of production, on production quotas or capacity shortages or on the slowing down of capacity expansion is prohibited.

C. RULES OF CONDUCT AT ASSOCIATION MEETINGS

The WEIG Group has a positive attitude towards reputable and independent associations and organizations.

The WEIG Group conducts its business with legally sound means and expects the same from other association members.

Employees of the WEIG Group must observe the following principles in particular during association meetings:

No agreements with participants about:

- pricing (e.g. joint future price rises),
- production volumes and warehousing (e.g. production stoppage due to over-capacity),
- boycotts, sanctions against customers, suppliers and/or competitors,
- market sharing (territory, customer, or product allocations),
- future investments and developments and
- any other sensitive company data.
- No **exchange** with competitors in joint sessions, meetings, committees, etc. of specific ('identifiable') information about the above-mentioned trade secrets and sensitive information such as prices, sales, etc. Specific and thus 'identifiable' is information that can be attributed to individual companies (competitors/suppliers/customers). So be careful with market statistics!
- **Coordinated participation in tenders** in such a way that competitors take part in tenders with agreed prices or conditions is also prohibited (although

the formation of consortia may be permissible if one supplier alone is unable to deliver a contract).

- **Agreed market appearances** in such a way that one competitor withdraws from a market after consultation with the other competitor or does not enter it in the first place.
- **Coordination on planned innovations**, e.g. where two competitors agree to postpone the introduction of a product innovation, is also prohibited.

Distancing in the event of unauthorized exchange of information/unauthorized agreements:

- Reference to the inadmissible content of a discussion and
- Ending/leaving the meeting
- Always minute/document both!
- This also applies to informal meetings before or after **association events!**

D. YOUR POINT OF CONTACT

If you have any doubts about whether your conduct is compliant with rules on competition, consult management or the Compliance Officer.

The Compliance Officer of the WEIG Group at the time of printing of this **Code of Conduct for Competition** is:

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Please check for updates to this position.

LEGAL NOTICE

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