

Tomago Aluminium Company Pty Limited

Code of Conduct

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Application of the Code of Conduct

Who does it apply to?

The *Code of Conduct* applies to all employees, contractors, consultants and suppliers of Tomago Aluminium.

Through appropriate contractual arrangements and procurement principles, consultants, contractors and suppliers of Tomago Aluminium are equally expected to comply with the *Code of Conduct* in all their dealings with or on behalf of Tomago Aluminium. We should ensure that they are aware of the contents of the *Code of Conduct* either by referring them to the version on the Tomago website www.tomago.com.au or providing them with a paper copy in the absence of internet access.

The *Code of Conduct* is to be communicated to all employees and acknowledged as understood by all Tomago Aluminium management and employees every three years, as well as provided to and signed as read by all new employees, contractors, and by a Supplier Company representative on behalf of consultants and suppliers.

Our responsibility

Each of us has a responsibility to work with integrity when acting on behalf of Tomago Aluminium.

All Tomago Aluminium employees are expected to comply with the law, the Tomago Aluminium *Code of Conduct*, policies and procedures. Ignorance of the law is not an acceptable reason for noncompliance, so we must all be familiar with the applicable laws that relate to our work.

There are several questions that we should ask ourselves when confronted with a business decision:

- Is it legal?
- Are my actions consistent with the *Code of Conduct* and associated Tomago Aluminium policies and procedures?
- Will there be any direct or indirect negative consequences for Tomago Aluminium?
- What would my family, friends or neighbours think of my actions?

- Would I want my actions reported on the front page of the newspaper?
- Do I believe the action I am taking is right – am I being fair and honest?

If you do not feel comfortable with any of the answers, then the best response is not to do it. If you are unsure about what to do, you should refer to the relevant section of the *Code of Conduct* or speak with your manager.

Should you become aware of conduct which is in violation of the law, the *Code of Conduct*, or Tomago Aluminium policies and procedures, you have a responsibility to report it using one of the reporting mechanisms set out in the section “Asking questions and reporting violations”.

Violating the law, the Tomago Aluminium *Code of Conduct*, policies and procedures may result in disciplinary action, up to and including dismissal. In addition, any consultant, contractor or suppliers who fail to respect the *Code of Conduct* may see their contract terminated or not renewed.

Compliance with this *Code of Conduct* will be measured by audits, which will include review of registered breaches, outcomes of investigations, reporting procedures and training programs.

Those in managerial positions have a special responsibility to role model with integrity. They should seek to ensure that employees and contractors under their supervision are aware of and comply with the *Code of Conduct*.

Asking Questions and Reporting Violations

There are a range of options available to employees who have questions to ask or who wish to report violations of the law, the Tomago Aluminium Code of Conduct or related policies and procedures.

You can:

- Talk to your Manager, Superintendent or Supervisor – this is often the best person to contact first;
- Speak to the HR Manager, Executive Committee member or CEO;
- Use the formal internal grievance process;
- Use the *Confidential Telephone Line* system.

All information obtained through the above reporting channels will be followed up. No action will be taken against anyone for reporting in good faith a suspected violation of the law or Tomago Aluminium policies. However, anyone who takes part in a prohibited activity may be disciplined even if they report it. An employee's decision to report will, in all cases, be given due consideration in the event any disciplinary action is necessary.

Confidential Telephone Line

Tomago Aluminium employees have access to Confidential Telephone Line, a telephone line to raise serious issues and inappropriate behaviour to the attention of senior management, whether it is fraud; discrimination; harassment; violence; legal, policy or regulatory violations; or environmental issues.

The *Confidential Telephone Line* is available 24 hours a day, 365 days a year. It is a mobile telephone permanently diverted to message bank. These messages will be reviewed by the CEO to determine appropriate action. Although anonymity will be maintained and respected, it is encouraged that people leave a contact point to allow follow up to assist in ensuring a proper investigation of the alleged breach.

The number of the Confidential Telephone Line is: **0418 267 511.**

The Workplace

Safety

We are committed to an incident and injury free workplace. Our goal is zero harm.

