

# **Code of Conduct**

for all suppliers of Netz Burgenland GmbH

## **1. Application of the Code of Conduct**

As a leading company in Burgenland, and an ecology pioneer in Austria, Netz Burgenland GmbH is committed to absolute compliance with the law. Our guiding principles encompass compliance with social, occupational, competition, data protection and environmental regulations as well as respecting human rights.

As a role model, and having assumed socio-political responsibility as part of the Burgenland economy, Netz Burgenland GmbH adheres to a strict Code of Conduct that applies to our companies as well as our employees.

We expect the highest degree of integrity not just from our own employees, but also from our suppliers. To this end, the present Code of Conduct has been created to serve as a benchmark and guideline for collaboration.

The Code of Conduct contains clarification of the applicable legislation, as well as more extensive policies of Netz Burgenland GmbH. Unless specified or supplemented by other regulations, the Code of Conduct is applicable with immediate effect.

Proactive implementation and compliance with the statutory standards is hugely important, and is expected of all our suppliers equally. To ensure that our suppliers uphold the values of Netz Burgenland GmbH, compliance with the Code of Conduct must form an integral part of every contract.

In the event of infringement by suppliers of this Code of Conduct, Netz Burgenland reserves the right to take legal action, in particular the right to extraordinary cancellation of the contract.

## **2. Respect of human rights**

### **2.1. General**

Human rights are universal rights that guide conduct in all aspects of activity. The dignity of human beings is inviolable, and their rights are always respected by our suppliers. Our suppliers adhere to the UN Guiding Principles on Business and Human Rights. They further ensure that their own business partners comply with human rights.

### **2.2. Prohibition of child labour**

The use of child labour is not permitted in any business operations. Suppliers adhere to the recommendation of the International Labour Organization's conventions regarding the minimum age for the employment or use of child labour. They are required to take appropriate steps to ensure that this prohibition is observed not only in their own organisation but also in the supply chain.

### **2.3. Prohibition of forced labour, slavery and human trafficking**

Forced labour, slavery and human trafficking are absolutely prohibited. They are required to take appropriate steps to ensure that these prohibitions are observed not only in their own organisation but also in the supply chain.

### **2.4. Prohibition of discrimination**

All forms of discrimination and harassment are prohibited. We expect our suppliers not to discriminate against people on the basis of age, ethnicity, skin colour, religion, gender, sexual orientation, cultural origin, financial situation, social status, family situation, political or other private activities, or of other disability. Discrimination on the basis of these characteristics will not be tolerated. Neither do we tolerate sexual harassment or other personal attacks on individuals (bullying).

## **3. Respect for the environment, climate protection and resources**

Netz Burgenland GmbH's vision is to transform itself from a traditional energy supplier into a leading European GreenTech company. This goal also calls for the conscious procurement of sustainable products, solutions and services. All suppliers are therefore called upon to play their part.

Suppliers commit to responsible and ethical conduct in the area of environmental and climate protection. We expect all our suppliers to actively contribute towards minimising their ecological footprint. We expect them to use sustainable alternatives to spare resources and protect the environment. When submitting a proposal, care should be taken to avoid environmentally harmful products as far as possible, thus reducing the CO2 footprint.

Infringements of environmental regulations are particularly serious for Netz Burgenland GmbH as an ecological pioneer. We therefore expect suppliers to transparently notify Netz Burgenland GmbH not only of legally binding penalties, but also of the initiation of investigative measures in this area.

#### **4. Compliance with occupational labour regulations**

##### **4.1. Basic rights of workers**

Our suppliers must respect the health, safety and personal rights of their employees, and commit to the principles of respectful, fair and non-discriminatory treatment.

##### **4.2. Fair pay and working hours**

The remuneration paid to our suppliers' employees must comply with all applicable laws on remuneration. Pay for regular working hours and overtime must be in line with the relevant collective bargaining agreement or the minimum standards common in the industry. Suppliers are expected to pay their staff on time. Working hours are expected to comply with applicable legislation and industry standards.

##### **4.3. Occupational health and safety**

Our suppliers commit to implementing appropriate measures to safeguard health and safety in the workplace to prevent accidents at work and protect their employees' health. They must comply with applicable regulations concerning occupational protection, health and safety in the work place as well as building safety and fire protection in order to minimise the risk of accidents and occupational illnesses. Where necessary and appropriate, employees must be provided with suitable personal protective equipment. Particular consideration must be given to people with special needs such as young workers, young mothers, pregnant women and people with disabilities.

