



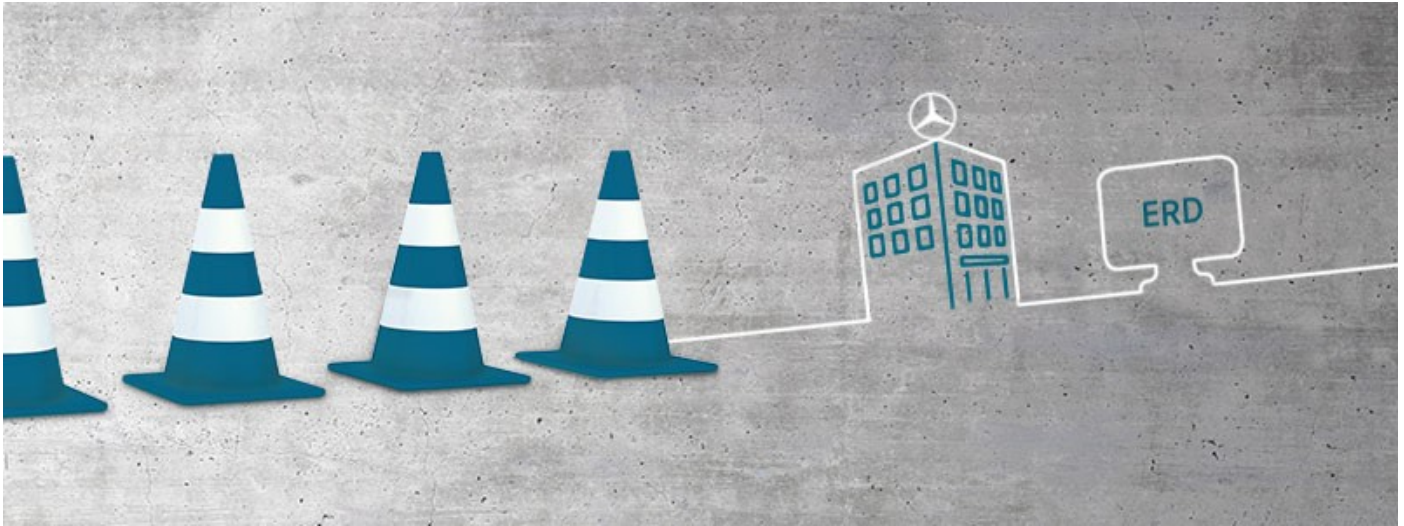
Investigation Policy, C 169.1

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Purpose of Policy / Management Summary

This policy is intended to ensure the protection and security of the Mercedes-Benz Group and its employees as well as its contract and business partners. It provides for effective and transparent investigations in line with basic rights with respect to violations of applicable laws and rules of the Mercedes-Benz Group.

Employees are obligated to assist with investigations.

The subject and content of investigations are confidential.

Influencing witnesses and entering into agreements are prohibited.

Parties will be informed of the purpose of the investigation and the use of the findings.

Affected employees can enlist the help of a trusted person.

Making unfounded accusations will not be tolerated.

Before an investigation begins, a review will be conducted to determine if there are concrete initial suspicions.

After the end of an investigation, a written final report must be prepared.

Investigation results with personal data must be handled confidentially, labeled accordingly, filed and then deleted after the retention period expires.

Changes to Previous Version

03/02/2023 – Revision:

extension of "valid to" date: 11/18/25

Action Requirement

[For members of managing bodies of the Group companies](#)



Please enact this policy immediately and communicate it to the affected employees.

[for managers of Mercedes-Benz Group AG](#)

Please familiarize yourself with the provisions of this policy and comply with them.

[for employees of Mercedes-Benz Group AG](#)

Please familiarize yourself with the provisions of this policy and comply with them.

[For members of managing bodies of Framework Light companies](#)

This is an additional policy. Your company falls within the scope of application of this policy. Please evaluate the possible risks associated with the non-enactment of this policy on the basis of your business model and inform the House of Policies of your choice to opt in or opt out. If you choose to opt in, please implement the policy immediately.

