

Rules of Procedure

relating to the complaints procedure of RAG-Stiftung under section 8 LkSG

1. SCOPE OF APPLICATION OF THE RULES OF PROCEDURE

These Rules of Procedure describe the general principles for processing reports on human rights and environment-related risks, as well as on violations of human rights-related or environment-related obligations under the German Supply Chain Due Diligence Act (*Lieferkettensorgfaltspflichtengesetz*; **LkSG**) that have arisen through the commercial activities of RAG-Stiftung in its own area of operations or a direct supplier.

2. SUBMITTING A COMPLAINT

2.1 *Who can submit a report?*

Anyone can submit a report.

2.2 *How can a report be submitted?*

A report can be submitted through the following channels:

- by e-mail to hans-georg.heesen@rag-stiftung.de; and
- by post to RAG-Stiftung, Attn. Dr. Hans-Georg Heesen, Im Welterbe 10, 45141 Essen, Germany.

Reports are generally processed in German.

Dr. Hans-Georg Heesen, human rights officer of RAG-Stiftung, is available as a contact person.

2.3 *What can be reported?*

The reporting channels serve in particular to receive reports on human rights-related and environment-related risks that may be attributable to RAG-Stiftung or its direct suppliers, as well as violations of human rights-related and environment-related obligations under the LkSG.

2.4 Content of a report

In order to ensure proper and speedy processing, the report should, if possible, include a detailed description of the facts and supporting documents if available. Furthermore, the report should contain contact details for further communication and information on any desired anonymity.

3. CONDUCT OF THE PROCEDURE

3.1 Confirmation of receipt of the report

Where contact details have been provided, receipt of the report will be confirmed in writing or electronically, depending on the type of complaint channel selected.

3.2 Checking the report

After a report has been received, it will be documented and given a file number.

In a first step, the human rights officer will check the plausibility of the report as to whether there are sufficient indications based on the statement made as to existing risks that are relevant under the LkSG, or that violations of human rights-related or environment-related obligations under the LkSG might have occurred. It will first be determined, as the case may be by involving associated companies, whether there is sufficient suspicion making the conduct of further investigative measures appear permissible and necessary. If the reporting person has provided contact details and if necessary, the facts of the matter will be discussed with them. If relevant suspicion is assumed, the further measures required in the specific case will be considered. If the assumption of suspicion cannot be justified even after further investigation of the facts, the procedure will be closed. In this case, the reporting person will be informed without undue delay, including of the reasons for closing the procedure.

3.3 Involvement of the reporting person in the procedure

If possible, the reporting person will be informed of the status of processing of the matter and the outcome of the investigation. During processing, the greatest possible transparency towards the reporting person will be sought in line with legal provisions.

3.4 Duration of the procedure

The duration of the procedure depends largely on the scope and complexity of the reports and the facts to be investigated. In any case, reporting persons will be given sufficient time to add to their statements and to answer any queries.

3.5 Costs

The procedure described in these Rules of Procedure is available to anyone free of charge. Costs and expenses incurred by the reporting person will not be reimbursed.

4. PROCEDURAL PRINCIPLES

4.1 Confidentiality

The employees entrusted with the processing of complaints will in principle treat the information obtained by them as confidential towards third parties at any time. In particular, the identity of the reporting person will not be disclosed to the extent desired and permitted by law. The persons entrusted with conducting the complaints procedure are bound to secrecy.

4.2 Protection of the reporting person

Making the reporting person suffer any disadvantages, intimidation or other retaliation is not permitted and will not be tolerated.

The reporting person will be protected from any kind of retaliation within the scope of the options available to RAG-Stiftung.

4.3 Impartiality

Reports will be processed impartially. All persons entrusted with conducting the complaints procedure are independent and not bound by instructions.

4.4 Presumption of innocence

All reports will be investigated objectively and in compliance with the presumption of innocence.

4.5 Fair procedure and principle of proportionality

In the context of clarification and investigation, only legally permissible measures will be taken and legally usable information will be considered. All investigative measures must be suitable, necessary and reasonable.

4.6 Data protection

Measures under these Rules of Procedure will be carried out in accordance with the provisions of the GDPR.

4.7 Supplementary provisions

RAG-Stiftung may issue internal regulations and work instructions that are in line with these Rules of Procedure with a view to developing the procedural requirements. Such supplementary provisions will be published on the website of RAG-Stiftung.

5. SEVERABILITY

Should any provisions of these Rules of Procedure be invalid or should a gap be identified in these Rules of Procedure, this will not affect the validity of the remaining provisions.

* * * *