



# Sanctions & Trade Controls Standard

**GOV-B-002**

**Group:**  
Standard

**Function:**  
Rio Tinto Ethics & Compliance

**No. of Pages:**  
8

**Approved:**  
April 2025

**Effective:**  
April 2025

**Auditable from:**  
April 2026

**Supersedes:**  
Version Issued March 2021

**Standard Owner:**  
Rio Tinto Group Ethics & Compliance

**Approver:**  
Group TPRM Committee

**Key Contributor:**  
Rio Tinto Global Trade,  
Group Legal (Commercial)

## Target audience:

All **Rio Tinto Employees**, **Rio Tinto Businesses** and **Third Parties** acting on behalf of Rio Tinto.

Rio Tinto Businesses is defined as Rio Tinto managed and operated businesses, including joint ventures and subsidiaries anywhere in the world AND joint ventures in which Rio Tinto holds an interest greater than 25%, which confers Beneficial Owner status on Rio Tinto. Collectively referred to in this Standard as “**Rio Tinto**” or “**Rio Tinto Businesses.**”

## Direct linkages to other relevant policies, standards, procedures, or guidance notes:

- Rio Tinto Code of Business Conduct “The Way We Work”
- Business Integrity Standard and Procedure: GOV-B-001
- Data Retention and Disposal Standard: IST-B-002
- Export Control Procedure: GOV-C-005
- Know Your Third-Party Procedure: GOV-C-006
- Risk Management Standard: RIS-B-001

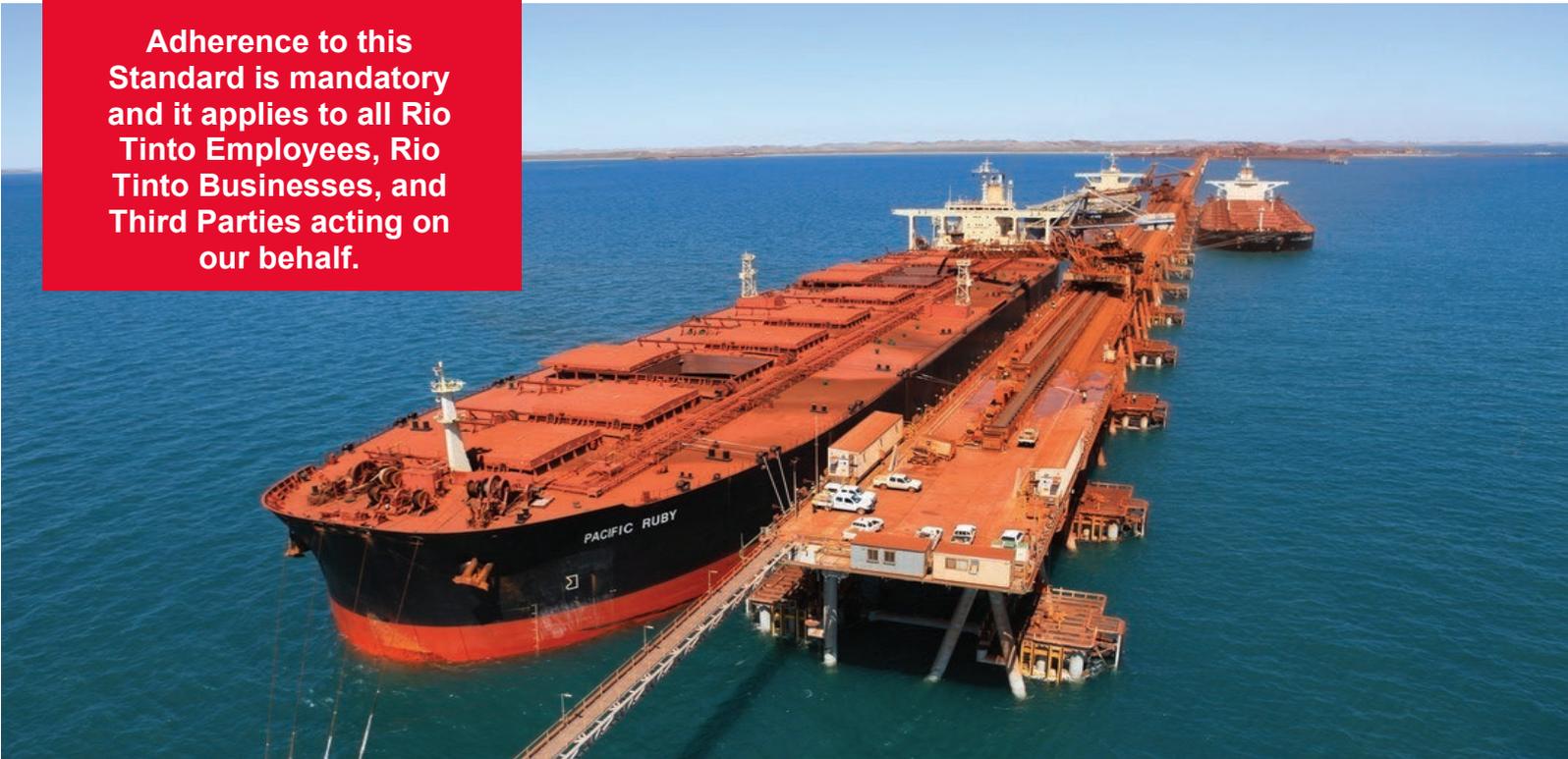
## Document purpose:

This Standard establishes Rio Tinto’s Sanctions & Trade Controls policy position, roles and responsibilities, Prohibitions, Minimum Performance Requirements, Controls, exception processes, and defined terms which are foundational to Rio Tinto’s compliance with, and interpretation of applicable Sanctions & Trade Controls laws.

# Rio Tinto Sanctions & Trade Controls Standard - Contents

- 1. Introduction..... 1**
  - 1.1 Scope..... 1
  - 1.2 Purpose ..... 1
  - 1.3 Managing Exceptions..... 1
- 2. Sanctions (Economic Sanctions) ..... 1**
  - 2.1 Introduction to Sanctions..... 1
  - 2.2 Introduction to Sanctions Countermeasures ..... 2
  - 2.3 Prohibitions (Sanctions) ..... 4
  - 2.4 Minimum Performance Requirements (Sanctions)..... 4
- 3. Trade Controls (Export Controls & Customs Regulations)..... 6**
  - 3.1 Introduction to Trade Controls..... 6
  - 3.2 Prohibitions (Trade Controls) ..... 7
  - 3.3 Minimum Performance Requirements (Trade Controls) ..... 7
- 4. Reporting of Concerns & Investigations ..... 8**
- 5. Training..... 8**
- 6. Recordkeeping ..... 8**
- 7. Review of this Standard..... 8**
- Appendix I: Glossary ..... 9**
- Appendix II: Quick Reference Guide ..... 14**
- Appendix III: Roles and Responsibilities ..... 17**

**Adherence to this Standard is mandatory and it applies to all Rio Tinto Employees, Rio Tinto Businesses, and Third Parties acting on our behalf.**



# 1. Introduction

## 1.1 Scope

The Rio Tinto Sanctions & Trade Controls Standard (“**Standard**”) is mandatory, and it is the responsibility of all Rio Tinto Businesses (“**Rio Tinto or Rio Tinto Businesses**”), **Employees** and **Third Parties** acting on behalf of Rio Tinto, to comply with its requirements. This Standard builds upon Rio Tinto’s Sanctions & Trade Controls policy position, articulated in our Code of Conduct, “The Way We Work”, which confirms our commitment to comply with applicable Sanctions and Trade Controls laws and regulations.

## 1.2 Purpose

In accordance with the above, this Standard describes roles and responsibilities, prohibitions, Minimum Performance Requirements, exceptions management processes, and defined terms which are foundational to Rio Tinto’s compliance with, and interpretation of applicable Sanctions & Trade Controls laws.

Whenever Rio Tinto buys, sells, or moves goods, software, or technology, Employees need to be mindful and ensure they comply with this Standard. This applies when transactions involve Rio Tinto’s proprietary materials, however this may also apply when items are supplied or shipped to Rio Tinto by Third Parties.

Additionally, Sanctions and Trade Controls compliance requirements extend beyond the physical shipment of goods, with regulations also applicable to the electronic, verbal, or non-physical Export or sharing of technology and technical data.

Engaging in international trade or sharing technology without a proper understanding of our legal and regulatory obligations can have serious consequences for Rio Tinto and its Employees.

Accordingly, Rio Tinto has appointed Sanctions and Global Trade Subject Matter Experts to provide guidance, oversight, and support to assist our Employees to comply with our obligations. Employees or Third Parties reading this Standard should read **Appendix I, Glossary** for clarity on the defined terms used throughout the document.

## 1.3 Managing Exceptions

Exceptions to the Prohibitions and Minimum Performance Requirements set out in this Standard must have prior written endorsement from the **Chief Ethics & Compliance Officer** or delegate. The Chief Ethics & Compliance officer is also appointed as **Group Sanctions Compliance Officer (“SCO”)** and is the owner of this Standard.

Exceptions will not be granted if the conduct for which approval is sought violates (or poses a material risk of violating) applicable laws or regulations. All exceptions to this Standard must be properly documented.

# 2. Sanctions (Economic Sanctions)

## 2.1 Introduction to Sanctions

Economic Sanctions (“**Sanctions**”) are implemented by the United Nations (“**UN**”), European Union (“**EU**”) and its member states, and other national governments (e.g., the United States, Australia, Canada, and the United Kingdom) in response to collective security, national security, and foreign policy concerns. This includes responding to military aggression, human rights abuses, corruption, weapons proliferation, narcotics trafficking, people trafficking, and terrorism.

Sanctions are an extension of a country’s foreign policy and national security objectives, and are designed to punish, or coerce Sanctioned Parties (See **Appendix I** for definition of “**Sanctioned Parties**”) for egregious behaviour, and to deter persons from engaging in Sanctionable activities.

Sanctions are implemented and enforced at national level by relevant government authorities (“**Relevant Authorities**”), such as the US Treasury Department’s Office of Foreign Assets Control (“**OFAC**”), the Australian Sanctions Office (“**ASO**”), and the UK Office of Financial Sanctions Implementation (“**OFSI**”).

Sanctions can either be “*comprehensive*” targeting an entire country or certain regions to degrade their economy and political regime, as is the case for US sanctions against Cuba, Iran, Syria, and North Korea, or Sanctions can be “*targeted*” by more selectively targeting Sanctioned Parties, through the process of **Designation**, and inclusion on a **Sanctions List**.

A breach of Sanctions laws and regulations can lead to both criminal and civil penalties for both Rio Tinto and its Employees. Penalties may be severe, and a breach of Sanctions laws can even result in imprisonment. Relevant Authorities in the US also have the capability of implementing Secondary Sanctions (See **Appendix I** for definition of “**Secondary Sanctions**”) as a punitive measure, cutting non-US entities off from the US financial and economic system.