##### **4.4. Combatting illegal employment and undeclared work**

Netz Burgenland GmbH does not tolerate illegal employment or undeclared work among its suppliers. We expect compliance with all applicable statutory regulations concerning the employment of workers, effective action to be taken against illegal employment and undeclared work.

#### **5. Data security**

The applicable data protection provisions must be strictly adhered to. Personal data may be collected, processed or used only where absolutely necessary and legally permissible for the fulfilment of tasks.

Suppliers are assumed to have IT systems in place to protect information and data as effectively as possible.

It is also important to protect personal integrity and guarantee confidentiality with respect to all business matters, internal processes and personal data of customers, partners and employees that are not in the public domain. Our suppliers must maintain confidentiality about all circumstances which come to their attention in the course of their work for any Netz Burgenland GmbH company and in whose confidentiality there is a legitimate interest. We ensure that the relevant contractual provisions are in place.

#### **6. Respect for fair competition**

We do not tolerate any behaviour or agreements aimed at unlawfully preventing, restricting or distorting competition. Suppliers may not enter into any agreements or arrangements with competitors (express or tacit, formal or informal) regarding prices or other business matters.

## **7. Corruption and bribery**

Corruption and bribery are defined as accepting or offering personal benefits for oneself and/or family members or third parties. In addition to financial damage, corruption contributes significantly to a loss of public trust. Corruption endangers the company's competitiveness and therefore also jobs. Corruption is a criminal offence.

Suppliers commit to acting fairly, honestly and responsibly with customers, their own suppliers, authorities, institutions and other partners. All forms of corruption and bribery are therefore rejected and compliance with the relevant legal provisions is assumed.

## **8. Further requirements of suppliers**

Group companies within Netz Burgenland GmbH are sector contractors and may be subject to the Federal Procurement Act [*Bundesvergabegesetz*]. We are conscious of the responsibility that such a public position entails, and adhere strictly to the statutory provisions of procurement law as well as further internal company guidelines. We therefore expect our suppliers to fulfil the prescribed requirements for professional reliability, regardless of the applicability of the provisions of the Federal Procurement Act.

Suppliers therefore state that

- they have not been convicted of any of the following offences: membership of a criminal association or organisation (sections 278 and 278a of the Criminal Code – StGB, BGBl (Federal Law Gazette). No. 60/1974), terrorist organisation, terrorist offences or terrorism financing (sections 278b to 278d StGB), corruption, acceptance of advantages, bribery, granting of advantages or prohibited intervention (sections 304 to 309 StGB and section 10 of the Federal Act against Unfair Competition [*Bundesgesetz gegen den unlauteren Wettbewerb*] 1984 – UWG, BGBl. No. 448/1984), fraud (sections 146 to 148 StGB), breach of trust (section 153 StGB), acceptance of gifts (section 153a StGB), abuse of promotion (section 153b StGB), money laundering (section 165 StGB), slavery, human trafficking or cross-border prostitutions (sections 104, 104a and 217 StGB) or a corresponding criminal offence in accordance with the regulations of the country in which the contractor has its registered office;
- no insolvency proceedings have been opened against the company's assets or no insolvency proceedings have been opened due to a lack of assets to cover costs;
- the company is not in liquidation or has not ceased or discontinued its commercial activities;
- the contractor has not committed any serious misconduct in the course of its professional activity, in particular in breach of labour, social or environmental law, which has been proven by the contracting authority in an appropriate manner;
- the company has fulfilled its obligations to pay social security contributions or taxes and levies in Austria or in accordance with the regulations in the country in which it has its registered office;
- the company or acting persons do not belong to the persons or companies referred to in Article 5 k (1) of Regulation (EU) No 833/2014 in the version of Article 1 (23) of Council Regulation (EU) 2022/576 of 8 April 2022 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (provision), which have a connection to Russia as defined by the provision,
  - through the Russian nationality of the contractor or the establishment of the contractor in Russia,
  - through the participation of a natural person or a company to which one of the criteria under a) applies in the contractor by holding shares of more than 50%,
  - through the contractor acting on behalf of or on the instructions of persons or companies to which the above criteria apply.