



# Business Partner

Code of Conduct



# Foreword

We have worked diligently to ensure that our customers, employees and shareholders can place their trust in SMA Solar Technology AG and its worldwide subsidiaries (hereinafter SMA) to always conduct their business activities responsibly, with integrity and in accordance with applicable laws and regulations.

But because ethical and sustainable goods and services cannot begin and end with SMA, this commitment to integrity and the law must also extend throughout the entire supply chain and across SMA's network of suppliers and other business partners (in this Code referred to jointly as "Business Partners"<sup>1</sup>).

This Code of Conduct outlines the legal and ethical standards that all Business Partners must fully comply with while conducting business with and making decisions that impact SMA. This Code is to be complied with in conjunction with all applicable laws and other contractual obligations with SMA.

We encourage our Business Partners to read this Code thoroughly and ensure that our expectations are understood, because compliance with the provisions of this Code of Conduct is an essential component of our continued working relationship.

The SMA Managing Board

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<sup>1</sup>SMA Business Partners within the meaning of this Code of Conduct include all suppliers, sales agents, consultants and any other partners contractually obligated to comply with this Code.

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## **/ General Obligations**

SMA consistently complies with applicable laws, regulations and contracts. We also expect our Business Partners to comply with all relevant national and international laws and regulations as well as the provisions expressly set out in this Code of Conduct. In addition, our Business Partners are to act in accordance with generally recognized standards such as the SA 8000 social accountability standard, the Ten Principles of the United Nations Global Compact and the SMA Sustainability Mission Statement. They shall require their own business partners, which are directly or indirectly involved in transactions with SMA, to comply with the standards outlined in this Code. And, furthermore, they shall communicate the general principles of this Code to their employees in an understandable manner.

Upon request, our Business Partners shall provide SMA with all information and documentation necessary to demonstrate compliance with the provisions of this Code of Conduct. They shall also allow SMA or one of its third-party auditors upon reasonable notice to verify compliance with this Code in an appropriate manner (e.g. conduct site visits).

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

## **/ Protection of Health & Safety and Product Quality**

The health and safety of our employees and customers is a top priority for SMA. Our Business Partners shall likewise design 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 for occupational health and safety.

In addition, our Business Partners shall comply with all applicable laws, regulations and generally accepted as well as SMA-specific standards

regarding product quality and safety, including those relating to hazardous and restricted chemicals and substances.

We expect our Business Partners to implement programs to control and maintain work processes in accordance with safety standards and, if necessary, carry out risk analyses and preventive measures. Upon request, Business Partners shall provide SMA with all necessary safety-related information, such as manufacturer material safety data sheets.

## **/ Respect for Human Rights and Fair Labor Practices**

SMA respects the personal dignity, privacy and rights of employees. We expect the same from our Business Partners. In particular, our Business Partners shall prohibit all forms of harassment and harsh or inhumane treatment of workers, including bullying, physical or psychological abuse, threats of violence, coercion and sexual exploitation. Business Partners shall also comply with all applicable anti-discrimination laws. This includes treating all (potential) workers fairly, providing equal employment opportunity and not unlawfully discriminating against any person on the basis of age, skin color, gender or gender identity, origin, ethnicity, religion, physical or mental disability, sexual orientation or other legally protected status.

Our Business Partners shall refrain from any form of forced or child labor as defined by the International Labour Organization (ILO). They shall also not procure goods or services that are linked to human trafficking or forced or child labor.

Our Business Partners shall strictly comply with applicable labor laws, including those regulating minimum wages, overtime pay and working hours. If there is no legal minimum wage, our Business Partners shall pay at least a living wage. Employees' rights to freely associate and bargain collectively are also to be respected.

Our Business Partners shall also support SMA with compliance measures for laws designed to protect human rights, such as those regarding the trade of conflict minerals.

## **/ Fair Competition**

SMA does not tolerate corruption and strictly observes competition law. Business Partners shall not grant illegal payments or otherwise engage in bribery or any other form of corruption or fraud. This includes not offering, giving, promising or authorizing any personal benefit to any government official, potential or actual customer, SMA employee or other person to obtain any business or improperly influence any action or decision.

Our Business Partners shall also strictly comply with all applicable competition and antitrust laws and regulations. In particular, they shall not participate in any improper agreements with third parties regarding outstanding or ongoing SMA procurement activities and shall not disclose any price, cost or other competitive information.

## **/ Protection of Confidentiality, Information and Property**

It is crucial for the continued success of SMA that we protect our confidential information and our (intellectual) property. Therefore, our Business Partners shall respect and protect the confidentiality of business secrets and the intellectual property rights of SMA. They shall also protect any SMA property that

is under their control or in their possession from harm or improper use. Our Business Partners are to protect entrusted SMA data from unauthorized access, forgery, destruction and improper use by means of appropriate technical and organizational measures.

## **/ Environmental Protection and Responsible Energy Use**

Environmental responsibility is core to SMA's business model. We continuously strive to decouple economic growth from environmental damage, with the aim of creating more value with fewer resources and using natural resources sparingly in all our areas of business. We expect the same of our Business Partners.

Like us, our Business Partners shall comply with all applicable environmental protection laws, regulations and generally recognized standards. They

are to consider potential impacts on the environment when making business decisions and strive to actively find ways to reduce any negative impact. Business Partners shall also endeavor to continuously improve their environmental protection measures. This includes avoiding unnecessary energy consumption, increasing energy efficiency and steadily increasing the use of renewable resources in all applicable businesses processes.



## Contact for Questions

No code of conduct can cover every business situation that may require legal or ethical guidance. We encourage our Business Partners to contact us directly with any questions about this Code. Business Partners may contact the SMA employee with whom they work for support. Alternatively, they may contact the SMA Compliance department using the following contact details:

### Compliance Helpline:

- Email: [Compliance@sma.de](mailto:Compliance@sma.de)
- Telephone (Germany): +49 561 9522 424242

## Consequences

Compliance with this Code of Conduct is an essential condition of continued business with SMA. SMA and the Business Partner may agree on remedial measures to correct business misconduct stemming from a violation of this Code, which must be implemented by the Business Partner within a specified period. 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 violation by the Business Partner that SMA classifies as serious, SMA may terminate the business relationship immediately.

## Report Concerns or Violations Anonymously

To report a (potential) violation, our Business Partners may use the channels of communication described above or use – also anonymously – the SMA Speak-Up Line. The SMA Speak-Up Line is a secure message collection tool run by an external service provider. Messages are forwarded to the Compliance department. Such a system is commonly known as a “whistleblowing” system.

All reports will be evaluated promptly and processed with appropriate care and in the strictest confidence.

Further information regarding the use of the SMA Speak-Up Line and access information are available on the Compliance page of the SMA corporate website at <https://www.sma.de/en/company/group-compliance>.



**SMA.de**

