



The Whistleblower System BPO - Our Business & People Protection Office

Process Description

Mercedes-Benz





The Whistleblower System BPO – our Business & People Protection Office

The Whistleblower System BPO (Business & People Protection Office) receives reports of rule violations. It is an important element of good corporate governance.

Compliance with the law and internal regulations is a high priority for the Mercedes-Benz Group. Misconduct must therefore be identified early. In order to investigate severe violations with a high risk for the company, its employees and other people in a fair and appropriate manner, we set up the Whistleblower System BPO (Business & People Protection Office) in 2006. The BPO enables employees and external whistleblowers to report violations anywhere in the world. This way, the Mercedes-Benz Group learns about potential risks, can prevent damage to the group, its employees and third parties as well as protect individuals who might be harmed by misconduct.

Rule violations posing high risks include, for example, offenses relating to corruption, breaches of antitrust law and violations of anti-money laundering regulations, as well as violations of binding technical provisions or violations in connection with environmental regulations. Personal matters, such as incidents of sexual harassment or human rights violations, are also considered high-risk rule violations.

Mercedes-Benz Group encourages anyone inside or outside the company who observes violations in connection with the company or suspects such violations for concrete reasons to contact the BPO without fear of retaliation and to express the information openly.

Whistleblowers who report possible violations on the basis of concrete indications are protected by the company. The confidentiality of such statements is guaranteed. Employees who feel they have suffered disadvantages as a result of them reporting a violation are protected by the BPO. Discrimination or intimidation of an employee for reporting a violation is itself a violation of our Integrity Code and results in disciplinary actions under applicable labor law.

Whistleblowers can also contact the BPO anonymously, as far as national legislation permits. At the same time, it is very helpful for the BPO if whistleblowers can be contacted (e.g. via an anonymous e-mail address) so they can be asked questions that may be useful to the investigation. If a whistleblower discloses his or her identity but wishes that it will not be shared with other parties within the company, this request will be respected.

The information provided to the Whistleblower System BPO enables the Mercedes-Benz Group to learn about potential risks, to prevent damage to the Group, its employees and third parties, as well as to protect individuals who might be harmed by misconduct.



Whistleblower System BPO – Process Description

A globally applicable Group policy governs the BPO procedure and the corresponding responsibilities. Its aim is to ensure a fair and transparent procedure that takes into account both the principle of proportionality for the accused individual and the protection of the whistleblower. The policy also sets out the standards by which we assess violations and decide on consequences.

Information about possible violations is processed always confidentially by the BPO within the procedural instructions described below:

Reporting violations & contact

If you have concrete indications of high risk violations in connection with the business activity of the Mercedes-Benz Group, you can contact the Whistleblower System BPO via the following channels:

Whistleblower System BPO contact details

Mercedes-Benz Group AG
IL/CBP – Whistleblower System BPO (Business & People Protection Office)
HPC E703
70546 Stuttgart
Germany
E-Mail: bpo@mercedes-benz.com

BPO Reporting Channel

You can use our reporting channel to send reports of high-risk violations – if desired anonymous – to the Whistleblower System BPO. You can submit your report around the clock and choose your preferred language.

[Open BPO Reporting Channel](#)

[Duty to Provide Information under the European Union's General Data Protection Regulation \(EU GDPR\)](#)

Do you have a customer request concerning a Mercedes-Benz product?

If you have any questions or feedback about your Mercedes-Benz product, Mercedes-Benz service or your authorized Mercedes-Benz sales business partner, please contact the [Mercedes-Benz Customer Assistance Center \(CAC\) in Maastricht](#).

We ask for your understanding that the Whistleblower System BPO does not accept, process or forward customer concerns.

Reports can be submitted around the clock and, if desired, anonymously via the various reporting channels.



