



Group – Corporate	GP_CRP_CPG_POL_GRP_007
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Corporate Governance	10 November 2021

WHISTLEBLOWER POLICY

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1. Introduction

1.1 Sims' Commitment

The Sims Limited Board of Directors is committed to fostering a culture of corporate compliance, ethical behaviour and good corporate governance. This policy documents Sims' commitment to maintaining an open working environment in which individuals are able to report instances of unethical, unlawful or undesirable conduct without fear of intimidation or reprisal.

Unethical, unlawful or undesirable conduct is referred to in this policy as **unacceptable conduct**. Examples of unacceptable conduct are given in section 2 below. References in this policy to **Sims** include references to Sims Limited and all subsidiaries of that company.

1.2 Purpose of this policy

This policy sets out the principles for making, receiving, investigating and addressing disclosures raised by a Reporter (*defined below*). The purpose of this policy is to make individuals feel confident about raising concerns internally, by offering a reporting and investigative mechanism that is confidential and objective and protects them from reprisal or disadvantage.

1.3 Who is covered by this policy?

The policy applies to the person who reports unacceptable conduct, internally or externally, (referred to in this policy as the **Reporter**) who is:

- Sims' current and former directors, officers, and employees (whether permanent, part-time temporary or prospective);
- unpaid trainees or volunteers;
- individuals supplying goods or services to Sims and their employees;
- Sims' independent auditors; and
- Relatives of the above;

and to persons who facilitated the reporting in a work-related context, such as family or colleagues.

In this policy, each person in the categories listed above is referred to as a **Covered Person**.

2. Conduct Covered by this Policy

2.1 What is unacceptable conduct?

Unacceptable conduct covered by this policy includes any conduct which:

- is dishonest, fraudulent or corrupt;
- is illegal, such as theft, drug sale or use, violence, harassment or intimidation, criminal damage to property or other breaches of state, federal or local law;
- is unethical, such as dishonestly altering Sims' records or data, or adopting questionable accounting practices;
- is potentially damaging to Sims or a Covered Person, such as unsafe work practices or substantial wasting of Sims' resources;
- may cause financial loss to Sims or damage its reputation or be otherwise detrimental to Sims' interests, including environmentally unsound practices; or
- involves any other kind of misconduct or improper affairs or circumstances relating to Sims, including the wilful breach of Sims' Code of Conduct.

3. Contacting Sims

3.1 Who should I contact?

You are encouraged to raise concerns about any issue or suspicion of unacceptable conduct at the earliest possible stage through any of the following:

- Sims' independently managed Hotline at www.simshotline.com (you can find local phone numbers on the website or file the complaint electronically),
- the Global Ethics & Compliance department (+1 224 542 0013 or ethics@simsmm.com),
- the Group General Counsel (+1 845 260 1993 or gretchen.johanns@simsmm.com),
- directly to the Covered Person's manager or Human Resources department, or
- by mail to:
Sims Limited
200 W Madison St, Suite 3960
Chicago, IL 60606

Attention: Director Global Ethics & Compliance

You may also choose to report the matter externally, such as to local law enforcement or a regulator. Sims requests that you consider reporting internally first, so the company has an opportunity to investigate the allegations and take appropriate action. However, you should always choose the method with which they are most comfortable.

You should do your best to ensure that there is a reasonable basis for the report. However, it is not the Reporter's job to investigate or prove a case of unacceptable conduct.

3.2 Reporting to Regulators

Nothing in this Policy should be taken as restricting any person from reporting any matter or providing any information to a government agency, law enforcement body, regulator, Sims' independent auditor or any other person in accordance with any relevant law, regulation or other requirement in all jurisdictions in which Sims conducts business.

4. Investigating Reports of Unacceptable Conduct

4.1 Who investigates a report?

Sims' Global Ethics & Compliance function oversees reports and their investigation. When a report of unacceptable conduct is filed, the case is assigned to an investigator based on its nature and scope. The investigator will

- (i) have related skills and knowledge,
- (ii) be independent and objective, and
- (iii) follow Sims procedures.

Sims may engage a skilled third party to investigate or support the investigation if appropriate.

Where a report of suspected unacceptable conduct relates to a significant matter involving the Chief Executive Officer or a member of the Executive Leadership Team, the matter is referred directly to the Chair of the Board Audit Committee, who will appoint an appropriate investigator.

4.2 How is an investigation carried out?

Sims will acknowledge receipt of the report within seven (7) days of it being filed.

- If the Reporter shared their concerns in person, this will be done during the meeting;

- if the report was made via other means, and we know how to contact you (e.g. the hotline, email, the post with a return address), Sims will acknowledge receipt using the same method.

If the report was filed without letting us know how to contact you, (e.g. without providing a name, phone number, email address, etc.) we will not be able to acknowledge our receipt to you.

The person appointed to investigate the report (referred to in this policy as the **Investigator**) will be required to follow Sims procedures for handling a complaint. This would generally involve:

- undertaking an objective, independent and discreet investigation into the substance of the report with due care and appropriate speed; by
- collecting information via records, interviews and observations related to the reported information; while
- respecting individual confidentiality (see section 6 for further information on confidentiality); and
- consulting or informing employee representative bodies as required, and
- determining if, based on the gathered information, the allegation(s) is supported.

Where the Reporter has provided a way for us to contact them (e.g. through the hotline, via email, phone, etc.), the Investigator usually would begin by interviewing that person, and may periodically contact them for additional information.

