

Code of Conduct



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MESSAGE FROM THE MANAGEMENT BOARD

Dear colleagues,

The wellbeing of our patients is our top priority in everything we do. Our patients rely on us. Therefore, we are committed to the highest quality of our products and services, integrity in dealing with our partners, responsible conduct, and reliability. That is what we stand for. That is what is important to us.

Our Code of Conduct contains the rules we follow to fulfill our duty. They are applicable to us all and their purpose is to help us take the right decisions in our day-to-day work.

As the Management Board, we are fully committed to compliance, which means adherence to applicable laws, including the principles comprised in our code of conduct. Together with you, we are responsible that the rules of our Code of Conduct are known and implemented. Please take your time to carefully read the Code of Conduct and to participate in the training offered. Talk to the relevant compliance team if you have any questions and voice any concerns you may have if something does not appear to be right.

By adhering to the rules of the Code of Conduct, we all contribute to maintaining the good reputation as a trusted partner that we have acquired in the healthcare sector for over 100 years; thus we will remain successful in the future.

Yours sincerely



Stephan Sturm



Dr. Sebastian Biedenkopf



Dr. Francesco De Meo



Rachel Empey



Rice Powell



Michael Sen



Dr. Ernst Wastler



"Our commitment is: better medicine for more people. Every day, our employees do outstanding work for the benefit of our patients. Each employee contributes to our responsibility as a healthcare company."

Stephan Sturm

"For us, compliant behavior means living responsibility, for the company, for our patients and for our partners. Thereby, we make a decisive contribution to a corporate culture, which is shaped by integrity and transparency - the Fresenius corporate culture, which forms the basis of our success and which we take pride in."

Dr. Sebastian Biedenkopf



"We care for our patients. Thus, transparency, diligence and honesty define everyday life in our clinics and are a promise to our patients and employees. We are ready to be measured against this."

Dr. Francesco De Meo

"Acting with integrity and reliability is of central importance to our success. Our business decisions are oriented towards sustainable growth. By this, we create lasting value for the benefit of our employees, patients, business partners and shareholders."

Rachel Empey



"Global business means global responsibility. Millions of patients rely on our service. By combining experience with long term orientation in our actions, we earn that trust every day."

Rice Powell

"Improving the quality of life for patients - that is our contribution to global healthcare, every day and worldwide. We commit ourselves to the highest standards of quality and integrity, creating trust, credibility, reliability, as well as reputation as a basis for our continued success."

Michael Sen



"Cooperation is our strength. We embrace sustainable responsibility and stand for respectful collaboration with benefits for both sides. For this reason our partners worldwide can rely on us."

Dr. Ernst Wastler

WHO WE ARE

Fresenius is a global healthcare group offering high-quality products and services for dialysis, hospitals, and outpatient treatment. The Fresenius Group includes four business segments, each market leader in a major growth area of healthcare. **Fresenius Medical Care** is the world leader in treating people with chronic kidney failure. **Fresenius Helios** is Europe's largest private hospital group. **Fresenius Kabi** supplies essential drugs, clinical nutrition products, medical devices, and services to help critically and chronically ill patients. **Fresenius Vamed** is specialized on planning, constructing and managing healthcare facilities.

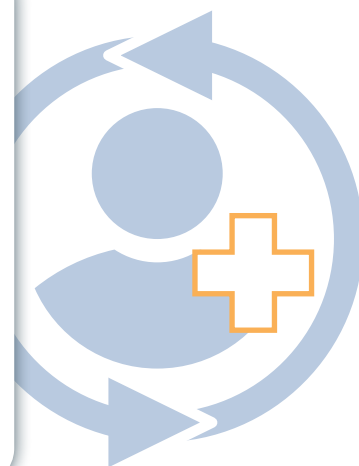
WHAT IS IMPORTANT TO US

The wellbeing of the patient

At Fresenius, the wellbeing of the patient always comes first. For more than 100 years now we have been working to save lives, promote health and improve the quality of life of our patients.