Everyone's behaviour contributes to an incident and injury free workplace; full and consistent implementation of Tomago Aluminium's safety policies, systems and procedures is required wherever we operate.

Tomago Aluminium seeks to provide a safe workplace where there are no injuries. To achieve this everyone is required to:

- Attend for duty fit and able to safely perform their duties;
- Take responsibility for their safety and that of co-workers;
- Identify hazards, assess risks and whenever possible, initiate corrective action and
- bring the matter to the attention of management
- Use personal protective equipment correctly
- Participate actively in safety training activities.

Supporting references

Environment, Health and Safety Policy
Plant Safety Rules
Commitment to Safety

Health

We are committed to protecting the health and wellbeing of all who work with us.

Tomago Aluminium recognises that healthy and productive employees are essential to our success and we are committed to identifying and eliminating health risks to our people, through the evaluation and control of workplace exposures and the implementation of health and wellbeing programmes. We encourage employees and contractors to choose to adopt a healthy, safe and environmentally conscious lifestyle.

Supporting references

Environment, Health and Safety Policy
Plant Safety Rules

Employment

We respect the rights and dignity of employees throughout our own operation and those of our business partners.

In many ways, our workplace is our second home, where all of us are entitled to be treated with respect. Respect is central to a harmonious workplace, where the legal rights of employees are upheld, and where their dignity is affirmed, free of intimidation, discrimination or unwarranted coercion of any kind.

Therefore, we:

- Strive to maintain a work environment where personal dignity of the individual is respected;
- Do not permit discrimination or harassment on the basis of race, gender, national origin, religious belief, age, sexual orientation, gender identity, intersex status, politics or on the basis of any personal characteristic protected by law;
- Do not approve of the use of inappropriate language in the workplace, including profanity, swearing, vulgarity or verbal abuse;
- Do not permit coercion or intimidation in the workplace;
- Respect employees' rights in relation to employment matters.

Sexual or workplace harassment or violence is not tolerated at Tomago Aluminium. Sexual harassment may include unwanted sexual advances, sexual jokes, subtle or overt pressure for sexual favours, sexual innuendoes, and offensive propositions. Workplace harassment and violence includes threats, intimidation, bullying, and subjecting individuals to ridicule or exclusion.

When Tomago Aluminium believes that harassment or violence has occurred, appropriate disciplinary action will be taken against those responsible, which may include dismissal.

Supporting references *Respect at Work Policy*
Disciplinary Code Privacy Policy

Drugs and Alcohol Impairment

We must not possess, consume or be under the influence of illegal drugs or alcohol while working on Tomago Aluminium business or premises.

To remain safe and competitive, it is essential that we make the best decisions; therefore we expect that all our judgements be clear and unimpaired by drugs or alcohol at all times. These restrictions are established for the safety, well-being and productivity of our employees and our business.

Supporting references

Plant Safety Rules

Fitness for Work Procedures

Commitment to Safety

Security

We are committed to protecting our employees and assets.

Tomago Aluminium representatives and security staff are permitted to request the display and inspection of bags, vehicles or property that are on our premises, in accordance with local laws. All employees and contractors as well as suppliers, consultants and visitors are expected to cooperate by allowing an inspection of their bags and property on Tomago Aluminium premises.

Supporting references

Plant Safety Rules

Human Rights, Communities and Environment

Human Rights and Communities

We respect human rights and individual freedoms consistent with the Universal Declaration of Human Rights.

Tomago Aluminium respects and supports the dignity, wellbeing and rights of its employees, their families and the community in which we operate.

Supporting references

Respect at Work Policy

Environment

We are committed to protecting the environment in which we operate.

We comply with all applicable laws, standards and industry codes of practice to manage environmental risks. We identify opportunities to improve environmental management at every stage of our operation. We implement programs that will reduce emissions and ensure the efficient use of water, energy, raw materials and the management of waste. Wherever possible we identify and eliminate, or otherwise control, environmental risks to the environment in which we operate.

