

thyssenkrupp  
whistleblowing rules of  
procedure –  
thyssenkrupp Bilstein  
SA



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## Introduction

At thyssenkrupp integrity, compliance with the law and internal regulations are of highest priority. To ensure that these values are upheld and potential risks arising from violations are avoided or minimized, it is crucial that misconduct is identified, clarified, and remedied at an early stage. Every indication of a potential misconduct is treated seriously and leads to an investigation following an objective and transparent process without any bias.

The Law no. 361/2022 (Romanian Whistleblowing Law) implemented in Romania the Directive (EU) 2019/1937 of the European Parliament and of the Council of October 23, 2019 on the protection of persons who report breaches of EU law.

The Romanian Whistleblowing Law came into force on 22 December 2022 and required organizations to ensure the protection of individuals who report misconduct and to establish internal reporting channels that allow concerns to be raised and addressed within the organization. As of 17 December 2023, all entities with 50 or more employees are required to comply fully with the law, following the expiration of the transition period previously granted to medium-sized organizations.

These whistleblowing rules of procedure have been prepared in accordance with the Romanian Whistleblowing Law, to serve as the internal reporting procedure (whistleblowing procedure) for thyssenkrupp.

# Scope

## 1. Who can inform about a violation?

The whistleblower is any natural person who submits a report (internally or externally) or makes a public disclosure of information on violations of which he/she acquired knowledge in the context of his or her work with/for thyssenkrupp. This includes but is not limited to:

- staff with an employment relationship
- independent contractors/freelancers
- consultants, suppliers, customers of thyssenkrupp Bilstein SA
- volunteers and trainees
- shareholders or owners of thyssenkrupp Bilstein SA shares, persons with administrative, management, supervisory or representative functions within thyssenkrupp Bilstein SA
- any person working for or under the supervision and direction of contractors, subcontractors and suppliers of thyssenkrupp Bilstein SA

If you're unsure whether you qualify as a whistleblower, you can consult with the thyssenkrupp Bilstein SA System Manager for clarification.

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## 2. What can be reported?

Violations or breaches or attempts to conceal the same (together, “violations”) of internal regulations and/or applicable laws, including violations of criminal laws, thyssenkrupp Ethics Code, violations of human rights and environmental-related breaches of duty or risks as well as breaches of European law, can be reported through a variety of reporting channels. Even indications or suspicions of violations can be reported and will be treated seriously. Therefore, in this document “violations” will refer to both actual and potential or planned violations.

## 3. Who is responsible for the whistleblower system?

The shareholders of thyssenkrupp Bilstein SA have appointed the Compliance Manager of thyssenkrupp Bilstein SA as the responsible person for the internal whistleblowing system and procedure (“System Manager”), acting in coordination with the thyssenkrupp AG / Compliance, Department Investigations (CO/L&C-INV). The System Manager and CO/L&C-INV shall fulfill the duties of the ‘designated person’ as defined in the Romanian Whistleblowing Law, including the receipt, registration, examination, subsequent actions, and resolving on reports, as well as other activities related to the management of the reports. The main mission of the System Manager is to safeguard that all requirements of the Romanian Whistleblowing Law regarding the operation of the internal reporting channel, the protection of the whistleblower and the conduction of the investigation are fulfilled, and to determine together with the CO/L&C-INV how to conduct investigations and generally how to

manage the reports. The System Manager and CO/L&C-INV, which are entrusted with the tasks of the 'designated person', offer a guarantee of impartiality and diligent action, are independent, are not bound by instructions, unless as provided under the relevant internal policies and rules, and are sworn to secrecy; it is strictly prohibited to influence their actions or to attempt to sway their decisions in any manner. [.]

Support upon request in the management of the reports shall be given by the personnel of thyssenkrupp Bilstein SA and other thyssenkrupp AG personnel.

Whistleblowers may submit a report through various reporting channels as described below.

We encourage you to report any suspected violation, regardless of its nature or the role of the person involved, including senior management. The reporting process is overseen by thyssenkrupp AG / Compliance, Department Investigations (CO/L&C-INV), to ensure integrity and accountability.

## 4. Which is the procedure?

The System Manager has regulated the management and processing of whistleblower reports received through the thyssenkrupp Bilstein SA's various reporting channels in the thyssenkrupp Bilstein SA's internal whistleblowing procedure.

The System Manager will, in cooperation with the CO/L&C-INV, agree on adequate investigation procedures according to the scope of the whistleblower report and propose the implementation of adequate measures at the thyssenkrupp Bilstein SA in furtherance of such reports if necessary.

The whistleblower will receive confirmation of receipt of the report within seven (7) days from submission and status updates on follow-up actions related to their report no later than three (3) months after confirmation of receipt and subsequently as soon as there are significant developments.

