Bundesverband
Materialwirtschaft,
Einkauf und Logistik e.V.

AMMPL (BME)

Code of Conduct

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I Preamble

The Association Materials Management, Purchasing and Logistics (AMMPL or “BME” in German) represents some 6,700 members, including 1,500 corporate members. AMMPL membership reflects all sectors and types of companies, including industry and trade, banks and insurance companies, public institutions, energy providers, right down to logistics providers.

The AMMPL and its members are aware of their social responsibility. All those involved in the procurement process as intermediaries between their own company and suppliers in each of the supply markets bear a particular responsibility towards their own company, towards customers and suppliers, towards the environment and towards society.

The conduct of the companies and their employees is guided in particular by the values of integrity and fairness.

The AMMPL Code of Conduct is a voluntary code that is intended to put substance behind the interest of the Association Materials Management, Purchasing and Logistics and its members in upholding fair, sustainable, responsible ethical principles of conduct.

The AMMPL Code of Conduct applies to any company that signs / accedes to it, along with its management and employees, and it is intended as a basis for all business relationships of the signing / acceding company.

The ethical principles spelled out in this AMMPL Code of Conduct are grounded in the basic principles of the UN Global Compact (appendix), the ILO conventions, the United Nations' Universal Declaration of Human Rights, the UN Conventions on the Rights of the Child and the Convention for the Elimination of All Forms of Discrimination of Women as well as the OECD Guidelines for Multinational Companies. The following Numbers II to V constitute minimum standards and are intended to prevent situations that may call into question the integrity of the companies and their employees.

The signing / acceding company observes the principles of the Global Compact and in its management practices seeks to ensure that they are upheld.

II General Principles, Laws and Statutes

The signing / acceding company commits to upholding its societal responsibility in all business dealings.

In all its business activities and decisions, the signing / acceding company commits to respecting the laws in effect and any other applicable provisions in the countries where it is active. Business partners are to be treated fairly. Contracts are to be upheld, whereby changes in the framework of the business environment are to be taken into consideration.

III 1. Corruption / Anti-Trust Law / Forced Labour / Child Labour

a) Corruption

In dealing with business partners (customers, suppliers) and state institutions, the interests of the company and the private interests of employees on both sides are to be kept strictly separate. Actions and (purchasing) decisions are to proceed independent of considerations which do not concern the business at hand and which involve personal interests.

Current anti-corruption criminal law is to be upheld. Among other things, the following is to be observed:

Criminal Acts in Dealings with Public Officials
The granting of personal advantages (in particular benefits in kind such as payments and loans, including the giving of smaller gifts over a longer period of time) by signing / acceding companies and their employees to public officials (such as civil servants or public employees) with the objective of gaining advantages for the signing / acceding company or oneself or for third parties, is not permitted.

Criminal Acts in Business Dealings
Personal benefits in kind in exchange for a favoured position in business dealings may not be offered, promised, granted or approved. Nor may personal benefits be demanded or accepted in dealings with business partners. The signing / acceding company must require from its employees that they will not allow any such benefits to be promised to them.

The management and employees of a signing / acceding company are not allowed in the course of business dealings to offer, promise, demand, give or accept gifts, payments, invitations or services that are provided with the aim of influencing a business relationship in a prohibited way or with whom there is the risk of jeopardising the professional independence of the business partner. This generally does not apply to gifts and invitations that fall within the bounds of normal business practice with regard to hospitality, convention and courtesy.

The signing / acceding company can issue a binding policy with regard to the giving and receiving of gifts, invitations to business entertainment and events. This policy can specify exceptions with respect to appropriate gifts of small value and of a symbolic nature, reasonable business meals and reasonable company events as well as those of business partners (customers, suppliers). The policy is to be transmitted to AMMPL and communicated within the signing / acceding company as well as towards existing and potential business partners (disclosure).

The signing / acceding company shall designate a person who can be contacted when employees of the signing / acceding company are in a conflict of interest or are uncertain whether a conflict of interest exists or could arise.

b) Conduct vis-à-vis Competitors (Anti-trust Law)

The signing / acceding AMMPL member company respects fair competition. Thus the signing / acceding company adheres to existing laws that uphold and promote competition, in particular prevailing anti-trust laws as well as laws that regulate competition.

In dealing with competitors, these provisions in particular prohibit collusion and other activities aimed at influencing prices or conditions, dividing up sales territories or customers or using prohibitive means to inhibit free and open competition. Furthermore, these provisions prohibit agreements between customers and suppliers by which customers are to be enjoined in their freedom to autonomously determine their pricing and miscellaneous conditions when reselling (determination of pricing and conditions).