Employees should, therefore, familiarise themselves with the Prohibitions and Minimum Performance Requirements set out in this Standard. Employees are also strongly encouraged to seek guidance on Sanctions issues, from the Sanctions Subject Matter Expert (“**Sanctions SME**”).

Sanctions implemented by Relevant Authorities may require Rio Tinto and its Employees to legally comply with a wide range of potential Sanctions measures and prohibitions, some examples of these are summarised in the table below.

Economic Sanctions – Summary of Potential Regulatory Measures and Prohibitions	
Sanctions Measure or Prohibition	Description
<b>Blocking Sanctions</b>	Fully blocking (i.e., freezing) of any property or property interests of Sanctioned Parties. Blocked property cannot be dealt with or transferred. Blocking / freezing Sanctions also prohibit any direct or indirect transactions involving Sanctioned Parties, including parties owned or Controlled by such persons.
<b>CMIC Sanctions</b>	Limited prohibition on US Persons from trading in publicly traded securities, or any securities that are derivative of such securities (or are designed to provide investment exposure to such securities) relating to Sanctioned Parties subject to Chinese Military Industrial Complex Sanctions.
<b>Prohibition of “Other Dealings”</b>	Prohibition on “Other Dealings” with Sanctioned Parties. Other Dealings with Sanctioned Parties has a broad meaning, and dealings may be interpreted as including approval, financing, facilitation, causation, conspiracy, evasion, avoidance, guaranteeing, negotiating, meetings or communicating for a business purpose.
<b>Prohibition on Sanctioned Products</b>	Prohibiting the purchase, importation, service, or transportation of certain Sanctioned Products.
<b>Prohibition on Sanctioned Vessels</b>	Prohibiting the chartering of a vessel due to ownership, or operation by a Sanctioned Party or in accordance with a specific Sanctions Program, or Trade Embargo.
<b>Secondary Sanctions</b>	Cutting a Secondary Sanctions target off from the US and potentially the global financial and economic system. US Secondary Sanctions do not require any US jurisdictional nexus. US Sanctions laws enable Relevant Authorities to Designate non-US Persons under Secondary Sanctions if they knowingly engage in entirely non-US activity that is against stated US Sanctions policy as described in the relevant legislation, such as providing material support to an existing primary Sanctioned Party or participating in the same activity as the existing Sanctioned Party.
<b>Sectoral Sanctions</b>	Focused prohibitions against targeted sectors, for example energy, finance, and military sectors, restricting access to finance or the export or import of goods, software, technology, and services. Sanctioned Parties subject to Sectoral Sanctions are listed on the US Sectoral Sanctions Identification (“SSI”) List.
<b>Trade Embargoes</b>	Requirement to comply with Trade Embargoes on Exports, trade, services, or commercial activities implemented against Comprehensively Sanctioned & Embargoed Countries.
<b>Unsanctioned Foreign Boycotts</b>	Prohibition on US Persons complying with Unsanctioned Foreign Boycotts. US Anti-Boycott Laws (described below) form part of the US Export Administration Regulations. US Anti-Boycott Laws require US Companies and US Persons to discourage, and in some circumstances prohibit certain actions in furtherance or support of Unsanctioned Foreign Boycotts, such as the Arab League Boycott of Israel.

## 2.2 Introduction to Sanctions Countermeasures

National governments and the European Union also occasionally apply measures to counteract or block foreign Sanctions which have been implemented in relation to their countries, citizens, corporations, or allies. Such countermeasures may also be implemented because foreign Sanctions are contrary to their national interests. Such measures are defined in this policy as “**Sanctions Countermeasures.**” Examples of these are described below:

## People's Republic of China

The People's Republic of China ("**PRC**") has implemented Sanctions Countermeasures, these are described below:

- The PRC Ministry of Commerce has issued Rules on Counteracting Unjustified Extra-Territorial Application of Foreign Legislation and Other Measures. This is referred to as the ("**PRC Blocking Statute**"). The PRC Blocking Statute creates a mechanism for PRC Individuals or Companies to report situations where the extra-territorial application of foreign legislation and other measures unjustifiably prohibits or restricts PRC Individuals or Companies from engaging in normal economic, trade and related activities with a third state (or region). Relevant PRC authorities may issue an injunction against recognition, enforcement or compliance with the relevant foreign laws and measures.
- The PRC Export Control Law ("**ECL**") is mainly administered and enforced by the PRC Ministry of Commerce and China Customs. The ECL establishes an Export Control List to designate foreign importers and end users that violate requirements on end use and end users, threaten Chinese national security or interests, or use controlled items for terrorism. Companies on the Export Control List are subject to measures of prohibition and restriction on receiving controlled items.
- The PRC Ministry of Commerce has issued Order No. 4 of 2020 on Provisions on the Unreliable Entity List (the "**PRC UEL Provisions**"). The PRC UEL Provisions contemplate the establishment of an "**Unreliable Entity List**" system to Designate foreign entities that endanger national sovereignty, security, or development interests of PRC, suspend normal transactions with PRC Individuals or Companies, or apply discriminatory measures against PRC Individuals or Companies.
- The PRC Anti-Foreign Sanctions Law ("**AFSL**") and the Implementation Measures of the AFSL are mainly administered and enforced by the PRC Ministry of Commerce and the Ministry of Foreign Affairs. The AFSL provides a legal framework for Sanctions Countermeasures against foreign countries, extending to foreign individuals and companies. The AFSL establishes a list of Sanctions Countermeasures targets, which are subject to measures such as visa refusals, denial of entry, deportation, blocking of assets, and prohibitions on transacting with PRC Individuals or Companies.

The AFSL, ECL, the PRC Blocking Statute, and the PRC UEL Provisions require:

- Rio Tinto Businesses in China and Rio Tinto Employees in China to comply with AFSL, ECL, the PRC Blocking Statute, and the PRC UEL Provisions.
- Rio Tinto Businesses and Employees to seek guidance on AFSL, ECL, PRC Blocking Statute, or the PRC UEL Provisions issues from the Sanctions SME, where a conflict of Sanctions law may arise, or on any other related matter.

## US Anti-Boycott Laws

The United States has a policy of legally opposing certain foreign boycotts ("**Unsanctioned Foreign Boycotts**") against countries which are allies of the US. Accordingly, the US Department of Commerce has issued anti-boycott related regulations and guidelines.

US Anti-Boycott Laws are aimed at preventing US companies and individuals (together "**US Persons**") from participating in Unsanctioned Foreign Boycotts which the US does not support. For example, the US opposes the Arab League boycott of Israel, and it prohibits companies from complying with these boycotts, including the use of boycotting language, discriminatory conduct, or similar behaviour in commerce.

Failure to comply with US Anti-Boycott Laws can lead to civil and criminal penalties, up to and including imprisonment.

US Anti-Boycott Laws require Rio Tinto and its Employees to:

- Ensure that we do not participate in **Unsanctioned Foreign Boycotts**, at any level of our business.
- Ensure no illegal boycotting or discriminatory language is agreed to in our commercial, or contractual documents, including Letters of Credit.
- No illegal boycotting or discriminatory language is agreed to in our shipping documents, including bills of lading and charter party documents.
- Notify the US Department of Commerce or other Relevant Authorities if Rio Tinto or its Employees receive a request to comply with an Unsanctioned Foreign Boycott.

## Other Sanctions Counter Measures

The European Union Blocking Statute (“**EU Blocking Statute**”) is designed to permit EU companies and citizens to lawfully resist the effect of foreign sanctions laws (primarily US Secondary Sanctions against Iran and Cuba) where no EU Sanctions prohibition exists.

The Canadian Foreign Extraterritorial Measures Act (“**FEMA**”) imposes positive compliance and reporting measures on Canadian companies along with their directors, officers, and employees which are designed to block the effect of US laws and Sanctions on Cuba.

- Rio Tinto Employees with any questions relating to the EU Blocking Statute or Canada’s FEMA should contact the Sanctions SME.

### 2.3 Prohibitions (Sanctions)

The following Prohibitions are **Critical Controls**, required to prevent a breach of Sanctions laws and regulations from occurring.

Rio Tinto Businesses, Employees and Third Parties acting on Rio Tinto’s behalf **MUST NOT**:

- i) **Transact directly or indirectly with Comprehensively Sanctioned & Embargoed Countries.** These are currently Belarus, Cuba, Iran, North Korea, Russia, Russian Occupied Regions of Ukraine (including but not limited to Crimea, Donetsk People’s Republic, and Luhansk People’s Republic) and Syria. This prohibition also extends to direct or indirect transactions with individuals or Third Parties domiciled in these countries.
- ii) **Engage in Deceptive Practices designed to circumvent Sanctions laws.** Rio Tinto does not tolerate any evasion or circumvention of Sanctions or any deceptive or non-transparent practices in relation to any of its transactions. “**Deceptive Practices**” are attempts to obscure or conceal the actual parties, or true nature of a transaction, or to evade Sanctions. This includes omitting information regarding parties, entities, vessels, addresses, countries, or any other identifying information in any documents related to a transaction provided to counterparties, financial institutions, or government authorities.
- iii) **Enter into a transaction which would breach Sanctions established in accordance with a Sanctions Program**, for example, OFAC Programs dealing with Afghanistan, Venezuela (primarily the Venezuelan Government) and South Sudan, or OFAC programs targeted at products such as Rough Diamond Trade Controls or cross border risk such as Counter Terrorism and Cyber Related Sanctions.
- iv) **Transact directly or indirectly with Sanctioned Parties, or conduct “Other Dealings” with Sanctioned Parties.** In certain cases, an exception may be granted by the Sanctions Compliance Officer because the activity is legally permissible, for example, a Sanctions license has been obtained.
- v) **Directly or indirectly import or purchase Sanctioned Products which have been Sanctioned by Relevant Authorities.**
- vi) **Breach US Anti-Boycott Laws.** By participating in an **Unsanctioned Foreign Boycott** or by accepting illegal boycotting language in documents connected with our transactions. Note: Please report US Anti-Boycott concerns or seek guidance from the Sanctions SME.

### 2.4 Minimum Performance Requirements (Sanctions)

The following are Minimum Performance Requirements, required to mitigate the risk of a breach of Sanctions laws and regulations from occurring. Rio Tinto Businesses, Employees and Third Parties acting on Rio Tinto’s behalf **MUST**:

- i) **Ensure that Rio Tinto’s standard contractual terms and conditions, with respect to Sanctions are included in our contractual agreements.** Any deviation from Rio Tinto’s standard Sanctions

terms and conditions is to be reviewed by the Sanctions SME who will apply a risk-based approach to the requested changes.