The System Manager will, in cooperation with the CO/L&C-INV, inform the thyssenkrupp Bilstein SA management regarding the outcome of the investigations on the reports on misconducts, including the proposed corrective measures, as well as any other information necessary to enable decision-making. thyssenkrupp Bilstein SA reserves the right to take appropriate decisions and measures, as permitted by law, in connection with any reported wrongdoing.

The System Manager will also submit an information report to the whistleblower, following a decision made by the thyssenkrupp Bilstein SA management on the proposed corrective measures.

thyssenkrupp Bilstein SA reserves the right to take appropriate decisions and measures, as permitted by law, in connection with any reported wrongdoing, including to refer reports to the authorities.

### **IMPORTANT:**

These whistleblowing rules of procedure (and, accordingly, the status and protection as whistleblower) do not apply to the resolution of personal grievances related to employment matters (e.g., dissatisfaction with salary, benefits, performance evaluations, working conditions, etc.) or collaboration issues, cases of harassment, discrimination, or aggression, interpersonal problems in the workplace, and similar situations.

Reports that fall outside the scope of these whistleblowing rules of procedure will be redirected for resolution in accordance with other applicable internal rules

## How can a report be submitted?

Internal reporting is the most efficient means of initiating an investigation that may result in appropriate corrective measures.

An open communication culture is an essential component of well-functioning compliance. Employees and other whistleblowers must be able to address potential violations openly, anonymously and, above all, at an early stage.

For this purpose, thyssenkrupp Bilstein SA offers a number of internal whistleblowing channels which are set out below:

### 1. thyssenkrupp Electronic Compliance Whistleblowing System (BKMS)

If the whistleblower prefers to report violations via the electronic Compliance Whistleblowing System, or is interested in detailed information, information can be found here:

[Whistleblowing - thyssenkrupp Bilstein](#)

The electronic Compliance Whistleblowing System can be directly access by this link: <https://www.bkms-system.net/thyssenkrupp-ro>

Respectively the QR code below:



In addition to the possibility of a written report, the reporting can be submitted orally via voice intake.

#### **Alternative reporting:**

Violations regarding the International Framework Agreement (thyssenkrupp internal HR violations) can be alternatively reported to the International Committee and the Labor Relations department at thyssenkrupp AG to be addressed as provided under the International Framework Agreement, via the following platform:

<https://www.bkms-system.net/frameworkagreement>

## 2. Telephone Hotline

If the whistleblower prefers to report via phone, the reporting can be submitted via the following telephone number selecting Romanian language (automated telephone dialogue which is recorded and stored):

Phone: +36 1 7011807

**Access PIN: 4541**

## 3. E-Mail

The whistleblower can submit a report by contacting thyssenkrupp Bilstein SA's System Manager directly via the following e-mail address: [whistleblowing.sibiu@thyssenkrupp-automotive.com](mailto:whistleblowing.sibiu@thyssenkrupp-automotive.com)

The whistleblower can contact alternatively thyssenkrupp AG / Compliance, Department Investigations (CO/L&C-INV), via the following link <http://www.thyssenkrupp.com/wb>

## 4. Postal address

The whistleblower can contact alternatively thyssenkrupp AG / Compliance, Department Investigations (CO/L&C-INV), via following postal address:

thyssenkrupp AG,  
Compliance, Department Investigations  
thyssenkrupp Allee 1,  
45143 Essen  
Germany

More information on the submission of reports can be found here: [Submitting a report \(thyssenkrupp.com\)](#)

## 5. Face-to-face meeting

If a face-to-face meeting is requested, it will be organized within 7 days. If the report is submitted orally, with prior consent of the whistleblower, the report is documented by the System Manager in a secure, durable and accessible format, or by a transcript of the conversation. The whistleblower shall be given the opportunity to verify, rectify and confirm the minutes of the meeting by signing them.

## 6. External Reporting Channels and Public Disclosure

We encourage whistleblowers to always use our internal reporting channels. Whistleblowers also have the option to submit their report to external reporting channels. Note that only **violations of the law** may be reported to the public authorities.

External reporting may be made orally, electronically or in writing. The detailed procedure for the receipt of notifications regarding the violations of law is set out in the regulations of public authorities, including the National Integrity Agency, available on their websites.

Consult specific information on engaging with the public authorities by accessing this link [Whistleblowing - thyssenkrupp Bilstein](#).

Additionally, whistleblowers acting in good faith could proceed to disseminate information regarding breaches of the law to the public (for example, in written, audio-visual, or social media) **only in specific circumstances provided by law**.

thyssenkrupp Bilstein SA reserves the right to take appropriate decisions and measures, as permitted by law, in furtherance of any external report or public disclosure.

