F. Export Control

Siemens is obliged to comply company-wide with the legal requirements for Export Control and to ensure their proper and efficient implementation. For the internal implementation of the statutory provisions the binding principles apply as set out in this chapter.

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| The [“Internal Control Program Export Control Compliance”](http://intranet.siemens.com/ex/icp/en) (ICP EX) is binding for all Siemens units providing detailed instructions for   * **Export Control in Business processes** * **End-use and product related Export Control regulations** * **Export Control regulations for technology transfer and technical support** * **Embargos** * **Export authorizations.**   ****All employees**** are obliged to comply with the applicable statutory provisions and internal guidelines. Employees who are deemed to be ****"U.S. persons"**** must also comply with the US sanctions provisions which additionally apply to them.  To prevent the unauthorized use of our products and services by third parties, the ****ultimate destination and end use of goods and services**** must always be checked in accordance with the guidelines for export control (ICP EX).  All goods intended for exports must be classified according to the relevant export list and have to be checked for product-specific license requirements and prohibitions.  Business transactions are not to be entered into if there are indications of any illegal use of our goods and services, especially if use for the purposes of proliferation cannot be excluded. LC CO EX must be contacted in cases of doubt.  Key export control and customs processes are supported by uniform company-wide IT solutions. The implementation of these ****company-wide IT solutions is mandatory**.** |

The Export Control Business Partners also have the authority to prohibit individual business transactions and to issue directives and implement the regulations of LC CO EX, in particular the ICP EX, within their area of responsibility. The national applicable law and regulations must be observed.

Executive Export Control provisions which change the content of the Siemens Circular 226, and the binding ICP EX instructions are not permitted, unless the deviation is mandatory for legal reasons. Insofar, the Portfolio Management Process has to be complied with according to Chapter 3.2 of the [Compliance Operating Model](https://regulations-admin.siemens.com/content/sst/4/en).

The Company Unit and country-specific working instructions are available on the intranet of the particular unit and - as existent - generally linked within the ICP EX.

# 1. Export Control obligations and tools

**Export Control Obligation for all employees**

All employees are obliged to comply with the applicable legal requirements and internal regulations for Export Control. In addition, all employees who are designated a “U.S. person” must comply with the US sanction regulations applicable to them. These rules apply not only to employees who are directly and indirectly involved in the delivery of goods and services. Regardless of the sanctions that could be imposed by law, infringements of the legal requirements can lead to disciplinary measures.

The legal requirements and the Siemens-internal regulations regarding Export Control must be observed. In essence, these Export Control regulations are contained in the [ICP EX](http://intranet.siemens.com/ex/icp/en) providing detailed instructions for

* Export Control in Business processes
* End-use and product related Export Control regulations
* Export Control regulations for technology transfer and technical support
* Embargos
* Export authorizations.

**Export Control Tools**

The standard processes published in the ICP EX are supported by uniform corporate IT solutions. The use of the corporate IT solutions and their standardized integration in the ERP systems of the company is mandatory: The use of [DAMEX](https://damex.siemens.com/damex-auskunft-web/?language=en) (Data Automated Export Control System) Tool for SAP R/3 systems and of the AEB tool for SAP S4 systems is mandatory. Moreover, further corporate IT solutions such as [LACOS](https://intranet.siemens.com/lacos) (License Administration and Control System) and [GLORIA](https://hrs.siemens.com/gloria) (Global Risk Assessment) are mandatory within their scope of application. Furthermore, the designated reporting tool has to be used, currently [MONA](https://intranet.eccprod.cit.siemens.com/RSAarcher) (Monitoring Application). The development and implementation of the Corporate IT solutions is carried out by LC CO PT EX in coordination with LC CO EX.

# 2. Export Control responsibilities

Responsibilities for Export Control within a company are associated with executive management positions and a designated export control organization.

If necessary, the German affiliated companies appoint their own ECO within their management board or ECC in coordination with LC CO. The regulations regarding ECO and ECC apply accordingly.

## 2.1. Export Compliance Officer and LC CO

Export Compliance Officer

In accordance with administrative regulations a member of the Management Board of Siemens AG is appointed as “Export Compliance Officer” (ECO) of Siemens AG. The ECO has the necessary rights to carry out the dele-gated tasks, in particular unlimited authority to issue directives in the area of Export Control for all Siemens units. The ECO has tasked LC CO with the implementation of the tasks connected therewith.

In due consideration of the regulatory framework of corporate law the ECO receives direct access to all business units and the specific legal position for the area of Export Control. He is responsible for imposing binding regulations regarding organization, business processes, employee selection and training in Export Control as well as monitoring the fulfillment of such regulations using appropriate measures.

Within this framework the ECO is authorized to prohibit individual business transactions. The “Legal and Compliance Export Control” department (LC CO EX) is assigned to the ECO for the execution of his tasks.

Export Control Commissioner and LC CO EX

The head of the department LC CO EX is also the “Export Control Commissioner” (ECC). He reports to the ECO and the CCO (Chief Compliance Officer) and has unlimited access to both. The ECC has unlimited authority in all matters concerning Export Control at all Siemens units and is also authorized to prohibit individual business transactions.