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Free external Hotlines

In Brazil, Japan, South Africa and the USA, an additional hotline is available. If your country is not listed here, please contact the BPO by e-mail (bpo@mercedes-benz.com) or the [BPO Reporting Channel](#)

Available from Monday to Friday 9 a.m. – 6 p.m. (local time)

Country	Hotline
Brazil	0800 033 3391
Japan	0120 228 160
South Africa	0800 983 994
USA	
East Coast (Washington, D.C.)	877 482 5899
West Coast (San Francisco)	866 267 4360

Neutral Intermediary

In Germany, whistleblowers have an external neutral intermediary as an additional point of contact. The neutral intermediary is an independent attorney who is appointed by the company and sworn to secrecy vis-à-vis the company.

Whistleblowers can contact this intermediary if they have concrete indications that suggest a violation with major risks in connection with the business activity of the Mercedes-Benz Group. The neutral intermediary receives tips on violations by the company's employees or external whistleblowers.

As an attorney, the neutral intermediary is subject to a duty of confidentiality towards the company. Whistleblowers who wish to remain unidentified can therefore be guaranteed absolute anonymity in relation to the company. With the whistleblower's consent, the neutral intermediary passes on the information – in anonymized form if requested – to the Whistleblower System BPO.

You can contact the neutral intermediary using the following contact details:

Rechtsanwältin Dr. Regina Michalke
Kanzlei Hamm Kempf & Partner
Rechtsanwälte PartG mbB
Dantestr. 11
60325 Frankfurt am Main
Germany

Tel.: +49 (0) 69 959 1900

E-Mail: regina.michalke@ra-neutralermittler.de



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Different country-specific local legal requirements must be considered when using the Whistleblower System BPO. Where permitted by local law, anonymous reports are possible. They will equally be investigated if they contain concrete indications of violations. Information can be submitted in any language. If necessary, a translation will be commissioned.

If you have provided your contact details, you will receive an acknowledgement of receipt within a short time (after seven days at the latest) with a description of the further procedure and timeline for processing the complaint.

External reporting channels

In addition, you can contact the following external reporting channels:

[External reporting office at the Federal Court of Justice](#)
[BaFin's Contact Point for Whistleblowers](#)
[Bundeskartellamt's Whistleblower System](#)

Case intake

After receipt of the tip-off, the BPO conducts an initial risk-based assessment of the potential violation. Violations considered high risk for the company include, amongst others, offenses relating to corruption, breaches of antitrust law and violations of anti-money laundering regulations as well as human rights violations. In case of tip-offs with high risk for the company, its employees or other people, an initial legal review of the incident is carried out. If there are concrete indications for such a violation, the case is assigned to the appropriate investigative unit (e.g. Corporate Security, Corporate Data Protection, Corporate Audit, Legal Division, Purchasing Units) with specific orders to conduct an investigation.

All indications of other violations with risk are forwarded by the BPO to the responsible department (e.g. Human Relations, Corporate Security, Corporate Data Protection). The whistleblower is informed in advance about the forwarding. Violations include, for example, theft, embezzlement or personal enrichment with a value of less than 100,000 Euros - provided they are not related to corruption. Anonymity can also be guaranteed here.

The BPO accompanies the processing of tip-offs until the case has been closed. While doing so, the BPO ensures highest confidentiality.

The BPO assesses every tipoff carefully and in accordance to the four-eyes-principle, and initiates appropriate follow up measures.



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Investigation

If there are concrete indications of a violation with a high risk for the company, its employees or other persons, the case is handed over to an internal investigation unit.

The accused individual will be informed of the suspicion in writing without delay, as far as this is possible for investigative reasons, and is given an opportunity – as soon as possible – to respond to the allegations. If desired, the potentially affected employees of Mercedes-Benz Group can call in a person of trust for the investigative questioning/hearing (e.g. member of the company's Works Council or a lawyer) and inform their manager of the allegations.

As long as a violation has not been proven, the presumption of innocence applies. Incriminating and exculpating facts are equally included in the investigation.

Moreover, our whistleblower system places great importance on fairness – in dealing with whistleblowers as well as employees or business partners affected by an allegation. The BPO always applies the principle of proportionality and examines each case individually to determine what measures or consequences are suitable, necessary and appropriate.

