



Code of Conduct

Fluence Corporation Limited
(ACN 127 734 196)

Adopted by the Board of Directors on August 23, 2021

Custodian	Chief Legal Officer and Company Secretary
Next scheduled review	August 2023
Legislative framework and regulatory compliance	ASX Corporate Governance Principles and Recommendations (4 th edition)
Regulators	ASX

FLUENCE CODE OF CONDUCT

1. Purpose

- 1.1 Fluence Corporation Limited (the **Company**) is committed to the highest standards of honesty and ethical practices in all aspects of the Company's operations.
- 1.2 Investors and the broader community expect a listed entity to act lawfully, ethically and responsibly and that expectation should be reflected in its statement of values.
- 1.3 This Code of Conduct (the **Code**) sets out (i) the values and standards of ethical behaviour and good corporate governance that are required to be achieved by the Board, Senior Management and employees of the Company, and (ii) how the Company will engender good corporate governance practices and encourage observance of the standards of behaviour and good corporate governance set out herein.
- 1.4 The Board and Senior Management endorse this Code. A condition of employment for any employee of the Company is agreeing to be bound by this Code.
- 1.5 In the compilation of this Code, the Company has where possible followed the recommendations of the *ASX Corporate Governance Principles and Recommendations, 4th edition (2019)*.
- 1.6 This Code is not a legal document but sets out the aspirations and values of the Company to be adhered to.
- 1.7 This Code may be amended from time to time but will always comply with the following minimum standards:
 - a. The Board will regularly review its practices and procedures to ensure that its legal obligations are being met;
 - b. The Company must publish this Code as amended on the Company's web page;
 - c. All employees of the Company and particularly Senior Management and Directors must act honestly at all times in the exercise of their duties as an employee;
 - d. All employees of the Company will act to the best of their ability given their skills and experience; and
 - e. The Company's Senior Management have the responsibility of instilling the Company's corporate values across the Company including ensuring that all employees receive appropriate training on the values and referencing and reinforcing the values in interactions with employees.

2. Definitions

- 2.1 As used in this Code:

Board means the Board of the Company;

Code means this Code of Conduct as amended from time to time;

Company means Fluence Corporation Limited (ACN 127 734 196);

Company's Mission means a statement focuses on tomorrow and what an organization wants to ultimately become. A mission statement focuses on today and what an organization does to achieve it. Both are vital in directing goals.

Company's Corporate Values means the set of guiding principles and fundamental beliefs that help a group of people function together as a team and work toward a common business goal. These values are often related to business relationships, customer relationships, and company growth.

Company's Vision means a statement which comes in the form of a vision statement, with a clear declaration of what a company, business or organization wants to achieve or become in the future.

Senior Management means employees of the Company who manage the Company pursuant to the directions and delegations of the Board.

3. Statement of Values and Standards of Behavior

- 3.1 The Company's statement of values and mission and vision, together with this Code are the guiding principles of the Company. They outline the norms and behaviours expected from Company officers and employees to build long term sustainable value for its security holders. This includes the need for the Company to preserve and protect its reputation and standing in the community and with key stakeholders, such as customers, employees, suppliers, creditors, law makers and regulators.
- 3.2 The Company's Vision is to have a thriving planet, healthy people, and growing economies fuelled by resilient, sustainable water treatment technologies.
- 3.3 The Company's Mission is to make the world a better place by delivering sustainable water treatment solutions that produce high quality water, while saving energy and improving resilience.
- 3.4 The Company's Corporate Values are:
- Protect Water: We are committed to protecting, preserving, and perpetuating water, one of the world's most important assets.
 - Accessibility: We strive to make water and wastewater infrastructure affordable for all.
 - Sustainability: We seek to provide resilient eco-friendly energy-efficient solutions.
 - Innovation: We continuously innovate to deliver more for less.
 - Integrity: We treat customers, shareholders, employees, and suppliers with honesty, integrity, and respect, building long-term relationships for mutual advantage.
- 3.5 The Company's Behaviours Standards include:

Integrity, Honesty and Fairness

- 3.6 The Directors, Senior Management and every employee of the Company is expected to:
- a. deal fairly with customers, suppliers, and the community;
 - b. understand and comply with legal requirements and the policies of the Company in particular the requirements placed on the Directors under Chapter 2D, Part 2D.1 of the *Corporations Act 2001* (Cth);
 - c. avoid actual or potential conflicts of interest and declare any actual or potential conflicts that arise. Those conflicts include but are not limited to financial conflicts of interest;
 - d. take reasonable steps to avoid or manage any actual conflict or potential conflict that does arise;
 - e. report any complaint or instance of dissatisfaction with the Company, its Senior Management, or employees to the Board, including acting in compliance with the Company's Whistleblower Policy;
 - f. never accept or offer any bribes or rebates or any other form of inducement or enticement, including acting in compliance with the Company's Anti-Bribery and Anti-Corruption Policy;

- g. decline to accept any gift which may affect their motivation to act in the best interest of the Company, including acting in compliance with the Company's Anti-Bribery and Anti-Corruption Policy;
- h. trade only in shares of the Company in strict accordance with the Company's share trading policy, including acting in compliance with the Company's Share Trading Policy;
- i. maintain confidentiality with respect to all dealings of the Company and maintain the confidences of all persons the Company has dealings with; and
- j. maintain individual's privacy and not use any personal information provided to the Company for any purpose other than for that which it was provided to the Company.

Good Corporate Citizenship

- 3.7 The Company recognises that it operates in an environment which impacts on various interests in the community. In pursuing corporate responsibility, the Company will:
- a. always consider the environmental, sociological, and economic impacts of the Company's operations;
 - b. implement appropriate health, safety and environmental policies which balance the interests of the Company's stakeholders and the communities in which it operates but always place the health and safety of employees and others first;
 - c. observe the letter and spirit of relevant laws and regulations; and
 - d. adhere to the ASX Principles of good corporate governance.

Workplace Fairness

- 3.8 The Company values its employees. The objective of the Company is to create a diverse and equitable workplace where employees feel encouraged to perform and are free from discrimination on the basis of age, gender, race, religion, sexual orientation, or marital status.
- 3.9 In pursuit of this objective, the Company will:
- a. not tolerate any act of harassment or discrimination including enforcement;
 - b. encourage the reporting of any act of harassment and deal swiftly and appropriately with those in breach of the standards to minimise harm, protecting the reporting employee if appropriate; and
 - c. openly apply policies of performance management, recognise achievement consistent with the policies and communicate to employee's areas in which they could improve.

Trading Activities

- 3.10 The Company values fair competition and trade practices and will seek to comply with the letter and spirit of all federal, commonwealth, state and/or territory trade practices laws where applicable. In pursuing this objective, the Company expects that:
- a. its employees, and particularly Senior Management, will exercise the highest level of honesty and integrity in all dealings with suppliers, customers, and consumers in relation to marketing and selling activities, use of market power, description of goods, our relationships with suppliers and the quality and safety of our products; and
 - b. its employees, and particularly Senior Management, will never say or do anything that is likely to mislead or deceive anyone dealing with the Company.

4. Breaches

- 4.1 The Company treats breaches of this Code very seriously. The Board or a committee of the Board will be informed of any material breaches of the Code.
- 4.2 If any employees have any concerns or queries about conduct which may have breached this Code, a policy or the law, such breach should be reported to a member of Senior Management. Alternatively, an employee can report unacceptable behaviour to the Company Secretary, the Chief Legal Officer, a Director or in accordance with the Whistleblower Policy.
- 4.3 Managers to whom potential breaches are reported should discuss the issue with CEO (or his or her delegate) who will assess the appropriate action to be taken.
- 4.4 Employees making a report in good faith will be treated fairly and confidentially (as applicable). The report will be handled appropriately as the circumstances dictate so as to minimise harm to all parties.
- 4.5 The protections under the Company's Whistleblower Policy may be applicable to the reporting of any breaches of the Code.

Any queries or concerns which are addressed in this Code or any other policy of the Company can be directed to the Company Secretary or Chief Legal Officer.