Every business decision we make is consistently guided by the wellbeing of our patients. Economic success is thus not an end in itself; it rather enables us to keep investing in better medicine.

We never get complacent about our successes. We are constantly looking for even better solutions. That is how we contribute to medical progress. "Forward thinking healthcare" captures our commitment: **better medicine for more people**.



Quality

The health of our patients depends on the quality of our products, services and therapies. That's why we are dedicated to providing the highest standards.

Only high quality in medical care can ensure our economic success. At the same time, a company must be economically healthy in order to enable sustainable investment: **in superbly qualified personnel, innovative therapies and high-quality products**.

We do our part to improve the quality and efficiency of healthcare as a whole in all our business units. This enables us to make high-quality healthcare accessible to a steadily increasing number of people.



Integrity

In more than 100 years Fresenius has evolved from a small pharmacy into a global healthcare group.

We act in a highly professional manner. At the same time, we remain down-to-earth. Commitment, honesty and close contact with people are what distinguishes us: **in the way we treat our employees as well as our patients, business partners, and shareholders.**

Trust is a precious asset that we want to earn every day - through outstanding services as well as behaving with integrity. Therefore, we maintain high ethical standards and rules of good corporate governance that exceed the legal requirements.

Responsibility

With our products and services we make a decisive contribution to a future-oriented healthcare.

We thereby focus not only on the present, but also on the long term. That is especially relevant for the development of better products and therapies. And for the responsible use of both natural and financial resources. We take great care in handling the funds from the healthcare sector and our investors.

We make corporate decisions by exercising business prudence and with the aim of sustainable growth.



Reliability

Fresenius supplies essential pharmaceuticals and medical devices, offers vital healthcare services and also successfully and efficiently implements large-scale projects. In short: **We are a reliable partner for healthcare systems worldwide.**

We make every effort to ensure the care of our patients. Supply and service capabilities are our first priority. And we find solutions where others do not.

Reliability also results from our open and transparent communication. Our word is our bond. Our statements provide orientation. Patients, employees, business partners, and shareholders can be sure: **We say what we do. And we do what we say.**

AIM OF THE CODE OF CONDUCT

The Code of Conduct shall help us to act properly in our daily work. The foundation for the ten principles of conduct subsequently described is what is important to us: **Quality, integrity, responsibility, and reliability for the wellbeing of our patients.**

The rules of the Code of Conduct apply to each and every one of us: employees, managers and the leaders of Fresenius SE & Co. KGaA¹. It provides the framework for the individual Codes of Conduct of our business segments.

Legal provisions in certain countries can differ from the rules laid out in our Codes of Conduct. In such cases we always apply the stricter rule.

Not every single question or subject can be addressed in the Code of Conduct. Underlying guidelines, instructions, and process descriptions complement and specify the rules of the Code of Conduct.

If every one of us applies the principles of the Code of Conduct in our area of responsibility, we will be respected and treated as a trusted partner in the healthcare sector in the future.



¹ For the purpose of simplification, Fresenius SE & Co. KGaA in the Code of Conduct refers also to the Fresenius Management SE as well as the companies in the corporate/other segment.

OUR PRINCIPLES OF CONDUCT

Quality

Millions of patients worldwide rely on the quality of our care. We are all responsible for affirming this trust.

1. Ensuring quality of products and services

The wellbeing of our patients cannot be ensured without high quality of our products and services. This is the basis for our success in the long term. Thus, the safety of our products and therapies are our first priority.

Each of us needs to ensure that applicable rules on quality and safety are observed in our area of responsibility and are consequently adhered to. Breaches of duty of care by our employees directly working on creating our products and providing medical services in our production facilities, care centers, and clinics can have especially serious consequences.

We set the highest quality standards for all our processes. When we recognize deficiencies and limitations in our products, therapies or processes, we make them transparent and take necessary actions to prevent any impact on our patients.