Supporting references

Environment, Health and Safety Policy
Plant Safety Rules

Business Integrity

Conflicts of Interest

We must ensure our personal activities and interests do not conflict with our responsibilities to Tomago Aluminium. It is important that even the appearance of a conflict of interest be avoided.

A conflict of interest can exist if you have a personal interest in a decision being made where that decision should be made free from bias and in the best interests of Tomago Aluminium. If you think that you could be in a conflict of interest situation, you should immediately disclose all relevant details to your manager.

A conflict of interest may also arise if you are an employee seconded from an owner company, where you must act and objectively make decisions as a Tomago Aluminium employee whilst working for Tomago Aluminium and not act as a representative of the owner.

Conflicts of interest may involve, among over things:

- Outside work or employment;
- An outside business relationship with, or interest in, a supplier, customer or competitor;
- A business relationship on behalf of Tomago Aluminium with any person who is a relative or a personal friend, or with any company controlled by such a person;
- A position where you have influence or control over the job evaluation or compensation of any person who is a relative or romantic partner;
- Personal use or sharing of Tomago Aluminium confidential information for profit, such as buying or selling, or advising others to buy or sell Tomago Aluminium property, products or raw materials on the basis of this information;
- An acceptance of personal benefits, such as something more than a modest gift or entertainment, from a person or organisation dealing, or expecting to deal, with Tomago Aluminium in any type of business transaction.

Any matter that could present a conflict of interest to an employee could also present a conflict of interest if it is passed on to a family member of a third party who

is receiving benefits for the employee.

Common sense and good judgement must be exercised to avoid any perception of a conflict of interest.

Supporting references

Procurement Policy Document

Fraud and Corruption

Tomago Aluminium takes all reports of fraud and corruption very seriously and will not tolerate fraudulent or corrupt activities.

Fraud is deliberate deception to secure unfair or unlawful personal gain, or any intentional or deliberate act to deprive Tomago Aluminium or an external party of Tomago anything of value by deception or other unfair means. Fraud is both a civil wrong and a criminal wrong.

We must not engage in fraudulent or corrupt behaviour or assist others in such behaviour which includes theft or misappropriation of Tomago Aluminium assets, for example money, cash or cash equivalents, company credit cards, plant, equipment and inventory, confidential information, intellectual property, employee or customer/supplier information.

Examples of other fraudulent activities also includes:

- Falsifying accounting records
- Overcharging on invoices
- Falsification of claims
- Money laundering

Any fraudulent activity or genuinely suspected fraudulent activity must be reported immediately to your manager.

Tomago Aluminium does not tolerate any form of corruption or bribery. Corruption is any form of dishonest or unethical conduct by a person entrusted with a position of authority, often to acquire personal benefit. Corruption may include many activities i.e. bribery and embezzlement. You shall not, while conducting work for Tomago Aluminium, accept or receive improper advantages that may influence your decisions.

Gifts and Entertainment

Gifts and entertainment given and received as a reward or encouragement for preferential treatment are not allowed.

In certain circumstances, the giving and receiving of modest gifts and entertainment is perfectly acceptable. A business meal, for example, can provide a relaxed way of exchanging information. Nonetheless, depending on their size, frequency, and the circumstances in which they are given, they may constitute bribes, political payments or undue influence.

The key test we must apply is whether gifts or entertainment could be intended, or even be reasonably interpreted, as a reward or encouragement for a favour or preferential treatment. If the answer is yes, they are prohibited under Tomago Aluminium policy.

Supporting references

Procurement Policy Document

Competition Issues

Tomago Aluminium is committed to the principles of free and fair competition.

We must act independently and in Tomago Aluminium's interest in all commercial situations affecting competitive conditions of trade and avoid practices that restrict competition. We will comply with the letter and spirit of all competition laws as they apply to Tomago Aluminium.

