

## TOP Packaging Supplier Code of Conduct – Short Form

- I. **Preamble:** TOP Packaging is committed to the principles stated in this Code of Conduct. At the same time TOP Packaging extends this obligation to comply with the legally binding principles of this Code of Conduct to its suppliers and service providers.
  - II. **Scope:** This Code of Conduct applies to all TOP Packaging suppliers and service providers with whom a direct business relationship exists.
- 
1. **Legislative compliance:** All valid domestic and EU legislation and regulations, plus relevant internationally recognised standards and guidelines are to be complied with.
  2. **Bribery and corruption:** Statutory provisions to combat corruption are to be observed.
  3. **Anti-monopoly law and competition:** TOP Packaging expects its business partners to observe all applicable domestic, EU and relevant foreign anti-monopoly laws as well as any legislation relating to unfair competition.
  4. **Occupational health and safety:** TOP Packaging and its business partners shall ensure a safe, healthy and hygienic working environment and shall take the requisite measures to avoid accidents and damage to health.
  5. **Working hours:** Working hours must comply with applicable law, industrial standards and any relevant ILO Conventions\* (*see page 6*), in accordance with which regulation is the stricter.
  6. **Remuneration:** The business partners shall ensure that the wage paid to employees at least corresponds to the legal minimum wage.
  7. **Freedom of organisation and association:** The rights of all employees to establish trade unions and for trade union membership plus for collective bargaining are to be observed and protected from any infringements of such.
  8. **Child labour and young person labour:** Any kind of exploitation of children and young people is not tolerated by TOP Packaging. Child labour is forbidden.
  9. **Forced labour:** All forms of forced labour and compulsory labour plus all involuntary prison labour that abuses human rights are forbidden.
  10. **Disciplinary measures:** All employees are to be treated with dignity and respect. Sanctions, fines plus other punishments or disciplinary measures may only be implemented in accordance with applicable national and international standards and internationally recognised human rights.
  11. **Discrimination:** Any type of discrimination in the appointment and hiring of personnel is forbidden.
  12. **Environmental protection:** TOP Packaging expects its business partners to comply with applicable legislation and minimum regulations relating to climate and environmental protection plus with environmentally-aware business operations.
- 
- i. **Implementation:** Our business partners commit to comply with the principles listed above.
  - ii. **Information and communication:** Our business partners are requested to inform all their employees of the provisions contained in this Code of Conduct.
  - iii. **Monitoring:** The business partners thereby consent that compliance to the requirements listed above can be verified.
  - iv. **Complaints procedure:** Complaints or notices of infringements against this Code of Conduct can be notified at any time – and also anonymously. All business partners guarantee to refrain from discriminatory measures or disciplinary measures against the person making such notification.
  - v. **Sanctions and remedial measures:** If infringements against this Code of Conduct are established, the business partners commit to inform TOP Packaging about such infringements immediately and in writing and to instigate relevant remedial measures. TOP Packaging reserves the right of dismissal.

## TOP Packaging Supplier Code of Conduct

### I. Preamble

The mission of TOP Packaging is to be an independent and responsible business. TOP Packaging is committed to the principles stated in this Code of Conduct. At the same time TOP Packaging extends this obligation to comply with the legally binding principles of this Code of Conduct to its suppliers and service providers and to also demand this from their direct suppliers and service providers.

### II. Scope

This Code of Conduct in its current and updated version applies to all TOP Packaging suppliers and service providers with whom a direct business relationship exists (henceforth referred to as "business partners").

---

#### 1. Legislative compliance

All valid domestic and EU legislation and regulations, plus industrial minimum standards, conventions of the International Labour Organisation (ILO)\* ([see page 6](#)) and the United Nations and all other relevant statutory provisions are to be complied with, whereby those regulations are to be applied which have the strictest requirements.

Compliance with this Code of Conduct plus the standards listed above must not be circumvented by ancillary agreements such as contractual agreements or comparable measures.

#### 2. Bribery and corruption

TOP Packaging declares that it is against corruption and bribery and demands that its business partners observe statutory provisions to combat corruption. Business partners ensure that they do not offer, promise or grant any inadmissible benefits to TOP Packaging employees\*\* ([see page 6](#)) or to any persons close to them. The same applies to all persons who act in accordance with instructions from the business partners.

