

# ESG Sustainability Requirements

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## Compliance with human rights and environmental requirements and prohibitions in the supply chain

The indispensable basis for the business relationship with the companies of BING Power Systems GmbH is the protection and observance of the following human rights and environmental protected interests, not only by the direct contractual partner of BING Power Systems GmbH itself, but also along its supply chain. This includes, in particular, compliance with the human rights and environmentally protected interests and prohibitions referred to in Section 2 of the Act on Corporate Due Diligence in Supply Chains ("LkSG") of 16 June 2021, as listed below; this also includes the conventions listed by reference in § 2 LkSG and its annexes nos. 1 to 11 and the protected interests mentioned therein:

1. the prohibition of the employment of a child under the age at which compulsory schooling ends under the law of the place of employment, provided that the age of employment may not be less than 15 years; this shall not apply if the law of the place of employment deviates from this in accordance with Article 2 (4) and Articles 4 to 8 of Convention No. 138 of the International Labour Organization of 26 June 1973 on the Minimum Age for Admission to Employment (Federal Law Gazette 1976 II pp. 201, 202).

2. The prohibition of the worst forms of child labour for children under the age of 18; according to Article 3 of Convention No. 182 of the International Labour Organization of 17 June 1999 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Federal Law Gazette 2001 II pp. 1290, 1291):

2.1. All forms of slavery or all slavery-like practices, such as the sale of children and trafficking, debt bondage and servitude, and forced or compulsory labour, including the forced or compulsory recruitment of children for use in armed conflict;

2.2. the use, placement or offering of a child for prostitution, the production of pornography or pornographic performances;

2.3. the attrition, placement or offering of a child for illicit activities, in particular for the extraction and trafficking of drugs;

2.4. Work which, by its nature or by reason of the circumstances under which it is performed, is likely to be harmful to the health, safety or morals of children.

3. The prohibition of employing persons in forced labor; this includes any work or service required of a person under penalty of punishment for which he or she has not voluntarily made himself available, for example as a result of debt bondage or trafficking in human beings; Excluded from forced labour are work or services which are covered by Article 2 (2) of the International Labour Organization Convention No. 29 of 28 June 1930 on Forced or Compulsory Labour (Federal Law Gazette 1956 II pp. 640, 641) or by Article 8 (3) Nos. 2

and 3 of the International Covenant of 19 December 1966 on Civil and Political Rights (Federal Law Gazette 1973 II p. 1533, 1534).

4. The prohibition of all forms of slavery, slave-like practices, servitude or other forms of domination or oppression in the workplace environment, such as extreme economic or sexual exploitation and humiliation.

5. The prohibition of unequal treatment in employment, for example on the basis of national and ethnic origin, social origin, health status, disability, sexual orientation, age, gender, political opinion, religion or belief, unless this is based on the requirements of employment; unequal treatment includes, in particular, the payment of unequal pay for work of equal value.

6. The prohibition of disregarding the obligations of occupational health and safety applicable under the law of the place of employment if this results in a risk of accidents at work or work-related health hazards, in particular by:

6.1. manifestly inadequate safety standards in the provision and maintenance of the workplace, workplace and work equipment;

6.2. the lack of appropriate protective measures to avoid exposure to chemical, physical or biological agents;

6.3. the lack of measures to prevent excessive physical and mental fatigue, in particular due to inadequate work organization in terms of working hours and rest breaks, or

6.4. the inadequate training and instruction of employees.

7. The prohibition of disregard for the freedom of association, according to which

7.1. workers are free to form or join trade unions;

7.2. formation, membership and membership of a trade union must not be used as grounds for unjustified discrimination or retaliation;

7.3. trade unions may operate freely and in accordance with the law of the place of employment; this includes the right to strike and the right to collective bargaining.

8. The prohibition of withholding an adequate wage; the appropriate wage is at least the minimum wage determined by the applicable law and is otherwise determined according to the regulations of the place of employment.

