

AEB Compliance

AEB Guideline on the Management of Advantages and Benefits

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AEB

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Preliminary remarks

AEB SE does not tolerate any form of corruption. In addition to the relevant laws on corruption, this guideline also addresses conduct that runs counter to the ethical and moral values of AEB. Decisions concerning the business activities of AEB shall not be influenced by the granting of advantages.

The basic explanations contained in AEB's [Code of Conduct](#) concerning the management of benefits are specified in this guideline and defined on a coherent basis.

1 Purpose

This guideline defines the standards concerning the management of personal benefits and invitations to professional events, and applies to all AEB locations.

For reasons of differentiation, this document also addresses corruption offenses that are otherwise external to the activities of AEB. This is exemplified by Section 299 of the German Criminal Code (StGB) concerning the taking and giving of bribes in commercial practice.

2 Differentiation between corruption and inappropriate benefits

2.1 Corruption offenses

German criminal law not only criminalizes bribery in all dealings with public officials, but also, in accordance with Section 299 of the German Criminal Code (StGB), bribery in commercial practice. The legal right to free and fair competition is protected against distortion as a result of corruption.

The essential criterion for all corruption offenses is what is known as a “wrongful agreement” between the business partners. This means that the giver and recipient of an advantage agree that they will make an extraneous decision on the basis of the advantage, i.e. they will agree to preferential treatment.

Preferential treatment is unfair “if the intended advantage, measured against the principles of fair competition, is not based exclusively on objective considerations, but at also, at least, on the granting of an advantage”, i.e. it infringes the principles of commercial practice.

2.2 Unethical conduct contrary to AEB values

Although the granting of an advantage is not in itself a criminal offense, in addition to unlawful corruption, this guideline is also intended to prevent unethical conduct. Any appearance of a business decision being influenced by the granting of advantages is to be avoided.

3 Management of personal benefits

This section governs the acceptance and granting of personal benefits in relation to the customers and business partners of AEB. Benefits in connection with professional events are addressed separately in section 4.

3.1. Prohibited benefits

The acceptance and granting of non-cash benefits and invitations is always prohibited,

- if such benefits and invitations are linked to a consideration, or if such a consideration is expected or hoped for.

For example: Agreeing to faster processing times or business agreements

- in return for benefits that are not considered socially appropriate.

Benefits are not socially appropriate if they exceed the customary social standards that are considered appropriate by the general public. The question of when this is the case is to be determined on a case-by-case basis and, in particular, is not determined by value limits.

In case-by-case assessments, the country-specific customs at international locations must be taken into account.

Cash benefits are never socially appropriate (regardless of their amount or location).

3.2 Permitted benefits

The acceptance and granting of socially appropriate benefits is permitted and is not subject to approval.

Socially appropriate benefits are benefits that are granted within the scope of the general rules of courtesy or custom.

Social appropriateness can be assumed if, from the perspective of a third party who has been informed of the situation at hand, the benefit cannot reasonably give the impression that it will lead to obligations on the part of the recipient.

It is not possible to specify fixed limits for social appropriateness, which is why it is always necessary to consider each case individually.

In the business environment of AEB and taking the position of its employees into account, the following gifts and invitations are generally considered appropriate:

- Promotional gifts, such as notepads, coffee mugs, T-shirts, key rings, etc.
- Local delicacies, flowers, wine
- Invitations to business meals, as long as the invitation takes place within the context of a business meeting and the value of the business meal corresponds to the position of the invited person in the company.
- Invitations to events, as long as they are socially appropriate (e.g. sporting events or cultural events in the company of business partners).

4 Professional events

The acceptance or issuing of invitations to professional events, including trade events and trade fairs, is permitted as long as they are thematically relevant to business activities of AEB. This also applies if participation in such an event is made dependent on a consideration.

4.1 Acceptance of invitations to professional events and trade events

A frequent use case in the business environment of AEB is large-scale professional events, in which AEB is given the opportunity to sponsor the event, to hold a presentation, and to distribute individual admission tickets to AEB employees which are normally subject to a charge. This conduct, which is already practiced, remains intact without requirements for consent, approval or value limits.

4.2 Issuing of invitations to professional events and trade events

The employees of AEB may issue invitations to external and internal professional events, such as the Get Connected.

5 Point of contact

The AEB Compliance and Sustainability team is the point of contact for all questions that relate to the social appropriateness of personal benefits, professional events, and trade events.

Additionally, information on possible infringements of the corruption provisions of the German Criminal Code can be submitted confidentially to a legal ombudsman via the internal reporting office.

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