



Dated 01.05.2021

Benefits Guidelines

Principles of conduct of the Planatol Group with regard to gifts and hospitality

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1. Scope

- a. These Guidelines regulate the correct handling of gifts and hospitality. They apply to all types of benefits.
- b. These Guidelines apply to all employees, including the executives of Planatol GmbH and Planatol System GmbH (hereinafter the Planatol Group) in their dealings with actual or potential customers and other business partners and public officials. Where stricter regulations apply to individual functional areas, these stricter regulations take precedence over the terms of these Guidelines.
- c. These Guidelines do not apply to business between Planatol Group companies, nor to benefits granted by a company to its own employees.
- d. These Guidelines supplement and detail the provisions for granting and accepting benefits that have already been listed in the Anti-Corruption Directive.
- e. The acceptance and granting of benefits is only permitted within the scope described in these Guidelines. When this scope is exceeded, the acting persons will be suspected of dishonest, corrupt conduct.

2. Pronouns

For reasons of better readability, masculine pronouns will be used generically in the text below. Please note that the exclusive use of masculine pronouns should be regarded as gender-unspecific. It is in no way intended as gender discrimination or violation of the equality principle.

3. Objectives

These Guidelines inform all employees about the principles of conduct that must be observed when accepting or providing benefits. The aim is to sensitise employees to the risks of corruption and inform them of the possible consequences in terms of labour and criminal law in the event of misconduct. The aim is to ensure that employees, customers and other business partners act in accordance with the law when granting and accepting benefits and to prevent conflicts of interest.

4. Definitions and terminology

- a. **Benefit** according to these Guidelines is anything that could be of value to the recipient. This includes, in particular, gifts in kind, cash benefits, vouchers, admission tickets, hospitality in the form of business meals or events and other discounts or advantages.
- b. **Value** according to these Guidelines is the gross sales price or the amount the recipient of the benefit would normally have to spend to obtain the benefit. The value limits specified in these Guidelines refer to the total value of all benefits granted or accepted per business partner; a value that may not be exceeded.

- c. **Private sector** describes the usual business dealings between companies organised under private law and their employees, which is distinguished from business dealings with public officials and companies under public administration.
- d. **Public officials** are all persons who hold an office under public law or perform tasks of public administration. This includes civil servants, judges, notaries and employees in public authorities and municipal companies.



5. Benefits

5.1. Permissible benefits

The exchange of appropriate gifts and hospitality associated with a legitimate business purpose can help to build constructive relationships. As a matter of principle, it is permitted to grant or accept benefits if the following conditions have been met:

- a. The acceptance or granting of benefits is **legally permissible**.
- b. It is **commensurate with social norms**, i.e. does not exceed the threshold of customary business practice or the limit of appropriateness, to be assessed according to the circumstances of the individual case. (The reason for the donation and the position and personal standard of living of the recipient need to be assessed).
- c. **No conflicts of interest**, undue influence or other dependencies arise that would restrict persons in their attempts to make objective decisions.
- d. The benefits are made in a **transparent manner**, exclusively to the business address.
- e. Benefits to the same person may not follow a **regular pattern**. Otherwise, it must be critically examined whether undue influence or other dependencies may arise.
- f. Any tax issues in connection with benefits (e.g. documentation requirements, lump-sum tax settlements or exemption limits/amounts) must be clarified in advance with the financial accounting/ payroll accounting department, unless there are company regulations in that regard.

5.2. Prohibited benefits

It is not permissible actively to demand benefits or to comply with such a demand. When granting or accepting benefits, it is important to avoid even the appearance that decisions based on the benefit might be linked to extraneous considerations. You **may not accept** the benefits listed below, regardless of their value:

- a. monetary benefits (cash, wire transfers or other types of monetary transfers) and their equivalents (for example securities, loans, the deferral of debt or the waiver of claims, assumption of private

liabilities);

- b. vouchers, as they have the character of monetary gifts;
- c. discounts not customary in business;
- d. benefits of a sexual or offensive nature (e.g. hospitality in the form of so-called pleasure trips/ events involving sexual services);
- e. private orders (do not have private orders carried out by companies with which you have business dealings, do not accept services);
- f. benefits whose acceptance or granting is punishable or against the law;
- g. benefits whose acceptance/granting is incompatible with corporate ethical principles.