We continuously accompany medical progress and consider relevant evidence for our products and therapies. If it is necessary or helpful we adjust them accordingly. To constantly improve our products and therapies, we also conduct clinical studies. Also here, our first priority is the safety of our patients. We observe applicable ethical, medical and legal requirements when conducting such studies.

For all these topics we offer regular training. This helps to get to know, understand and apply existing regulations and continuously improve the quality and safety of our products and services.



We share the responsibility for carrying out our tasks diligently and in high quality. Thus, we all contribute to the wellbeing of our patients.

Integrity

Trust must be earned every day. That is why we commit ourselves to act with integrity and professionalism in everything we do.

2. Acting fair in competition

We want to achieve our market position through the outstanding quality of our products and services as well as our performance.



Many countries ensure fair competition by specific antitrust laws. To make application of these rules easy in day-to-day life, we have described the correct behavior in company guidelines.

We at Fresenius do not hold any discussions or close agreements with competitors which could result in a restriction of competition. We do not use our position in the market to discriminate against others through undue business practices.

It is irrelevant how such harmful agreements take place: whether in writing, verbally, or through acting in concert. Every one of us ensures that we observe existing laws in all agreements and documents, as well as in our communication with competitors. Thereby, we make sure that we do not discuss any antitrust-relevant information with competitors or suppliers.

We always treat our customers, suppliers, and competitors fairly and professionally. This includes providing them with transparent contractual relationships, offers, and cost estimates. We do not restrict our partners through undue business practices, e.g. in terms of pricing, use or resale of our products or in their supply relationships with other business partners.

Through fair behavior in competition, we are all contributing to ensure that Fresenius is perceived as a partner of integrity.

3. Dealing properly with third parties

The trust of our patients, business partners and the public must not be compromised by non-compliant conduct.

We at Fresenius gain business through our products and services. We gain trust by acting with integrity, professionalism and sustainability. We do not tolerate any business that is initiated or carried out in an unfair manner, and we strictly oppose corruption and bribery. This is why, we select our partners carefully and according to objective criteria. We only work with partners who uphold these rules themselves.

We are honest and transparent in dealing with third parties. We achieve this in our daily work by complying with four simple principles:

- 1. We set appropriate remunerations: Performance and reward must be equivalent - for us as well as for third parties.**
- 2. We document business arrangements transparently in agreements.**
- 3. We strictly separate sales transactions and transfers of value, received or granted: Transfers of value must not be related to a potential sales transaction through timing or cause.**
- 4. We observe approval and disclosure requirements.**



We are especially careful when providing gifts, donations, invitations, remuneration, commission and similar transfers of value:

- » We provide transfers of value to public officials, such as representatives of authorities and governments, only after a special examination, authorization, and documentation. In a large number of countries, offering or providing a benefit to public officials or healthcare professionals is a violation of laws or industry codes, irrespective of an underlying unlawful intention. Even if granting a benefit is not prohibited, reporting or disclosure requirements could be applicable.
- » We never offer business partners or third parties any undue benefits. In this respect, undue refers to the intention to influence the behavior or the decision of the recipient. We even avoid any appearance of granting such benefits. We also do not offer any undue benefits through third parties. We can offer gifts of low value, provided no favor is expected in return.
- » For commercial purposes or to support medical purposes, we can make invitations to events or participate in such events to an appropriate extent and value, provided no favor is expected in return from the host or us. We limit our own invitations to the persons with whom we have a business relationship. We do not allow for external third parties or partners of the invited to participate.

- » We support external events or organizations only with the aim of promoting health, improving patient care or for scientific purposes.
- » Donations and other transfers of value to political organizations could damage the reputation of Fresenius. We do not pay donations to individuals or to private accounts. We only donate for scientific or charitable purposes on a voluntary basis and without any expectation of a favor in return. In doing so, we observe the requirements on the authorization and a complete documentation.