- ii) **Be alert to, and report concerns relating to Diversion Risk.** Diversion Risk is a risk that Rio Tinto products may be purchased by a non-Sanctioned Third Party and then transferred or onforwarded to a Sanctioned Party or Comprehensively Sanctioned & Embargoed Country. Noting that Sanctions evaders may use Deceptive Practices and seek to conceal their identity from Rio Tinto by using seemingly legitimate Third Parties to obtain our products.
- iii) **Implement additional Controls recommended by the Sanctions SME or the Third-Party Risk Management (“TPRM”) Team, to manage Sanctions risk.** For example, the Sanctions SME or TPRM Team may direct Employees to ensure that End Use / End User statements are signed by Third Parties, or other assurances obtained.
- iv) **Conduct risk based, Third Party Due Diligence prior to entering a transaction with a Third Party.** This is to ensure the Third Party, its Beneficial Owners, and products/services it deals with are not Sanctioned. Employees must engage the TPRM Team in order to complete Third Party Due Diligence in accordance with the [Know Your Third-Party Procedure GOV-C-006](#).
- v) **Participate in Sanctions training sessions assigned, within the required timeframe.**
- vi) **Engage TPRM to conduct Vessel Screening.**

In accordance with the Know Your Third-Party Procedure, Vessel Screening must be completed prior to chartering any vessel. Vessel Screening ensures that the vessel, owners, and operators are not Sanctioned, and that the proposed vessel has not been involved in historical Sanctions violations. Vessel Screening also monitors the vessel whilst on charter to Rio Tinto.

As part of **Rio Tinto’s Sanctions Compliance Program (“SCP”)**, The Sanctions SME with support from TPRM where appropriate **MUST**:

- vii) **Conduct Regular Horizon Scanning** and advise relevant Rio Tinto Businesses if Sanctions developments or Designations may impact Rio Tinto, referring material cases to the TPRM Committee in accordance with the **Sanctions Designation Response Framework** (See **Appendix I**), or formulating a corporate business resilience response plan if needed.
- viii) **Submit updates to the Group Sanctions Risk Posture to the TPRM Committee for endorsement**, to account for changes to the Sanctions regulatory environment, in accordance with Rio Tinto’s business objectives and risk tolerances.
- ix) **Perform Periodic Sanctions Risk Assessments** at Group level, and on high-risk projects or operations.
- x) **Prepare and execute an Annual Sanctions Compliance Implementation Plan** focussing on key SCP deliverables and objectives.
- xi) **Ensure that Sanctions and Trade Control screening filters are applied** during Third Party Due Diligence activities.
- xii) **Obtain a Sanctions Screening assurance and methodology statement on an annual basis from Rio Tinto’s List Based Screening provider**, to ensure Sanctions Lists are updated within the required timeframe and screening is conducted in accordance with an agreed methodology.
- xiii) **Provide Guidance to Employees on additional Controls:** The output of Third-Party Due Diligence Activities may require the Sanctions SME or TPRM to recommend the implementation of additional Controls, escalation of concerns to a Third Party or escalation of a matter to the TPRM Committee.

### 3. Trade Controls (Export Controls & Customs Regulations)

#### 3.1 Introduction to Trade Controls

**Export Controls** are national laws and regulations which govern the Export, Re-Export, Deemed Export or Transfer In-Country of goods, software, and technology. Like Sanctions, Export Controls are imposed to further national security and foreign policy objectives such as combatting terrorism and preventing the Export of controlled (“**Controlled**”) goods, software, technology or which have Dual Use and Defence Use applications.

The primary focus of Export Controls is on “*what*” Exporters are moving around the world, but there is also a focus on “*who*” can receive and use the item (e.g. the “**End User**”) and consideration of **End Use** i.e., will the item be used for civilian or military applications.

Failure to comply with Export Controls can lead to civil and criminal penalties, up to and including imprisonment. Additionally, a company may have its Export privileges revoked, preventing it from shipping its goods to overseas markets or accessing items subject to Export Controls.

Export Controls implemented by Relevant Authorities establish a wide range of measures and prohibitions. For indicative purposes only, the table below provides a summary of potential measures and prohibitions which Employees may encounter.

Export Controls – Summary of Regulatory Measures and Prohibitions	
Measure or Prohibition	Description
<b>Deemed Exports</b>	Requirement to obtain an Export License to share Controlled technology, technical information, and data in a domestic US setting if the technology is being shared with a foreign / non US national. This is referred to as a “Deemed Export.”
<b>Designation of Third Parties on BIS Lists of Parties of Concern</b>	A prohibition on Exports, Re-Export, or Transfer In-Country to, or additional Export Licensing requirements (sometimes with a presumption of denial attached to the license requirement column), or additional filing requirement to Export, Re-Export, or Transfer In-Country goods, software, or technology to Designated Third Parties. Such Third Parties are listed on the US Department of Commerce’s Bureau of Industry and Security (“BIS”) Lists of Parties of Concern, namely the Denied Persons List, Entity List, Military End User List, and the Unverified List.
<b>End Use / End User Controls</b>	There may be additional End Use / End User prohibitions or controls (such as Catch All controls) for certain items, particularly for Defence Use / Military Use items. Including controls on activities of US Persons beyond just Exports, extending into financing, transportation and freight forwarding.
<b>Export Control Regulations</b>	Over-arching requirement to comply with Export Control regulations in jurisdictions such as the UK, Australia, Canada, EU, and the United States which have implemented Export Control regulations, for example the US Export Administration Regulations (EAR), and the International Traffic in Arms Regulations (ITAR).
<b>Export Licensing Requirements</b>	Requirement to obtain or use an Export License issued by Relevant Authorities to Export, Re-Export, or Transfer In-Country, Dual Use or Defence Use Controlled goods, software, or technology. This applies to both physical goods and intangible items.
<b>Intangible Technology Transfers</b>	Restrictions and prohibitions on the transfer of intangible items. An Intangible Technology Transfer (Export) occurs when an individual or company supplies an overseas Third Party with access to Controlled Dual Use or Defence Use Goods by verbal or electronic means, for example by facsimile, telephone, email, video conference, MS teams or by file sharing.
<b>Re-Export Regulations</b>	There may be Re-Export restrictions for certain Controlled items. In other words, such items not only require an Export License when originally Exported to a first overseas location, but if the item is subsequently Exported to a second overseas location, then a separate Export License may be required to cover the Re-Export.
<b>Trade Embargoes</b>	Prohibition on Exporting goods, software, services, or technology to Comprehensively Sanctioned & Embargoed Countries without a license or license exemption.

**Customs Laws & Regulations** govern the import, Export, transit, and bonded storage of goods, software, and technology. Customs Regulations are typically overseen by Customs and Border Protection agencies which are usually tasked with:

- Assessment and collection of Customs duty, excise duty and other taxes on imports.
- Management of national level Custom Regulations dealing with multi-lateral / bi-lateral trade agreements, quotas, import prohibitions, valuation of goods, binding rulings on Customs tariff classification (“**Tariff Classification**”) using accurate HS / HTS / Commodity codes.

- Preventing illicit goods such as narcotics, counterfeit goods, and other contraband from entering their Customs territory.
- Assisting with counterterrorism and security initiatives relating to International Trade.
- Assisting with the enforcement of Export Controls.

Local and International Customs Laws and Regulations must be adhered to by Rio Tinto and its Employees, noting that failure to do so may lead to seizure of goods, audits, fines, other administrative penalties, and reputational impact.

Rio Tinto and its Employees are responsible for compliance with Customs Laws and Regulations, including but not limited to:

- Ensuring imports & Exports are declared to Customs using the correct Tariff Classification.
- Ensuring all Tariffs, including customs duties, excise, anti-dumping, and countervailing duties are correctly paid, including where the liability sits with Rio Tinto as the end user of goods imported by another entity.
- Ensuring there are no movements of unpermitted, controlled, restricted or banned/illicit goods.

Where individuals intentionally violate Customs Laws, by engaging in activities such as smuggling or intentionally declaring the incorrect customs value of goods, then civil and criminal penalties are possible including imprisonment.

### 3.2 Prohibitions (Trade Controls)

The following Prohibitions are **Critical Controls**, required to prevent a breach of Trade Controls laws and regulations from occurring.

Rio Tinto Businesses, Employees and Third Parties acting on Rio Tinto's behalf **MUST NOT**:

- i) **Breach Customs Regulations** anywhere in the world, where Rio Tinto imports or Exports goods, or deals with Relevant Authorities on Customs matters.
- ii) **Breach applicable Export Control regulations**, including shipment or transfer of controlled goods, software, or technology without a required Export License, or to a Sanctioned Party without a required Export License under Export Control and Sanctions regulations, or to a Third Parties Designated on the BIS Lists of Parties of Concern without a required Export License.
- iii) **Falsify information, undervalue goods, incorrectly describe goods or their quantity, fail to declare goods, or engage in any practices (including Deceptive Practices)** which would cause Rio Tinto to violate Customs Regulations, Export Controls, US Anti-Boycott laws (or Sanctions).
- iv) **Share technology, technical information, or technical data across international borders, or domestically within the United States with non-US nationals**, without assessing if the technology is subject to Export Controls and whether an Export License is required. Sharing may be via verbal means, or electronically. Sharing of technology verbally or electronically is known as **Intangible Technology Transfer**.

### 3.3 Minimum Performance Requirements (Trade Controls)

The following are Minimum Performance Requirements, required to mitigate the risk of a breach of Trade Controls laws and regulations from occurring.

Rio Tinto Businesses, Employees and Third Parties acting on Rio Tinto's behalf **MUST**:

- i) **Comply with Customs Regulations** in all countries where Rio Tinto imports and Exports goods and seek advice from Global Trade if there any questions or concerns.
- ii) **Comply with Export Controls and adhere to the Rio Tinto Export Controls Procedure** seeking advice from Global Trade if there is any doubt that an item is subject to Export Controls, or if an Export License is required. [Rio Tinto Export Controls Procedure GOV-C-005](#)

- iii) **Conduct Third Party Due Diligence prior to entering a transaction** with a Third Party, for the purpose of ensuring that the Third Party (and products they may supply) are not Sanctioned / listed on the BIS Lists of Parties of Concern. This includes to the extent possible, assessing the risk that a Third Party may provide Goods, Software or Technology which is subject to Export Controls. The Relationship Owner must assist to determine if products supplied may be subject Export Controls.

#### **4. Reporting of Concerns & Investigations**

Employees have a responsibility to report all actual or suspected breaches of the Standard. If you know of or suspect a breach of this Standard please communicate your concerns with your leader, a more senior manager, Rio Tinto Ethics and Compliance or Human Resources, who in turn will report the matter to the Rio Tinto Business Conduct Office. Alternatively, you can report your concern directly to the Business Conduct Office via [myVoice](#), Rio Tinto's confidential reporting programme. No retaliatory action will be tolerated against anyone who has a reasonable basis for reporting an actual or suspected breach.

