

**MOUNT HOPE MINING
LIMITED ACN 677 683 055**

**Workplace Health and
Safety Policy**

Workplace Health & Safety Policy

1 Introduction and purpose

- (a) Mount Hope Mining Limited ACN 677 683 055 (the **Company**) is committed to the protection, health and safety of all employees and contractors involved with the Company against injury and workplace disease through:
 - (i) the provision of safe and healthy working conditions;
 - (ii) fulfillment of its legal obligations and requirements;
 - (iii) appropriate hazard and risk management; and
 - (iv) continual improvement in all areas of health, safety and wellbeing.
- (b) This workplace health and safety policy (**Policy**) has been developed by the Company to mitigate the risks to employees and contractors of the Company associated with workplace health and safety matters, with the aim of eliminating workplace illnesses and injuries resulting from the activities of the Company (**Purpose**).
- (c) This Policy firstly provides an outline of the workplace health and safety laws applicable to the Company and then provides details of the responsibilities of the Company in administering a safe workplace.
- (d) This Policy applies to the Company and its Directors, Officers, Employees, secondees, and other individuals or entities that are effectively controlled by the Company (**Personnel**).

2 Workplace health and safety laws

- (a) The Company notes the *Work Health and Safety Act 2020* (WA) (**WHS Act**) which came into effect on 31 March 2022, which deals with the general health and safety requirements that are applicable to all workplaces.
- (b) As the Company's mining activities are predominantly carried out in Western Australia, the WHS Act will apply, together with the *Work Health and Safety (General) Regulations 2022* and *Work Health and Safety (Mines) Regulations 2022* (**WHS Regulations**).
- (c) Broadly, under the WHS Act:
 - (i) the primary duty of care will be owed by a Person Conducting a Business or Undertaking (a **PCBU**) to Workers (and other persons). **Worker** is defined broadly to include, for example, employees, contractors and labour hire workers;
 - (ii) a positive duty is placed on "officers" of PCBUs to exercise due diligence to ensure that the PCBU complies with its duties under the work health and safety laws. Officers will need to take active steps to comply with the laws to avoid liability and may be prosecuted for breaching due diligence obligations even where the PCBU is not found guilty of an offence. Due diligence includes taking steps to:

- (A) acquire and keep up to date knowledge of WHS matters;
 - (B) gain an understanding of the nature of the operations of the PCBU and generally of the hazards and risks associated with those operations;
 - (C) ensure that the PCBU has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health safety from work carried out;
 - (D) ensure the PCBU has appropriate resources for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information;
 - (E) ensure that the PCBU has and implements processes for complying with any duty or obligation of the PCBU under the WHS Act; and
 - (F) verify the provision and use of such resources;
- (iii) if more than one person has a duty in relation to the same matter (e.g. principal employer and employer) each person with the duty will be required to consult, co-operate and coordinate activities with those other duty holders as a separate, stand-alone duty;
- (iv) an industrial manslaughter offence applies, which is committed if it can be established beyond reasonable doubt that:
- (A) the PCBU owes a health and safety duty;
 - (B) the PCBU engages in conduct that causes death;
 - (C) the conduct of the PCBU constitutes a failure to comply with the health and safety duty; and
 - (D) the PCBU engages in such conduct:
 - (I) knowing that it was likely to cause the death or serious harm to another person; and
 - (II) disregarding that likelihood;
- (v) attracts a maximum penalty of imprisonment of 20 years and a fine of A\$5 million for an individual PCBU, or a fine of A\$10 million for a body corporate;
- (vi) the obligations cannot be contracted out or avoided by PCBU's through documents such as deeds of indemnity, access and insurance and there is a prohibition on insurance coverage for WHS Act penalties (an offence under the WHS Act); and
- (vii) a broad definition of "health" applies, which includes both physical and psychological health and wellbeing.

3 Responsibility

The Company will:

- (a) actively and continuously seek to report and rectify all hazards, non-compliances, near misses, and incidents to provide a safe working environment for all;

- (b) undertake risk management activities to identify prioritise and control all risks that may negatively impact health, safety and wellbeing risks in the workplace;
- (c) implement and maintain a fit for purpose health, safety and wellbeing management system and appropriate work practices;
- (d) actively involve and engage relevant stakeholders in the development, implementation and improvement of health, safety and wellbeing standards, procedures and practices;
- (e) provide employees, contract partners and visitors with the information, training and supervision necessary to ensure their health, safety and wellbeing of those around them;
- (f) provide Workers with the necessary equipment (unless such equipment is provided by another PCBU), facilities and resources to ensure that they carry out their duties safely;
- (g) regularly communicate and consult with employees, contractors, consultants, regulators, local communities and other stakeholders on relevant health, safety and wellbeing matters;
- (h) comply with all relevant legislation, applicable standards and guidelines and all relevant policies and procedures; and
- (i) strive to continually improve its health, safety and wellbeing performance.
- (j) maintaining a mentally healthy workplace is one where workers and management collaborate to protect and promote the health, safety and wellbeing of all.

4 Compliance and updates

- (a) Any material failure to comply with this Policy will be reported by relevant stakeholders to the Board and the relevant Committee overseeing this Policy.
- (b) The Board and relevant Committee will monitor the content, effectiveness and implementation of this Policy and may undertake independent reviews of the effectiveness of the Policy. If there are any deficiencies in the Policy, the Company will move to improve and update the Policy expeditiously.
- (c) Any key stakeholders of the Company, including any Personnel, may provide suggestions to the Board and the relevant Committee overseeing this Policy on how the Policy can be improved.