We do not ask our partners for any undue benefits. We handle transfers of value offered to us in a responsible manner and observe the applicable legal regulations.

- » **We accept no benefits which could influence our decisions or could appear to do so.**
- » **We can accept gifts and invitations for meals to a limited extent and value, provided these are not in association with direct negotiations or contractual relationships and we do not have the impression, that the person inviting is expecting any favor in return.**

By observing relevant trade controls and sanction directives, we support that no products or technologies are misused as weapons or used in terrorism or war. We do not participate in financing criminal offences and comply with local laws on anti-money laundering. We do not support any criminal activities of business partners.

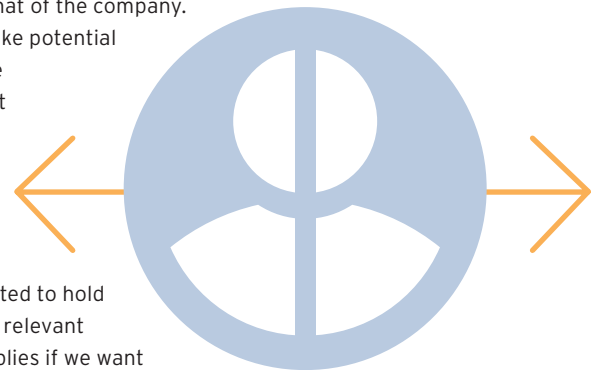
As a global healthcare group, we make a contribution to improving healthcare for people worldwide. This also includes an open dialog with industry associations and politicians. We represent our interests in a transparent manner and strictly oppose any inappropriate influence.

By observing these rules we maintain our reputation as a company that acts with honesty and integrity.



4. Handling conflicts of interest transparently

Integrity also means that we clearly separate our private interest from that of the company. We make decisions for Fresenius based on objective criteria. We even make potential conflicts of interest transparent to our managers. Together, the concrete circumstances are discussed and measures are developed, which prevent or take into account the conflicts of interest in business decisions in an appropriate manner.



The following situations could result in conflicts of interest:

- » Secondary employment: As Fresenius employees, we are not permitted to hold secondary employment without notification and examination by the relevant manager or the Human Resources Department. This particularly applies if we want to take secondary jobs at competitors or companies which have a business relationship with Fresenius.
- » Employment decisions: We do not let family or personal relationships influence us when making employment decisions. If there is any personal bias, the decision is taken by a colleague. This ensures that decisions about hiring and promotions are taken exclusively based on objective criteria, especially the qualification.
- » Business relationships: We do not take any decisions with regard to a company that belongs to a family member or a friend. Those decisions are taken by a colleague. This way, we can ensure that such decisions are always taken exclusively based on objective criteria, such as price, quality and reliability.
- » Financial relationships: Our own financial involvements with companies that are competitors, customers, or suppliers of Fresenius, could influence our decisions. To avoid any influence, we timely make relevant financial involvements transparent.
- » Political engagement: Fresenius is not politically engaged. In case of private activities and statements of opinion, we ensure that these are not associated with Fresenius. We avoid mentioning Fresenius as our employer when we engage in politics.


The following applies to all situations:

- » **We always act in the interest of Fresenius.**
- » **We do not allow ourselves to be influenced by personal interest when taking company decisions.**
- » **We do not use business opportunities for Fresenius to our own advantage.**



5. Acting in an exemplary fashion

It is our joint responsibility to adhere to the rules of the Code of Conduct in our daily business and when making difficult decisions. The following questions can help us with this:

- 
- » **Could my behavior damage Fresenius?**
 - » **Am I acting only in the interest of Fresenius or am I being influenced by personal interest?**
 - » **How would my behavior be perceived by the public?**

Our managers have a leading role in this regard. They act as an example and bear responsibility for their employees and their behavior.