[Risks of non-enactment of the policy](#)

Risk of liability for managers who knowingly accept inadequate investigations; insufficient investigation of compliance violations, (unintentional) violations of the basic rights of employees and the associated reputational risk

[Exclusions from the scope of application due to Framework Light](#)

Individual Framework Light companies can be excluded from the scope of application displayed. Please review applicability, based on the corresponding document if applicable.

Scope of application

This policy applies to all employees and members of governing bodies

- **with the functions CEO or HR-Manager**

— as well as —

- **of the organizational unit** Personal & Arbeitsdirektor Mercedes-Benz Group AG (HR)

— as well as —

- This policy applies to all employees and members of governing bodies

- **of the organizational units** Chief Compliance Officer, Legal Product & Technology (IL/C) and Legal (IL/L)

without Legal Greater China (IL/LG)

- Corporate Audit (CA) and IL Digital Transformation Strategy (IL/DT)

[Explanation on scope of application](#)

All units that are regularly involved in investigations, specifically Corporate Audit; Corporate Security, including Plant Security; Human Resources, Corporate Data Protection and Legal, plus all CEOs in the Mercedes-Benz Group.

Period of Validity of this Version

3/8/2018 - 11/18/2025

Last Revision of this Version

5/6/2023



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Topic

Integrity & Compliance (Disciplinary Measures)

Approval

Renata Jungo Brüngger IL
7/24/2017

Documentation

Published in the Enterprise Regulations Database (ERD) in Mercedes-Benz' Social Intranet on 5/6/2023.

Mandatory documents[Policy Documents](#)

Investigation Policy: 8 Pages

Annex 1: Minimum standards for documenting investigation results: 1 Page

[Further Applicable Regulations](#)

- [A 31.5 Treatment of Violations Policy](#)
- [A 17.4 Data Protection Policy EU](#)
- [B 63.9 Policy on External Procurement of Non-Production Material, Services and Fixed Assets](#)
- [A 32.2 IT Device and Camera Policy](#)
- [KBV 1118.2 Rechte und Pflichten bei unternehmensinternen Untersuchungen im Zusammenhang mit Regelverstößen](#)
- For Germany only:



1 Objectives

This policy is intended to ensure the protection and security of the Mercedes-Benz Group and its employees as well as its contract and business partners. It provides for effective and transparent investigations in line with basic rights with respect to violations of applicable laws and rules of the Mercedes-Benz Group.

It ensures that the basic rights of employees are safeguarded in internal company investigations. The principle of proportionality applies for investigations.

With respect to internal investigations, the policy governs the rights and obligations of all employees and executive body members of all companies of the Mercedes-Benz Group (hereinafter referred to as the "employees") as well as the rights and obligations of employees in the investigative units.

2 Principles of Conduct

Investigations should be performed based on the principles of rule of law and transparency. With regard to all measures, the general personal rights of those involved and data protection must be safeguarded.

Incriminating and exonerating evidence shall be given equal consideration in the investigation. Information must be treated confidentially and documented in a traceable manner. The selection of a specific investigative measure by the investigative unit depends on the severity of the actual suspicion and must be proportionate. Within the context of adequacy, the mildest measure using appropriate means should always be chosen. Those involved must always act fairly when conducting investigations.

The affected employee is presumed innocent as long as there is no proof of a violation.

3 General Regulations

3.1 Responsibilities and duties

As defined by the policy, investigative units are Corporate Audit (CA), Corporate Security (CS, including Plant Security units), Human Resources (HR), Corporate Data Protection (CDP), MB Bank and Legal (L).

All investigations conducted by the investigative units, regardless of whether under their own jurisdiction or at the request of the Business Practices Office (BPO), are subject to this policy.

This policy ensures that rule violations are investigated.

It ensures that the basic rights of employees and principle of proportionality are safeguarded during investigations.

The principles of the rule of law and transparency apply.

Affected employees are treated fairly during the investigation.

The presumption of innocence applies.



Investigative units may involve employees of other units for technical support for the investigation. These employees must agree to comply with this policy and to maintain confidentiality prior to being tasked.

3.2 Rights and obligations of the employees

All employees are required within the framework of their employment to support the investigative units in their reviews. This includes submitting all requested business documentation and providing full and truthful information regarding business transactions.