#### **5. Training**

The Sanctions SME and Global Trade will seek to ensure that relevant Employees are adequately informed on the requirements of this Standard, including Minimum Performance Requirements and Prohibitions which relate to Rio Tinto. Where appropriate, the Sanctions SME and Global Trade will provide relevant Employees with face to face or online training, tailored to particular risks applicable to their roles. Training records must be retained for both face to face and online training.

#### **6. Recordkeeping**

Document retention is important for Rio Tinto to demonstrate to Relevant Authorities that it complies with its regulatory obligations. Accordingly full and complete records of transactions must be retained in accordance with Rio Tinto's document retention and disposal requirements. Employees should refer to the [Group Data Retention and Disposal Standard IST-B-002](#) and its associated [Retention and Disposal Schedule](#), which covers record keeping laws applicable to nine of Rio Tinto's primary jurisdictions, namely; Australia, Canada, China, India, Mongolia, Singapore, South Africa, United Kingdom and the United States.

Additionally, when dealing with Sanctions & Trade Controls matters, the following Rio Tinto teams and Employees are responsible for retaining specific records:

- The Sanctions SME and Global Trade shall maintain records of relevant legal advice, matters, risk-assessments, Sanctions Licenses, Export Licenses, binding rulings issued by Relevant Authorities and audits.
- The TPRM Team shall maintain complete records relating to Third Party Due Diligence, list-based Sanctions screening, monitoring, and Sanctions-related compliance documents in accordance with the Know Your Third-Party Procedure.
- Employees involved in managing Customs transactions, must retain copies of import and export declarations, and any other documents related to Customs clearance and duty payment processes.

Where document retention requirements are not established in the Group Data Retention and Disposal Standard IST-B-002, Employees and Rio Tinto Businesses must comply with country level record keeping requirements for documents associated with Customs, Sanctions and Export Controls. Employees should seek guidance from Group Ethics & Compliance if record keeping requirements need to be clarified.

#### **7. Review of this Standard**

This Standard shall be reviewed periodically by Group Ethics & Compliance and updated at least once every three (3) years, or earlier if there are changes to Rio Tinto's Risk Posture or Sanctions and Trade Controls regulations. Group Ethics & Compliance may update or add appendices to the Standard at any time, to keep pace with regulatory and global developments, with approval from the Chief Ethics & Compliance Officer.

## Appendix I: Glossary

The following are defined terms which appear throughout the Rio Tinto Group Sanctions & Trade Controls Standard, which are applicable to the understanding and implementation of Prohibitions, Minimum Performance Requirements and Internal Controls which form part of the Sanctions Compliance Program and the management of Global Trade.

**Beneficial Owner or Beneficial Ownership:** Under financial regulations in key Rio Tinto jurisdictions such as Australia, the United States and the United Kingdom, a Beneficial Owner is an individual who directly or indirectly owns 25% or more of a Third Party. From a Sanctions perspective, identification of Beneficial Owners who are also **Sanctioned Parties**, is a key risk indicator, more so, if their share of ownership rises to 50 % or more. See also **OFAC 50 % Rule** definition.

**BIS Lists of Parties of Concern:** Are Lists of Parties of Concern published by the US Department of Commerce's Bureau of Industry & Security ("**BIS**") in accordance with the Export Administration Regulations ("**EAR**"). Individuals and entities which are Designated by BIS may face a variety of End User / End Use restrictions and may even be prohibited from receiving items subject to the EAR. Additional Export License requirements may be specified. Such parties may be involved in illegal technology acquisition programs, international property theft, research programs, weapons or ballistic technology development programs or other activities which threaten US national foreign or foreign policy interest. The following are the BIS Lists of Parties of Concern:

BIS Denied Persons List  
BIS Entity List  
BIS Unverified List  
BIS Military End User List

Whilst the BIS List of Parties of Concern are established in accordance with US Export Controls regulations, for simplicity Rio Tinto considers parties which are listed on these lists to be "**Sanctioned Parties**."

**Bureau of Industry & Security ("**BIS**"):** Administers US Export Control Laws and regulations governing the Export, Re-Export and Transfer In-Country of goods, software, technology, and services, covered by EAR. Typically covering commercial items that can also have a "Dual Use" in conventional arms and weapons of mass destruction, terrorist activities or human rights abuses. Some Defence Use items are also covered by the EAR, whilst the majority of Defence Use Items are covered by the International Traffic in Arms Regulations ("**ITAR**"). See also EAR, ITAR, and Relevant Authority definitions below.

**Catch All Controls:** Relevant Authorities require Exporters to consider whether there is reason to believe (knowledge) that Exports could contribute to WMD, or weapons proliferation, or other nefarious End Uses which impact national security. Catch All Controls extend to items which are not specifically listed on a national strategic control list such as the US Commerce Control List or Australian Defence & Strategic Goods List. A good example of this would be an item which falls just below the technical specification thresholds which requires it to be listed as Controlled and categorised with an ECCN number or similar. However, the item is so like a Controlled item, that when considered in accordance with any red flags relating to the End User, the Catch All Control applies, and input is required from Relevant Authorities.

**Comprehensively Sanctioned & Embargoed Countries:** Means any country or territory which is currently the subject of comprehensive, country or territory wide Sanctions or Embargoes. Rio Tinto may not engage in any activity or transactions with Comprehensively Sanctioned & Embargoed Countries, or individuals or companies which are ordinarily domiciled in these countries or territories. The list of countries and territories may change from time to time, depending on Relevant Authorities, and the position articulated in the Group Sanctions **Risk Posture**.

Belarus  
Cuba  
Iran  
North Korea  
Russia  
Russian Occupied Territories of Ukraine, including but not limited to: Crimea, Luhansk People's Republic, and Donetsk People's Republic  
Syria

Note: Russia and Belarus are not technically subject to a full Trade Embargo, however, Rio Tinto policy and scale of Sanctions against these countries means we define them as Comprehensively Sanctioned and Embargoed Countries.

**CMIC Sanctions:** The United States has implemented Sanctions aimed at the Chinese Military Industrial Complex, which prohibit US Persons from trading in the publicly traded securities, or any securities that are derivative of such securities (or are designed to provide investment exposure to such securities), with no legal prohibitions on other transactions. Sanctioned Parties subject to CMIC Sanctions are listed on the Non-SDN, Chinese Military-Industrial Complex Companies List ("**NS-CMIC List**"). In cases, where Rio Tinto is considering transacting with a CMIC Sanctioned Party, requests for exception to this Standard may be considered by the SCO, however, reputational risk and operational risk will also be considered.

**Commercial Contract Owner:** Means the Employee who has negotiated and executed the contract (including direct PO Purchases) and retains responsibility for overall commercial management and performance of the supplier.

**Controlled:** In the context of Export Controls, sensitive Dual Use or Defence Use, software, technology, or services may be Controlled in accordance with relevant Export Controls and subject to a range of Export Control measures, including Export License requirements, End User controls, reporting obligations, or Export prohibitions. Controlled items in numerous jurisdictions are typically categorised with an **Export Control Classification Number (ECCN)** and listed on a national strategic control list, for example the US Commerce Control List, the Australian Defence & Strategic Goods List, or the UK Strategic Export Control List.

**Controls (or "Internal Controls"):** A Control is any measure (process, device, practice, or required action) that directly enables an opportunity, or prevents or mitigates a threat such as a potential transaction with a Sanctioned Party. Performance of the Control is specifiable, measurable, and verifiable (auditable).

**Critical Control:** Is a Control that is relied upon to enable an opportunity, or block or mitigate a threat, such that the absence or failure of the Critical Control would substantially impact the risk, despite the existence of other controls. In addition, Controls with a high degree of interconnectivity that collectively strengthen enablement of key objectives, may also be classified as Critical. All **Prohibitions** set out in this Standard are Critical Controls.

**Customs Laws and Regulations:** Means legal and regulatory provisions governing the import, Export, transit, and bonded storage of goods. Customs Regulations and associated Customs Tariffs also establish the rate payable for import duties, excise duties and other country level import taxes, such as VAT or GST. Customs Regulations also extend to prohibitions, quotas, valuation of goods, country of origin and marking rules, and preferential trade agreements which establish custom tariff preferences, including reduced or zero rating of Customs duty. See also Tariff Classification definition.

**Deceptive Practices:** Refers to attempts to obscure or conceal the actual parties (such as End Users) or the true nature of a transaction to evade Sanctions and Trade Controls. This includes omitting information regarding parties, entities, vessels, addresses, countries, or any other identifying information in any documents related to a transaction provided to counterparties, financial institutions, or government authorities.

**Deemed Export:** A Deemed Export occurs when a non-US national (even if living in the US) accesses certain Controlled technology or technical data, for which advance approval from the US Commerce Department is required for Exports to the non-US national's country of citizenship. The US Commerce Department places these restrictions because it treats the release of technology or technical data domestically as an Export to the non-US national's home country, even if transferred entirely within the US. Considering that Deemed Exports of technology can occur without crossing any borders, typically occurring within the US. Note: other countries such as Australia have introduced Deemed Export offences into their Export Controls laws.

**Designation / Designated:** The formal process by which Relevant Authorities decide, authorise, and implement Sanctions or Trade Controls restrictions on Third Parties, including individuals, entities, groups, vessels, companies, or government authorities. For clarity, Designation under the US Uyghur Forced Labour Prevention Act (UFLPA) is a Trade Controls Designation and subject to this Standard.

**Diversion Risk:** Means the risk that the recipient of a Rio Tinto Export is deliberately concealing the actual End Use / End User of the shipment with the intentions to divert the Goods, Software or Technology to a Sanctioned Party or Denied Party in violation of Sanctions or Export Controls regulations. Countries which are situated near Comprehensively Sanctioned Countries present a greater risk of Diversion, for example a shipment Exported to Armenia carries a higher risk of Diversion to Russia or Iran than a shipment Exported to the United States. BIS has identified several countries which present heightened diversion risk, they include but are not limited to Armenia, Brazil, China, Georgia, India, Israel, Kazakhstan, Kyrgyzstan, Mexico, Nicaragua, Serbia, Singapore, South Africa, Taiwan, Tajikistan, Turkey, United Arab Emirates (UAE), and Uzbekistan.

**Dual Use Goods:** Goods, Software or Technology designed for a civilian application, which may also have capabilities or characteristics that could enable use in chemical, biological, radiological, nuclear ("CBRN") weapons, conventional weapons or improvised explosive devices ("IED"s). Dual Use Goods may be subject to Export Controls, and in US terms may be listed on the EAR Commerce Control List.

**Defence Use Goods:** Defence goods, significant military equipment, major defence equipment, defence services, software, and technical data which is subject to Export Controls and regulated in accordance with the International Traffic in Arms Regulations ("ITAR"), appearing on the US Munitions List ("USML"). The definition may also apply to commercial or industrial items that have been modified, configured, or adapted for military use. Some Defence Use Goods may be listed in the EAR Commerce Control List and are subject to EAR. The term Defence Use Goods is interchangeable with Military Use Goods and has the same meaning.