LC CO EX has the worldwide authority to issue binding instructions on Export Control and sets out regulations concerning the organization. This includes in particular

* developing, implementing, enforcing, monitoring and controlling the ICP EX and other relevant Siemens internal regulations and processes in force, including the associated Corporate IT solutions
* employee selection and training, information obligations to the ECO concerning Export Control activities to the appropriate extent.

Compliance Officers and EX Business Partners

The respective Compliance Officers of the Company Units must designate a person with responsibility for “Export Control” in their LC CO unit. They also appoint the “[Export Control Business Partner”](https://intranet.legal-compliance.siemens.com/compliance/icp/#icpContacts) of the respective CEO.

In exceptional cases and in conjunction with LC CO EX the Export Control tasks of the Compliance Officer may be delegated to other Siemens units.

## 2.2. CEOs with LC CO support

Compliance with the applicable legal requirements for Export Control and the corresponding internal Siemens regulations must be ensured by the LC CO unit and by the CEOs of the Siemens Businesses, Corporate Functions, Business Units, Countries and Regional Units within their business responsibility according to Chapter 4.1 of the Compliance Operating Model. According to this, CEOs are obliged to implement internal Siemens regulations, in particular the ICP EX, in close cooperation with the respective LC CO unit and to integrate them into the operative business activities and processes (e.g. Sales, Logistics, and Research and Development).

# 3. Tasks of the Export Control Organization

The export control organization fulfills various tasks that support an internal control system that satisfies the requirements of regulatory authorities. Some of these tasks are coordinated with other departments of the legal compliance organization.

Employee selection and training

To ensure sufficient and qualified personnel resources for the Export Control function, specific regulations for the employee selection and training exist. These must be taken into consideration both in personnel and development planning, and when filling positions.

Further information can be found on the [Compliance Training Intranet site.](https://intranet.for.siemens.com/cms/059/de/processes/publications/Pages/compliance_trainings.aspx)

Monitoring

LC CO is authorized to conduct regular checks on the proper implementation of the ICP EX and other Siemens-internal regulations concerning Export Control in all affected Siemens units. In addition, ad-hoc checks can be made at the direction of the ECO, ECC or CCO. The LC CO units perform internal checks for their area of responsibility as defined in the [ICP EX](https://webbooks.siemens.com/public/lccoex/icpexen/index.htm?n=01-Export-Control---Guidance-Topics,I.-Monitoring-and-Audits) as well as the Compliance Operating Model.

Reporting

To ensure the necessary flow of information, the Compliance Officers inform the relevant responsible CEOs or heads of Corporate Functions in the course of the CRB or on an ad hoc basis. These reports must be sent to LC CO EX at the same time.

Furthermore, all audit reports and verification orders relating to Export Control, as well as the corresponding official reports, investigations and other official measures, must immediately be communicated to LC CO EX to enable them to fulfill the control obligations.

Detailed information can be found in the [ICP EX](https://webbooks.siemens.com/public/lccoex/icpexen/index.htm?n=04-Regulatory-ICP-Essentials,F.-Monitoring-and-Reporting-and-Corrective-Actions,Reporting) as well as the [Compliance Operating Model](https://regulations-admin.siemens.com/content/sst/4/en).

# 4. Training and supporting material

Training material for export control can be found in the ICP EX section [“Training”](https://webbooks.siemens.com/public/lccoex/icpexen/index.htm?n=01-Export-Control---Guidance-Topics,J.-Training) and the [Compliance Training Marketplace Export Control](https://l-collaboration.siemens.com/content/10002000/workspaces/cotrma/SitePages/Export%20Control.aspx).

Information about export control terms can be found in the [ICP EX Glossary](https://intranet.legal-compliance.siemens.com/compliance/icp/).

# 5. History of changes

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| **Date** | **Author** | **Major changes of binding content** |
| January 1, 2019 | Hartmut Schwirner  Silke Biermann | First Release through the Compliance Handbook based on Siemens Circular SC No. 226 “Global Compliance” Appendix 15 |
| April 1, 2019 | Hartmut Schwirner | Reference to Mobility deviations in chapter M. 1. of this Compliance Handbook |
| October 1, 2019 | Hartmut Schwirner | Removal of references to LC CO OA, Org-Code change for LC CO GR RM, updates to embedded links due to ICP EX Re-Design |
| April 1, 2020 | Marina Hausen | Removal of references to the Mobility ICP EX. |
| Oktober 1, 2020 | Marina Hausen | Update naming of company units to reflect the organizational changes for Oct 1, 2020. |
| April 1, 2021 | Marina Hausen | Addition of information about usage of the AEB tool as a corporate export control application for SAP S4 systems. |

# 6. Contacts

Compliance Officer

The Compliance Officer responsible for your unit can be found through the following [link](https://intranet.for.siemens.com/cms/059/en/about/org/Pages/compliance_organization.aspx).

Export Control Business Partner

The EX Business Partner responsible for your unit can be found [here](https://intranet.legal-compliance.siemens.com/compliance/icp/#icpContacts).

Corporate Governance Owner

[LC CO EX](https://intranet.for.siemens.com/cms/059/en/about/org/Pages/compliance_export-control.aspx)