Reports of violations in which no indications of a high risk are identified are handed over to the responsible department (e.g. Human Relations, Corporate Security, Corporate Data Protection) for review and, if necessary, investigation and derivation of measures.

Case Closure

The accused employee and, if applicable, his or her manager are informed of the case closure. The result of the investigation is communicated to the accused employee in writing. The whistleblower, unless he or she can be contacted, will also be informed about the case closure and the final result.

If the accusations have turned out not to be true in the course of an investigation, the accused individual will be rehabilitated upon request.

If the suspicion against an employee of Mercedes-Benz Group is confirmed, the case is passed on to the Labour Law department. If necessary, the accused individual will be heard again, as well as his or her manager. Personnel measures are derived in accordance with the principle of proportionality. In the event of misconduct by a business partner, appropriate consequences will also be determined in accordance with the principle of proportionality. If a business partner

Tipoffs which include indications for a violation with high risk are handed over to an internal investigation unit. Other violations with risks are handed over to the responsible department.

When a case gets closed, the BPO informs involved parties on the results and ensures documentation in accordance with applicable laws and regulations.



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refuses to implement a jointly developed improvement plan or if the business partner does not improve, the Mercedes-Benz Group reserves the right to temporarily suspend or terminate the business relationship after giving appropriate notice and warning.

In order to assess which measures are appropriate in response to a violation, the following criteria, among others, are regularly taken into account in accordance with the principle of proportionality:

- Type and severity of the violation
- Responsibility of the affected person (intent, negligence)
- Amount, reversibility and probability of occurrence of a damage or injury
- Attitude towards the violation of the affected person
- Cooperation in investigating the facts of the case and/or compensation of damages occurred and/or a possible self-disclosure by the affected person
- Mercedes-Benz Group's leverage on the business partner

Specific personnel measures in the event of violations against employees of Mercedes-Benz Group are taken in accordance with local law, but may, depending on the severity of the violation, include both disciplinary and labor law measures (e.g. admonishment, warning, ordinary or extraordinary termination of employment, reduction of variable compensation components, claims for restitution, repayment and/or damages claims). In the event of identified criminal offenses, the Mercedes-Benz Group reserves the right to file criminal charges.

Measures against business partners are also taken in accordance with local law and the corresponding contractual agreements between the Mercedes-Benz Group and the business partner.

All data will be deleted after appropriate retention periods.

Reporting & Improvement

To steadily increase trust in the BPO and increase awareness of the BPO among employees, we rely on various communication measures. For example, the BPO provides information materials such as country-specific info cards, pocket guides and an explanatory film, and informs employees in dialog events. In addition, the BPO regularly informs employees about the number of reported violations as well as the type of confirmed violations and provides case studies on a quarterly basis. For business partners, the Mercedes-Benz Group explicitly refers to the Whistleblower System BPO in its Responsible Sourcing Standards.

Every quarter, the BPO reports to the Board of Management and the Supervisory Board on newly opened and closed cases. By reprocessing reported incidents, the BPO contributes to the continuous further

The BPO fulfills various reporting obligations and communicates through various channels, in order to constantly raise awareness and trust into the whistleblower system.



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development of processes and guidelines regarding compliance within the Mercedes-Benz Group.

In addition to the company's own Whistleblower System BPO, the Mercedes-Benz Group is participating in the establishment of an industry-wide grievance mechanism as part of the National Action Plan for Business and Human Rights of the Federal Republic of Germany (“Nationaler Aktionsplan Wirtschaft und Menschenrechte der Bundesrepublik Deutschland”).

Whistleblowers have the right to take legal action before national courts. In particular, the submission of a tip-off report on violations does not constitute a waiver of any existing right to take legal action. Additionally, the Mercedes-Benz Group always maintains confidentiality in the course of its investigations and no separate confidentiality agreements are concluded. If necessary, the Mercedes-Benz Group will cooperate with state law enforcement agencies.

Please direct your questions and suggestions to the Whistleblower System BPO:

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