**Embargo:** Means a government mandated ban on Exports, trade, services, or commercial activities with specific countries or territories. Embargoes are implemented as a result of both Sanctions and Export Controls considerations, with both Sanctions and Export Controls regulators having jurisdiction over Exports to Embargoed countries. See also Comprehensively Sanctioned & Embargoed Countries.

**Employee:** Means any person employed by Rio Tinto in its managed and operated businesses, including joint ventures and foreign subsidiaries where Rio Tinto holds an interest greater than twenty five percent. Together referred to as **Rio Tinto Businesses**. For clarity, the term Employee encompasses all roles, including but not limited to officers, directors, managers, and embedded contractors.

**End Use / End User:** Means the End Use for Exports, Re-Export, or Transfer In-Country of Goods, Software and Technology. Exports are always destined for an End User, to be put to a specific, prescribed End Use. The End Use may be for civilian purposes, military purposes or in the worst-case scenario, used in the manufacture weapons of mass destruction ("WMD").

The End User may simply be the consignee as shown on Rio Tinto's Export or sales paperwork; however, the actual End User may be concealed and there is a risk that items supplied by Rio Tinto are diverted to a Sanctioned Party or Denied Party, potentially in violation of Sanctions and Export Controls. This is known as **Diversion Risk**. It is important that when Rio Tinto Exports Goods, Software or Technology, that we understand both the End User and the End Use for the items. Relevant Authorities have also implemented "**Catch All Controls**" for non-Controlled items and require Exporters to consider if there are reasonable grounds to believe that their Export could be used in an End Use linked to WMD or weapons proliferation.

**Export:** Means (a) physically or electronically sending goods, software or technology across an international boundary or providing a service to a recipient in another country; or (b) disclosure of information (including data, intellectual property, or technological information) to a person of foreign nationality, regardless of the person's location.

**Export Administration Regulations ("EAR"):** Are US regulations applicable to the Export of "US Goods" administered by BIS. The EAR establishes Export Controls for Dual Use, and some Defence Use goods, software, and technology. Controlled Dual Use and Defence Use items are subject to End User / End Use restrictions and Export License requirements for the Export, Re-Export, or Transfer In-Country to certain destinations and entities. Most (but not all) Controlled Dual Use and Defence Use items may appear on the EAR Commerce Control List and are assigned an Export Control Classification Number ("ECCN").

EAR also imposes Export License requirements on the Exports, Re-exports, or Transfer In-Country of Controlled technology to other countries or to non-US nationals (so-called "Deemed Exports").

Whilst some Defence Use items are subject to EAR, most US Defence Use Items are Subject to the ITAR. Items which are "*Subject to ITAR*" or other US agencies Export regulations, such as the Nuclear Regulatory Commission, do not appear on the EAR Commerce Control List.

The following categories of goods, software and technology are "*Subject to the EAR*" and are considered US Goods under the jurisdiction of the EAR.

**Products Located in the US:** The EAR regulates all products, technology, technical data, and software located in the US, even if it is of foreign origin (unless an item is subject to another US Export Control regime).

**US-Origin Products Anywhere in the World:** The EAR regulates all US-origin products, technology, technical data, and software, wherever they are in the world.

**Products Made using certain US-origin Inputs:** The EAR regulates foreign-produced products containing certain US-origin Controlled components, software, or technology of a certain value ("de minimis rule") or any amount of certain specific US-Controlled technology.

**Products Made from US technology or software:** The EAR regulates certain foreign-produced products that are the direct product of certain US-Controlled technology or software or are the direct product of a plant that is itself the direct product of certain types of US-Controlled software or technology ("foreign-produced direct product rule").

**EAR 99 Status:** Items not listed on the EAR Commerce Control List ("CCL") but subject to the EAR are classified as EAR 99. This status is usually applied to low technology items, which ordinarily do not require an Export Licence, and it means the least level of Control is applied.

**Export Controls:** Means national laws and regulations (such as the US EAR and ITAR) that Control, restrict or prohibit the Export, Re-Export or Transfer In-Country of sensitive goods, software, and technology, as implemented by a Relevant Export Control Authority. Export Controls frequently require Exporters to obtain Export Licenses prior to the Export, Re-Export, Deemed Export or Transfer In-Country of strategically Controlled items. Violation of Export Controls can lead to civil or criminal penalties. Additionally, a company may have its Export privileges revoked, preventing it from getting its goods to overseas markets or accessing items subject to Export Controls.

**Export Control Classification Number (ECCN):** Are five-character alpha-numeric designations for Controlled items used by numerous countries to categorise items on their national strategic control lists, for example the US EAR Commerce Control List ("CCL") which is used to categorise Dual-Use items for Export Control purposes. An ECCN categorizes items based on the nature of the product, i.e. type of commodity, software, or technology and its respective technical parameters. In the US, Controlled Defence Use items subject to ITAR are assigned with a US Munitions List Number as opposed to an ECCN.

**Export Licence:** Is an authorisation for Rio Tinto (or the applicable Exporter of Record) to proceed with an Export, Re-Export, Transfer In-Country or Deemed Export of Dual Use or Defence Use goods, software or technology which is subject to Export Controls. Such items are usually classified with an **ECCN**. Different jurisdictions issue different types of Export Licenses; however, examples include individual licenses issued by Relevant Authorities to authorise a single Export to a single country (and End User), or an open general license issued online, which allows the Export of items in accordance with prescribed conditions. Exporters must pay close attention to the validity, permissions, terms, and conditions contained in an Export License. Any Export, Re-Export, Transfer (In Country) or Deemed Export which occurs without a required Export License, or which does not comply with the terms of an Export License may represent an **Unauthorized Export** (See below).

**Intangible Technology Transfer (“ITT”):** An intangible Export (Intangible Technology Transfer) occurs when an individual or company supplies an overseas individual or Third Party with access to Controlled Dual Use or Defence Use technical information or technical data verbally or by electronic means, for example by facsimile, telephone, email, video conference, MS teams or by file sharing. Sharing of technical information or technical data without proper consideration of whether the transfer is subject to Export Controls, may represent Unauthorized Export, and breach of Export Control laws.

**International Traffic in Arms Regulations (“ITAR”):** The US State Department’s Directorate of Defence Trade Controls (“**DDTC**”) exclusively regulates Exports, Re-Exports, retransfer and temporary imports of defence articles, significant military equipment, major defence equipment, defence services, software, and technical data under the Arms Export Control Act (“**AECA**”) and ITAR.

The ITAR also governs the provision of defence services, and certain activities involving brokering of defence articles and defence services. Nearly all Exports of defence articles and defence services require an Export license from DDTC. Many defence articles are specified on the US Munitions List (“**USML**”), and the ITAR also may apply to commercial or industrial items that have been modified, configured, or adapted for Defence Use. The ITAR also controls the Export of ITAR-Controlled technical data, including the release of ITAR-Controlled information to non-US nationals.

ITAR establishes regulatory requirements beyond Export licensing, which include registration, notification, and record-keeping requirements, as well as provisions governing manufacturing and technical assistance agreements with foreign persons, and certain disclosure requirements.

**List Based Screening:** Means the screening of Third Parties as part of Rio Tinto’s Third-Party Due Diligence and monitoring processes using Moody’s Compliance Catalyst II, or other similar screening. List Based Screening allows Rio Tinto to perform searches on individuals, companies, entities, groups, and vessels, against published **Sanctions Lists**, BIS Lists of Parties of Concern and other watchlists. This process assists in the identification of **Sanctioned Parties**.

**Minimum Performance Requirements:** Means the Minimum Performance Requirements which employees, Rio Tinto Businesses and Third Parties acting on our behalf, must follow to comply with this Standard, as part of an overall Control framework. Failure to follow or comply with a Minimum Performance Requirement may lead to a breach of this Standard.

**OFAC:** The US Department of Treasury’s **Office of Foreign Assets Control**, which is primarily responsible for administering and enforcing US Sanctions Programs, in coordination with other US agencies and departments. See also Relevant Authority definition below.

**OFAC 50 % Rule:** OFAC’s blocking Sanctions require “US Persons” to block (i.e., freeze) all property and property interests of persons Designated as Specially Designated Nationals (“**SDNs**”). The names of these SDNs appear on OFAC’s Specially Designated Nationals and Blocked Persons List (the “**SDN List**”). Under OFAC’s 50 Percent Rule, blocking Sanctions on SDNs extend to any parties that are directly or indirectly 50 percent or more owned by one or more SDNs in the aggregate. These parties, then become blocked persons (Sanctioned Parties) as a result of crossing the OFAC 50 % ownership threshold. Similar rules exist in other jurisdictions, such as UK’s OFSI and the EU Commission’s ownership and Control rules. Sanctioned Parties identified by ownership or control tests generally do not appear on any Sanctions List.

**Operational Contract Owner:** Means the Employee who is using the goods / services under the contract (including direct PO purchases) and has operational responsibility, including safety performance, and day to day management, ensuring delivery of goods and services from the Third-Party. This term differs slightly from **Commercial Contract Owner**, which refers to the Employee who has negotiated and executed the contract (including direct PO Purchases) and retains responsibility for overall commercial management and performance of the supplier. Depending on the nature of the engagement, either the Operational Contract Owner or Commercial Contract Owner can be nominated as the **Relationship Owner**, with respect to the Third-Party engagement.

**Other Dealings:** US blocking Sanctions prohibit US Persons from directly or indirectly engaging in or facilitating any transactions involving blocked persons. The UK asset freeze sanctions prohibit dealing in any way with funds or economic resources (which are defined broadly) owned, held, or Controlled by a UK Designated person. Other Dealings mean approval, financing, facilitation, causation, conspiracy, evasion, avoidance, guaranteeing, negotiating, or meetings or communicating for a business purpose etc, other than direct receiving or provision of funds, goods, or services.

**PRC:** People’s Republic of China

**PRC Anti-Foreign Sanctions Law:** Means the Anti-Foreign Sanctions Law (“**AFSL**”) administered and enforced by the PRC Ministry of Commerce and Ministry of Foreign Affairs, which establishes list-based Sanctions Countermeasures against individuals and companies. Designation under AFSL can lead to visa denial, refusal of entry, deportation, asset blocking and prohibition on transactions with PRC citizens, residents, and companies.

**PRC Blocking Statute:** The PRC Ministry of Foreign Commerce Rules on Counteracting Unjustified Extra-Territorial Application of Foreign Legislation and Other Measures. Referred to as the PRC Blocking Statute. The PRC Blocking Statute creates a mechanism for PRC Individuals or Companies to report situations where the extra-territorial application of foreign legislation and other measures unjustifiably prohibits or restricts PRC Individuals or Companies from engaging in normal economic, trade and related activities with a third state (or region). Relevant Chinese authorities may issue an injunction against recognition, enforcement or compliance with the relevant foreign laws and measures.