Therefore, we will:

1. never enter into any agreement or tacit understanding with our competitors, and avoid discussing competitive issues on such matters as:
 - a. The costs incurred by Tomago Aluminium or profits made by our owners;
 - b. The rate of production or percentage of capacity utilisation of Tomago Aluminium;
 - c. The customers to whom Tomago Aluminium Participants sell products; and
 - d. The type or amount of any product that Tomago Aluminium will manufacture;
2. limit communications, when participating in industry associations, to those actually required for the legitimate business of the joint endeavour;
3. deal fairly with all customers and suppliers, including those with whom we also compete;
4. avoid any use of coercion in the sale of products to customers; and
5. avoid any unfair or deceptive act or practice.

Whenever in doubt, competition-sensitive issues must be brought to the attention of a senior manager.

With International Business our policy is to comply with the laws wherever we do business.

Supporting references

Employee Confidentiality Undertaking
Procurement Policy Document

Fair Business Practices

It is our policy to carry out our business fairly and with integrity.

In our dealings with customers, we must be clear, concise and fair. Where comparisons are permitted by law, we must fairly compare our products, services or employees to those of our competitors. We must also ensure our products meet all relevant legal standards for health and safety.

In procurement, Tomago Aluminium expects to participate in a fair and competitive marketplace. We provide a fair evaluation and selection process to all prospective suppliers.

We require our suppliers to maintain their own policies that support fair competition and integrity, require adherence to applicable laws, standards and regulations, and prohibit giving or receiving bribes, with a process for assuring compliance.

Supporting references

Procurement Policy Document

Insider Trading

When in possession of inside information, we must not trade in securities (eg shares) or disclose such information to others, including our family members. We must also ensure that when handling such information we do so with the appropriate care and take all reasonable steps to ensure that the information remains confidential.

Inside information may include, for example, information about: financial results; major acquisitions or divestitures by our Participants; joint ventures; significant capital projects; important contracts; takeover bids; production figures; and changes in our products.

Supporting references

Employee Confidentiality Undertaking

Assets and Information Management

Internal Controls and Records

All Tomago Aluminium documents and records must give a true and fair view of the state of our business affairs.

We must ensure that all Tomago Aluminium documents and records are promptly and properly updated.

In relation to Tomago Aluminium's documents and records, including time recording, we will:

- not intentionally cause Tomago Aluminium documents or records to be incorrect in any way;
- not create or participate in the creation of any records intended to conceal anything improper;
- properly and promptly record all commitments made for goods and services;
- properly and promptly record all Tomago Aluminium transactions, with all contractor work completed being signed off and accounted for in the month;
- not make unusual financial arrangements with a customer or a supplier (such as, over-invoicing or under-invoicing) for payments on their behalf.

All financial transactions are to be promptly and properly recorded in the books of account for Tomago Aluminium, and information provided for financial accounts is to be validated with key controls signed off by those responsible. In turn, all Company books and records must be available for audit.

In relation to Tomago Aluminium's financial books of account, we must:

- properly and promptly record all disbursements of funds;
- reconcile and retain supporting evidence for accounts;
- co-operate with internal and external auditors; and
- report any knowledge of any untruthful or inaccurate statements or records or transactions.

Suspected breaches of financial policy, directly or indirectly affecting Tomago Aluminium's business, must be reported and investigated.

As far as practicable, contracts to which Tomago Aluminium is a party should be in writing, leaving as little uncertainty as possible. "Side letters" or "comfort letters" that are not referred to in the main document should only be accepted or given after obtaining senior management advice.

Supporting references

Plantwide Records Management

Procurement Policy Document

Document Management Guidelines

Authority to Commit

Employee Use of Tomago Property

Tomago Aluminium property and financial resources are for the sole use of Tomago Aluminium.

Therefore, we must not:

- obtain, use or divert Tomago Aluminium property or financial resources for personal use or benefit;
- alter or destroy Tomago Aluminium property without proper authorisation; or
- remove Tomago Aluminium property or use Tomago Aluminium services without prior management approval.

Some activities may have benefits to Tomago Aluminium as well as to an individual employee and the distinction between the two may be difficult to establish. So it is important that your manager approve, in advance, any use of property or services that is not solely for the benefit of Tomago Aluminium.

