

General Terms and Conditions (GTC)

for apm medical GmbH

1. Scope of validity

The following General Terms and Conditions (GTC) apply to all contractual relationships (placement contracts, qualification agreements) and services between apm medical GmbH and hospitals, hospital associations, facilities, organisations (hereinafter: clients) as well as nursing professionals and business partners. If the client uses its own General Terms and Conditions, the General Terms and Conditions of apm medical GmbH shall take precedence, unless the parties agree otherwise in writing.

2. Conclusion of contract

The prices for services provided by apm medical GmbH are quoted in euros and do not include the applicable statutory VAT. The contract between apm medical GmbH and the customer is concluded individually and regulates the modalities of the fees incurred. The service requires that the nursing staff placed have language level B1 in accordance with the currently valid statutory provisions, which is guaranteed by apm medical GmbH.

3. Faire Anwerbung Pflege / fair recruitment for nursing care

By concluding the contract, we, apm medical GmbH, as well as our nursing staff, customers and business partners, undertake to comply with the following standards:

- a) Compliance with the World Health Organisation's (WHO) Code of Conduct for the International Recruitment of Health Professionals and the ban on recruitment from countries which, according to the WHO, have a shortage of health professionals.
- b) Adherence to the "employer pays" principle, according to which all costs associated with the recruitment and immigration of international nursing staff are borne exclusively by the employer in Germany. This includes covering all recruitment costs so as not to impose any economic risk on the carers. The placement and the associated services are free of charge for the carers. Any direct or indirect fees or costs associated with the placement (including for business partners) are borne solely by the employer in Germany. This excludes payments such as deposits, security deposits or contractual penalties.
- c) Compliance with the United Nations Guiding Principles on Business and Human Rights.
- d) Compliance with the General Principles and Operational Guidelines for Fair Recruitment and Determination of Recruitment Fees and the Core Labour Standards of the International Labour Organization (ILO).

apm medical GmbH undertakes not to place nurses in employment contracts that contain commitment and repayment obligations relating to the costs of the placement.

apm medical GmbH reserves the right to verify compliance with these terms and conditions and principles by

business partners at any time and as required and to request appropriate evidence if necessary. This also includes the right of cancellation in the event of repeated non-compliance.

apm medical GmbH expressly recommends that all customers establish measures and instruments for operational and social integration, promote language skills in German and provide support during familiarisation. apm medical GmbH offers its support in establishing and implementing these measures.

The company principles can be viewed under the following link: https://pflgerecruiter.de/wp-content/uploads/2024/03/apmMedical_Corporate-principles_EN.pdf

4. Matching

- a) The nursing specialist's application documents are compared with the requirements of our customers in Germany. Based on the preferences and requirements of both parties, an assignment is made to a potential employer.
- b) If no match is made, a new matching-process will be scheduled.
- c) All recruitment costs are borne by apm medical GmbH.

5. Recognition process

apm medical GmbH accompanies and supports nurses in having their qualifications recognised by the competent authorities. In the case of partial recognition, an adaptation measure is carried out in accordance with official guidelines or preparations for the knowledge test. Here, too, apm medical GmbH is on hand to support the qualified nurse.

6. Change

apm medical GmbH and its clients agree in individual contracts that both the placed nurse and the hospital/facility can withdraw from the contract in compliance with legal regulations. In such cases, apm medical GmbH undertakes to place the nurse with another employer and to find another nurse for the client.

7. Relocation

apm medical GmbH undertakes, together with the carer's employer, to provide support in dealing with the authorities, visa matters and the recognition process - so-called relocation.

8. Data privacy

- a) apm medical GmbH treats personal data confidentially and observes the statutory data protection regulations.

- b) The customer agrees to the computerised use of his contractual data insofar as this is necessary for order processing and legally permissible.

9. Place of jurisdiction and applicable law

The contractual relationships are subject to German law. The place of jurisdiction for agreements with merchants and legal entities under public law is Frankfurt.

10. Final provisions

Should any provision of these GTC be invalid, the remainder of the contract shall remain valid. The relevant statutory provisions shall apply in place of the invalid provision.