

Business Partner Code of Conduct



Our customers, employees and shareholders can count on SMA Solar Technology AG and its subsidiaries (hereinafter SMA) to act responsibly, with integrity and always in accordance with applicable laws and regulations in all its business activities. This expectation must also extend to our suppliers and other business partners (hereinafter Business Partners¹), because ethical conduct does not begin and end with SMA. This commitment must be ensured throughout the supply chain and our network of Business Partners.

This Code of Conduct contains the legal and ethical standards with which all Business Partners must fully comply when conducting business with SMA and making decisions that affect SMA. This Code must be complied with in conjunction with all applicable laws and other contractual obligations in place with SMA. We ask our Business Partners to read this Code carefully and make sure they understand our expectations, because compliance with the following provisions is essential for a continued working relationship.



Dr.-Ing. Jürgen Reinert
CEO
SMA Solar Technology AG



Barbara Gregor
CFO
SMA Solar Technology AG

¹ Business Partners within the meaning of this Code of Conduct include all suppliers, service providers, agents, consultants and any other partners that are contractually obligated to comply with this Code.

General obligations

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People & Environment

- Human Rights & Fair Labor Practices
- Respect, Fairness & Diversity
- Health & Safety
- Environmental & Climate Protection
- Rights of Local Communities

Fair & Proper Business

- Financial Integrity
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General obligations

SMA acknowledges the importance of social responsibility through its ongoing commitment to the Ten Principles of the United Nations Global Compact. Stable economic success is only possible by doing business in a socially responsible manner. We therefore see sustainable and responsible conduct as an important basis for collaboration with our Business Partners.

SMA consistently complies with applicable laws, regulations and contracts. Our Business Partners shall also comply with all applicable national and international regulations and standards and act in accordance with the values and principles outlined in this Code of Conduct.

Accordingly, our Business Partners shall act in accordance with the International Bill of Human Rights, the OECD Guidelines for Multinational Enterprises, the core labor standards of the International Labour Organization (ILO) and the United Nations Guiding Principles on Business and Human Rights. Business Partners shall also require their business partners, which are involved in business transactions with SMA, to comply with the standards set out in this Code of Conduct. Our Business Partners shall communicate the key principles of this Code of Conduct to their employees in an understandable manner. Upon

request, our Business Partners shall provide us with all information and documents necessary to demonstrate compliance with the provisions of this Code of Conduct. They shall allow SMA or an external auditor appointed by SMA, upon reasonable notice, to verify compliance with the Code of Conduct in an appropriate manner.

Our Business Partners shall notify us immediately of any violations of applicable law, this Code of Conduct or other contractual obligations relating to their business with SMA. The same applies to any potential or actual conflicts of interest in connection with SMA business activities.

People & Environment

/ Human Rights & Fair Labor Practices

SMA respects the personal dignity and rights of its employees. We expect the same from our Business Partners.

Our Business Partners must neither practice nor tolerate any form of forced labor, modern slavery¹ or child labor² as defined by the International Labour Organization (ILO). Nor shall they procure goods or services whose production or provision is associated with human trafficking, forced labor or child labor.

Our Business Partners strictly comply with applicable labor laws, including laws on minimum wages, overtime pay and legal requirements on working hours. If there is no statutory minimum wage, our Business Partners shall pay at least a living wage.

Our Business Partners shall respect their employees' rights to freedom of association and collective bargaining³. They shall also support SMA with compliance measures for laws designed to protect human rights. SMA is guided by OECD Due Diligence Guidance and strives to proactively identify and take steps to eliminate risks in relation to the supply chain. We expect the same from our Business Partners. Regarding conflict minerals, our suppliers shall comply with the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas.

/ Respect, Fairness & Diversity

Like SMA, our Business Partners shall act with respect and fairness. Our Business Partners shall not condone any harassment or inhumane treatment of their employees, including bullying, physical or psychological abuse, threats of violence, coercion or sexual exploitation. They shall also comply with all applicable anti-discrimination laws and promote the fair treatment and diversity of all (prospective) employees, the provision of equal employment opportunities and the prevention of discrimination against any person on the basis of gender, nationality, ethnic or social origin, religion, ideology, disability, age, sexual orientation, identity or any other legally protected status⁴.

¹ ILO Conventions 29 and 105

² ILO Conventions 138 and 182

³ ILO Conventions 87 and 98

⁴ ILO Conventions 100 and 111

/ Health & Safety

The health and safety of our employees and customers is a top priority for SMA. Our Business Partners shall likewise organize their working conditions in a way that protects the health and safety of their employees. This includes complying with all applicable laws, regulations and generally recognized standards on occupational health and safety⁵.

Our Business Partners are expected to implement programs to manage and maintain safe working practices, carry out risk assessments and derive occupational health and safety measures in accordance with generally accepted safety standards.

In addition, our Business Partners shall comply with all applicable laws, regulations as well as generally accepted and relevant SMA-specific standards on product quality and product safety, including those relating to hazardous and restricted chemicals and substances. The relevant information for our suppliers can be found on the SMA website.