Supporting references

Desktop and Peripherals Disposal Policy

Procurement Policy Document

Employee Use of Electronic Resources

Electronic resources provided by Tomago Aluminium must be used responsibly, appropriately and ethically.

“Electronic resources” include, for example, email, instant messenger, telephone, mobile phone, voice mail, fax, laptop, internet and network access, databases, two way radios, and closed circuit television.

We must never engage in inappropriate use of Tomago Aluminium electronic resources. Some examples of inappropriate use include:

- any use that relates to material which is offensive, sexually explicit, defamatory, discriminatory, abusive, harassing or violent;
- knowingly causing any material (including software) to be used, copied or distributed in breach of confidentiality or copyright obligations;
- online gambling;
- engaging or assisting in unlawful activities;
- engaging in activities for the purposes of private profit;
- engaging in unauthorised not for profit activities;
- deleting or attempting to destroy electronic records which are, or are reasonably likely to be, required in evidence in a legal proceeding or regulatory investigation; and
- intentionally introducing a computer virus.

Incidental personal use of Tomago Aluminium electronic resources is permitted if it is moderate and does not interfere with work duties. Abuse of this privilege is regarded as misconduct.

Tomago Aluminium reserves the right to monitor and block the use of the internet, email and other electronic resources at any time to the extent permitted by local legislation. Tomago Aluminium must retain anything that may constitute a business record (such as electronic documents and email) for as long as necessary, even after the departure of the employee who produced the business record.

An individual’s password must be kept secure at all times and must not be shared with other employees.

Tomago Aluminium’s policy is to licence one software package per employee-user, except when the licence provides otherwise or permits a network version of the software to be used. We must not copy software, protected by copyright law and/or licence agreements, unless the owner of the copyright or licence holder specifically grants, directly or indirectly, permission to do so.

Supporting references

Proper Use of Personal Computers and Email Policy

Internet Access Policy Mobile Phone Policy Data Retention Policy

Plant Photographic and Camera Policy

Workplace Surveillance Notice

Social Media Standards

When using social media, Tomago employees are expected to:

- Behave with courtesy, honesty and respect
- Not impact the integrity, reputation and values of Tomago.

The following content is not permitted under any circumstances:

- Abusive, profane or sexual language
- Confidential information about Tomago Aluminium, employees or contractors
- Discriminatory material in relation to a person or group based on age, colour, creed, disability, family status, gender, nationality, marital status, parental status, political opinion/affiliation, pregnancy or potential pregnancy, race or social origin, religious beliefs/activity, responsibilities, sex or sexual orientation
- Materials which would breach applicable laws (defamation, privacy, trade practices, financial rules and regulations, fair use, trademarks)
- Offensive material
- Material which would bring Tomago Aluminium into disrepute
- Personal information that breaches employee privacy laws
- Statements or images which may be considered to be bullying or harassment
- Communication to external parties that may be sensitive in the event of a serious incident or injury.

Data Privacy

Tomago Aluminium regards the lawful and correct treatment of personal data as being of utmost importance.

“Personal data” is all information relating to any identifiable individual. We must protect the personal data of our current and former directors, employees, suppliers, customers and any associated family or next of kin information collected for business purposes.

In accordance with the requirements of applicable privacy and data protection laws, personal data is subject to controls to prevent unauthorised or unlawful processing, accidental loss, destruction or damage.

Supporting references

Employee Confidentiality Undertaking
Privacy Policy

Confidential Information and Intellectual Property

We must always protect Tomago Aluminium’s confidential information and intellectual property as well as the confidential information entrusted to us by others (eg customers and suppliers).

“Confidential information” includes, for example: technical information about products or processes; vendor lists or purchase prices; cost and pricing strategies; non-public financial reports; and information related to asset sales, mergers and acquisitions.

“Intellectual property” includes: patents, copyrights, trademarks and trade secrets. We must also respect the intellectual property rights of others, such as our suppliers and customers. This is particularly important to remember before we copy or distribute written or electronic materials.

