

The logo for Fluence, featuring the word "FLUENCE" in a bold, white, sans-serif font with a registered trademark symbol. The background of the entire page is a photograph of an electrical substation with rows of white metal cabinets, high-voltage power lines, and towers against a clear blue sky and a hilly landscape.

A Siemens and AES Company

FLUENCE ENERGY PTY LTD
(ACN 627 071 461)

Modern Slavery Act Statement

**For the reporting period
to 30 September 2023**

Modern Slavery Statement

1 Reporting Entity

This Modern Slavery Statement (**Statement**) is made in accordance with the requirements of the *Modern Slavery Act 2018* (Cth) by Fluence Energy Pty Ltd (ACN 627 071 461) with its office at Level 26, 1 Bligh Street Sydney NSW 2000.

This Statement sets out the steps Fluence undertakes to ensure compliance with applicable legal requirements pertaining to modern slavery risks. This document describes our current policies and due diligence processes that we implement to help identify and address any potential risks in our business operations and supply chain. This Statement covers the reporting period ending 30 September 2023.

2 Structure, Operations and Supply Chain

Fluence Energy Pty Ltd is incorporated in Australia and is a wholly owned subsidiary of Fluence Energy, LLC (a Delaware, US corporation formed on 30 June 2017). On 1 November 2021, Fluence completed an initial public offering. Fluence's listed entity, Fluence Energy, Inc, conducts its business operations through Fluence Energy, LLC and its direct and indirect subsidiaries which includes Fluence Energy Pty Ltd.

Fluence Energy Pty Ltd is part of the Fluence group of companies which has sites across the Americas, EMEA and APAC. Currently Fluence has over 1,400 employees globally on a mission to *transform the way we power our world*. As at the date of this Statement, Fluence Energy Pty Ltd employs around 60 employees in Australia.

Fluence has a presence in over 47 markets globally and offers an integrated ecosystem of products, services, and cloud-based software across a range of energy storage and renewable use cases. Our solutions are integral to the

energy transition and the global effort to combat climate change through the modernisation of our clean energy networks. Our battery-based energy storage products are designed for the most demanding industrial applications and are backed by more than 6 years of experience designing, deploying, and operating energy storage systems.

In addition, Fluence maintains supply chain partnerships worldwide, and categorises them according to the type of material and service being provided, in addition to the country of origin and operations.

3 Risks of Modern Slavery Practices in the Operations and Supply Chain

Globally, the risks of modern slavery practices are well-publicised. General risks within an organisation may include work or operations conducted in high-risk geographies, and short-term projects performed by external vendors. Fluence is not immune to such potential risks; however, as described in this Statement, Fluence has implemented appropriate due diligence processes that help assess and manage such risks, as well as policies and procedures that reasonably mitigate such dangers. We recognise the risks associated with slavery practices and have created a framework to manage those risks in our operations and supply chain.

If potential non-compliances are discovered, we take immediate steps to implement remedial measures.

In addition, we conduct regular training courses with our staff to ensure they are aware of our commitments and requirements as to how we monitor and expect compliance with our core values.

Lastly, we use internal software mechanisms and external auditors to help us reduce and identify these potential risks.

4 Actions taken by the Fluence to assess and address modern slavery risks

I. OUR POLICIES

Our commitment to respecting and promoting human rights applies to all Fluence locations and business operations worldwide. We recognise that our policies, procedures, training, and monitoring may need to evolve, as needed. In addition, we expect our business partners—including suppliers and customers—to share our commitment to respecting and promoting human rights. All suppliers must comply with our Code of Conduct for Fluence Business Partners and Third-Party Intermediaries (“Supplier Code of Conduct”, or “the Code”), which sets out our expectations as to business practices. Processes are already in place to identify and manage risks associated with our supply base. We have established the following processes to help evaluate and monitor compliance with applicable requirements:

Fluence Code of Conduct & Ethics

All applicable team members are required to comply with our conduct guidelines and requirements as outlined in our Code, which includes respect for the personal rights of every individual, as well as the requirement to act with integrity and in accordance with the law.

Responsible Sourcing Policy

We published our new responsible sourcing policy in 2023. This policy addresses our commitment to ethical, social, and environmental practices in the supply chain required in order to achieve a sustainable yet profitable business. We strive to be a thoughtful and diligent role model in our industry and for our community.