Any notifications of corrupt conduct are to be reported to the independent, external contact partner (ombudsman, see [Section iv\) Complaints procedure](#)).

#### 3. Anti-monopoly law and competition

TOP Packaging observes all applicable domestic, EU and relevant foreign anti-monopoly laws as well as any legislation relating to unfair competition and also expects this from its business partners. Price or terms and conditions agreements with competitors are therefore also forbidden as are other agreements which have the effect of restricting competition, and in particular specific agreements with competitors with the purpose of market or customer allocation.

Any notifications of anti-competitive conduct are to be submitted to the independent, external contact partner (ombudsman, see [Section iv\) Complaints procedure](#)).

#### 4. Occupational health and safety

In the view of TOP Packaging a safe and healthy working environment is a crucial company success-factor. Business partners shall take care to ensure a safe, healthy and hygienic working environment and shall take the requisite measures to avoid accidents and damage to health which may occur in connection with any activities. Hereby it must be ensured that occupational safety standards are complied with. In this regard business partners shall implement appropriate and transparent measures and operate systems (based on OHSAS 18001 or comparable systems) in order to identify and avoid a potential risk to the health and safety of their employees.

In addition – wherever relevant – the regulations from on hygiene policy statement and occupational protection policy are to be complied with and which can be viewed at [www.top-packaging.pl](http://www.top-packaging.pl).

## **5. Working hours**

Working hours must comply with applicable national law, industrial standards or the relevant ILO Conventions\* ([see page 6](#)), in accordance with which regulation is the stricter.

## **6. Remuneration**

TOP Packaging business partners shall ensure that the wage paid to employees at least corresponds to the legal minimum wage or to the minimum wage that is prescribed in the industry sector, whichever of the two is the higher. Illegal and unjustified wage deductions, in particular such that take the form of direct or indirect disciplinary measures are forbidden. Payment of the wage must be made in a way that is practical for the employees. Employees are to be regularly informed in detail and in an understandable manner about the composition of their remuneration.

## **7. Freedom of organisation and association**

TOP Packaging respects the rights of all employees and workers to establish and become members of trade unions and also for collective bargaining and it shall protect them from any infringements of such. TOP Packaging also requires this from its business partners. If national standards restrict the right to association and the right to collective bargaining, then as an alternative and, as a minimum, the free and independent assembly of employees for the purpose of conducting negotiations must be enabled and permitted.

## **8. Child labour and young person labour**

Any kind of exploitation of children and young people is not tolerated by TOP Packaging. Child labour as defined by the ILO Conventions\* ([see page 6](#)) and the United Nations as well as national provisions is forbidden. The age limit for permitted employment shall not lie below the compulsory school leaving age and in no cases under 15 years of age (or 14 years of age if permitted by national law in accordance with the ILO Convention 138). Young people must not be exposed to any dangerous, unsafe or health-damaging situations.

## **9. Forced labour**

TOP Packaging is against all forms of forced labour. In accordance with the ILO Conventions\* ([see page 6](#)) all forms of forced labour and compulsory labour plus all involuntary prison labour that abuses human rights are forbidden. Business partners may only employ people who have made themselves available for work of their own accord.

## **10. Disciplinary measures**

TOP Packaging advocates that all employees are to be treated with dignity and respect. Sanctions, fines plus other punishments or disciplinary measures may only be implemented in accordance with applicable national and international standards and internationally recognised human rights. Business partners shall guarantee that no employee is exposed to verbal, psychological, sexual and/or physical violence, coercion or harassment.

## **11. Discrimination**

TOP Packaging and its business partners commit to forbid any type of discrimination in the appointment and hiring of personnel. In particular all forms of differentiation, exclusion or preference that are based on

- ethical, national and social origin
- race
- skin colour
- gender
- age
- nationality
- religious belief
- political opinion
- membership in a workers' organisation
- physical or mental disability
- sexual orientation

or any other personal characteristics are forbidden.

## **12. Environmental protection**

TOP Packaging formulates its processes in an environmentally-aware manner and commits to comply with applicable legislation and minimum regulations relating to climate and environmental protection. TOP Packaging expects its business partners to comply with statutory provisions and with environmentally-aware business operations, and specifically:

- » to make efficient use of resources (energy, water, raw materials, fuels and consumables)
- » and wherever possible to use environmentally-friendly materials,
- » to avoid emissions and waste or to reduce or recycle them,
- » to design logistics processes in an environmentally-friendly manner.

