



## **Whistleblower policy**

**Lynas Corporation Limited**  
ACN 009 066 648

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# Lynas Corporation Limited

ACN 009 066 648

(Company)

## Whistleblower policy

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### 1. Introduction

- 1.1 Lynas is committed to ensuring that its employees and business partners can raise concerns regarding bribery, corruption or other “Improper Conduct” (defined below) without being subjected to victimisation, harassment or discriminatory treatment, and to have such concerns properly investigated.
- 1.2 The purpose of this Policy is to:
- (1) promote the importance of detecting Improper Conduct;
  - (2) encourage the reporting of Improper Conduct and any other matters that may cause financial or non-financial loss to Lynas or damage to Lynas’ reputation; and
  - (3) provide an independently run disclosure line which can be used for the reporting of Improper Conduct;
  - (4) help to protect people who report Improper Conduct in good faith from discrimination, harassment and retaliation.
- 1.3 Whistleblowing is not about airing grievances. It is about reporting real or perceived Improper Conduct. A report may damage the career or reputation of the person who is the subject of an allegation. Therefore, if a report is not made in good faith or the report is found to be malicious, deliberately misleading or frivolous, the person responsible for making the report may be subject to disciplinary action.
- 1.4 Lynas is committed to promoting a culture of ethical behaviour. Lynas will ensure that protection is offered to anyone who reports concerns in good faith in accordance with this Policy.
- 1.5 This Policy is an important part of the Lynas Way. The Lynas Way is a fundamental set of behaviours and principles that underpins all of our activities. The Company is committed to ensuring that everything we do reflects the Lynas Way.
- 1.6 The Lynas Way includes each of the following:
- (1) our code of conduct;
  - (2) our policies;
  - (3) our structures and systems; and
  - (4) our work practices and allocations.
- 1.7 This Policy is intended to supplement all applicable laws, rules and other corporate policies including, without limitation, Lynas’ Code of Conduct and Lynas’ Anti-Bribery Policy.

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## 2. Scope

- 2.1 This Policy applies to, with respect to Lynas Corporation Limited and each of its wholly-owned subsidiaries (**Lynas**), all of Lynas':
- (1) directors, employees (whether permanent, fixed-term, casual or temporary) and contract staff (together, **Employees**); and
  - (2) agents and distributors (together, **Agents**).
- 2.2 If a consultant, vendor, service provider or supplier (each, a **Business Associate**), acting in good faith, believes that Lynas or any of its Employees or Agents has engaged in Improper Conduct, the Business Associate should report the matter to Lynas' General Counsel.

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## 3. Definitions

- 3.1 In this Policy:
- (1) **Compliance Committee** consists of the Executive Vice President of People & Culture, the General Counsel, the Vice President and Managing Director (Malaysia) and the General Manager (WA).
  - (2) **Detrimental Treatment** includes dismissal, disciplinary action, threats or other unfavourable treatment.
  - (3) **Disclosure** means any good faith communication that discloses information that may evidence Improper Conduct.
  - (4) **Disclosure Officer** means Lynas' General Counsel.
  - (5) **Improper Conduct** means conduct by a person or persons connected with Lynas which, in the view of a Whistleblower, acting in good faith:
    - (a) amounts to bribery or some other form of corrupt activity;
    - (b) is fraudulent;
    - (c) is illegal (including theft, drug sale/use, violence or threatened violence, and criminal damage against property);
    - (d) is unethical;
    - (e) amounts to a material misappropriation or misuse of Lynas' resources;
    - (f) involves a substantial risk to safety, health, the environment or the community; or
    - (g) is in breach of any of Lynas' policies including, without limitation, Lynas' Code of Conduct and Lynas' Anti-Bribery Policy.
  - (6) **Whistleblower** means a person who makes, or attempts to make, a report in connection with Improper Conduct.

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## 4. Reporting

### Responsibility to report

- 4.1 Lynas will not tolerate Improper Conduct. All Employees and Agents have a responsibility to report Improper Conduct by making a Disclosure in accordance with this Policy.