To safeguard the rights of those involved (those suspected, witnesses and employees of the investigative units as well as third parties brought in by them for support) and the rights of the Mercedes-Benz Group, the persons involved must treat the subject and all contents of the investigation as confidential (even with respect to supervisors).

If confidentiality is not required for tactical reasons, the investigative unit may exempt the affected employee(s) from the confidentiality obligation in whole or in part with respect to the subject of the investigation.

Any attempts by an employee to hinder an investigation by influencing or colluding with witnesses shall be considered a serious breach of his or her employment duties.

Those involved are entitled to be notified about the purpose of the investigation and the findings obtained as long as revealing the information does not present a conflict with the legitimate interests of the Mercedes-Benz Group or third parties.

Employees affected by an investigation must be notified in writing by the investigative unit at the beginning of the investigation and must be given the opportunity to present their arguments in a hearing as soon as possible unless the notification or the hearing would hinder the investigation. These reasons must be documented.

If materials related to the investigation are to be kept in the employee's personnel file, they shall have the right to view them if required by applicable laws.

For an investigation, affected employees may enlist the help of a trusted person (such as an employee representative or an attorney). If the investigations reveal early on that the allegations are unfounded, a hearing and notification of the affected employee are not required.

If it is proven that one employee has accused another of a violation despite knowledge to the contrary, the accuser shall be deemed in violation of the Integrity Code (IC) and subject to disciplinary action.

Employees are obligated to assist with investigations.

The subject and content of investigations are confidential.

Influencing witnesses and entering into agreements are prohibited.

Parties will be informed of the purpose of the investigation and the use of the findings.

Affected employees will be informed at the start of the investigation.

Affected employees can enlist the help of a trusted person.

Making unfounded accusations will not be tolerated.



4 Authorization and Investigative Measures

4.1 General prerequisites for the initiation and implementation of internal investigations

Prior to the initiation of an investigation, a plausibility check regarding the facts and allegations must be performed. A prerequisite for any investigation is that an initial suspicion of a violation of the law or rules is substantiated by concrete evidence. If the prerequisites for an investigation are met, the subject of the investigation must be clearly established based on the suspicion prior to initiating the investigation.

The existence of an initial suspicion and the subject of the investigation must be established based on the dual-control principle. The scope of investigation may possibly be expanded (if necessary) and the selection of investigative methods to be used must also be made based on the dual-control principle. The investigative unit must document all of this information.

In BPO cases, the BPO determines the scope of investigation; otherwise the investigative unit determines it. If during an investigation, its scope must be expanded, the expansion must be approved by the unit that determined the scope of the investigation.

The principles of conduct in accordance with section 2 and the selection criteria in accordance with section 4.2 must be taken into account with respect to the investigative procedure.

4.2 Criteria for selecting the investigative measures

When the investigative measures are being selected, the interests of the Mercedes-Benz Group must be weighed against the interests of the employees affected. Some of the most important selection criteria are:

- the type and severity of the violation; the distinctions for types of violations established by the company within the context of the BPO process must be used for assessing the severity of the violation.
- the motive (intent, negligence)
- the associated risk to the company and its employees and the amount of damage (potentially) caused by the violation
- the risk of reputational damage to the Mercedes-Benz Group
- the suspicion of repeated violations and
- the cooperation by the affected employee in verifying the facts of the case through, for example, self-disclosure.

4.3 Individual investigative measures

Provided that local law permits, the investigative units may take the measures below to ensure that violations against the law or rules of the Mercedes-Benz Group are resolved.

Before an investigation begins, a review will be conducted to determine if there are concrete initial suspicions.

Suitable investigative measures will be evaluated for each case.



If additional investigative measures are required, they must be agreed on separately with the policy owner listed in the Enterprise Regulations Database (ERD).

The statutory rights of employee representatives to co-determination and information must be safeguarded during all investigative measures. In particular, applicable regulations at the respective locations must be complied with.

4.3.1 Interviews

Persons who can provide information that can clarify the facts are generally to be questioned by the investigative unit.