TOP Packaging recommends its business partners to instigate appropriate and traceable measures and to operate systems (based on ISO 14001 or comparable systems) in order to ensure the protection of the environment.

Business partners commit to support responsible forestry operations including a commitment not to use any illegally felled wood or wood products from non-transparent sources.

---

### **i. Implementation**

Business partners commit to comply with the principles listed above. Compliance with the stated environmental and social standards must be proven through documentation. TOP Packaging recommends that continuous improvements are achieved through the use of appropriate systems (definition and documentation of responsibilities, processes, objectives and measures). TOP Packaging expects its business partners to impose these minimum standards and also on their direct suppliers and service providers and to check compliance with them.

### **ii. Information and communication**

The business partner is requested to make the provisions contained in this Code of Conduct accessible to all their employees. This Code of Conduct can be viewed at [www.top-packaging.pl](http://www.top-packaging.pl) at all times and can be printed out from there.

### **iii. Monitoring**

The business partner thereby consents that compliance to the requirements listed above can be verified at any time either by TOP Packaging itself or by an independent third party commissioned by TOP Packaging. The results of the verification shall be made available to the business partner who had been subject to the examination.

### **iv. Complaints procedure**

Complaints or notices of infringements against this Code of Conduct can be notified at any time by TOP Packaging in writing to the following named independent external contact partner (ombudsman). On request of the notifying party, the identity of the notifying party is to be treated in confidence as far as complaints or notices are concerned.

This complaints procedure must not be used to deliberately submit false notices or information.

TOP Packaging Ombudsman for complaints procedures:

Bartłomiej Włosiński, al. Niepodległości 87, 43-100 Tychy, Poland, tel/fax +48/ 32 218 40 40, mob. +48/ 512 388 047; e-mail: [wlosinski@adwokacitychy.pl](mailto:wlosinski@adwokacitychy.pl)

### **v. Sanctions and remedial measures**

If infringements against this Code of Conduct are established, the business partner commits to inform TOP Packaging about such infringements immediately and in writing and to instigate relevant remedial measures. TOP Packaging shall grant sufficient time for the remedial measures to be implemented. In the event of infringements TOP Packaging reserves the right to terminate the respective contract irrespective of the severity of the infringement and the respective individual case, on serious grounds and without complying with any notice period.

If a business partner, with whom relations had been broken off due to non-compliance with this Code of Conduct in the past, subsequently proves that he is now in a position to comply with the requirements in full, then in principle nothing stands in the way of a resumption of the business relationship.

**Compliance with the provisions stated in the Code of Conduct is confirmed:**

**Company:**

**Name:**

**Function:**

**Location, Date:**

**Signature of authorised representative:**

**Stamp:**

The following overview is to be used for a better understanding of the relevant ILO Conventions. Some German laws exceed the legislative content of several Conventions. For this reason Germany has not ratified some of the Conventions listed below.

**\*\*Overview of relevant ILO-Conventions and Recommendations**

→ [back to document start](#)

No.	Title
1	Hours of work (Industry)
14	Weekly rest day (industry)
26	Minimum Wage-fixing machinery
29	Forced labour
79	Night Work of Young Persons (Non-Industrial Occupations)
87	Freedom of Association and Protection of the Right to Organise
98	Right to Organise and Collective Bargaining
100	Equal Remuneration
105	Abolition of Forced Labour
111	Discrimination (Employment and Occupation)
131	Minimum Wage Fixing
135	Workers' Representatives
138	Minimum Age
142	Human Resources Development
143	Migrant Workers (Supplementary Provisions)
154	Collective Bargaining
158	Termination of Employment
159	Vocational Rehabilitation and Employment (Disabled Persons)
182	Prohibition and immediate action for the elimination of the worst forms of child labour
E 143	Recommendation concerning protection and facilities to be afforded to workers'
E 146	Recommendation concerning minimum age for admission to employment

Texts of conventions - English version: <http://www.ilo.org/ilolex/english/convdisp1.htm>

Texts of recommendations - English version: <http://www.ilo.org/ilolex/english/recdisp1.htm>

\* This term covers both masculine and feminine workers and is used to aid readability.