



Supplier Code Commitment



Berenberg intends to make use of service, work, consultancy, project and/or merchandise deliveries to be rendered by [Contractor] (hereinafter referred to as “the Contractor”).

Against this backdrop, the Contractor undertakes to comply with the following points:

1. Recognition of human rights and need to ensure appropriate working conditions of employees

Recognition of human rights

The Contractor acknowledges the General Declaration of Human Rights of the United Nations and shall ensure that it is not involved in any violations of human rights.

No child, forced or slave labour, and no human trafficking

The Contractor undertakes not to tolerate any child labour, forced or any other form of involuntary labour, slavery or human trafficking pursuant to Conventions C 138 and C 182 of the International Labour Organization (ILO) and/or the UK Modern Slavery Act 2015.

Occupational health and safety protection in the workplace

The Contractor shall ensure occupational health and safety protection in the workplace, taking account of applicable laws and regulations. Employees must at least be given free access to safe drinking water and sanitation facilities. In addition, care must be taken to ensure suitable fire protection, suitable lighting and ventilation. Where necessary, employees are to be issued with personal protection equipment free of charge. Employees must be trained to use such protective equipment correctly and with regard to general safety rules and regulations.

No discrimination or harassment

Each and every employee must be treated with respect and in dignity. Based on the principle of equality of opportunity and the German Equal Treatment Act (ETA), in particular, no employee shall be discriminated against or physically, sexually or verbally molested or abused with regard to race, ethnic origin, sex, religion, lifestyle, disability, age or sexual identity.

Transparency of working time and remuneration

Working times must be in conformity with the legislation applicable from time to time. Employees shall be given work contracts in which their working times and remuneration are defined. All remuneration shall be disbursed without delay and in conformity with the legislation applicable from time to time.

Compliance with the Minimum Wage Act

The Contractor undertakes to comply with the respective applicable minimum wage legislation (the “Minimum Wage Act”) in its current version from time to time. Berenberg shall be entitled to verify compliance with the regulations relating to minimum wages and the contractual arrangements made at any time. To this end, the Contractor shall provide Berenberg with all the necessary information as well as required data and documents. In particular, Berenberg shall be entitled upon prior announcement to have access to the Contractor’s business premises and to verify due and proper implementation of the Minimum Wage Act, including access to data and technical facilities. The Contractor is obliged to carry out any necessary acts of cooperation in this regard.

If the Contractor enlists the services of sub-contractors with Berenberg’s consent in order to perform its obligations, the Contractor shall be required to enter into corresponding agreements with such sub-contractors, committing them to compliance with the Minimum Wage Act in turn. The Contractor shall be liable for any violations by the sub-contractor of the Minimum Wage Act as well as for any culpable acts of its own.

The Contractor is obliged to notify Berenberg without delay if it has any indications pointing towards violations of the Minimum Wage Act on the part of the sub-contractors included in its contractual performance.

In case Berenberg should become involved in legal disputes (whether in or out of court) due to violations of the Minimum Wage Act on the part of the Contractor or sub-contractors enlisted by the latter, the Contractor undertakes to support Berenberg with information and documents to the extent necessary for Berenberg’s defence.

If the Contractor or sub-contractors enlisted by it within the scope of contractual performance violate(s) the regulations of the Minimum Wage Act, Berenberg shall be entitled to termination for good cause without having to comply with a period of notice.

The Contractor shall be liable in full for any losses incurred by Berenberg on account of the Contractor or sub-contractors enlisted by it not complying with the regulations of the Minimum Wage Act. The Contractor shall hold Berenberg harmless from any and all claims by third parties brought against Berenberg on account of a violation of the Minimum Wage Act.

Freedom of assembly and right to collective negotiations

The Contractor shall respect the right of its employees to freedom of association and collective negotiations within the scope of the applicable laws from time to time and the conventions of the ILO.

No unlawful forced evictions

The Contractor must respect the prohibition of unlawful displacement and unlawful expropriation of land, forests, and waters through the acquisition, development, or other use of land, forests, or waters that a person needs for subsistence purposes.

No unlawful hiring or use of security forces

The Contractor shall respect the prohibition of hiring or using private/public security forces that may lead to impairment due to lack of instruction or control.

2. Minimisation of environmental harm

The Contractor acknowledges the environmental hazards arising from its business activity. The Contractor shall ensure responsible behaviour in dealing with the environment and shall continually endeavour to minimise any adverse impact on the environment.

Environmental protection

The Contractor shall develop and implement a specific environmental policy and shall observe all applicable laws and regulations for the protection of the environment within the scope of its entrepreneurial activity. Protection of the environment and prevention of unlawful environmental impacts, especially in the context of the Minamata Convention (minimisation of mercury releases), and the Stockholm convention (focused on eliminating or reducing releases of persistent organic pollutants (POPs)), shall be ensured.

Dealing with hazardous substances

The Contractor shall ensure the safe handling, transportation, storage, re-use or disposal of any chemicals or other substances classified as hazardous (as established in the Basel Convention) if they contaminate the environment.

Reduction of resources deployed, waste and emissions

Ensuring on a continuous basis that resources are used as efficiently as possible is a key element of management and corporate governance. Waste of any kind as well as all emissions into the air, water or soil shall be minimised, categorised and monitored.

3. Adherence to high ethical and moral business standards

High ethical standards

The Contractor shall operate subject to a high measure of business ethics and shall not become involved in any way in corruption, bribery, fraud or extortion. The Contractor shall not engage in any activity, practice or conduct which would constitute an offence under clauses 1, 2 or 6 of the Bribery Act 2010 or Section 199(6) or Schedule 13 of the Economic Crime and Corporate Transparency Act 2023.

Transparent business relations

The Contractor shall neither offer nor accept any gifts, payments or other benefits that might be suitable to induce a person to act in contravention of its obligations.



4. Artificial intelligence (AI)

Handling of AI

The contractor assures that he will comply with the requirements of Regulation (EU) 2024/1689, provided that he is within its scope.

In particular, if the contractor is a provider or operator of AI systems, it shall ensure that its employees and any sub-contractors have an adequate level of AI expertise, including when providing its services, work, consulting and project services and/or deliveries of goods to Berenberg.

Furthermore, the contractor confirms that it does not carry out any prohibited practices in the field of AI and that it does not violate other EU legal provisions with AI practices.

5. Compliance¹

Rights

If and to the extent required at any time by Berenberg to satisfy its regulatory obligations, the Contractor will allow Berenberg to audit and inspect the operations and controls used by the Contractor to comply with this Supplier Code Commitment.

Date, Location

Company name / Company stamp

Signature

¹ This clause should be used in relation with suppliers from industry sectors that would, from an anti-slavery point of view, be considered as high-risk. These sectors are especially catering, laundry and security services.



Publisher

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