- » As managers at Fresenius we set an example for compliant, morally and ethically correct behavior. We act in an exemplary fashion.
- » We ensure that our employees comply with applicable rules.
- » We make certain that our employees participate in relevant training.
- » We promote an environment in which questions can be asked directly and issues can be discussed openly. Not least by being available for our employees to answer questions and to clarify issues as a trusted person.

We take even possible misconduct seriously. Any illegal actions or violations of the rules may harm us and Fresenius. This also and especially applies to instructions which contradict the regulations of the Code of Conduct. We seek advice for questions concerning our own decisions or those of others.

For this, we have the following options available:

- » Discussion with managers
- » Discussion with the Corporate Compliance team
- » Our whistleblowing system.

We treat all questions and reports confidentially. We review any information received carefully and comprehensively. At Fresenius, we do not tolerate any discrimination against employees who inform us in good faith about any misconduct. We also follow-up on reports in which others are being wrongfully accused.

If a violation of applicable regulations is detected, we will take the necessary actions to remediate the violation and prevent any recurrence. Depending on the severity, violations could result in disciplinary actions up to the termination of employment or actions under civil or criminal law. In case of official investigations we cooperate with authorities. We also take all reports as an occasion to review our company processes for possible improvements.

Only acting in an exemplary fashion enables us to maintain our integrity and the trust of our colleagues and partners. Every one of us is responsible for our personal behavior.

Responsibility

**We are not just thinking about today, but for the long term.
We are all responsible to use available resources diligently.**

6. Protecting data

Fresenius takes responsibility for future-oriented healthcare for the wellbeing of our patients. This requires us to act with special care when handling the data of our patients and employees. We are committed to the right of the individual on their own information and respect the rights and privacy of all persons about whom we collect or receive data. Before we process personal data, we inform those concerned in a timely and transparent manner.

All data that can be assigned to a specific person is considered to be personal data. This data is particularly sensitive, as it often concerns information of private nature. Therefore, we handle such data consciously. We collect and process it only when necessary and strictly on a legal basis. As soon as we no longer need the data, we delete it.

We use technical and organizational measures to ensure that personal data is not lost or unintentionally published. We make sure that unauthorized access by third parties is prevented.

If we use third parties to process data, we ensure that these guarantee data protection. Any data exchange takes place on the basis of an appropriate contractual agreement.



By handling data responsibly we maintain the trust placed in us.

7. Protecting company property

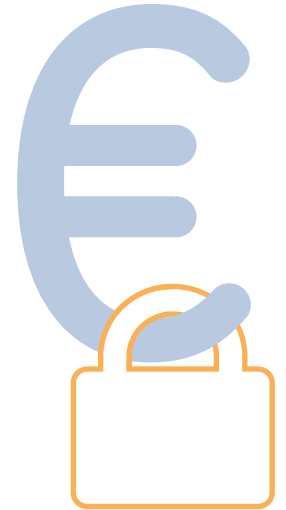
Responsible conduct also includes the resource-friendly use of work equipment, the protection of intellectual property as well as the careful use of the funds from the healthcare sector and the capital of our shareholders and creditors.

We all use company resources carefully, economically and for the benefit of the company. We are committed to prevent loss, waste and premature wear.

We protect knowledge anchored in patents, brands, and other forms of intellectual property and safeguard it against damage, loss and theft.

This also applies to financial resources: We have defined responsibilities through delegation of authority and clear payment authorization processes for financial transactions. The relevant rules are explained in our company guidelines.

Work equipment provided to us by Fresenius helps us to fulfill our duties and to achieve our corporate goals. The occasional private use of telephones, internet, computers, and other equipment is permitted as long as it is kept to a minor extent.



The responsible handling of the resources provided to us is important and a task for all of us.

8. Handling company information confidentially

The quality of our products and services is based on our knowledge. This knowledge generally is the result of the long, dedicated work of all Fresenius colleagues, and is one of the main reasons for our success: That is why we must protect it in particular.