Before the start of the initial formal questioning, such persons must be notified about the reason for the questioning unless this could hinder the investigation or conflict with the legitimate interests of third parties.

Persons being interviewed must be advised that they can have a trusted person accompany them in the interview. It must be documented that this person was notified to this effect. The trusted person must agree to maintain confidentiality in accordance with Section 3.2. prior to being involved.

Employees may exercise their legal right to refuse to answer questions if the investigation involves criminal allegations. In that case, they may suffer no reprisal as a result of their refusal to testify.

Interviews regarding the allegation must be documented in writing, and persons being questioned must be provided with a copy of the transcript at their request and given sufficient time to respond in writing.

4.3.2 Searches

Real property, buildings, rooms, containers and vehicles of the Mercedes-Benz Group may be searched to gather facts relevant to the investigation.

A search of personal real property, buildings, rooms, vehicles and containers or any of these items provided by the Mercedes-Benz Group for personal use requires the written consent of the affected employee.

To protect company and personal property, warranted entrance or bag checks may be ordered and may be extended to searching items on one's person. Decency and honor will be taken into consideration. All employees must comply with these checks.

The reason for the interview will be stated before questioning begins.

Employees undergoing an interview can enlist the help of a trusted person.



Where required by law, the employee representatives will be notified of ad hoc entrance and bag checks well in advance. Only in emergencies may such notification be provided immediately afterward.

4.3.3 Monitoring

Monitoring persons internally is permitted in individual cases using video surveillance.

4.3.4 Data analysis

Where permitted by local law, local data protection provisions and applicable regulations at the respective company (e.g. IT Device and Camera Policy, A 32, and similar regulations within the Group), companies may collect and analyze existing business-related data (data not marked as private), including data of a personal nature, and information for the purpose of verifying the facts of the case. This applies to data analyses performed by

- Evaluation of e-mails:
reviewing senders, addressees, times and content
- Evaluation of electronic storage media:
Inspection of hard disks and server drives, regardless of whether they are operated by the Mercedes-Benz Group or third parties on behalf of the Mercedes-Benz Group
- Evaluation of Internet usage:
review of IP addresses and websites visited
- Evaluation of connection data
- Evaluation of recorded plant access and timekeeping data

If required by law, the employee representatives will be informed in advance in the above cases of employee-related data analyses. Only in emergencies may such notification be provided immediately afterward. In this case, an employee representative shall be given the option of participating in the data analysis.

Data and information subject to a person's legal right to refuse to answer questions for business reasons are exempt from collection.

The examination of data records in paper form (such as invoices, receipts, materials passes, etc.) are not affected by this and are permitted under applicable law.

Investigations in generally accessible information media (e.g. Internet) are permitted.

4.3.5 Telephone monitoring, audio monitoring, video surveillance and photographs

The secret eavesdropping or recording of conversations in rooms or over the telephone and other forms of investigative eavesdropping measures are not permitted.

Data analysis may be used to verify the facts of the case.

Telephone monitoring and audio monitoring are prohibited.



To the extent permitted by law, video recordings or photographs of persons for the purpose of resolving a specific investigation are only permitted if they are performed in line with the principle of proportionality in consideration of sections 2, 4.1 and 4.2, and if other investigative measures are not possible or have not been successful. An investigation of the actual job performance is not allowed in this case.

If required by law, permission for the use of video surveillance must be requested from the respective employee representatives prior to making video recordings. Video cameras cannot be used without the required approval.

4.3.6 Securing evidence

Items (especially information media) that are the property of the Mercedes-Benz Group may be secured for purposes of evidence.

Items that are not the property of the Mercedes-Benz Group may only be secured with the written consent of the owner(s).

5 Cooperation with Authorities

The investigative units cooperate with the government security and law enforcement authorities to the extent permitted by law. The principles of the rule of law must be adhered to at all times.

If the government undertakes measures such as inquiries, searches or seizures, the legality of such measures must always be reviewed.

In the event of searches, seizures or doubts of the legality of government measures, Legal must be involved as quickly as possible (generally before the measures have been taken). With respect to such searches, the Works Council responsible is notified based on the respective location-specific agreements provided that the investigative authorities agree with such notification.