### Disclosure Line

- 4.2 Lynas recognises that Employees and Agents may not feel comfortable making a Disclosure to a Lynas Manager and that they might wish to report a matter anonymously. For that reason, Lynas has engaged an independent organisation, STOPline, to run a disclosure line for Lynas (**Disclosure Line**).
- 4.3 Disclosures can be made to the Disclosure Line by telephone, by email or by mail to the number/address set out below:

Telephone	Within Australia: 1300 304 550  International: +61 3 9811 3275 (reverse charges)  The telephone line is open from Monday to Friday (excluding public holidays in Victoria, Australia) during the hours of 0800 to 1800 (Australian Eastern Standard Time). If you call the Disclosure Line outside of these hours, you will be invited to leave a recorded message, or to use one of the other reporting channels referred to below.
Email:	Lynas@stopline.com.au
Mail:	Lynas Corporation Ltd c/- The STOPline Locked Bag 8 Hawthorn VIC 3122 AUSTRALIA

### What happens when I contact the Disclosure Line?

- 4.4 When you contact the Disclosure Line, a trained STOPline investigator will make a record of all of the relevant data provided by you and endeavour to obtain sufficient information to conduct an investigation. You will have the option of either identifying yourself or remaining anonymous.
- 4.5 Subject to any whistleblower protection requirements set out in any relevant law (e.g. Part 9.4AAA of the Corporations Act 2001 (*Australia*), or the Whistleblower Protection Act 2010 (*Malaysia*), STOPline will promptly provide a report to the Disclosure Officer of the Disclosure. If you make an anonymous Disclosure to STOPline, your identity will not be disclosed to the Disclosure Officer and your Disclosure will be given a "Caller Code" for the purpose of STOPline's report to the Disclosure Officer.

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## 5. Protection

- 5.1 An Employee who wishes to raise a concern or report regarding Improper Conduct may be worried about possible repercussions. Lynas encourages openness and will support

anyone who raises genuine concerns in good faith under this Policy, even if they turn out to be mistaken.

- 5.2 Lynas is committed to ensuring that no one suffers Detrimental Treatment as a result of their refusal to take part in conduct that may amount to Improper Conduct, or their actions in reporting Improper Conduct.
- 5.3 If a Whistleblower suffers Detrimental Treatment in the circumstances described in paragraph 5.2, he or she must inform his or her Manager immediately. If the matter is not remedied promptly by the Manager, the Whistleblower should raise the matter with a member of the Compliance Committee.

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## **6. Investigation of Disclosures**

- 6.1 All Disclosures are taken seriously and are subject to investigation.
- 6.2 Lynas will investigate all Disclosures made under this Policy as soon as possible after the matter has been reported from STOPline. The investigation will be conducted in a timely, thorough, confidential and fair manner.
- 6.3 Where necessary and following the approval of the CEO or the Chair of the Audit Committee, an independent external investigator may be appointed.
- 6.4 Any investigations and proceedings arising from this Policy must follow the proper processes of Lynas including, where applicable, Lynas' Workplace Grievances Policy. If, after the completion of the investigation, the person who conducted the investigation determines that improper conduct has occurred, that person will make recommendations to the Manager of the person or persons involved in the improper conduct and must communicate those recommendations to the Audit Committee.

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## **7. Confidentiality**

- 7.1 The identity of the Whistleblower (where known to Lynas), the fact that the Whistleblower has made a Disclosure and the contents of the Disclosure will be kept confidential and no details of the Whistleblower's participation in this process will be included in his or her personnel file or performance review.
- 7.2 The Disclosure will not be disclosed to anyone except those who need to know for the purpose of investigating the matters referred to in the Disclosure.

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## **8. Communication**

- 8.1 As a general rule, Whistleblowers will be informed of the results of an investigation as soon as possible after the concern is resolved or acted upon. However, in some circumstances, privacy, confidentiality or other legal constraints may limit the feedback that can be provided to the Whistleblower.