The identity of the Reporter will be treated confidentially. It will not be made known to other parties without the Reporter's specific consent except in the circumstances set out in section 6.1 below.

5. Outcome of Investigations

5.1 What happens after an investigation?

At the end of the investigation, the investigating officer will provide a written report of his or her findings to the Global Ethics & Compliance department, and the Global Ethics and Compliance department will notify the appropriate level of management and/or legal counsel of the investigation and its findings. If the allegations are substantiated, management and/or legal counsel will determine the appropriate response based on guidance from Human Resources. This response will include correcting any unacceptable conduct and taking action(s) designed to prevent any future occurrences of the same or similar conduct.

Where issues of discipline arise the response will be in line with Sims' procedures for disciplinary matters. When allegations of unacceptable conduct made against another person cannot be substantiated, that person will be entitled to continue in his or her role as if the allegations had not been made.

5.2 Will I be informed of the outcome?

Within 3 months of the report being filed, the Investigator will update the Reporter on the actions taken, the status of the investigation, and its outcome, if already determined, to the fullest extent possible within commercial, legal and confidentiality constraints.

If the outcome is not yet determined at that time, the Reporter also will be notified when the outcome is finalized

As with acknowledging receipt of the report, such notifications are dependent on the Reporter having provided a way for Sims to contact them.

6. Protecting Confidentiality and Privacy

6.1 Will my report be treated confidentially?

Sims will endeavour to ensure that the Reporter's identity is protected from disclosure. Accordingly, Sims will not disclose the Reporter's identity unless the person consents to the disclosure, or the disclosure is required by law.

Sims will also ensure that any records relating to a report of unacceptable conduct are stored securely and are able to be accessed only by authorised staff.

Unauthorised disclosure of:

- the identity of a Reporter, or
- information from which the identity of the Reporter could be inferred

will be regarded as a disciplinary matter and will be dealt with in accordance with Sims' disciplinary procedures.

6.2 Will I be protected if I make a report?

Sims is committed to protecting and respecting the rights of any those who report or facilitate the reporting of unacceptable conduct, and prohibits retaliation against Covered Persons.

Covered Persons who report unacceptable conduct will be protected from:

- civil, criminal or administrative liability (including disciplinary action) for making the disclosure;
- enforcement of contractual remedy as a result of the disclosure, including liability for breach of confidentiality;
- use of information that is part of a disclosure as evidence against a Covered Person in a criminal proceeding or proceedings involving a penalty, except in proceedings about the falsity of a claim; and
- an award of costs against Covered Persons when they seek compensation in a court proceeding.

Sims will not tolerate any reprisals, discrimination, harassment, intimidation or victimisation against any person suspected of making a report of unacceptable conduct, or against that person's colleagues, employer (if employed by an entity other than Sims) or relatives. Any such retaliatory action will be treated as serious misconduct and will be dealt with in accordance with Sims' disciplinary procedures.

6.3 Can I make a report anonymously?

As described above, anonymous reports of unacceptable conduct may be made.

6.4 Privacy issues

To the extent that any of the information supplied by a Covered Person constitutes "personal data" about that person under applicable privacy law, it should be noted that:

- the purpose of the collection of that information is to assist Sims to respond to issues raised by the Covered Person and to protect or enforce Sims' legal rights or interests or to defend any claims;
- personal data may be used for the primary purpose for which it was collected or for any related secondary purpose that could reasonably be expected; and
- personal data may be disclosed as described under section 6.1 above.

Sims' policy is not to collect "personal data" without the consent of the person to whom it relates unless the collection is required by law, is necessary to prevent or lessen a serious and imminent threat to the person's (or another person's) life or health or is necessary in relation to legal proceedings (current, anticipated or potential). "Personal data" means information or an opinion about a person's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, memberships of a profession or trade, membership of a trade union, sexual preferences or practices, criminal record, genetic or biometric data or health.

Further details are available in Sims' Privacy Policy.

7. Policy Review and Contact Details

7.1 Review and Communication of this Policy

This Policy will be monitored and reviewed annually by the Sims Board to ensure its effectiveness.

Sims management will regularly communicate this Policy to all employees and will provide employee training on the policy.

7.2 Contacting Sims

A Covered Person may contact the following individuals for any reason relating to this Policy:

Gretchen Johanns, Group General Counsel, on telephone +1 845 260 1993 or gretchen.johanns@simsmm.com

Elise Gautier, Group Chief Risk and Compliance Officer, on telephone +61 459 972 200 or elise.gautier@simsmm.com

The Global Ethics & Compliance Department, Marnie Gucciard on telephone +1 224 542 0013 or ethics@simsmm.com or marnie.gucciard@simsmm.com

By mail:

Sims Limited
200 W Madison St, Suite 3960
Chicago, IL 60606

Attention: Director Global Ethics & Compliance

Authorised for distribution by the Board of Directors of Sims Limited on.

Version History

Version	Author	Date	Changes
V 1.0	Director Group Ethics & Compliance	01-Oct-2019	V. 1.0 approved by Sims' Board of Directors
V.2.0	Director Group Ethics & Compliance	21-Oct-2019	Refinements prompted by the EU Whistleblower Protection Directive, including description of covered persons, contact information, the investigation process and notifications, reporter confidentiality, and intolerance for retaliation.