**PRC Export Control Law:** The “**ECL**” Is mainly administered and enforced by the PRC Ministry of Commerce and China Customs. The ECL establishes an Export Control List to designate foreign importers and end users that violate requirements on end use and end users, threaten Chinese national security or interests, or use controlled items for terrorism. Companies on the Export Control List are subject to measures of prohibition and restriction on receiving controlled items.

**PRC Individuals or Companies:** In the context of PRC Sanctions Countermeasures such as AFSL and PRC Blocking Statute, this means PRC Citizens, Companies or other legal entities domiciled in PRC. This may also extend to foreign nationals, resident in China.

**PRC UEL Provisions:** The PRC Ministry of Commerce Order No. 4 of 2020 on Provisions on the Unreliable Entity List (“**UEL**”). The UEL Provisions contemplate the establishment of an “Unreliable Entity List System” to Designate foreign entities that 1) endanger national sovereignty, security, or development interests of China, or 2) suspend normal transactions with PRC Individuals or Companies or apply discriminatory measures against PRC Individuals or Companies.

**Prohibition:** Means a **Critical Control** established in the form of a red line prohibition which must not be breached, otherwise a material risk event could occur, potentially leading to disciplinary action, civil or criminal penalties. Prohibitions are established in accordance with the Group Sanctions **Risk Posture**.

**Relevant Authorities:** Means any government authority responsible for implementing or enforcing Sanctions or Trade Controls, including but not limited to:

#### **Sanctions**

- Australian Sanctions Office (“**ASO**”), Department of Foreign Affairs & Trade (“**DFAT**”)

- Global Affairs Canada (“GAC”)
- The European Commission (“EC”) of the European Union, and Member State Designated Agencies
- The US Treasury Department’s Office of Foreign Assets Control (“OFAC”)
- United Kingdom Office of Financial Sanctions Implementation (“OFSI”), HM Treasury
- United Kingdom Office of Trade Sanctions Implementation (“OTSI”), Department for Business and Trade
- The United Nations, UN Security Council

#### **Export Controls**

- Australian Defence Export Controls (“DEC”), Department of Defence
- Canadian Trade Controls Bureau (“TCB”), Global Affairs Canada (“GAC”)
- US Bureau of Industry & Security (“BIS”), Department of Commerce
- US Directorate of Defence Trade Controls (“DDTC”), Department of State
- UK Export Control Joint Unit (“ECJU”), Department for Business & Trade
- The European Commission (“EC”) of the European Union and Relevant Member State Designated Agencies

#### **Customs and Border Protection**

- The Australian Border Force (“ABF”)
- US Customs and Border Protection (“CBP”)
- UK HM Revenue & Customs (“HMRC”)
- Canada Border Services Agency (“CBSA”)

**Relationship Owner:** the Employee proposing the engagement of a Third Party. The Relationship Owner is senior enough to be accountable and close enough to the work performed by the Third Party to understand the nature of the Third Party, associated risk, its scope of work and the nature of the goods, software, technology, or services being provided. The Relationship Owner is responsible for ongoing risk management, including any specific risks identified by TPRM, and the implementation of Controls, as part of the Third-Party Due Diligence process.

The Relationship Owner is fully responsible for the accuracy of information submitted to TPRM for Third Party Due Diligence purposes, even if this task is delegated to a **Submitter**. This applies if the Submitter is an Employee or external party using the applicable Rio Tinto platform. See also, the definitions for, **Operational Contract Owner** and **Commercial Contract Owner** which may also apply to the Relationship Owner.

**Re-Export:** A Re-Export involves (1) actual shipment or transmission of an item, including goods, software, or technology, from one foreign country to another; (2) releasing or otherwise transferring technology or source code to a foreign person of a country other than the foreign country where the release or transfer takes place. In order for a Re-Export to occur, goods, software, or technology, in the first instance needs to be Exported to a foreign country, with the Re-Export occurring when they are shipped or transferred to a third country.

**Rio Tinto / Rio Tinto Businesses:** Means Rio Tinto managed and operated businesses, including joint ventures and subsidiaries anywhere in the world. Or joint ventures in which Rio Tinto holds an interest greater than 25%, which confers beneficial owner status on Rio Tinto. When the term “Group” is used in this Standard, it has the same meaning as Rio Tinto.

**Risk Owner:** Means the Employee responsible for oversight of Control owners, and the implementation of and reporting of risk and Control effectiveness.

**Risk Posture:** Means the extent of Sanctions and Trade Controls risks that Rio Tinto is willing to take in order to meet the organisation’s objectives, in alignment with Rio Tinto’s values and applicable Sanctions & Trade Control laws. Group Ethics & Compliance will update the Group Sanctions Risk Posture as and when required, submitting to the Group TPRM and Group Ethics & Compliance Committees.

**Sanctions:** Means Economic Sanctions established in accordance with relevant laws, executive orders or resolutions which authorise or require Relevant Authorities to impose trade restrictions and other measures and to Designate individuals, entities, groups, or companies as Sanctioned Parties as a punishment or to achieve a desired foreign policy or national security objective. Economic Sanctions may also be targeted at specific products, aircraft, and vessels. Sanctions may impose a range of restrictive measures on Sanctioned Parties, including asset freezes, transaction blocking, restriction on commercial activity, denial of access to the US financial system and travel bans.

Sanctions laws may be extraterritorial in their application. This means that Sanctions implemented by countries such as Australia, US, and UK, may be legally enforceable in relation to transactions which take place in a country or territory outside of the Relevant Authority’s own domestic territory. Such transactions usually require a jurisdictional nexus, e.g., payments through the US financial system or involvement of a US Persons (or UK persons).

**Sanctions Compliance Officer (“SCO”)** The Rio Tinto Chief Compliance Officer has been appointed as Group SCO, with overall responsibility for the Rio Tinto Sanctions Compliance Program (“SCP”), and ownership of this Standard. The SCO also appoints the Sanctions Subject Matter Expert and GM of TPRM.

**Sanctions Countermeasures:** Means any Sanctions program or measure, implemented by a national government, established for the purposes of counteracting, or blocking sanctions measures imposed by foreign governments. For this Standard, Sanctions Measures include **PRC Anti-Foreign Sanctions Law**, the **PRC UEL Provisions**, the **PRC Blocking Statute**, the **PRC Export Control Law** and **US Anti-Boycott Laws**.

**Sanctions Designation Risk Framework:** Means the framework adopted by TPRM and the TPRM Committee to triage Sanctions Designations, allowing for minor Designation risks to be managed in relation to recommendations from TPRM, escalation to TPRM Committee for more serious Designations, and the escalation to a senior Business Response Team, if material Designations threaten to cut off relationships with JV Partners, suppliers or other strategically important third parties.

**Sanctions Lists:** Means the Lists of Sanctioned Parties issued by Relevant Authorities. These lists include but are not limited to the following:

- US Specially Designated Nationals and Blocked Persons Lists (“SDN List”) published by OFAC.
- US Sectoral Sanctions Identifications List (“SSI List”) published by OFAC.
- Non-SDN Menu-Based Sanctions List (“NS-MBS List”) published by OFAC.
- US Non SDN Chinese Military Industrial Complex List (“NS-CMIC List”) published by OFAC.
- US Bureau of Industry & Security (“BIS”) BIS Lists of Parties of Concern; Namely the Denied Persons List, Entity List, Military End User List and Unverified List
- UK Consolidated List (of Asset Freeze Targets “Designated Persons”) published by OFSI.
- UK List of Persons Subject to Financial Restrictions published by OFSI.
- The UK Sanctions List published by FCDO / OFSI
- The Australian Consolidated List published by ASO.
- The Consolidated Canadian Autonomous Sanctions List published by OSFI Canada
- The EU Consolidated Sanctions List published by the European Commission
- The United Nations Security Council Consolidated List published by the UN Security Council

**Sanctioned Party:** Means any individuals, entities, groups, vessels, companies, or government authorities which are subject to Sanctions because of the following:

- The Sanctioned Party is listed on a **Sanctions List** issued by a Relevant Authority.
- The Sanctioned Party may not appear on a Sanctions List but could be blocked or otherwise Sanctioned in accordance with ownership calculated in accordance with the **OFAC 50 % Rule**. Other Relevant Authorities, such as the UK OFSI and the EU Commission also apply ownership (and Control) tests to identify Sanctioned Parties which do not automatically appear on Sanctions Lists.

- A government of a Comprehensively Sanctioned or Embargoed Country or the **Government of Venezuela**.
- Parties owned or controlled by Sanctioned Parties (including governments) and other persons acting on behalf of such parties.
- A party legally domiciled or physically located in a **Comprehensively Sanctioned & Embargoed Country**. However, this may exclude individuals who originate from these countries and are now citizens or permanent residents of non-Sanctioned countries.
- A party which is Sanctioned in accordance with a **Sanctions Program**

In limited cases a Sanctioned Party may be subject to less stringent measures, and only certain transactions are subject to limited restrictions or prohibitions. For example, Third Parties which appear on the **US Chinese Military Industrial Complex ("CMIC") List**, and **US Sectoral Sanctions Identification ("SSI") List**.

**Sanctioned Products:** Are products which are subject to Sanctions implemented by a Relevant Authority under Sanctions laws (as opposed to Export Controls). Such items include Russian revenue generating products such as Russian Oil, Copper, Diamonds, and Aluminium products. Such products may be Sanctioned in accordance with a Relevant Authorities' **Sanctions Program**.

**Sanctions Programs:** Specific Sanctions Programs (or the programs, regimes of other Relevant Authorities) are targeted at specific countries, products, activities, or sectors. Sanctions arising from this, can be either comprehensive or targeted, using the blocking of assets, and trade and other restrictions to accomplish foreign policy and national security goals. Accordingly, many Sanctioned Parties sanctioned under such programs may appear on a **Sanctions List**, however, this may not always be the case, and further research of the Sanctions Program prohibitions may be required.

**Secondary Sanctions:** In general terms, primary US Sanctions such as asset freezes and trade embargoes prohibit transactions where there is a clear US nexus, for example, a US citizen, permanent resident, domiciled company, or US financial system must be involved to trigger US jurisdiction. Under US Secondary Sanctions, no US nexus is required, and Relevant Authorities in the US, may Designate foreign parties not subject to US jurisdiction, if they knowingly engage in entirely non-US activity that is against stated US sanctions policy as described in the relevant legislation, such as providing material support to an existing primary US Sanctioned Party, or participating in the same activity as the existing primary US Sanctioned Party. One of the effects of a Secondary Sanctions Designation is to cut the Secondary Sanctions target off from the US and potentially the global financial and economic system. Secondary Sanctions are therefore a deterrent to non-US persons to influence them not to conduct an activity that is against stated US sanctions policy as described in the relevant legislation.