Every one of us is responsible for ensuring that confidential corporate or market-relevant information and company secrets are not passed on; neither to competitors, nor to family members or friends. This information includes:

- » Financial data, such as forecasts or budgets
- » Knowledge about planned company mergers and collaborations
- » Details about business transactions, such as contract durations, prices and conditions
- » Know-how about our products and services
- » Employee data
- » Information that is meant to be published, but which should remain confidential until an approved and controlled publication.



Each of us ensures that company secrets are handled diligently and with discretion in our own area of responsibility. This includes observing appropriate IT security measures and restrictive handling of passwords. We are sensible of what kind of information we share in every communication. We pass on confidential information only according to the "need to know" principle.

We do not use confidential information to gain an undue commercial advantage for us or others. Legal regulations apply particularly to insider information, i.e. non-published information, which, if published, could significantly influence the market price of Fresenius securities, e.g. shares, or of securities of a business partner. We strictly comply with these regulations. We are not permitted to use insider information to create personal advantages for us or others when purchasing or selling securities.

Our business partners also possess information that requires protection. Professional and honest dealing with third parties also includes treating the information of our partners with confidentiality. We do not try to obtain unauthorized access to any confidential information from our partners, even if this would appear to be in the interest of Fresenius.

9. Living social responsibility

We stand for thinking and acting long term through our corporate decisions. We act responsibly towards society and the environment. We combine economic efficiency, commercial prudence, and sustained growth. This way, we take responsibility for our patients and our employees.

Fairness and appreciation take priority in our daily work. We respect the dignity and privacy of every person. This applies to all our patients, employees, and business partners.

At Fresenius, we support equal opportunities for all and strictly oppose any discrimination. Nobody shall be discriminated against due to the color of their skin, their origins, their religious beliefs, their political beliefs, their age, their gender, their sexual orientation, their physical condition, their appearance, or any other personal characteristics. Our interactions are characterized by mutual respect. We interact openly, fair and appreciative. We promote and encourage. And we do not tolerate bullying or harassment. Again here, our managers have a special responsibility in showing interpersonal skills and acting as a role model.

Ensuring the safety of our employees is part of our company responsibility. This is why we make sure that the necessary measures for their security are taken. This includes the strict prohibition of misuse of addictive substances.



We observe and promote human rights in accordance with international standards, such as the UN declaration on the respect for and protection of human rights. Fresenius does not tolerate violence, threats of violence, or other forms of coercion. It is prohibited to apply, support, or approve forced or child labor.

It is also part of our joint responsibility to protect nature as the basis of life. To preserve resources and to reduce our impact on the environment is important to us. It is our mutual duty to protect resources for future generations.

We also use these standards when selecting and cooperating with our business partners. Social responsibility is everyone's duty.

Reliability

**"Reliability and transparency create trust.
At Fresenius we keep our word!"**

10. Creating transparency in accounting, reporting, and communication with the public



We say what we do. Our partners rely on our statements and put their trust in us. It is upon us to maintain this trust.

Our investors take their decisions to support us as a company based on published financial and non-financial information. For this purpose, they need a clear and transparent decision basis. It is important that we all document, account, and keep records for business transactions properly. Each of us contributes to observing generally accepted accounting principles. We ensure this by clearly defining the necessary responsibilities, processes, and controls.

We inform in an equally open, timely, and comprehensive manner as well as in compliance with the provisions of the applicable Corporate Governance Codes. Through this and by protecting our non-public information from unintentional disclosure and misuse, we are contributing to effective financial markets.

Communication with the public is in the responsibility of the Management Board, Corporate Communications, and Investor Relations. Only those colleagues who are entrusted and authorized to do so may respond to questions from investors, analysts and journalists and make statements about Fresenius. Our employees do not respond to external questions, but rather pass them on to the colleagues in the above mentioned departments. In this way, we can all ensure that our statements are reliable and that non-public information is being sufficiently protected.

