

## Code of Conduct for Subcontractors and Suppliers

Bilfinger Berger SE and its group companies (Bilfinger Berger) are bound by the principles of ethical behaviour, integrity and compliance. Adherence to the Principles of Conduct and the Behavioural Guidelines of Bilfinger Berger<sup>1</sup> as well as the principles of the United Nations Global Compact Initiative (Global Compact Initiative)<sup>2</sup> is mandatory for all Bilfinger Berger employees.

Also from its subcontractors and suppliers, Bilfinger Berger expects integrity and ethical, law-abiding behaviour in line with the Global Compact Initiative and the minimum standards set out below.

### **Counteracting Corruption**

- Subcontractors and suppliers actively and consistently counteract criminal or unethical influence on decisions taken by Bilfinger Berger or other companies and institutions and fight corruptibility within their own companies.

### **Counteracting Bid Rigging**

- Subcontractors and suppliers do not participate in anti-competitive bid rigging and take action against illegal cartels.

### **Counteracting Illegal Employment**

- Subcontractors and suppliers comply with the applicable legal requirements and effectively eliminate illegal employment.

### **Respect for the Fundamental Rights of Employees**

- Subcontractors and suppliers respect the health, safety and personal rights of their employees and adhere to the principles of respect, fairness and non-discrimination. They employ and remunerate their employees on the basis of fair and compliant contracts. They maintain international minimum labour standards as set out by the ILO<sup>3</sup>.

### **Respect for the Environment**

- Subcontractors and suppliers observe relevant legal environmental standards and minimise environmental pollution.

Bilfinger Berger requests from its subcontractors and suppliers that they require their own subcontractors and suppliers also to comply with the principles of the Global Compact Initiative and the minimum standards of this Code of Conduct for Subcontractors and Suppliers (Flow Down).

Subcontractors and suppliers of Bilfinger Berger are required to report their own violations of this Code of Conduct for Subcontractors and Suppliers, insofar as these affect their business relations with Bilfinger Berger. They are also asked to report any knowledge of misconduct on the part of Bilfinger Berger employees.

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<sup>1</sup> <http://www.bilfinger.com>

<sup>2</sup> <http://www.unglobalcompact.org>.

<sup>3</sup> <http://www.ilo.org>.

Contact Persons

- Dr. Alexander Jüngling, Chief Compliance Officer  
tel.: +49 (0) 621-459 2702, fax: +49 (0) 621-459 2050
  
- Counsel Dr. Erich G. Bähr, External Ombudsman  
tel.: +49 (0) 69 745050, fax: +49 (0) 69 746861  
If desired, the external ombudsman must maintain confidentiality.
  
- Compliance Hotline, tel.: +49 (0) 180-1240843  
Information received over the hotline remains completely anonymous because with this special telephone number the caller cannot be identified.

Subcontractors and suppliers are required to actively resolve any suspicious cases and to cooperate unconditionally with Bilfinger Berger in this regard.

If there are reasonable grounds to believe that a subcontractor or supplier has violated this Code of Conduct for Subcontractors and Suppliers or if a subcontractor or supplier, when a suspicious case arises, fails to sufficiently meet his obligations to resolve the case and to cooperate, Bilfinger Berger, on the basis of existing contractual or legal rights, can end all business relations with the subcontractor or supplier with immediate effect. In the event of a violation of this Code of Conduct for Subcontractors and Suppliers, Bilfinger Berger retains the right to initiate further legal measures, particularly damage claims.

Bilfinger Berger, from time to time, can appropriately update this Code of Conduct for Subcontractors and Suppliers and expects that its subcontractors and suppliers accept any such changes.

The subcontractor/supplier hereby declares:

1. We have received this Code of Conduct for Subcontractors and Suppliers and, in addition to our other contractual obligations vis-à-vis Bilfinger Berger, hereby agree to abide by it.
  
2. We understand that this declaration is subject to the substantive laws of the Federal Republic of Germany (excluding the standards of international privacy law).

\_\_\_\_\_  
Location, date

\_\_\_\_\_  
Signature of subcontractor/supplier

\_\_\_\_\_  
Company stamp

\_\_\_\_\_  
Name (in block letters), function