



COMPREHENSIVE COMPLIANCE PROGRAM

Nyxoah is committed to advancing scientific knowledge and patient well-being through ethical research and marketing of our products. In service of this mission, Nyxoah conducts activities in compliance with applicable laws, regulations, and industry codes. We commit to acting honestly, ethically, and fairly, and work to ensure that our conduct, and that of our third-party business partners, meets or exceeds all required standards.

We also declare that the structure of our Comprehensive Compliance Program (CCP) incorporates the principles articulated in the General Compliance Program Guidance published in November 2023 by the Office of the Inspector General of the United States Department of Health and Human Services (OIG-HHS). The CCP adopted by Nyxoah is also aligned to the Advanced Medical Technology Association Code of Ethics on Interactions with Healthcare Professionals (AdvaMed Code) and the company commits to adhering to the AdvaMed Code.

Nyxoah's CCP is designed to prevent non-compliance with company policies and the laws and regulations applicable to the life sciences industry as well as effectively detect and correct non-compliant behavior. Nyxoah's CCP is flexible and evolving, incorporating periodic risk assessments and adjustments to policies and practices to ensure the program can address the changing needs and emerging compliance risks of our business.

Nyxoah's CCP includes the following:

- 1.1 **Implementing Written Policies and Procedures** – As part of Nyxoah's CCP, Nyxoah has established a *Corporate Code of Conduct and Ethics and Whistleblower Policy*. All employees interacting with Healthcare Professionals (HCPs) and other customers are required to follow additional policies and procedures governing appropriate and inappropriate actions. Nyxoah updates these policies and procedures on an ongoing basis and ensures they are available and provided to all employees and relevant third parties.
- 1.2 **Designating Compliance Leadership and Oversight** – Nyxoah has designated a Compliance Officer and a Compliance Committee charged with operating and monitoring Nyxoah's CCP. Additionally, the Compliance Officer has the authority to report on its CCP directly to the Board of Directors.
- 1.3 **Training and Education** – Nyxoah requires periodic compliance training for all personnel on the policies and procedures established as part of the CCP.
- 1.4 **Effective Lines of Communication with the Compliance Officer and Disclosure Programs** – Nyxoah has established an open line of communication for employees to contact the Legal & Compliance Department or Compliance Committee and report compliance questions and concerns to management and the Board of Directors. Personnel have a mechanism to report questions and concerns anonymously.



- 1.5 **Conducting Internal Monitoring and Auditing** – Nyxoah reviews and assesses business activities for compliance with applicable laws, regulations, guidelines, and company policies and procedures. This includes evaluating and identifying potential risks on an ongoing basis. Once potential risks are analyzed, the company identifies how to address any high-priority item, including by conducting an audit or putting monitoring in place.
- 1.6 **Enforcing Standards: Consequences and Incentives** – Nyxoah's *Corporate Code of Conduct and Ethics and Whistleblower Policy* includes a clear description of disciplinary action for non-compliance. Disciplinary action may include warnings, suspension, termination, and other sanctions, as appropriate.
- 1.7 **Responding to Detected Offenses and Developing Corrective Action Initiatives** – Nyxoah develops corrective action plans to address identified concerns in a timely fashion. Appropriate corrective action may include disciplinary action, enhanced training, improvement of policies and procedures, or reporting obligations to governmental authorities.
- 1.8 It is Nyxoah's expectation that all employees and contractors comply with its CCP and all policies that support this program. As part of Nyxoah's continuing commitment to compliance, Nyxoah continually reviews and revises the elements of its CCP.

In accordance with California Health & Safety Code §§119400–119402, Nyxoah has established an annual limit of **\$2,500** per California-licensed healthcare professional for gifts, promotional materials, and meals. This limit **excludes** the value of compensation for bona fide consulting services, payments related to clinical trials, and reasonable travel or lodging associated with legitimate business purposes.

- 1.9 To obtain a written copy of Nyxoah's Code of Business Conduct and Ethics and written Declaration of Compliance, contact us at USCompliance@nyxoah.org or toll free at: 844-426-0174.



DECLARATION OF COMPLIANCE

Nyxoah reviews and updates its Comprehensive Compliance Program and this Declaration of Compliance annually to reflect changes in law, regulation, and company practices.

This declaration is made in accordance with California Health & Safety Code §§ 119400–119402 and reflects our good faith belief, based on our understanding of the statutory requirements and our company's policies, that we are in compliance with our Comprehensive Compliance Program (CCP) in all material respects for the prior calendar year.

A handwritten signature in blue ink that appears to read "An Moonen".

Signed by: An Moonen, General Counsel

Dated: December 18, 2025