**Sectoral Sanctions:** Are Sanctions which do not freeze or block the assets and/or economic resources of a Sanctioned Party, (as per the restrictions on Sanctioned Parties on the US SDN List) but merely restrict the capability of the Sanctioned Parties in targeted sectors (for example energy, finance, and military) to access financing or export or import equipment, goods, technology, or services. Sanctioned Parties subject to Sectoral Sanctions are listed on the US Sectoral Sanctions Identification ("**SSI**") List, maintained by OFAC.

**Sensitive Goods List:** Means a list of Sanctioned Products, common items which may be subject to Export Controls, and other sensitive items which may present a risk to Rio Tinto. The Sensitive Goods List is used by TPRM as an "aide memoir" as part of the Third-Party Due Diligence Process.

**Submitter:** The Relationship Owner proposing the engagement of a Third Party may delegate another Employee to submit a request for Third Party Due Diligence to be completed by TPRM. Whilst the Relationship Owner has ultimate responsibility for the Third Party being proposed for engagement, the Submitter is still responsible for ensuring the accuracy and completeness of information submitted for Third Party Due Diligence purposes. This applies if the Submitter is an Employee or external party using the applicable Rio Tinto platform.

**Tariff Classification:** Is the process by which customs brokers and traders classify their goods, software or technology for Customs import or export purposes. The Tariff applied is largely used for statistical purposes on export declarations, however, for imports the numerical Tariff reference or code is used to calculate the correct rate of Customs duties and import taxes payable. This is achieved by using the numerical Harmonized System (HS) of Tariff classification administered by the World Customs Organisation (WCO) and national governments, published in country level Customs Tariffs. Such Tariffs may also be described as Commodity Codes, HS Codes or HTS Codes in the United States.

**Third Party:** Third Party is also defined in the Know Your Third-Party Procedure, and it refers to an individual, organisation or any party with which Rio Tinto enters a legally binding commitment, a business relationship or execute a transaction (including any party to/from whom Rio Tinto makes/receives payment). Third Parties include but are not limited to customers, suppliers, contractors, organisations we partner or otherwise enter into an arrangement with (such as joint venture partners, acquisition and divestment targets), shipowners, vessels, advisers (business, financial, legal and lobbyists), intermediaries, distributors, agents, recipients of financial or in-kind support including community organisations, Third Parties from whom we receive or make payment and all other contractual counterparties.

**Third Party Due Diligence:** Third Party Due Diligence is the process managed by TPRM by which Rio Tinto may identify Sanctioned Parties who may be Sanctioned or may have owners or related parties subject to Sanctions. Third Party Due Diligence is conducted on the Third-Party at onboarding stage, and monitoring occurs during the life cycle of the Third-Party engagement. The Third-Party Due Diligence process is also used to identify other business integrity risks such as bribery and corruption, fraud, reputational risks, and ESG risks, including human rights and modern slavery risks. Please also refer to the **Know Your Third-Party Procedure** and **TPRM Standard**.

**Third Party Risk Management ("TPRM" or "TPRM Team"):** The Third-Party Risk Management team is part of the Rio Tinto Group Ethics & Compliance Team, reporting to the **General Manager of TPRM**. The TPRM Team is responsible for conducting Third Party Due Diligence including **List Based Screening** and providing Third Party risk opinions, and risk management recommendations to Employees and Rio Tinto Businesses with respect to Sanctions, Trade Controls, and other risks.

**Trade Controls:** Trade Controls are laws and regulations which impose restrictions on trade for a variety of reasons including protecting domestic manufacturing and businesses (protectionism), or to achieve foreign policy and national security objectives. For this Standard, Trade Controls is the collective term given to Export Controls Customs Regulations.

**Transfer In-Country:** A Transfer In-Country is an overseas change in End-use or End-User of an item which has been previously Exported, including goods, software, and technology, including **Intangible Technical Transfer** i.e., technical info and data within the same overseas country. A Transfer In-Country is materially different from a **Deemed Export**, which involves a domestic transfer to a foreign national within the United States.

**Unauthorized Export:** Exports, Re-Exports, Deemed Exports or Transfer In-Country without a required Export License issued by a Relevant Authority could represent an unauthorized release of sensitive information or Controlled goods, software, and technology. Such a breach of Export Control regulations could lead to fines, and / or civil or criminal charges against Employees or Rio Tinto.

**Unsanctioned Foreign Boycotts:** Are boycotts maintained by a foreign country against a country allied with the United States, in accordance with US Anti-Boycott Laws. (see below)

**US Anti-Boycott Laws:** Are a range of laws and measures implemented by the US Government, including the US Department of Commerce, to discourage and prevent US Persons from participating in Unsanctioned Foreign Boycotts, such as the Arab League Boycott of Israel. US Anti-Boycott Laws are also considered as a Sanctions Countermeasure, in this Standard. The US Office of Anti-Boycott Compliance ("OAC") is part of BIS.

**US Person:** Means any United States citizen, permanent resident alien, party, or entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States. US persons also include non-US entities that are "owned or controlled" by US persons under OFAC's Cuba, Iran, and North Korea Sanctions Programs.

**Vessel Screening:** Is the process followed by TPRM in accordance with the Know Your Third-Party Procedure, used to identify Sanctioned Parties or Sanctions risk associated with vessels prior to or during their term of charter. The screening platform used by TPRM is PurpleTrac.

## Appendix II: Quick Reference Guide

The following table provide Employees with a Quick Reference Guide, to assist with the implementation and operation of this Standard, summarising roles and responsibilities, Prohibitions, Minimum Performance Standards, and responsibility for exceptions management.

Sanctions - Prohibitions				
Prohibition	Reference	Category	Responsible	Description
<b>Comprehensively Sanctioned &amp; Embargoed Countries</b>	2.3 (i)	Critical Control	All Employees	<b>MUST NOT Transact directly or indirectly with Comprehensively Sanctioned &amp; Embargoed Countries.</b> These are currently Belarus, Cuba, Iran, North Korea, Russia, Russian Occupied Regions of Ukraine (Crimea, Donetsk People's Republic, and Luhansk People's Republic) and Syria. This prohibition also extends to direct or indirect transactions with individuals or Third Parties domiciled in these countries.
<b>Deceptive Practices</b>	2.3 (ii)	Critical Control	All Employees	<b>MUST NOT Engage in Deceptive Practices designed to circumvent Sanctions laws.</b> Rio Tinto does not tolerate any evasion or circumvention of Sanctions or any deceptive or non-transparent practices in relation to any of its transactions. "Deceptive Practices" are attempts to obscure or conceal the actual parties or true nature of a transaction, or to evade Sanctions. This includes omitting information regarding parties, entities, vessels, addresses, countries, or any other identifying information in any documents related to a transaction provided to counterparties, financial institutions, or government authorities.
<b>Non-Compliance with Sanctions Programs</b>	2.3 (iii)	Critical Control	All Employees	<b>MUST NOT Enter into a transaction which would breach Sanctions established in accordance with any Sanctions Program.</b> For example, the Sanctions Programs administered by OFAC which establish country level programs against Afghanistan, Venezuela (primarily the Venezuelan Government) and South Sudan, or programs targeted at products such as Rough Diamond Trade Controls, or cross border risk such as Counter Terrorism and Cyber Related Sanctions.
<b>Transactions &amp; Other Dealings with Sanctioned Parties</b>	2.3 (iv)	Critical Control	All Employees	<b>MUST NOT Transact directly or indirectly with Sanctioned Parties, or conduct "Other Dealings" with Sanctioned Parties.</b> In certain cases, an exception may be granted by the SCO because the activity is legally permissible, for example a Sanctions license has been obtained.
<b>Transactions Involving Sanctioned Products</b>	2.3 (v)	Critical Control	All Employees	<b>MUST NOT Directly or indirectly import or purchase Sanctioned Products which are Sanctioned by Relevant Authorities.</b>
<b>Breach US Anti-Boycott Laws</b>	2.3 (vi)	Critical Control	All Employees	<b>MUST NOT Breach US Anti-Boycott Laws</b> By participating in an Unsanctioned Foreign Boycott or by accepting illegal boycotting language in documents connected with our transactions. Note: Please report US Anti-Boycott concerns or seek guidance from the Sanctions SME.
Sanctions - Minimum Performance Requirements				
Performance Requirement	Reference	Category	Responsible	Description
<b>Contractual Terms &amp; Conditions</b>	2.4 (i)	Minimum Performance Requirement	All Employees	<b>MUST Ensure that Rio Tinto's standard contractual terms and conditions, with respect to Sanctions are included in Third Party goods and services agreements.</b> Any deviation from Rio Tinto's standard Sanctions terms and conditions is to be reviewed by the Sanctions Subject Matter Expert who will apply a risk based approach to the requested changes.
<b>Diversion Risk</b>	2.4 (ii)	Minimum Performance Requirement	All Employees	<b>MUST Be alert to, and report concerns relating to Diversion Risk.</b> Diversion Risk is a risk that Rio Tinto products may be purchased by a non-Sanctioned Third Party and then transferred or onforwarded to a Sanctioned Party or Comprehensively Sanctioned & Embargoed Country. Noting that Sanctions evaders may use Deceptive Practices and seek to conceal their identity from Rio Tinto by using seemingly legitimate Third Parties to obtain our products.
<b>Guidance to Employees</b>	2.4 (xiii)	Minimum Performance Requirement	1. Sanctions SME 2. TPRM	<b>MUST Provide Guidance to Employees on additional Controls:</b> The output of Third Party Due Diligence Activities may require the Sanctions SME or TPRM to recommend the implementation of additional Controls, escalation of concerns to a Third Party or escalation of a matter to the TPRM Committee.