#### **Anonymous reporting**

Reports on violations may always be submitted anonymously. We encourage you to report anonymously if for any reason you do not feel comfortable disclosing your identity. Anonymous reporting does not affect your right to protection or your ability to follow up with thyssenkrupp Bilstein SA.

#### **Using other channels to report**

If a report on a violation is submitted through a different channel than specified above (e.g., to the whistleblower's manager), the receiving personnel of thyssenkrupp Bilstein SA must keep it confidential and promptly forward it to the System Manager.

## What Should the Report Include?

Reports concerning violations submitted to thyssenkrupp Bilstein SA should include at least the following:

- whistleblower's name and surname, contact details
- professional context in which the whistleblower obtained the information on the violation
- concerned person, if known
- description of the violation and, where applicable, supporting evidence
- submission date
- whistleblower's signature

A report not including the name, surname, contact details, or the whistleblower's signature will be examined and addressed to the extent that it contains indications of a violation.

## Rights and Duties of a Whistleblower

### 1. Confidentiality

thyssenkrupp guarantees the confidentiality of the identity of the whistleblower, the content of the report and

the documentation transmitted during the course of the investigation. Such protection is extended to the accused persons and third parties. We may share certain confidential information with persons involved in investigations, on a need-to-know basis and **subject to the recipient's non-disclosure obligation**.

## 2. Protection from retaliation

thyssenkrupp strictly prohibits and does not tolerate any kind of retaliation (e.g. adverse action, disciplinary measures, threats, intimidation) for reporting a violation in good faith or otherwise cooperating in an investigation of a violation. Intentionally reporting false information ("malicious reporting") can lead to disciplinary consequences or civil/criminal liability. Measures taken as a consequence of malicious reporting are not acts of retaliation.

If you have been the victim of retaliation or are aware of someone else being subjected to retaliation, we expect you to inform us without delay.

## 3. Protection of other individuals concerned

During the investigation, thyssenkrupp strives to protect the legitimate interests of persons affected by a report (including accused persons) and protects other persons concerned against defamation. During the course of the investigation, thyssenkrupp strictly follows the presumption of innocence of the accused persons and the "need to know"-principle, which means that information will only be disclosed if necessary. No financial advantages are offered or provided to whistleblowers.

## 4. Possibility for anonymous reporting

Whistleblower anonymity in reporting is permitted. Nevertheless, the disclosure of identity can facilitate the investigation. Regardless of anonymity, all reports are treated seriously.

## 5. No investigation by whistleblowers

For legal and security reasons we do not expect whistleblowers to investigate compliance violations themselves. Initial collection of information for reporting, on the other hand, is allowed and can help enabling a focused and efficient investigation. In such a case, acquisition of and/or access to the information must be in line with laws and regulations.

# Investigation principles

When carrying out investigations the following principles are being followed:

## 1. Core principle

We analyze all indications of compliance violations or risks through internal investigations based on transparent and clearly defined processes. This is how we ensure that our internal standards are consistently executed and

that our management boards and other managers meet their legal and entrepreneurial responsibilities.

## 2. Compliance with legal regulations

Our investigations are always executed under consideration of all applicable laws and regulations.

## 3. Right to be heard

No individual needs to be concerned about facing consequences derived from an investigation until said person has had the chance to comment on the allegations. The accused persons have the right to access relevant case information and to present their defense. While facilitating such rights, thyssenkrupp Bilstein SA shall take all necessary measures to safeguard the confidentiality of the whistleblower's identity and generally to protect other individuals concerned.

## 4. Strict "Need-to-know" principle

Only individuals who are factually needed for an investigation are involved in our activities. The information on investigation results is only provided to those parties who actively require them for further proceedings or to comply with legal obligations. **In such contexts, the confidentiality commitments of thyssenkrupp Bilstein SA shall not in any way be affected.**

## 5. Confidentiality

All information that is gathered during compliance investigations is treated confidentially. The identity of the whistleblower will be protected with the utmost care, as well as that of the accused persons and third parties.

## 6. Fairness and mutual respect

Investigation activities are conducted fairly and with respect for all parties concerned, following an objective and transparent process without any bias. "Presumption of innocence" applies throughout internal investigations. Any kind of compulsion, threat or the like is not allowed.

## 7. Efficiency

Investigation activities are conducted without undue delay in order of priority and urgency as well as cost and effort efficiency.

## 8. Admissibility of results

Compliance investigations are conducted in a way that the results generally could be admissible in courts.

## 9. Mutual Agreement

If possible, a settlement of disputes might be agreed in a mutual agreement.

## Additional information

For additional information or clarifications, including in connection with external reporting, please contact the System Manager at [whistleblowing.sibiu@thyssenkrupp-automotive.com](mailto:whistleblowing.sibiu@thyssenkrupp-automotive.com).