



Speaking Up Policy

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NYRSTAR GROUP POLICY



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1. Purpose & Scope

At Nyrstar we believe that upholding our corporate values is extremely important. **Integrity** and **respect** are two of the five core values that underpin how we work, and how we treat each other at Nyrstar. These values imply that we listen and treat each other fairly. We recognize that from time to time there may be things that go wrong, or where there is room for improvement.

Nyrstar is committed to encourage the prompt and transparent escalation of issues and concerns from a wide range of internal and external stakeholders. To facilitate this objective Nyrstar established a Speak-Up hotline. The Speak-Up hotline is provided and administered by a specialist third party supplier in order to ensure a transparent and anonymous process.

This policy aims to clarify when, and how, Nyrstar employees or stakeholders can report a particular issue that concerns them. It also describes how the company deals with a particular report or concern, in order to make sure the reporter feels safe and the issue is dealt with in a fair, consistent and timely matter. This policy is leading, but where local laws or regulations are stricter than the policy, they prevail.

2. What is Speaking-Up?

This Speaking Up policy can be used to raise concerns about any (possible) violation, even suspected, of laws and regulations, our **Code of Business Conduct**, and/or Nyrstar policies and procedures.

What should you Speak Up about? (please note this is a non-exclusive list of examples)

- Fraud;
- Money laundering;
- Terrorism-financing violations;
- Insider trading;
- Competition law violations;
- Gifts and entertainment procedure violations;
- Bribery or corruption;
- Criminal offences;
- Privacy violations;
- Sanctions and export control law violations;
- Conflicts of interest;
- Discrimination, aggression and (sexual) harassment;
- Environmental, health and safety issues;
- Human rights violations;
- Improper use of company resources;
- Retaliation against anyone for speaking up in good faith.

2.1. What is excluded?

This policy should in principle not be used to report:

- Immediate threats to life or property: If you need emergency assistance, contact your local authorities, or call your country's emergency phone number;
- Practical customer complaints;
- Concerns or grievances in relation to HR matters;
- Interpersonal non-work-related grievances or personal (legal) disputes;
- With the intent to obtain answers to questions or to provide comments on Nyrstar policies or procedures: Contact the relevant internal owner for policy- or procedure-related questions.

3. Reporting a Concern

3.1. When do you Speak Up?

You should speak up as soon as possible, ideally when the potential violation can still be prevented or before the situation escalates. Anyone who speaks up is encouraged to first report internally via the Speak-Up channels available within Nyrstar as explained in section 3.2 in this policy.

3.2. How to Speak Up?

If you see, experience or suspect illegal, or unethical, behaviour, there are various escalation channels available:

(i) Talk to your manager/supervisor

First and foremost, in case of concerns on the work floor, you are encouraged to address them directly with the individual(s) involved. If this would not be appropriate, or if you feel that this might lead to escalated tension, it is crucial that the issue is being discussed with the employee's supervisor or line manager. You might also decide to discuss the matter with your local HR representative who can mediate on your behalf.

(ii) Contact Nyrstar's compliance officer

In case an employee suspects misconduct, and genuinely believes that the matter cannot be dealt with through the available channels mentioned above (for instance if the manager or HR representative is subject in the matter), the issue can be reported to Nyrstar's compliance department at compliance.officer@nyrstar.com.

(iii) Use the Speak-Up Helpline

If the matter cannot be reported to a manager, or to Nyrstar's compliance department, or if the matter has not been satisfactorily dealt with by them, you can report your concern through the dedicated external helpline. This mechanism allows you to raise concerns confidentially and anonymously. The helpline is managed by an external partner of Nyrstar, and can be reached 24/7 by phone and internet (www.nyrstar.ethicspoint.com).

Reporting can be done in the local language of the employee, in total confidence and anonymous, if preferred. Toll free phone numbers per country can be found at the end of this

policy and on Nyrstar's Intranet. Nyrstar's compliance officer is responsible for investigating the matter and has access to the Speak-Up report database.

3.3. Protecting a whistle-blower's identity

We recognize that individuals who have a concern, and wish to report it, will do so under assurance of confidentiality. We will handle all reports confidentially and we equally expect persons reporting a breach to keep this confidential too.

We do however acknowledge that in some situations the investigation process may reach a point where the person who reported the concern needs to make a statement or provide further evidence. The Speak-Up Helpline allows for two-way anonymous communication even if a whistle-blower chooses to report a protected concern without disclosing his or her identity.

3.4. What happens after you Speak Up?

Once a matter has been reported, Nyrstar's compliance department will be responsible for following up, researching the validity of the matter and for the closure of the issue. In case the matter has been reported through the Speak-Up helpline, the reporting individual will receive a receipt confirmation immediately. In case the report has been filed with the compliance department, this will happen within 7 working days after the report has been filed.

Duration of the investigation and closure of the issue will depend on the complexity of the matter, but the Compliance department commits that it will be urgently dealing with all matters. Compliance will report back to the whistle-blower about the outcome of the investigation within three months, regardless of their content, as long as they fall within the scope of this policy, see chapter 2.

It is important to strike a balance between the legitimate interest of the reporting person to receive information about the status of the investigation and the need to keep the investigation process and outcome confidential to protect the course of the investigation, the rights of the accused person or the confidential nature of any follow-up measure. Nyrstar endeavours to keep anyone who raises concerns under this policy abreast of how their concerns are being addressed. For legal or practical reasons this is not always feasible: for example, the fact that disciplinary action has been taken against an individual can generally not be shared because of privacy issues and an investigation by a regulator or law enforcement agency will usually be confidential in itself.

3.5. Non-Retaliation

Employees need to feel confident that they will not suffer for raising concerns in good faith about suspected misconduct. Nyrstar does therefore not tolerate retaliation, or employees seeking revenge against another employee who has reported an issue, concern or complaint. Anyone who engages in retaliatory conduct will be subject to disciplinary action, including immediate termination of employment.

4. Data protection, Confidentiality and Data Retention

Nyrstar is committed to protecting the privacy of everyone involved. It will do everything reasonable to protect personal data from unauthorized access and processing. The individuals handling speak up reports are strictly bound by rules of confidentiality. All reported issues will be treated confidentially regardless of position or seniority.

Nyrstar will ensure that all personal data is handled in accordance with its **Privacy Policy**, as well as that anyone who is involved in the investigation is aware of the data protection requirements. Personal data relating to reports that are “admissible and valid” will be kept in line with our **Retention Policy**.