If required, it must be explained to the person offering a prohibited benefit that accepting the benefit is prohibited from a compliance point of view.

6. Granting benefits in the private sector

In the private sector, the statutory anti-corruption regulations are intended to protect free and fair competition from unfair influences. The law is aimed at preventing benefits from being granted or promised in return for preferential treatment in the conclusion of transactions. The mere offer or promise of an advantage is sufficient to influence a business partner in an unfair manner, regardless of whether a benefit has actually changed hands.

6.1. Granting gifts in the private sector

- a. Granting gifts is not permitted if there is a direct connection to a specific business decision, i.e. during a procurement/sales process or during contract negotiations.
- b. Granting gifts may not be directly or indirectly subject to conditions, in particular conditions with the intention of influencing or rewarding the recipient.
- c. Gifts may not exceed a value of € 35.00 per individual recipient (€ 70.00 per member of the executive) per half-year.
- d. Monetary gifts may not be granted under any circumstances.

6.2. Granting hospitality in the form of business lunches/dinners in the private sector

- a. Hospitality may not be offered in the form of business meals if a direct connection to a specific business decision (e.g. procurement decision of the business partner) can be established.
- b. Hospitality in the form of business meals that are in line with local customs are permitted up to a value of € 40.00 per invitee (€ 80.00 for members of the executive) per half-year. If a member of the executive takes part in a business meal, the higher value limit also applies to the other employees of the Planatol Group.
- c. Members of the executive are permitted to offer hospitality in the form of business meals that exceed the value of € 80.00, provided that this is in the interests of the company and not in conflict with relevant legal regulations.



6.3. Granting hospitality in the form of events in the private sector

- a. Hospitality in the form of events may not be offered if a direct connection to a specific business decision (e.g. procurement decision of the business partner) can be established.
- b. Hospitality in the form of events with a clear business purpose (e.g. training, company or product presentation) including appropriate catering is permitted.
- c. Hospitality in the form of events that have no or no clear business character (e.g. sponsoring, marketing events) is permissible, provided that the non-business part of the event is appropriately structured and takes the external impact into account.
- d. Invitations for accompanying persons may be issued if appearing without an accompanying person would be inappropriate (e.g. balls, gala dinners).
- e. The value of hospitality may not exceed € 100.00 per person and year. Travel and hotel costs may not be covered.
- f. Invitations to business partners must be addressed to the respective company address and must be sent on a company letterhead or as an official e-mail invitation with a reference to the company.
- g. In justified cases, exceptions to the value limits are possible, but they must be communicated to the compliance officer and clarified in advance.

7. Granting benefits to public officials in the public sector

The legal regulations for combating corruption among public officials are intended to protect the integrity of the exercise of office and the public confidence in it. This protection is more extensive than in business relationships between companies in the private sector and must therefore be separately regulated.

7.1. Granting gifts to public officials

- a. As a matter of principle, granting gifts is not permitted.
- b. An exception is the granting of low-value promotional gifts up to a value limit of € 10.00, as far as this is compatible with the respective, prevailing statutory/official provisions and no connection to an official decision of the public official exists or can be established.

7.2. Granting hospitality to public officials in the form of business lunches/dinners

- a. Hospitality in the form of business meals may neither serve to influence others nor give the impression of influencing them.
- b. The hospitality must be appropriate and comply with the respective legal/regulatory provisions. Hospitality in the form of lunch as part of a company or product presentation, for example, is considered appropriate. This is permitted up to a value of € 35.00 per invited person and half-year.

7.3. Granting hospitality to public officials in the form of events

- a. If a connection to an official decision by a public official exists or can be inferred, hospitality may not be offered as a matter of principle.
- b. Hospitality offered to public officials in the form of events without any business character is not permitted.
- c. Hospitality offered to public officials in the form of events of a business character including appropriate catering and services is permissible.
- d. Hospitality offered to public officials in the form of events that are not primarily of a business nature (e.g. sponsoring, marketing events) is permissible provided that the non-business part of the event is appropriate, organised in consideration of the external impact and does not conflict with the law and applicable guidelines.
- e. Invitations for accompanying persons may be issued if appearing without an accompanying person would be inappropriate (e.g. balls, gala dinners).
- f. The value of hospitality in the form of events may not exceed € 100.00 per person and year. Travel and hotel costs may not be covered.
- g. Events, guest lists and evidence that participation in the event does not conflict with laws and prevailing guidelines are to be documented and archived by the event organiser.