9. The prohibition of causing harmful soil modification, water pollution, air pollution, harmful noise emissions or excessive water consumption which:

9.1. significantly impairs the natural basis for the preservation and production of food;

9.2. denies a person access to safe drinking water;

9.3. obstructs or destroys a person's access to sanitary facilities; or

- 9.4. harms the health of a person.
10. The prohibition of unlawful eviction and the prohibition of unlawful deprivation of land, forests and waters in the acquisition, development or other use of land, forests and waters, the use of which secures the livelihood of a person.
11. The prohibition of hiring or using private or public security guards to protect the business project, if due to lack of instruction or control on the part of the company in the deployment of the security forces.
- 11.1. the prohibition of torture and cruel, inhuman or degrading treatment is disregarded;
- 11.2. Injury to life or limb; or
- 11.3. the freedom of association and association is impaired.
12. The prohibition of an act or omission in breach of duty that goes beyond this prohibition and which is directly capable of adversely affecting a protected legal position in a particularly serious manner and the illegality of which is obvious on a reasonable assessment of all the circumstances under consideration.
13. The prohibition on the manufacture of mercury-laced products pursuant to Article 4(1) of, and Part I of Annex A, to the Minamata Convention on Mercury of 10 October 2013 (BGBl. 2017 II, pp. 610, 611) (Minamata Convention).
14. The prohibition of the use of mercury and mercury compounds in manufacturing processes within the meaning of Article 5(2) and Part I of Annex B to the Minamata Convention from the phase-out date set for the respective products and processes in the Convention.
15. The prohibition of the treatment of mercury waste contrary to the provisions of Article 11(3) of the Minamata Convention.
16. The prohibition of the production and use of chemicals under Article 3(1)(a) of, and Appendix A to, the Stockholm Convention on Persistent Organic Pollutants of 23 May 2001 (BGBl. 2002 II, pp. 803, 804) (POPs Convention), as last amended by the Decision of 6 May 2005 (BGBl. 2009 II, pp. 1060, 1061), as amended by Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ 2009 L 2019, p. 45-77), as last amended by Commission Delegated Regulation (EU) 2021/277 of 16 December 2020 (OJ L 169, 26.5.2019, p. OJ L 62, 23.2.2021, p. 1-3).
17. The prohibition of the environmentally sound handling, collection, storage and disposal of waste in accordance with the rules applicable in the applicable legal system in accordance with the provisions of Article 6(1)(d)(i) and (ii) of the POPs Convention.
18. The prohibition of the export of hazardous waste within the meaning of Article 1(1) and other waste within the meaning of Article 1(2) of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal of 22 March 1989 (Federal Law Gazette 1994 II pp. 2703, 2704) (Basel Convention), as last amended by the

Third Ordinance Amending Annexes to the Basel Convention of 22 March 1989 of 6 May 2014 (Federal Law Gazette II p. 306, 307), and within the meaning of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (OJ 2006 L 1013, p. 1-98) (Regulation (EC) No 1013/2006), as last amended by Commission Delegated Regulation (EU) 2020/2174 of 19 October 2020 (OJ L 190, 12.7.2006, p. OJ L 433, 22.12.2020, p. 11-19);

18.1. to a Party which has prohibited the importation of such hazardous and other wastes (Article 4(1)(b) of the Basel Convention);

18.2. to an importing State within the meaning of Article 2(11) of the Basel Convention which has not given its written consent to the specific import, if that importing State has not prohibited the importation of such hazardous waste (Article 4(1)(c) of the Basel Convention);

18.3. to a non-Contracting Party to the Basel Convention (Article 4(5) of the Basel Convention);

18.4. to an importing State if such hazardous waste or other waste is not treated in an environmentally sound manner in that State or elsewhere (Article 4 (8) sentence 1 of the Basel Convention).

19. The prohibition of the export of hazardous waste from States listed in Annex VII to the Basel Convention to States not listed in Annex VII (Article 4A of the Basel Convention, Article 36 of Regulation (EC) No 1013/2006).

20. The prohibition of imports of hazardous waste and other waste from a non-party to the Basel Convention (Article 4(5) of the Basel Convention).