6 Involvement of Third Parties

If external third parties are commissioned for an internal investigation, the respective defined standards for commissioning third parties (e.g. Policy on External Procurement of Non-Production Material, Services and Fixed Assets, B 63; and the Data Protection Policy EU, A 17) must be complied with. The third parties must be carefully selected in each individual case. In addition, the third parties must be obligated to comply with this policy and to maintain confidentiality. This obligation must be conducted in writing.

The investigative units report to the members of the Board of Management of Daimler AG responsible for Integrity and Legal Affairs

The investigative units will cooperate with law enforcement authorities to the extent permitted by law.

The commissioning of external third parties to conduct internal investigations is subject to special requirements.



and for Human Resources on a quarterly basis about all investigations commissioned via third parties in their own areas of responsibility to investigate rule violations posing a serious risk as defined by the BPO process. Units other than the investigative units may not give findings to third parties without the approval of the HR director.

Any legal obligation to inform the respective employee representatives must be complied with.

7 Data Protection

The principle of data economy must be adhered to in all investigations. When there are doubts about whether measures with personal references are permissible under data protection law, the Chief Officer for Corporate Data Protection must be involved.

With respect to personal data, the legal and internal corporate data protection regulations must especially be adhered to.

The corporate policies on data protection establish the framework for the collection, processing and use of employee data to identify violations of the law and rules unless otherwise required by local data protection regulations.

8 Requirements for Creating, Storing and Deleting Documentation and Reports

Where allowed by law, the internal investigation results must be documented in accordance with the respective applicable standards and legal requirements. After the end of the investigation, a written final report containing all the important factual findings of the investigation must be created. This includes an account of the investigation's completion and documentation on all relevant evidence and an evaluation if necessary.

The investigative units must take into account the minimum standards for documentation described in the annex to this policy.

The distribution list is determined based on the requirements in individual cases. The employees affected by the investigation must be informed in writing about the results of the investigation after its conclusion. If the findings show that the suspicion has not been substantiated, the affected employee will decide whether the manager should be informed if he or she is not already aware of the investigation. At the request of the employee, the manager or other management staff shall announce in an appropriate fashion that the employee was wrongly suspected.

The principle of data economy must be adhered to in all investigations.

After the end of an investigation, a written final report must be prepared.

The minimum standards for documentation described in the annex must be observed.



The investigation results with personal data must be handled confidentially, labeled accordingly, stored and deleted based on the periods set forth below by the investigative unit.

If an investigation reveals that the reported allegation was unfounded, information about the employee collected as part of the investigation shall be deleted immediately. Documentation will not be kept in the employee's file.

If violations posing a minor risk were confirmed, the information collected on the employee will be deleted after one year.

If violations posing a serious risk were confirmed, the information collected on the employee will be deleted after six years.

In the case of violations posing a major risk that were not proven but for which the suspicions were not completely eliminated, records will be deleted after two years. This information can only be used again with the approval of the Corporate Officer for Data Protection and for data concerning employees in Germany upon notification of the IT officer of the employee representatives.

Deviating periods can apply only under specific national laws.

The distinction between rule violations posing a minor risk and those posing a serious risk is based on the Treatment of Violations Policy, A 31.

9 Information and Co-Determination Rights of Employee Representatives

With regard to all measures and investigations, the information and co-determination rights of the employee representatives must be complied with.

10 Conflicting Legal Provisions

If individual regulations of this policy cannot be applied due to mandatory, national regulations, the necessary amendments must be coordinated with the BPO.

Investigation results with personal data must be handled confidentially, labeled accordingly, filed and then deleted after the appropriate retention period stipulated below expires.



Investigation Policy, C 169.1

Annex 1: Minimum standards for documenting investigation results

- Investigative unit and person
- Name(s) of the affected employee(s)
- Description of the alleged offense
- Subject of the investigation
- Description of the investigative measure(s)
- Key results of the investigation
- Investigation period
- Date of notification of the affected employee
- Date of the hearing with the affected employee
- Instruction on involvement of a trusted person (e.g. Works Council)
- Participation of the Works Council based on this policy
- Documentation for the distribution list of the final report
- Specified retention period and deletion date