8. Acceptance of benefits by Planatol Group employees

8.1. Acceptance of gifts by Planatol Group employees

- a. The acceptance of gifts is not allowed if a direct connection to a specific business decision (e.g. procurement decision by the business partner) can be established.
- b. The acceptance of gifts may be neither directly nor indirectly linked to conditions.
- c. Gifts from a business partner may not exceed a value of € 35.00 per recipient (€ 70.00 per member of the executive) per half-year. If this value is exceeded, the gift must be politely refused.
- d. Monetary gifts or vouchers may not be accepted under any circumstances.
- e. In justified cases, exceptions to the value limits are possible, but they must be communicated to the compliance officer and clarified in advance.



8.2. Acceptance of hospitality in the form of business meals by Planatol Group employees

- a. As a matter of principle, the acceptance of hospitality in the form of business meals is not permitted when a direct connection to a specific business decision can be established.
- b. Hospitality in the form of business meals that are in line with local customs are permitted up to a value of € 40.00 per invitee (€ 80.00 for members of the executive) per half-year. If a member of the executive takes part in a business meal, the higher value limit also applies to the other employees.
- c. Managing directors are permitted to accept hospitality in the form of business meals that exceeds the value of € 80.00, provided that this is in the interests of the company and not in conflict with relevant legal regulations.
- d. If the hospitality also includes an accompanying person, it may only be accepted after the written approval of the line manager has been obtained. The line manager must consider in his decision whether acceptance of the hospitality is in the interests of the company.

8.3. Acceptance of hospitality in the form of events by Planatol Group employees

- a. As a matter of principle, the acceptance of hospitality in the form of events is not permitted when a direct connection to a specific business decision can be established.
- b. Attending events of a clear business character including appropriate catering and services is permissible.
- c. The acceptance of hospitality in the form of events which do not have, or do not appear to have, any clearly discernible business character is permissible, provided that the design of the non-business part of the event is appropriate and its external impact has been considered.

- d. Invitations for accompanying persons may only be accepted if appearing unaccompanied would be inappropriate.
- e. The combination of events of a business and non-business nature must be viewed with particular caution. It must be possible to derive substantial benefit from the professional part of the event for the Planatol Group, and the overall expense and benefit must be in reasonable proportion. The specialist part must dominate with regard to content and time.
- f. The value of hospitality in the form of events may not exceed € 100.00 per person and year. Travel and accommodation costs are to be borne by the respective Planatol Group company in accordance with the prevailing travel and entertainment expense regulations. If Planatol Group employees give training courses, speeches or lectures free of charge at the invitation of third parties, the travel and accommodation costs may be borne by the inviting party.

9. Benefits register

Any company within the Planatol Group must maintain a central register of benefits granted and received, irrespective of whether the benefit was accepted or rejected.

The register must contain the following details:

- a. date;
- b. intended recipient and giver of the benefit (in each case the company, name and position);
- c. reason for the benefit;
- d. type of benefit (gift in kind, hospitality, etc.);
- e. estimated value of the benefit;
- f. whether the benefit was accepted or, if applicable, why it was rejected.

The benefits register is maintained by the compliance officer.

Gifts and hospitality with an estimated value below € 10.00 per intended recipient (employee) do not need to be listed in the benefits register.



10. Tax aspects of benefits

The granting and acceptance of benefits are tax-relevant processes. On the part of the donating company, income tax and sales tax aspects must be taken into account. For the recipients, benefits may result in taxable non-cash benefits. The responsibility for proper taxation of the benefits granted and received generally lies with the executive. The executive also coordinates the accounting and taxation of the benefits granted as well as recording and, where required, taxing benefits received by employees from third parties with financial accounting / payroll accounting.



11. Consequences of violations

In the event of a violation of these Guidelines, the employer is entitled to apply all labour-law-related measures, including termination of the employment contract with or without notice. Sanctions under criminal law and civil-law-related consequences may also be considered, such as damages payable to the employer as well as to persons whose personal rights have been violated.