<b>Horizon Scanning</b>	2.4 (vii)	Minimum Performance Requirement	Sanctions SME	<b>MUST Conduct Regular Horizon Scanning</b> and advise relevant Rio Tinto Businesses if Sanctions developments or Designations may impact Rio Tinto, referring material cases to the TPRM Committee or formulating a business resilience response plan if needed.
<b>Implementation of Additional Controls</b>	2.4 (iii)	Minimum Performance Requirement	All Employees	<b>MUST Implement additional Controls recommended by the Sanctions SME or the Third Party Risk Management ("TPRM") team, to manage Sanctions risk.</b> For example, the Sanctions SME or TPRM Team may direct Employees to ensure that End Use / End User statements are signed by Third Parties, or other assurances obtained.
<b>Periodic Updates to Group Sanctions Risk Posture</b>	2.4 (viii)	Minimum Performance Requirement	1. Sanctions SME 2. Group Ethics & Compliance Committee	<b>MUST Apply Periodic Updates to the Group Sanctions Risk Posture</b> , to account for changes to the Sanctions regulatory environment, and Rio Tinto's business objectives and Sanctions risk tolerances.
<b>Risk Assessments</b>	2.4 (ix)	Minimum Performance Requirement	Sanctions SME	<b>MUST Perform Periodic Sanctions Risk Assessments</b> at Group Level, and on high risk projects or operations.
<b>Sanctions Implementation Plan</b>	2.4 (x)	Minimum Performance Requirement	Sanctions SME	<b>MUST Prepare and execute an annual Sanctions Compliance Implementation Plan</b> focussing on key SCP deliverables and objectives.
<b>Sanctions Screening Assurance</b>	2.4 (xii)	Minimum Performance Requirement	1. TPRM 2. Sanctions SME	<b>MUST Obtain a Sanctions Screening Assurance and Methodology Statement on an annual basis from Rio Tinto's List Based Screening provider</b> , to ensure Sanctions Lists are updated within the required timeframe and screening is conducted in accordance with an agreed methodology.
<b>Third Party Due Diligence</b>	2.4 (iv)	Minimum Performance Requirement	All Employees	<b>MUST Conduct risk based, Third Party Due Diligence prior to entering a transaction with a Third Party</b> , for the purpose of ensuring that the Third Party, its Beneficial Owners, and products/services it deals with are not Sanctioned. Employees must engage the TPRM Team in order to complete Third Party Due Diligence in accordance with the Know Your Third-Party Procedure GOV-C-006.
<b>Third Party Due Diligence Screening Filters</b>	2.4 (xi)	Minimum Performance Requirement	1. GM TPRM 2. TPRM	<b>MUST Ensure that Sanctions and Trade Control screening filters are applied</b> during Third Party Due Diligence activities.
<b>Training</b>	2.4 (v)	Minimum Performance Requirement	All Employees	<b>MUST Participate in Sanctions training sessions assigned within the required timeframe.</b>
<b>Vessel Screening</b>	2.4 (vi)	Minimum Performance Requirement	All Employees	<b>MUST Engage TPRM to conduct Vessel Screening.</b> In accordance with the Know Your Third-Party Procedure, Vessel Screening must be completed prior to chartering any vessel. Vessel Screening ensures that the vessel, owners, and operators are not Sanctioned, and that the proposed vessel has not been involved in historical Sanctions violations. Vessel Screening also monitors the vessel whilst on charter to Rio Tinto.
<b>Trade Controls - Prohibitions</b>				
<b>Prohibition</b>	<b>Reference</b>	<b>Category</b>	<b>Responsible</b>	<b>Description</b>
<b>Breach of Customs Regulations</b>	3.2 (i)	Critical Control	All Employees	<b>MUST NOT Breach Customs Regulations</b> anywhere in the world, where Rio Tinto imports or Exports goods, or deals with Relevant Authorities on Customs matters.
<b>Breach of Applicable Export Control Regulations</b>	3.2 (ii)	Critical Control	All Employees	<b>MUST NOT Breach applicable Export Control regulations</b> , including shipment or transfer of controlled goods, software, or technology without an Export License, or to a Sanctioned Party without a required Export License under Export Control regulations, or to Third Parties Designated on the BIS Lists of Parties of Concern.
<b>Falsification of Shipping or Transactional Documents</b>	3.2 (iii)	Critical Control	All Employees	<b>MUST NOT Falsify Information, undervalue goods, incorrectly describe goods or their quantity, fail to declare goods, or engage in any practices (including Deceptive Practices)</b> which would cause Rio Tinto to violate Customs Regulations, Export Controls, US Anti-Boycott laws (or Sanctions).
<b>Technology Transfer</b>	3.2 (iv)	Critical Control	All Employees	<b>MUST NOT Share technology, technical information, or technical data across international borders, or domestically within the United States, Australia, Canada, UK, and EU with foreign nationals</b> , without assessing if the technology is subject to Export Controls and whether an Export License is required. Sharing may be via verbal means, or electronically. Sharing of technology verbally or electronically is known as Intangible Technology Transfer.

Trade Controls - Minimum Performance Requirements				
Performance Requirement	Reference	Category	Responsible	Description
Comply with Customs Regulations	3.3 (i)	Critical Control	All Employees	<b>MUST Comply with Customs Regulations</b> in all countries where Rio Tinto imports and Exports goods and seek advice from Global Trade if there any questions or concerns.
Compliance with Export Controls and Export Controls Procedure	3.3 (ii)	Critical Control	All Employees	<b>MUST Adhere to the Rio Tinto Export Controls Procedure</b> and seek advice from Global Trade if there is any doubt that an item is subject to Export Controls, or if an Export License is required. Rio Tinto Export Controls Procedure GOV-C-005
Third Party Due Diligence (Third Party and Product Risk)	3.3 (iii)	Critical Control	All Employees	<b>MUST Conduct Third Party Due Diligence prior to entering a transaction</b> with a Third Party, for the purpose of ensuring that the Third Party (and products they may supply) are not Sanctioned / listed on the BIS Lists of Parties of Concern. This includes to the extent possible, assessing the risk that a Third Party may provide Goods, Software or Technology which is subject to Export Controls. The Relationship Owner must assist to determine if products supplied may be subject Export Controls.
Exceptions Management Process, Sanctions and Trade Controls				
Description	Reference	Category	Responsible	Description
Managing Exceptions (Sanctions)	1.3	Critical Control	1. All Employees 2. Chief Ethics & Compliance Officer / SCO	Exceptions to the Prohibitions, Minimum Performance Requirements and Controls set out in this Standard must have prior written endorsement from the SCO (or delegate), and approval from the relevant General Manager, or senior leader as risk owner for the business. In exceptional cases, the SCO may choose to escalate the request to Ex-Co members for further review.

## Appendix III: Roles and Responsibilities

The table below describes the key roles associated with this Standard, with a brief description of responsibilities.

Key Roles Associated with the Sanctions & Trade Controls Standard		
Key Role - Summary of Responsibilities	Position	Department
<p><b>Chief Ethics &amp; Compliance Officer / Sanctions Compliance Officer (“SCO”)</b> is the policy owner of the Sanctions &amp; Trade Controls Standard as the Group Ethics &amp; Compliance lead and is the appointed SCO for Rio Tinto. The SCO also has overall responsibility for the implementation of the Sanctions Compliance Program, including provision of resources and reporting to ExCo. Additional responsibilities include the provision of endorsement for exceptions to this Standard, policy setting and second line of defence (2LOD) compliance oversight in relation to Trade Controls. These tasks may be delegated within the Group Ethics &amp; Compliance Team. The SCO reports into the office of the Group Chief Legal, Governance and Corporate Affairs, and is a member of the Group TPRM and GECC Committees.</p>	Chief Ethics & Compliance Officer (SCO)	Group Ethics & Compliance
<p><b>Employees</b> are the first line of defence against breaches of Sanctions and Trade Controls laws. Accordingly, Employees must read, familiarise themselves with, and comply with this Standard, including its Prohibitions, Minimum Performance Requirements, and associated Controls.</p>	Employees	All Departments
<p><b>Global Trade Team (“Global Trade”)</b> is responsible for supporting and providing guidance to Employees and Rio Tinto Businesses with day to day Trade Controls support and advice for <u>shipments of physical goods</u>. Accordingly, Global Trade provides ongoing Trade Controls guidance and support to Employees and Rio Tinto Businesses involved with the Export and import of goods, extending to Export License Management, and all Customs matters. The Global Trade Team reports into Group Legal, Commercial, part of Group Legal, Governance and Corporate Affairs.</p>	Global Trade Team	Group Legal
<p><b>Group Ethics &amp; Compliance Committee (GECC)</b> is the competent Rio Tinto committee for providing oversight on the Group Ethics &amp; Compliance matters, extending to Sanctions &amp; Trade Controls policy, strategy matters and Risk Posture updates. Responsibility for these matters is delegated to the GECC by the Rio Tinto Ex-Co. The GECC also deals with matters which are formulated and escalated by the TPRM Committee. The SCO is a member of the GECC.</p>	Group Ethics & Compliance Committee (GECC)	Ex Co
<p><b>Group General Manager (GM) Third Party Risk Management</b> is responsible for the Third-Party Risk Management program and platforms. Responsibilities include membership of the TPRM Committee, management of TPRM Leads, Managers, Sanctions SME and the TPRM Team responsible for conducting Third Party Due Diligence. The GM TPRM reports to the Chief Ethics &amp; Compliance Officer.</p>	GM TPRM	Group Ethics & Compliance
<p><b>Relationship Owner</b> is the Employee proposing the engagement of a Third Party. The Relationship Owner is senior enough to be accountable and close enough to the work performed by the Third Party to understand the nature of the Third Party, associated risk, its scope of work and the nature of the goods, software, technology, or services being provided. The Relationship Owner is responsible for ongoing risk management, including any specific risks identified by the TPRM Team, and the implementation of Controls, as part of the Third Party Due Diligence process. See also, the definitions for, Operational Contract Owner and Commercial Contract Owner.</p> <p>The Relationship Owner is fully responsible for the accuracy and completeness of information submitted to TPRM for Third Party Due Diligence purposes, even if this task is delegated to a <b>Submitter</b>. This applies if the Submitter is an Employee or external party using the applicable Rio Tinto platform.</p>	Relationship Owner	See Appendix II, Glossary
<p><b>Sanctions Subject Matter Expert (“Sanctions SME”)</b> reports into the Group Ethics &amp; Compliance function and is responsible for the broad implementation of the SCP, including the provision of ongoing Sanctions compliance guidance to Employees and Rio Tinto Businesses. The Sanctions SME is also responsible for periodic risk assessments, setting Group Sanctions Risk Posture, horizon scanning, triage of Sanctions matters and escalations in accordance with the <b>Sanctions Designation Response Framework</b> and advising on Sanctions Countermeasures (such as <b>US Anti-Boycott</b>). Additionally, the Sanctions SME will assist Rio Tinto Businesses to implement a <b>Technology Control Program</b> to manage Intangible Technology Transfer Risk and Deemed Export Risk in accordance with Export Controls. The Sanctions SME will also monitor Export Licenses for physical goods, on behalf of Group Ethics &amp; Compliance.</p>	Sanctions SME	Group Ethics & Compliance
<p><b>TPRM (or “TPRM Team”)</b> reports into the GM Third Party Risk Management, and is responsible for conducting Third Party Due Diligence, including List-Based Screening, and monitoring of Third Parties and their Beneficial Owners, with respect to Sanctions and Trade Controls Designations. TPRM has ownership of platforms used for list-based Sanctions and Trade Controls due diligence. TPRM applies a best endeavours approach for product screening, using a <b>Sensitive Goods List</b>.</p>	TPRM Team	Group Ethics & Compliance
<p><b>TPRM Committee</b> is the competent committee for setting of Risk Posture, escalation of Sanctions or Trade Controls risks identified in relation to Third Parties and formulating procedures or responses to deal with such matters. All newly identified material Sanctions &amp; Trade Controls Designations are to be referred to the TPRM Committee and triaged in accordance with its procedures. Material Sanctions &amp; Trade Control Designations may be referred to GECC or senior management level in accordance with the <b>Sanctions Designation Response Framework</b>.</p>	Group TPRM Committee	Group Ethics & Compliance