/ Environmental & Climate Protection

Environmental responsibility is a cornerstone of SMA's business model. We expect Business Partners to use natural resources carefully and put measures in place that reduce negative environmental impacts. Just like us, our Business Partners shall comply with all applicable environmental protection laws, regulations and generally recognized international standards. Our Business Partners shall consider the potential environmental impacts throughout the value chain when making business decisions and shall endeavor to define targets and measures to reduce any relevant environmental impacts. They shall also strive to continuously improve their environmental performance. This includes avoiding unnecessary energy consumption, increasing energy efficiency in business processes, reducing waste and steadily increasing the use of renewable resources. Greenhouse gas emissions shall be monitored and corresponding reduction targets and measures derived.

/ Rights of Local Communities

SMA respects applicable international, national, local and traditional rights to land, water and resources. Similarly, our Business Partners pledge not to engage in land theft and to comply with the prohibition of unlawful forced eviction in the acquisition, development or other use of land, forests and waters, where the use of which secures the livelihood of a person.

⁵ ILO Convention 155

Fair & Proper Business

/ Financial Integrity

With a view toward global business activities, SMA and its Business Partners shall ensure compliance with all applicable laws on the import and export of goods, services and information as well as any applicable embargoes and sanctions.

Trade Law & Anti-Money Laundering

SMA requires its Business Partners to comply with all applicable regulations and restrictions in the areas of export and trade control, terrorist financing and sanctions as well as all applicable national and international trade and anti-money laundering laws. Any suspicions of money laundering, such as payment irregularities or suspicious customer behavior, must be reported using the processes that have been set up for this purpose.

Tax Compliance

Doing business honestly, correctly and fairly is important to SMA, and we pass these principles on to our Business Partners as well. We expect our Business Partners to comply with applicable tax laws and regulations and to reject tax evasion and tax avoidance through aggressive tax planning and structuring.

/ Anti-Corruption

SMA does not tolerate corruption within its own organization or by its Business Partners. Our Business Partners shall therefore comply with the Transparency International "Business Principles for Countering Bribery," which means refusing to grant or authorize any payments that violate applicable law. Our Business Partners shall likewise refuse to engage in bribery, other forms of corruption or fraudulent activities, either directly or through third parties. This includes not offering, promising, granting or authorizing personal benefits to public officials, political parties or their representatives, a prospective or current customer, SMA employees or any other person in order to obtain business or improperly influence an action or decision. Offering remuneration to consultants, agents and other intermediaries may not be used to confer improper advantages on business partners, customers or other third parties.

/ Fair Competition

Like SMA, our Business Partners shall strictly observe all applicable competition laws and regulations. They shall also not participate in improper agreements with third parties regarding pending or ongoing SMA procurement activities and shall not disclose prices, costs or other competitive information.

Information, Data & Property

/ Confidential Information, Patent Protection & Safeguarding property

Protecting our confidential information and intellectual property is critical to SMA's business success. Therefore, our Business Partners shall likewise respect and protect the confidentiality of SMA's business secrets and intellectual property rights. They shall also protect any SMA property that is under their control or in their possession from harm or improper use. Our Business Partners shall protect entrusted data from unauthorized access, falsification, destruction and improper use by means of appropriate technical and organizational measures.

SMA holds numerous patents and other industrial property rights such as trademarks and designs. These rights are among SMA's most important assets. We ensure that our intellectual property cannot be misused by third parties and refrain from using third-party intellectual property without authorization. Similarly, our Business Partners shall not violate patent protection or other intellectual property rights.

/ Cybersecurity

Cybersecurity is a top priority for SMA. It is crucial that the systems, networks, computers, programs and data of both our Business Partners and SMA are protected from harm and unauthorized access. Our Business Partners shall therefore take appropriate cybersecurity measures.

/ Protection of Personal Data

Every person has the right to protect their personal data from unauthorized use. These rights must be respected, and data must be used only to the extent permitted by the applicable laws and data protection regulations. Our Business Partners shall therefore protect personal data against loss and alteration as well as unauthorized use, access and dissemination.

Consequences

Compliance with this Code of Conduct is an essential condition of continued business with SMA. SMA and the respective Business Partner may agree on remedial measures to correct any business misconduct stemming from a violation of this Code of Conduct, and these measures must be implemented by the Business Partner within a specified period of time.

If the misconduct is not remedied, SMA may terminate the business relationship and any related contracts to the extent permitted by law. In the event of a serious violation by the Business Partner, SMA may terminate the business relationship immediately.

Reporting Concerns or Violations

The communication channels described below or the SMA Speak-Up Line can be used to report any concerns or violations. The SMA Speak-Up Line is a secure misconduct reporting tool that is operated by an external service provider and allows reporting persons to remain anonymous. Reports made via the SMA Speak-Up Line are forwarded to SMA's Group Compliance department. Reporting persons are protected against negative consequences if they report in good faith. Our Business Partners shall likewise refuse to tolerate any retaliation against persons who report violations of the principles of this Code of Conduct in good faith. Further information on using and accessing the SMA Speak-Up Line is available on the SMA website.

Contact

No code of conduct can cover every business situation. We encourage our Business Partners to contact us openly if they have any questions about this Code of Conduct. SMA Business Partners may contact the SMA employees with whom they work for support.

Alternatively, they may contact SMA Group Compliance using the following contact details:

- E-Mail: Compliance@sma.de
- Telephone (Germany): +49 561 9522 424242



SMA.de