Given the fact that it can be difficult to distinguish between prohibited cartels and legitimate collaboration, the signing / acceding company shall designate a person who can be contacted in case of doubt.

c) Forced Labour

The signing / acceding company rejects every form of forced labour.

d) Child Labour

The signing / acceding company respects the regulations of the United Nations on human rights and children's rights. In particular, the signing / acceding company commits to complying with the Convention concerning the minimum age for admission to employment (Convention No 138 of the International Labour Organisation) as well as the Convention concerning the prohibition and immediate action for the elimination of the worst forms of child labour (Convention No 182 of the International Labour Organisation). If a national regulation concerning child labour provides for stricter measures, these shall have precedence.

III 2. Principles promoting Social Responsibility

a) Human Rights

The signing / acceding company respects and supports compliance of internationally-recognised human rights.

b) Discrimination

The signing / acceding company commits, within the scope of prevailing laws and statutes, to opposing all forms of discrimination. This applies in particular to unfair treatment on the basis of gender, race, disability, ethnic or cultural origin, religion or world view, age or sexual orientation.

c) Health Protection

The signing / acceding company guarantees protection of workers in the workplace and workplace health protection within the scope of national provisions. The signing / acceding company supports continuous advancement of this process towards improvement of the working environment.

d) Fair Working Conditions

The signing / acceding company respects its employees' right of association within the bounds of prevailing laws and statutes.

e) Environmental Protection

The signing / acceding company is committed to sustainably upholding the goal of environmental protection for current and future generations. Laws passed for the protection of the environment are to be obeyed. The signing / acceding company is to support environmentally-minded actions on the part of its employees.

f) Company Secrets

The signing / acceding company commits its employees to safeguarding trade and company secrets. It is forbidden to divulge confidential information, as well as confidential documents, to third parties without proper authorisation or to provide other forms of access to them, unless proper authorisation has been granted or it has to do with publicly available information.

IV Suppliers

The signing / acceding company is called upon to communicate the basic principles of this AMMPL Code of Conduct Section III 1 to its immediate suppliers, to promote the compliance of the content of the AMMPL Code of Conduct Section III 1 to the best of its ability among its suppliers and to require them to also adhere to the AMMPL Code of Conduct Section III 1. The signing / acceding company is further called upon to recommend to its suppliers to in turn call upon their suppliers to follow the AMMPL Code of Conduct.

V Compliance

The signing / acceding company is at liberty to introduce further codes of conduct with higher requirements of ethical practice for itself and its employees.

The signing / acceding company commits to informing its employees of the provisions governed by the AMMPL Code of Conduct and the obligations that result from it.

The signing / acceding company commits, in particular, to developing and, as needed, adapting guidelines and processes so that the company will comply with the principles of this AMMPL Code of Conduct.

The signing / acceding company is to provide AMMPL with a responsible contact for the AMMPL Code of Conduct, who can speak definitively on behalf of the company about compliance with the AMMPL Code of Conduct. The signing / acceding company is to undertake to ensure through appropriate organisational preparations that the signing / acceding company and its management complies with the AMMPL Code of Conduct. This is achieved in particular by the introduction and maintenance of appropriate controls and plausibility checks.

Frankfurt, 10th November 2008

APPENDIX

United Nations Global Compact

The Ten Principles

The Principles of the Global Compact are based on a universal consensus and are derived from …

- The Universal Declaration of Human Rights
- The International Labour Organisation's Declaration on Fundamental Principles and Rights at Work
- The Rio Declaration on Environment and Development …
- The United Nations Convention Against Corruption

The Global Compact asks companies to embrace, support and enact, within their sphere of influence, a set of core values in the areas of human rights, labour standards, the environment, and anti-corruption:

Human Rights

Principle 1: Businesses should support and respect, within their sphere of influence, the protection of internationally proclaimed human rights; and…

Principle 2: make sure that they are not complicit in human rights abuses.

Labour Standards

Principle 3: Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining; …

Principle 4: the elimination of all forms of forced and compulsory labour;

Principle 5: the effective abolition of child labour; and

Principle 6: the elimination of discrimination in respect of employment and occupation.

Environmental Protection

Principle 7: Businesses should support a precautionary approach to environmental challenges,

Principle 8: undertake initiatives to promote greater environmental responsibility; and

Principle 9: encourage the development and diffusion of environmentally friendly technologies.

Fighting Corruption

Principle 10: Businesses should work against corruption in all its forms, including extortion and bribery.