

Compliance program

Standpoint

of the statutory body of TEMPERATIOR s.r.o. to the obligations under the Act on Criminal Liability of Legal Entities and to the established Compliance Program

- Preamble -

1. TEMPERATIOR s.r.o. fundamentally rejects any acts and conduct that show signs of illegal conduct and may lead to a violation of Act No. 418/2011 Coll., On Criminal Liability of Legal Entities and Proceedings Against Them, as amended. It avoids any illegal conduct in carrying out its business activities.
2. TEMPERATIOR s.r.o. hereby unequivocally and expressly declares that its conduct in business and related relations is in full compliance with all ethical and legal rules of competition, financial and fiscal integrity, customs regulations, insolvency regulations, environmental protection and employment relations, including equal opportunities, etc.
3. The management and employees of TEMPERATIOR, s.r.o. comply with the legal order of the Czech Republic, international regulations, European Union regulations, as well as the internal regulations of TEMPERATIOR, s.r.o., including the Compliance Program.
4. The management and employees of TEMPERATIOR s.r.o. adhere to the rules of economic competition, anti-money laundering and anti-corruption rules in the public and private sectors, and respect security rules for the handling of *know-how* and other data, including personal data. All responsible persons and employees of TEMPERATIOR s.r.o. adhere to the rules of occupational safety and fair and proper working conditions, which prevent discrimination and other harmful and undesirable conduct in labour and external relations.
5. TEMPERATIOR s.r.o. has created, approved and follows an agreed Compliance Program, which aims to prevent illegal activity and related criminal liability.

- The essence of the Compliance program -

1. TEMPERATIOR s.r.o. has decided to create and publish and adhere to this Compliance Program; its motivation has been and will be the prevention of illegal conduct and the prevention of socially pathological and undesirable legal phenomena within society. The Compliance Program thus helps the management and employees of TEMPERATIOR s.r.o. to identify these adverse events and decide how to behave properly and ethically, and to enable them to report their suspected violations or adverse events of any kind through the Ethics Hotline without adverse consequences.
2. In order to maximize the effect of the Compliance Program, several interrelated documents have been drawn up, the content and updates of which are regularly communicated to the employees

and responsible persons of TEMPERATIOR s.r.o., in the form of interpretations and training by professional agencies specializing in the issue.

3. TEMPERATIOR s.r.o. compliance program has been drawn up with due care and its timeliness is regularly reviewed in the same way, and it is regularly adjusted and amended in response to legislative changes, the mood in the company and evaluation of its effectiveness, in order to make it as effective as possible.
4. TEMPERATIOR s.r.o. presents a document called the Code of Ethics as the key document of the Compliance program; it is binding for all responsible persons and employees of TEMPERATIOR s.r.o. The Code of Ethics is an expression of the stance of TEMPERATIOR s.r.o. to compliance with legal rules, moral and business standards. The Code of Ethics is a form of internal regulation that serves as a tool for identifying and explaining risks, but also an overview of the responsibilities of persons acting on behalf of TEMPERATIOR s.r.o. To support and prevent compliance with the Code of Ethics, the Ethics Hotline was created and the means of its use and handling of the data contained therein was explained in the form of principles. The Compliance Program and this statement of TEMPERATIOR s.r.o. also include the following Compliance Declaration, as a public expression of respect for ethics and good business manners, which also calls on the business partners of TEMPERATIOR s.r.o. to join the declaration below and incorporate its statements into the mutual contractual documentation.

- Compliance declaration - TEMPERATIOR s.r.o. proposal for business relations, public procurement and attitudes to crime

Compliance program

With this declaration of its stances, TEMPERATIOR s.r.o. publicly and in advance expresses its respect for ethics and good manners in business dealings towards its future and current business partners, as well as its unequivocally negative attitude towards the crime of tax evasion, bribery and public procurement. The positions and statements contained herein correspond to the content of the Compliance Program which TEMPERATIOR s.r.o. has adopted and which it regularly updates and follows.

In this way, in connection with other related documents and components of the Compliance Program, TEMPERATIOR s.r.o. informs its business partners, state authorities and competitors about the existence of its Compliance Program when participating in public procurement and points to the content of these declarations by providing links to its website, where these declarations are made publicly and remotely available.