Code of Conduct for Fluence Business Partners and Third-Party Intermediaries

We expect all our business partners to abide by the principles outlined in our comprehensive Supplier Code of

Conduct which is specially designed to set clear expectations. The Code specifically prohibits the use of forced labor and child labor by our suppliers, requires our suppliers to respect the employment rights of their workers, and to use necessary efforts to promote compliance within their organisations.

Responsible Sourcing Playbook

Our Responsible Sourcing Playbook serves as our “one-stop” for all supplier-related queries that may relate to responsible sourcing program requirements. We support all our suppliers through our “Responsible Sourcing Framework” and miscellaneous guidelines, which serve as the basis of all our supplier relationships. In addition, we explicitly encourage our suppliers to extend these values further into their supply chain to create a network of interactions and business relations that are built on trust as well as any applicable laws regarding slave labor.

II. HUMAN RIGHTS IN OUR SUPPLY BASE

We strive to work with suppliers who share our values and commitment to operating responsibly and ethically. Our ESG (Environmental, Social and Governance) Department takes care of Responsible Sourcing and Social Compliance and works actively within the company to ensure compliance and accountability through transparency. The Fluence Responsible Sourcing Playbook and Supplier Code of Conduct outlines our expectations of supplier business conduct. Where necessary, Fluence will work with suppliers to identify agreed-upon actions and timelines to achieve improvement as a condition of initial or ongoing engagement.

III. RESPONSIBLE SOURCING PROGRAM

Fluence’s Responsible Sourcing (RS) strategy is a proactive blueprint for establishing environmental, social and governance (ESG) standards throughout our supply chain that drives accountability among our suppliers. The program is continually reviewed to ensure that the principle of protecting people and the environment from potential risks of supply chain failures are implemented and that our business partners share the same values. We maintain a rigorous system of supplier selection, engagement, education,

assessments, and auditing to achieve supply-base integrity and the standards we expect at Fluence.

Transparency is a core element in ensuring supply chain sustainability. The Fluence responsible sourcing mission is to seize opportunities and mitigate risks within our supply chain. We are also working to manage modern risks associated with globalisation and climate change, among other market megatrends. We aim to exceed our current procurement targets without compromising future growth and long-term business sustainability.

Our Responsible Sourcing and the Supply Chain & Procurement teams collaborate to support supplier risk management and implement supply chain sustainability programs. Our governance structure allows for this cross-functional collaboration and ensures all internal stakeholders are aligned.

A. Supplier Onboarding & Validation Process

We embed Sustainability and ESG Principles into our multi-step approach to deliver on our commitment to ethical and responsible procurement. That approach includes three systematic processes to govern our suppliers:

(i) Supplier Qualification

The supplier qualification program is built upon our Responsible Sourcing program framework to meet and adhere to the Responsible Sourcing Policy and Supplier Code of Conduct requirements. The supplier qualification program also utilises various tools to help with the pre-qualification of suppliers. Prior to onboarding, we run thorough checks on all potential partners for any business transactions. Fluence leverages our supplier relationship management system to qualify and onboard new suppliers. This supplier relationship management tool has clearly defined objectives and serves as a foundation for our business partnerships.

Specific compliance and/ or legal clauses are

included in the contractual documentation between Fluence and our third-party intermediaries, and we expect adherence to those legal requirements monitored over the term of our partnerships. This includes deploying both preventative as well as incident-driven audits.

(ii) Supplier Evaluation

Fluence's Supplier Evaluation Process features regular collaboration with our suppliers for annual ESG disclosures. This process entails multiple risk management initiatives, and we have established a rigorous base for evaluating our suppliers through our Supplier Code of Conduct and our responsible sourcing program framework. We recognise that it is vital to maintain vigilant checks and balance systems to uphold human rights and minimise our environmental impacts throughout our supply base.

(iii) Supplier Development

With our diverse supplier base, we insist on stringent social compliance standards consistent with industry standards and international regulations. We identify social compliance risks by our vendor spend, vendor location, and the industry in which the vendor operates. After developing our risk assessment process, we implement an auditing program that focuses on high-risk vendors and create an annual schedule to govern social compliance by risk association. Unannounced audits are conducted through our third-party auditing partners to eliminate the chance for any bias. We use a trusted third-party system to conduct internationally recognised social compliance program audits or our own responsible sourcing program questionnaire to govern social issues such as child labor, forced labor, and slavery in the supply chain. We also assess the vendor's working conditions for its employees, wages, and all accounts of possible overtime and leave.

