

## **Femern A/S Code of Conduct**

### **1. Introduction**

20 June 2013

The objective of Femern A/S is to ensure high ethical and professional standards in the planning, design and construction of the Fehmarnbelt Fixed Link. This objective will ensure that the planning, design and construction work is performed in a timely and financially responsible manner.

Within the planning, design and construction of the Fehmarnbelt Fixed Link, Femern A/S believes that its contractors, consultants and direct suppliers must act responsibly when dealing with climate, environmental, social and economic demands and standards. On this basis, Femern A/S has developed the Femern A/S CSR Policy that refers to the UN Global Compact and which forms the basis of the Femern A/S Code of Conduct.

As to how these standards are adhered to and complied with is regulated by the company's contractual framework with contractors, consultants and direct suppliers.

In this Code of Conduct, Femern A/S sets out in general terms the behaviour that the company expects from its contractors, consultants and direct suppliers.

### **2. To whom the Femern A/S code applies and where**

This Code of Conduct applies to all full-time and part-time employees and temporary staff at all Femern A/S business locations.

This Code of Conduct also applies to all contractors, consultants and direct suppliers as well as all sub-contractors, sub-consultants and other suppliers who operate on and in the immediate vicinity of all Femern A/S construction sites in both Denmark and Germany as well as at sea.

Contractors, consultants and direct suppliers are obliged to audit their sub-contractors, sub-consultants and suppliers on a regular basis and to the extent required; thus ensuring that they are in compliance with the Femern A/S Code of Conduct

### **3. Business Ethics**

Femern A/S will only conduct business with contractors, consultants and direct suppliers that demonstrate business integrity, operate in accordance with applicable legislation, and are exemplary in the industry.

In accordance with the Femern A/S contractual framework, Femern A/S requires that:

- Contractors, consultants and direct suppliers dissociate themselves from any kind of corruption, including bribery, embezzlement and blackmail and do not operate in a way that violates this Code of Conduct
- Contractors, consultants and direct suppliers have procedures in place to ensure that business procedures are in accordance with applicable legislation and, in par-

ticular, do not involve money laundering, fraud, actions in violation of EU legislation and the financing of terrorists and other criminal organisations

- Contractors, consultants and direct suppliers do not directly or indirectly offer or make improper payments to persons or institutions with the purpose of achieving an illicit advantage. Contractors, consultants and direct suppliers may neither directly, nor indirectly request or receive payment for services given with the purpose of acting against regulations.

#### **4. Responsible management**

During the planning, design and construction of the Fehmarnbelt Fixed Link, Femern A/S is committed to the responsible management of this Code of Conduct.

In accordance with the Femern A/S contractual framework, Femern A/S requires that:

- Contractors, consultants and direct suppliers have procedures in place to identify, determine and handle risks in all areas specified by this Code of Conduct
- Contractors, consultants and direct suppliers establish the necessary mechanisms, including quality and environmental management systems in order to ensure that the conditions laid down in the legislation and in the permits to carry out the project, are complied with; including models for monitoring and auditing the performance of the work and contractors as appropriate
- Contractors, consultants and direct suppliers have procedures in place to communicate this Code of Conduct to all relevant employees in a language and fashion, such that it will be properly understood and adhered to by all
- Contractors, consultants and direct suppliers have in place a grievance mechanism, Whistle Blower protection, and a program for handling such reports.

#### **5. The employers' social responsibility**

Femern A/S requires responsible behaviour towards the contractors', consultants' and direct suppliers' employees, who are associated with the planning, design and construction of the Fehmarnbelt Fixed Link.

In accordance with the Femern A/S contractual framework, Femern A/S demands that:

- Contractors, consultants and direct suppliers support and respect the protection of internationally proclaimed and – by Denmark and Germany – acknowledged human rights and have taken the necessary steps to make sure they are not complicit in human rights abuses
- The contractors', consultants' and direct suppliers' employees are hired according to international conventions and Danish, German and EU legislation, ensuring that the employees have fair terms, fair salary and decent living conditions, and that all employees have a written work contract
- Contractors', consultants', and direct suppliers' employees are protected against discrimination or harassment due to race, age, disability, ethnicity, sex, political views or other opinion, religion or sexual orientation

- Contractors, consultants and direct suppliers recognise and respect the employees' right to conduct collective negotiations and organise themselves. In countries where unions are illegal due to local legislation, or where such organisations are controlled by the state, contractors, consultants and direct suppliers support efforts aimed at allowing employees' collective bargaining rights and the right to present collective stances to the management
- Contractors, consultants and direct suppliers refuse all kinds of forced, bonded and compulsory labour. This includes the use of slavery or slave like conditions. All work has to be undertaken voluntarily, and employees are able to resign with fair notice
- Contractors, consultants and direct suppliers recognise the ILO conventions on children's rights, abstain from all kinds of child labour, and do not employ children under the age of 15
- Contractors, consultants and direct suppliers seek to ensure that young workers, i.e. workers between the ages of 15 and 18, do not work at night and are protected against any kind of work deemed dangerous, unsound or work that will negatively influence physical or mental health.

## **6. Climate and environmental responsibility**

Climate and environmental concerns are an integrated part of Femern A/S' operations aimed at the prevention of negative environmental impacts to the extent viable and that always seek to mitigate impairments.

In accordance with the Femern A/S contractual framework, Femern A/S requires that contractors, consultants and direct suppliers have the same approach and therefore requires that:

- Contractors, consultants and direct suppliers must ensure legal compliance with all environmental legislation in the country where production or work is carried out
- Contractors, consultants and direct suppliers measure, track and communicate environmental performance and aim for improvement overall
- Contractors, consultants and direct suppliers must actively work to implement climate and environmentally friendly measures and technologies to the extent technically possible and economically reasonable
- Contractors, consultants and direct suppliers must use a precautionary approach and seek to prevent or at least reduce negative climate and environmental impact by integrating environmental considerations in the planning, design and construction of the fixed link and through a systematic procedure to identify, manage and communicate risks

## **7. Health, safety and well-being**

In accordance with the Femern A/S contractual framework, Femern A/S will use best practice procedures and standards for health, safety and well-being during the planning, design and construction of the Fehmarnbelt Fixed Link.

In accordance with the Femern A/S contractual framework, Femern A/S requires that:

- Contractors, consultants and direct suppliers abide by local health and safety regulations and other relevant legislation, respect relevant international obligations and generally applicable norms; and maintain good health and safety standards at the workplace or any other place where production or work is carried out
- Contractors, consultants and direct suppliers have a company health, safety and well-being policy in place
- Contractors, consultants and direct suppliers show clear understanding of the risks connected with the work, have safety plans in place wherein the risks are categorised and measures are established for detecting, controlling and mitigating the risks
- Contractors', consultants' and direct suppliers' health, safety and well-being policies encourage any and all employees to stop work in the event of any indication of danger to their own lives or the life and welfare of others
- Contractors, sub-contractors, consultants and suppliers provide their employees with well-run and decent living conditions.

## **8. Communication and dialogue**

Femern A/S will, throughout the entire planning, design and construction of the Fehmarn-belt Fixed Link, communicate in an open, honest and transparent manner about the project and engage in a dialogue-oriented communication with e.g. the media and neighbours.

The contractors, consultants and direct suppliers will, together with Femern A/S, keep all effected groups and stakeholders informed and listen to their concerns.

Contractors', consultants' and direct suppliers' communication to Femern A/S and the public must be conducted in an honest, respectful and transparent manner and must be executed in cooperation with Femern A/S.