Declaration of TTT for business relations

TEMPERATIOR s.r.o. hereby declares its stance regarding the ethics and good manners in business dealings towards its customers, suppliers, intermediaries and other persons with whom it enters into a business relationship (hereinafter referred to as “business partners”) and encourages such persons to get acquainted with the content of our Compliance Program and to adopt the principles and rules defined therein. In order to eliminate the risks arising from violations of the Czech legislation (especially

specified below), international law and European Union law, TEMPERATIOR s.r.o. proposes to its business partners to implement the following passages in mutually concluded contracts:

““The parties to this agreement hereby declare that in accordance with Act No. 418/2011 Coll., On the Criminal Liability of Legal Entities and Proceedings Against them, as amended, and international agreements that are part of the legal order:

- *have not committed any unlawful act, either in their own name or in their interest or in the course of their business, or are not aware of having done so, and*
- *they undertake to voluntarily refrain from committing further offences in the event that any offence is discovered and to eliminate the danger that has thus arisen, or to prevent or remedy the harmful consequence.*

The participants further declare that they have done everything that can be justly required of them to prevent committing an offence under Act No. 418/2011 Coll., On the Criminal Liability of Legal Entities and Proceedings Against Them, as amended and international treaties. “

Declaration of TEMPERATIOR s.r.o. on the Participation in Public Procurement, Tenders and Auctions and the clause on the attitude towards illegal conduct

TEMPERATIOR s.r.o. takes a completely negative attitude towards committing any illegal act. As a result of the extension of the range of criminal offences which a legal entity may commit under Act No. 418/2011 Coll., On Criminal Liability of Legal Entities and Proceedings Against Them, as amended, and international treaties and also with an eye on the extension of the range of criminal offences (see Section 11 of Act No. 418/2011 Coll., on Criminal Liability of Legal Entities and Proceedings Against Them, as amended), TEMPERATIOR s.r.o. declares its stance towards the selected most serious offences for which the law excludes cessation of criminal liability. The purpose of this declaration is therefore a clear and explicit rejection of certain conduct and distancing from such conduct of third parties, as well as a warning of the possible consequences of such conduct for further cooperation.

“The participants to this agreement hereby declare that, with reference to the provisions of Act No. 418/2011 Coll., On the Criminal Liability of Legal Entities and Proceedings Against Them, as amended, and Act No. 40/2009 Coll. of the Criminal Code as amended:

- *Section 240 (tax, fee and similar mandatory payment evasion) they have not evaded tax, duty, any type of insurance premium, or fee or other similar mandatory payment, nor have they elicited any advantage to any of these mandatory payments.*
- *Section 226 (scheming in insolvency proceedings) they have not accepted or promised property or other benefits in violation of the principles and rules of insolvency proceedings, nor have they provided, offered or promised such benefits;*
- *Section 248 par. 1 (violation of regulations on competition rules) they have not violated any other legal regulation concerning unfair competition, i.e., they have not committed misleading advertising, misleading labelling, parasitism on the reputation of the company, bribery, violation of trade secrets, etc.;*
- *Section 256 (stipulating an advantage in the award of a public contract, in a public tender and a public auction) they have not intentionally caused damage in connection with the award of a public contract, a tender or an auction or obtained preference or more favourable conditions for themselves or for other parties to the detriment of others;*

- *Section 257 (scheming in the award of a public contract and in a public tender) or Section 258 (scheming in a public action) they have not provided, offered, promised or solicited or accepted property or other benefits for refraining from participating in a public contract or auction;*
- *Section 331 (acceptance of a bribe) they have not asked for, accepted or promised a bribe in connection with the procurement of things of general interest or another in connection with their own business or another;*
- *Section 332 (bribery) they have not given, offered or promised a bribe in connection with the procurement of things of general interest or another in connection with their own business or another party's business;*
- *Section 333 (indirect bribery) they have not sought, accepted, provided, offered or promised a bribe for exerting their influence or another person's influence on the exercise of authority of an official.*

V Liberci dne 1. 11. 2023



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