B. SUPPLY CHAIN ASSESSMENT

Fluence wants to emphasise its zero tolerance towards the violation of basic human rights, including forced labour in its supply chain. We strive to ensure ethical and responsible sourcing and have a strict human rights and responsible sourcing policy in place, included in our Supplier Code of Conduct.

At Fluence, we view our supply chain as a key component of our overall business framework and expect all suppliers to adhere to the same level of integrity and ESG (Environmental, Social and Governance) requirements to which we hold our own operations accountable. We make all reasonable efforts to ensure our suppliers know what is expected of them and have systems in place to help ensure compliance. We do this by:

(i) Selecting Suppliers based on adherence to our Supplier Code of Conduct

The execution of the Supplier Code of Conduct is the first step in ensuring that our responsible sourcing vision is communicated with our business partners. Suppliers must accept and agree in writing to the Fluence Supplier Code of Conduct as part of the supplier onboarding and contracting process.

(ii) Maintaining a mandatory program of Supplier Self-Assessment

The Fluence Responsible Sourcing team (“RS team”) will share the Self-Assessment Questionnaire (“SAQ”) with suppliers for initial risk assessment identification. The RS team will review and evaluate the supplier risk and categorisation based on the completed questionnaire.

(iii) Ensuring Supplier Commitment Through Third-Party Compliance Reports

Each supplier needs to submit an internationally recognised social compliance standard/program’s latest audit report to the RS team which was conducted by a third-party audit firm. It is expected that in the applicable audit results and report, each supplier has complied with applicable human rights regulations and standards, including those relating to forced labor, in their operations.

(iv) Conducting due diligence for suppliers

Fluence may conduct unannounced, random audits through third party firms to help further ensure suppliers’

compliance with the Fluence Supplier Code of Conduct and other requirements on an ongoing basis.

5 How we assess the effectiveness of actions being taken to assess and address modern slavery risks

As noted in section 4, Fluence continually evaluates the effectiveness of actions being taken to assess and address modern slavery risk, including tracking our actions and outcomes, partnering with suppliers and other external partners, and undertaking regular internal governance and external assurance processes. For example, third parties and suppliers are subject to due diligence screening, which is performed during onboarding via the use of a due diligence screening application. The due diligence screening includes two levels of restricted party screening (first level screening is conducted by onboarding teams; any escalations are reviewed by Compliance for approval). Lastly, screened parties are also subject to continuous monitoring.

In addition, if we were to discover potential evidence of non-compliance in our supply chain (for example, if self-assessment questionnaires or audits reveal infringements), Fluence will evaluate appropriate remedial actions. We expect our suppliers to remedy any material violations within a reasonable period. Besides follow-up audits carried out by our external audit partners, the responsible procurement units and the suppliers involved will agree on the corrective actions as defined during our audits. Lastly, we reserve the right to terminate the supplier relationship in the event of serious infringements or violations of law relating to slavery, servitude, human trafficking and forced labor. Based on the results of these processes we will adapt and strengthen our actions to continually improve our response to modern slavery.

6 Process consultation with any entities Fluence Energy Pty Ltd owns or controls

Fluence Energy Pty Ltd does not own or control any entities.

7 Our Commitment

As noted, Fluence will not tolerate any violations of applicable laws pertaining to forced labor and modern

slavery. In addition, Fluence will continue to adhere to a zero-tolerance approach to violations of law in our supply chain.

Signed in accordance with a resolution of the Board of Directors dated 20 March 2024:

Fluence Energy Pty Ltd (ACN 627 071 461)

P. Thompson

Name: Peter Thompson

Position: Director



Fluence (Nasdaq: FLNC) is a global market leader in energy storage products and services, and optimisation software for renewables and storage. With a presence in 47 markets, Fluence provides an ecosystem of offerings to drive the clean energy transition, including modular, scalable energy storage products, comprehensive service offerings, and the Fluence IQ Platform, which delivers AI-enabled digital applications for managing and optimising renewables and storage from any provider. The company is transforming the way we power our world by helping customers create more resilient and sustainable electric grids.