We also act transparently and fully cooperate with the responsible official authorities and other public agencies. This is done by the responsible departments in collaboration with Corporate Communications.

The positioning of Fresenius on social media is the sole responsibility of Corporate Communications and Investor Relations. We operate on these platforms in a responsible and fair manner. This also applies when we respond to Fresenius-related topics on social media as a private person. We make no statements which could harm our business or reputation, and we protect our corporate confidential information.

By complying with these rules, we all contribute towards ensuring that our partners can continue to rely on our word.

TRAINING AND QUESTIONS REGARDING COMPLIANCE WITH THE CODE OF CONDUCT

The content of the Code of Conduct applies to each and every one of us: Employees, managers, and the leaders of Fresenius SE & Co. KGaA. Every one of us must know and apply the principles of conduct.

The Code of Conduct is accessible both on the **intranet** as well as on the **internet**. To help keeping the rules of the Code of Conduct in mind, we hold mandatory e-learning and classroom training on a regular basis.

Our managers are the first contact if you have any questions concerning correct behavior. Our employees from Corporate Compliance are happy to answer your questions concerning our principles of conduct, the rules of our Code of Conduct as well as the applicable company guidelines. The colleagues in the Legal Department can advise you on legal issues.

You find frequently asked questions and respective answers on the intranet.

**You can reach the Corporate Compliance team under the following e-mail address:
corporate-compliance@fresenius.com**

The contact details for the team members from Corporate Compliance can be found on the Compliance intranet.

COMPLIANCE AT FRESENIUS

Our Compliance Management System

For us, compliance means more than acting in accordance with laws and regulations. Compliance means doing the right thing. This comprises all rules, including **legal requirements, internal guidelines, our commitments, and ethical principles.**

The Code of Conduct defines the framework for our rules. Our Compliance Management System is designed to achieve the implementation of these rules within the company. We have implemented risk-based Compliance Management Systems in all business units and at Fresenius SE & Co. KGaA. These consist of three elements: **Prevent, detect, and respond.** Thereby, our focus lies on avoiding compliance violations through effective prevention.

Prevent

Our company guidelines and processes support us in implementing the applicable rules in practice. Regular risk assessments are used to check applicable guidelines and processes to see if they need any adaptations. Training on the Code of Conduct, on company guidelines in general and on specific compliance subjects explains the application of the rules. In addition, the Corporate Compliance team is happy to answer all questions.

Detect

Through on-site visits in the form of audits and workshops, the implementation of compliance initiatives is ensured. The Corporate Compliance team supports employees and managers in defining the necessary internal controls required to ensure compliant behavior in our everyday work. Information on any possible misconduct can help us to improve our guidelines and processes.

Respond

Any information received will be checked diligently and comprehensively. If a violation is detected, we will take the necessary measures to remediate the situation. If necessary we will take specific action and improve our company processes. The aim is the continuous improvement of the compliance measures to achieve what is important to us: Quality, integrity, responsibility, and reliability for the wellbeing of our patients.

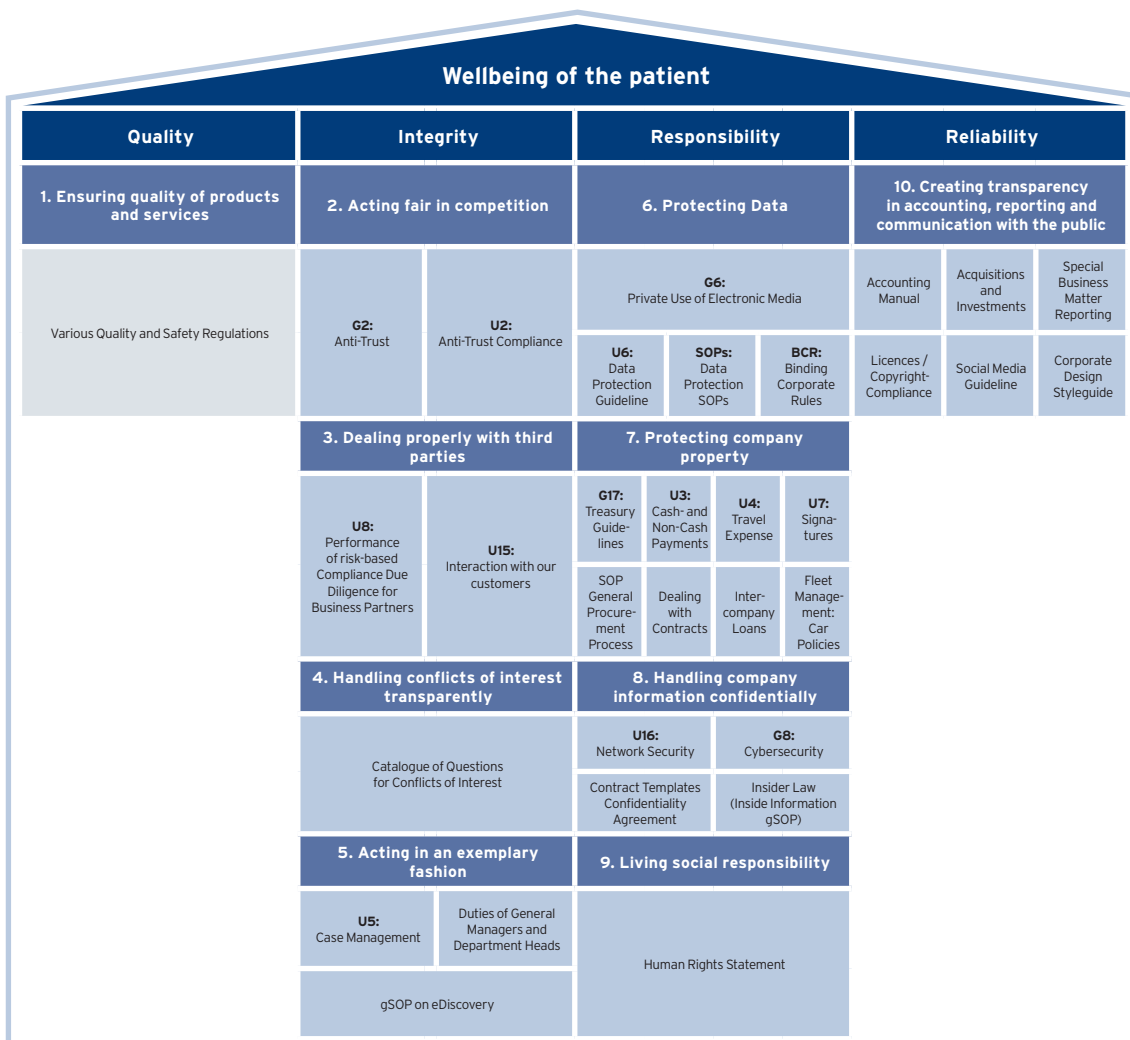


Our applicable guidelines

Not every single question or subject can be addressed in the Code of Conduct. Underlying guidelines, instructions, and process descriptions specify the rules of the Code of Conduct.

An overview of all the applicable guidelines for Fresenius SE & Co. KGaA can be found in the „House of Compliance“. It assigns the individual guidelines to the ten principles of our Code of Conduct (cf. graphic).

You can find the current version of the “House of Compliance” as well as all the current guidelines in the Fresenius Intranet.



As of: June 2021

Are you aware of any possible misconduct and would like to inform about it?

Then please refer to your manager, talk to the Corporate Compliance team or report anonymously here:

<https://freseniusgroup.ethicspoint.com>

Phone number:

+49 (0) 800 181 1338*

* The prices of your mobile or landline contract apply

We treat all questions and reports confidentially.

Should you have any questions, please contact:

**Fresenius SE & Co. KGaA
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