

1. General

The Ethics and Compliance Helpline ("Helpline") is made available for employees, line managers, directors and officers as well as customers, suppliers, vendors and other third party business partners ("Reporters") of ADVA Optical Networking SE, a German corporation having its principal place of business at Fraunhoferstrasse 9a, 82152 Martinsried/Munich, Germany ("ADVA"). It enables Reporters to report certain breaches of laws or regulations or deriving internal policies that govern the business operations in all countries where ADVA and its subsidiaries and affiliates do business ("Violations"). Reports can be filed either online or by telephone (toll-free numbers are available). As the Helpline is not intended for general questions, enquiries or complaints about ADVA or about products or services provided by ADVA, such will not be processed.

In connection with the Helpline, ADVA may, as a data controller, collect, process and use your personal data as further described in this data privacy notice. The Helpline through which you can report a Violation or ask a question on ADVA's Group Code of Conduct and its application to certain business situations ("Report") as well as the database that stores the Report and the related personal data are operated on behalf of ADVA by the service provider EthicsPoint, a subsidiary of NAVEX Global, Inc, a Delaware corporation having its principal place of business at 6000 Meadows Road, Suite 200, Lake Oswego, OR 97035, USA ("NAVEX").

The Helpline is a confidential reporting tool. ADVA treats the identity of the Reporter as strictly confidential and will not generally disclose it to the persons incriminated in the report. This commitment extends to all Reports that eventually turn out to be false later on. If Reports were found to be unsubstantiated and not reported in good faith but by maliciously making false declarations, however, identity of the Reporter(s) may have to be disclosed to the incriminated person, in particular if national law requires such disclosure.

ADVA prohibits any form of retaliation or threat of retaliation ("Retaliation") and actions may be taken by ADVA to prevent any Retaliation. While any alleged Violation will be taken serious and may result in disciplinary action, up to and including termination of employment and civil or criminal penalties, disciplinary action and other sanctions against a Reporter will only be taken if the Helpline is abused for malicious reporting.

2. Use and Purpose of the Ethics and Compliance Helpline

The use of the Helpline is voluntary and serves as an alternate and secondary reporting tool to the usual reporting channels such as ADVA's respective line management up to and including ADVA's management board, ADVA's Compliance Department and ADVA's Ombudsman. Please only use the Helpline if you think that your usual reporting channel within ADVA would not be sufficient.

ADVA encourages you to identify yourself when submitting a Report. Investigations can be completed faster and more effectively when the Reporter is identified, since this allows direct follow-up in particular in case essential factual data (in particular "who", "did what", "when" and "where") is missing or unclear. If required and legally allowed, you may, however, opt for anonymous reporting, in which case you will not have to state your name.

ADVA has implemented the Helpline in order to receive alleged Violations, to investigate those Violations group-wide and globally, and to take remedying actions and sanctions and thus prevent (any) future Violation(s). Please note that the information reported via the Helpline may result in decisions and measures affecting others. Therefore, please only provide information that, to the best of your knowledge, is accurate, complete and necessary.

3. Which personal data and information will be collected and processed?

In connection with the Helpline ADVA may collect, process and use the following personal data about the Reporter, the individual who is mentioned or otherwise involved in a Report and any other third party involved in the investigation of such Report (collectively "Data Subjects"):

Reporter Identification Information:

- Reporter is a current employee of ADVA or not;
- Reporter's first and last names;
- Reporter's phone number;
- Reporter's email address; and
- Best time for communication with the Reporter.

Information about the Violation(s):

- Facts reported by the Reporter, including the identity, function and contact details of individuals allegedly involved in the Violation, and of individuals who could or did provide information on the Violation;
- Statement about the suspected management involvement and, if applicable, the identity of the manager(s) who seem(s) to be involved;
- Information whether the Violation has already been reported to a line manager or other managerial staff;
- The general nature of the alleged Violation and how, where and when it occurred, how long it was going on and how the Reporter learned about the Violation;
- Identity of persons who allegedly attempted to conceal the Violation and the steps they took to conceal it;
- Details on how the alleged Violation is (or was) investigated;
- Information gathered during the investigation and outcome thereof; and
- Name and job title/position of employees at data importers who carried out or were involved in the investigation.

4. How are Reports processed and who may access the provided personal data and information?

The Report and any data that you may supply will be stored in the Helpline database that is hosted and operated by NAVEX. NAVEX adheres to the U.S.-EU Safe Harbor Principles that ensure a comparable level of data protection as provided e.g. in the EU and any other country with similar data protection laws. In addition, NAVEX secures and encrypts personal data during transfer and storage.

Navex has been instructed by ADVA to transfer the Report with any personal data and information to the global Compliance Department of ADVA, located in Martinsried/Munich, Germany for purposes of a group-wide and centralized review and investigation. The Compliance Department will verify the information provided, and, if need for an investigation is given, initiate further investigations typically led by an independent internal department of ADVA Germany, such as the Compliance Department itself, the Internal Audit, Human Resources, Legal or any other neutral department of ADVA. If necessary and in compliance with applicable law, ADVA may also engage external advisors (e.g. law firm or auditors) to assist with the investigation. In individual cases and only to the extent legally required or permitted, other persons/legal entities may receive personal data (e.g. courts, law enforcement authorities, affiliates of ADVA or other third parties who may be affected by a reported Violation). Upon completion of the investigation the Compliance Department may inform ADVA's management or supervisory board of the outcome of the investigation.

Persons mentioned in a Report are notified after the Report was received. Where there is substantial risk that such notification would jeopardize the ability to effectively investigate the Report or gather necessary evidence, however, notification to the persons mentioned in a Report may be delayed as long as such risk exists.

The personal data provided by a Reporter will be kept as long as necessary to investigate the Report and, if applicable, to take remediating actions and sanctions, or if otherwise needed for legal and procedural reasons. If such is not applicable, the personal data will be deleted within (2) two months after the investigation of the Report has been closed.

5. Restricted use of the Helpline for certain Countries

Due to country specific data protection regulations additional steps are necessary before the Helpline can be launched in Austria, Belgium, Finland, France, Norway, Poland, Spain, Sweden and Switzerland. As long as these steps are pending the Helpline does not allow Reports to be submitted out of and/or for these countries. In this case please contact the reporting lines outlined in section 2.

6. Rights of Data Subjects and Contact Person

Any Data Subject may exercise rights in accordance with applicable data protection laws. Such rights typically include a right to claim access to the personal data held about you and to request that the personal data be corrected, blocked or deleted, if and to the extent flawed, incomplete, ambiguous or out-of-date. If you wish to exercise any rights, please contact ADVA's Data Protection Officer.