

## FAQ OMBUDSPERSON

### 1. What are the tasks of the ombudsperson?

The key task of the ombudsperson is to confidentially gather information relating to corporate crime and improper business practices, as well as regulatory violations which negatively impact the company or the German Banking Act (KWG). Through use of an ombudsperson, a whistle-blower who chooses not to contact the responsible internal unit (Compliance), has recourse to an additional point of contact outside the company, who is subject to legal privilege and therefore the confidentiality obligation. On the basis of his or her long-standing professional experience, the ombudsperson reviews the information received for its relevance to the company, in an autonomous and independent manner. If the ombudsperson concludes that the suspicion merits closer investigation, he or she forwards the case to the compliance department of the affected Group company, without revealing the name of the whistle-blower. The identity of the whistle-blower will only be revealed to the compliance department of the affected company by wish and/or express consent of the whistle-blower.

### 2. What are regulatory violations?

Examples of regulatory violations which the ombudsperson is responsible for investigating and preventing are:

- Section 299, German Penal Code (StGB): Bribery and corruption in the course of trade
- Section 331 StGB: Accepting benefits
- Section 332 StGB: Corruption (venality)
- Section 333 StGB: Granting benefits
- Section 334 StGB: Bribery (payoff)
- Section 242 StGB: Theft
- Section 246 StGB: Embezzlement
- Section 264 StGB: Subsidy fraud
- Section 265b StGB: Credit fraud
- Section 266 StGB: Breach of public trust
- Section 263 StGB: Fraud
- Section 263a StGB: Computer fraud
- Section 17 German Unfair Competition Act (UWG): Betrayal of corporate and company secrets
- Section 370 German Fiscal Code (AO): Tax evasion
- Breaches against relevant legal standards in the KWG

### **3. Who may contact the ombudsperson?**

The ombudsperson may be contacted by all staff members of KfW Group (KfW, DEG, IPEX and FuB), but also by external third parties.

### **4. What information does the ombudsperson gather?**

The goal of involving an ombudsperson is primarily to assure investigation and prevention of so-called corporate crime (also see 1.2), but also other company-related crimes connected to KfW Group, or breaches against relevant legal standards of the KWG.

### **5. How is confidentiality guaranteed?**

As a lawyer, the ombudsperson is obliged to act in confidence, and only reveals the identity of the whistle-blower to the compliance department of the affected Group company by his or her express consent.

Information which is not cleared for disclosure by the whistle-blower is to remain confidential. Neither the company nor state law enforcement authorities (police, public prosecutor, courts) will hear about it. Lawyers who breach their professional code of legal privilege are liable to prosecution, pursuant to section 203 of the StGB.

### **6. How can I contact the ombudsperson?**

You may contact the ombudsperson by telephone, e-mail, fax or post. As a rule, following prior arrangement, a (personal) discussion will be conducted.

### **7. What happens to the information?**

Information about relevant legal matters which the whistle-blower agrees may be disclosed, are forwarded to the compliance department of the affected Group company (KfW, DEG, IPEX, FuB) by the ombudsperson.

The matter is evaluated according to an orderly procedure and the necessary (corporate) measures are coordinated and carried out. If there is growing evidence of criminal behaviour – depending on each individual case – further (e.g. legal) steps are initiated by the company.

### **8. What information is the ombudsperson not responsible for?**

- The ombudsperson is not an arbitration board for disagreements between third parties and companies of KfW Group.
- The ombudsperson is not a point of contact for complaints which are not related to suspected criminal activity. For complaints such as this, please contact:

<https://www.kfw.de/formulare/Forms/KfW-contact/?lb=1>