In safeguarding confidential information and intellectual property, we must:

- be careful where and when we discuss Tomago Aluminium confidential information;
- be careful about where and how we store it;
- not disclose or use any of it for personal profit or advantage;

- enter into confidentiality agreements with persons outside the Company (including Tomago Aluminium consultants) before discussing what is confidential;
- obtain competitive information only in accordance with sound business and ethical principles;
- discuss with a senior manager any unsolicited offer of confidential information to determine whether the information should be accepted or declined;
- not allow our customers, suppliers or business partners to use any Tomago Aluminium name or brand without appropriate approval; and
- ensure that third parties sign a secrecy agreement as necessary to protect our intellectual property.

When approached with any offer of, or request for, confidential information, it is important that both parties understand and accept conditions under which the information may be received.

Supporting references

Procurement Policy Document
Plant Photographic and Camera Policy
Employee Confidentiality Undertaking

Government, Media and Community Relations

Government Relations

We conduct ourselves according to the highest ethical standards in our dealings with governments.

Government relations include all contacts in the course of business with federal, state and local governments, their agencies and representatives. In our interactions with governments, we:

- will cooperate with every legitimate government request for information or cooperation in regulatory investigations while asserting Tomago Aluminium's basic legal rights, such as representation by counsel;
- will advise senior management if a government authority requests information or access to files;
- must take appropriate steps to protect confidentiality when submitting information to any authority;
- will not destroy Tomago Aluminium documents in anticipation of a request for those documents from a government authority;
- must not retain a government employee to perform services except under written contract with the government specifying the legitimate nature of the services to be provided; and
- limit gifts to, or entertainment of, government representatives so that we neither violate the law nor compromise – or appear to compromise – the individuals involved or Tomago Aluminium in any way.

If the government authority (eg a police officer) has a search warrant, we will cooperate immediately and contact management to obtain legal advice without delay.

Media and Community Relations

Communicating with the media is the responsibility of authorised Tomago Aluminium spokespersons, which ensure the timely and informed communication of relevant information.

Tomago Aluminium spokespersons must demonstrate high standards of integrity and transparency, while refraining from unauthorised or selective disclosure of proprietary or non-public information.

We will make sure spokespersons know about any relevant issue of local or national interest that relate to Tomago Aluminium, for them to balance the interests of Tomago Aluminium with the legitimate interests of employees, customers, suppliers, government authorities and the public at large.

We must not present our personal views as being those of Tomago Aluminium.

Tomago Aluminium encourages all employees to play a voluntary role in the community. In all instances of voluntary, community and political activity, except in specific cases approved by senior management, Tomago Aluminium employees participate without remuneration, in their own name and on their own time.

Supporting references

Sponsorship Policy

Political Involvement

We refrain from participating in political activities in the name of Tomago Aluminium or in organising such activities on Tomago Aluminium property.

From time to time, issues of significant importance to the financial and business well-being of Tomago Aluminium may arise in a political context. Tomago Aluminium may participate in such political processes to advance its legitimate interests. Participation may include lobbying, publication of its views in the media and support of interested organisations.

It is the general policy of Tomago Aluminium not to make contributions to political parties at any level of government. In exceptional cases, a political contribution may be made with the approval of Tomago Aluminium's Chief Executive Officer.

We affirm each of our rights to express our political convictions, and to vote on them, in our capacity as private citizens.

(At time of commencing work with Tomago Aluminium)

Subject to the above this Code of Conduct should be read in conjunction with the appropriate policies, procedures, guidelines and regulations. These are available on the Tomago Aluminium Document Management system, the Tomago Aluminium Portal or are available from your Department Manager or Contract Supervisor.

I have read the Tomago Aluminium Code of Conduct and understand my obligations and understand that the code will apply to me even if updated and appropriately communicated:

Printed Name:

Signature:

Date:

Representative of Tomago Aluminium, Consultant or Supplier Company:

Printed Name:

Signature:

Date:

Company:

Position Held: