

BHP

Our Code

Hypothetical scenarios

BHP acknowledges and pays respect to the Traditional Custodians of the lands and waterways on which, or near where, our company is located and operates. We pay our respects to Elders past, present and emerging.

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To view **Our Code**, scan the QR code or click on link below:



<https://www.bhp.com/about/operating-ethically/code-of-conduct>

1. Look out for one another

Our priority is to provide a healthy, safe, inclusive workplace where everyone is treated with respect.



Our Code Hypothetical Scenarios

1. Look out for one another

A healthy and safe workplace

Q: I've been asked to complete a maintenance task before the end of the day that is critical to ensure our daily production targets are met. The task has a work instruction which requires a specific tool be used when carrying out the task however the tool is not available and my line leader has told me to get the job done. What should I do?

A: Safety procedures must never be compromised. Don't start the task until a safe system of work is established and you can access the right tools and equipment. If you're unable to resolve the matter with your line leader, contact your 2Up leader or a member of the Health, Safety and Environment function.

Q: I've recently been diagnosed with a medical condition and my doctor has prescribed medication to help me with it. Do I need to declare the medication?

A: We want you to go home safe and well every day and it is important you never undertake work unless you are medically fit to do so, due to your medical condition or medication use. Speak to your line leader if you have any concerns about your or a colleague's fitness for work or ability to carry out assigned work safely. Specific requirements for declaring medications are outlined in local procedures. If you have any questions regarding local requirements or procedures speak to your line leader or HSE business partner.



Respect for all

Q: One of my colleagues has asked me out on a date on a couple of occasions. I've said I'm not interested and now his behaviour is making me feel uncomfortable. He's saying sexually inappropriate things and making fun of me in front of other people in meetings. My colleagues laugh about it and when told another colleague, he said I was over-reacting and too sensitive. What should I do?

A: This is sexual harassment and will not be tolerated. If you're comfortable, speak directly to your colleague about his behaviour. Otherwise, talk to your line leader, 2Up leader, Employee Relations advisor, Human Resources business partner, Ethics Support Service or or raise your concern via Integrity@BHP or the BHP Protected Disclosure Reporting Channel. You can also talk to a friend or someone you trust for support.

Our Code Hypothetical Scenarios continued

1. Look out for one another



Q: A member of the team I lead is gay and shares the change rooms with other men. I told him I don't feel comfortable about this and asked him to wait until everyone else has left before entering. He said this is bullying, but I want the rest of the team to feel safe. What should I do?

A: We pride ourselves on being an inclusive and diverse workplace where people feel safe and can be themselves. So, it's not ok to exclude a member of your team from the change rooms because of their sexual orientation or to reinforce a culture of homophobia within the team. It's disrespectful, discriminatory and a clear breach of Our Code. It's incumbent on all of us – and especially in your role as a leader – to make sure the workplace is safe for everyone regardless of their gender, sexual orientation, cultural background or any of the many other facets that comprise our diverse organisation. While many of our employees and contractors face challenges you may not understand, as a leader you are expected to role model inclusivity, empathy and respect. To increase your understanding and raise awareness of LGBT inclusion within the team, read our **LGBT+ Inclusive Language Guide**, enrol in one of our LGBT inclusion awareness courses or reach out to **Jasper**, our LGBT+ ally employee network for advice.

Q: In a performance conversation, my leader brought up a deadline I had missed. I hadn't mentioned it because I was embarrassed about it so when she raised it, I felt uncomfortable. She also raised a minor breach of safety rules that someone had already discussed with me. Isn't this bullying behaviour?

A: Performance conversations which are reasonable management action carried out in a reasonable manner will not be considered bullying. Leaders are empowered to lift the performance of their teams, including by setting performance standards and holding employees to those standards through coaching that is respectful and constructive. If safety rules (or provisions of Our Code) are breached, leaders are entitled to provide firm, clear and reasonable feedback. In the context of a performance conversation, it might cross the line and become bullying if a leader provides feedback by shouting, swearing and using belittling language. This is unacceptable.

Q: I am a maintenance contractor trainee and the trainer for my crew has been really supportive, but now the trainer is paying me more attention than others in the crew. The other night after a work function, they asked me to go back to their place. I feel very uncomfortable, scared of losing my job and not sure what to do because I'm only halfway through my training program.

A: It's not ok for a trainer to try and start a romantic or intimate relationship with any trainee, considering the power imbalance between you and the trainer. Talk to your 2Up leader immediately or contact your Employee Relations advisor, HR Business Partner, Ethics Support Service or raise your concern via Integrity@BHP or the BHP Protected Disclosure Reporting Channel. You can also talk to a colleague or someone you trust for support within the business.

2. Care for people and planet

As part of our commitment to creating enduring social value for people, planet and prosperity, we all have a role to play in respecting human rights, supporting our communities and demonstrating environmental responsibility, as required by the Social Value and Sustainability Global Standard.



Our Code Hypothetical Scenarios continued

2. Care for our people and planet

Respect human rights

Q: I'm aware the local Indigenous community has strong connections to the land on which we operate, but I'm not sure if there is any active engagement to ensure their significant sites are effectively identified and managed. I raised this with my team and they didn't know if any engagement is happening either. What should I do?

A: Engaging with the traditional owners of the land and managing cultural heritage matters is an integral part of our business. All our assets must implement a framework for identifying, documenting and managing aspects of cultural significance. BHP works to obtain the consent of Indigenous communities for projects that are located on lands traditionally owned by or under customary use of Indigenous peoples and are likely to have significant adverse impacts on Indigenous peoples. If you are unsure whether these requirements are being met or have any concerns, speak with your line leader or 2Up leader, use the local complaints and grievance process or raise your concern via Integrity@BHP or the BHP Protected Disclosure Reporting Channel.

Q: I have seen recent media reports that one of BHP's suppliers has been accused of forced labour in the production of its products. I don't know if BHP purchases these products or whether BHP has any obligation to follow up on these reports. What should I do?

A: Respecting human rights is one of the foundational principles for contributing meaningful social value to society and we expect the businesses we work



with to also meet this commitment. Any concerns of modern slavery within our operations or supply chain must immediately be raised with your line leader or 2Up leader or via Integrity@BHP or the BHP Protected Disclosure Reporting Channel. This will allow BHP to investigate the media reports and if necessary, conduct further due diligence

aligned with our Ethical Supply Chain and Transparency program. We can then request further information from the supplier and, where appropriate, initiate a supplier development plan to close the gaps in the supplier's modern slavery practices.

Our Code Hypothetical Scenarios continued

2. Care for our people and planet



Support communities and Indigenous peoples

Q: I work in the Supply team and am looking at a scope of work where one of the tenderers is an Indigenous business. I know we are about to commence negotiations related to heritage and land access in the near future. Is it ok to award this work to the business?

A: Providing economic empowerment opportunities to Indigenous and traditional owner businesses is a priority for BHP under our **Indigenous Peoples Policy Statement**, and an important way to ensure our operations provide mutual benefit to communities within which we operate. Because we are commencing discussions on heritage and land access you should speak with Compliance to assess any actual or perceived connection between the upcoming heritage negotiations and the scope of work related to the contract we are looking to award. If the contracting opportunity does proceed it may be necessary to put measures in place that ensure any perceived conflict or undue benefit to the group is managed appropriately.

Q: A community member says they are unhappy with the level of noise from our operation at night. How do I respond to them?

A: Understanding the concerns of host communities is important. Community concerns are raised in a range of different forums and our teams should respond appropriately as they arise. All our operations are required to have local mechanisms in place to record complaints and grievances and to address these in a timely and effective manner. In this instance you should acknowledge the concerns and direct the community member to the Asset's complaints and grievance mechanism. Alternatively, gather the necessary information from the community member as per the complaints and grievance mechanism for the Asset.

Contribute to a healthy environment for all

Q: Our waste is disposed off-site by a licensed waste facility that is audited by our regulators. Do I also have to review their performance?

A: Yes, you should review the performance of all suppliers to ensure they manage their environmental performance appropriately. Direct, indirect and cumulative environmental impacts and their associated risks and controls need to be assessed by BHP. This includes environmental impacts associated with our direct operational activities, impacts from others as a result of activities on which our operations rely and impacts from others that may increase the severity of our own impacts.

Our Code Hypothetical Scenarios continued

2. Care for our people and planet

Q: When it rains, I have noticed overflows of water from site to a neighbouring creek. What should I do?

A: Report the issue as an event, seek advice from your site environmental personnel and make operations aware of the issue. An investigation will need to occur to determine whether there are any potential impacts from the overflow to the creek or surrounding environment. Reporting the issue as an event will also ensure any regulatory agencies are notified if appropriate, an analysis of the incident, root causes, preventative actions and learnings are disseminated, and any required corrective actions can be completed.

Q: I notice the way we are doing our work has the potential for dust emissions and other environmental impacts. I think there is a better way of doing it that could result in lower emissions. What should I do?

A: We are always looking to minimise adverse environmental impacts and maximise opportunities for positive environmental outcomes from our activities so raise your suggestions with your line leader or 2Up leader. You can also check with the site's environmental team that your suggestions are in line with regulatory permits.



3. Work with integrity

Everywhere we operate, we are committed to doing what is right and doing what we say we will do.

Our Code Hypothetical Scenarios continued

3. Work with integrity

Foster open, constructive government relationships

Q: I'm at a social event hosted by a political party and have been asked about BHP's position on climate change. What should I say?

A: Refer them to our website for detailed information on our climate change policy. If you have personal views on climate change, or any other public policy issue, ensure you flag these are your personal views.

Q: I have been invited by a political party to attend an event to discuss policy related to the resource sector in an open and transparent forum hosted by elected officials. The ticket cost is US\$260. I know our competitor will be represented at the event. Can I attend and if so, do I need approval?

A: You should always seek approvals under the **Business Conduct Global Standard** standard prior to accepting an invitation of this nature. This ensures adequate consideration is given as to whether the ticket costs are or can be perceived as political fundraising. You should also consult with Corporate Affairs to ensure there is no conflict of interest that you, or your line leader, may not be aware of, and ensure you have completed competition law training within the last 15 months.



Q: I am considering running for an elected position on my local city council. The position is only part-time and is unpaid, and I don't see it conflicting with my duties at BHP. What should I do to determine if I can maintain my employment at BHP while I hold a role as an elected official in public office? If I later need to resign from the public office position, can I get my former position back at BHP?

A: Holding a public office role at the same time as being a BHP employee can lead to conflicts between your duties as a BHP employee and your duties as a public official. Discuss your intentions with your line leader and 2Up leader before running for public office and seek approval via the Conflict of Interest register.

In some circumstances, it might be possible for you to hold an unpaid, part-time role as an elected official if there is no potential for overlap between the role and BHP's business, and it will not impact your ability to safely perform your BHP role (including having regard to fatigue management considerations). However, if holding any public office role (part-time or full-time) would create an actual, potential or perceived conflict of interest that can't be managed to BHP's satisfaction then you may have to resign from your BHP role before commencing the public office role. If you later leave the public office role and want to apply to re-join BHP, you may be able to do so, but your former BHP position might no longer be open.

Our Code Hypothetical Scenarios continued

3. Work with integrity

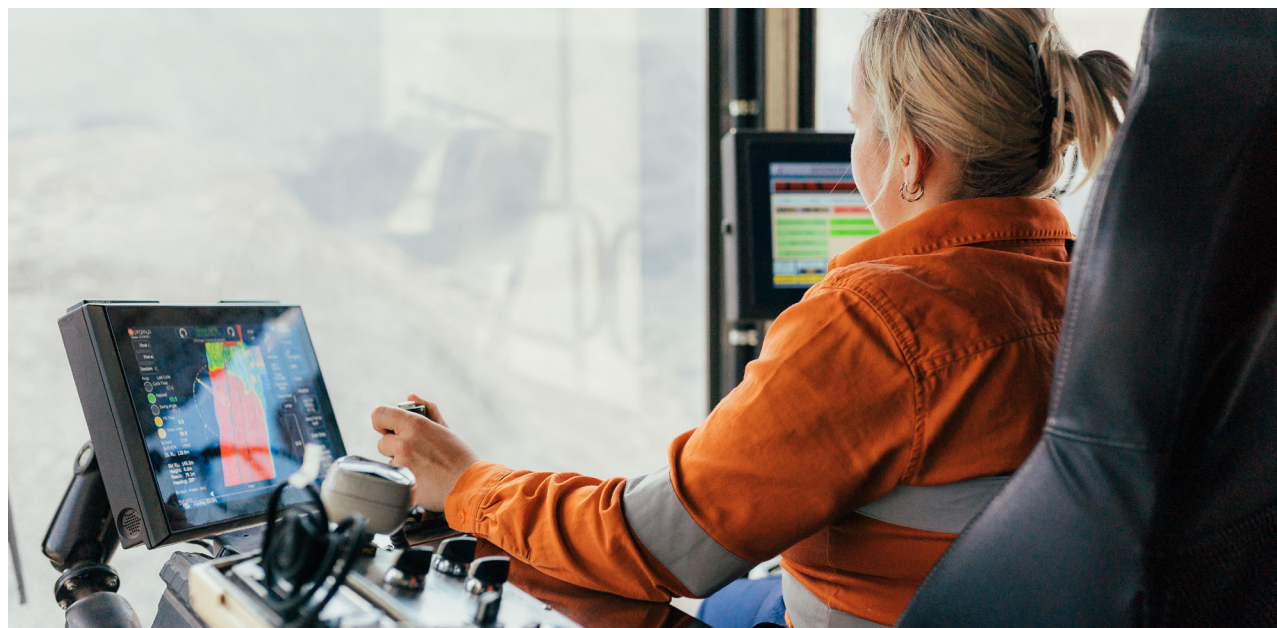
Refuse to participate in corruption or bribery

Q: I have recently arrived in a new city on an assignment. I've obtained approval to join a business association which has good access to local officials. They've now asked if BHP can sponsor a table at their annual dinner for \$1,000 per head. The profits from the event will fund the association's annual golf event for local officials. What should I do?

A: As the association has indicated the funds will be used for a golf event – which is something of value for local officials – pre-approval is required under the **Business Conduct Global Standard** standard. Our Compliance team can advise you on what arrangements would be appropriate.

Q: I speak regularly with a government official who is responsible for making decisions that will affect BHP. His son has recently graduated with first class honours from university at a location where we have an office and wants to find a job so he can stay in the country. The official has enquired if BHP has any jobs and whether I can do anything to help his son.

A: A job is something of value and the son is a close relative of an influential government official. Given the official is currently making decisions which will affect BHP, this could be used or misinterpreted as a form of bribery and could constitute a breach of anti-corruption laws. The official's son can apply for advertised jobs and his application will be assessed on its merits in the same manner as any other job application. For further guidance, contact our Compliance team.



Q: A vendor I regularly work with offers to send me to a three-day course at their educational centre on topics relevant to my role. I'd like to attend because I think it will benefit BHP, help me stay on top of trends in the industry and increase my ability to perform my role. The vendor is hosting the course regardless of whether I attend, and my attendance will not be an additional cost to the vendor. Can I accept the offer?

A: If attending the course will in any way compromise (or might reasonably be seen by someone else as compromising) your ability to perform your duties loyally to BHP, or might prevent you from working with the vendor without bias in the future, you should not accept the offer. If BHP is currently in a tender with the vendor offering the course, you should also not accept the offer. Otherwise, estimate the value of the course and record the offer in the Gifts and Entertainment register, seeking your line leader's approval to attend. If you are approved to attend, book and pay for any travel expenses following our business travel expense guidelines.

Our Code Hypothetical Scenarios continued

3. Work with integrity

Value supplier relationships

Q: I'm sourcing workwear for our people from a reputable supplier but I'm aware they source their products from manufacturers in developing nations. We have asked for details about their manufacturing conditions in order to ensure we are complying with our **Supply Global Standard** as well as any applicable labour rights legislation. The supplier has refused to provide these details. Can I still source the workwear from them?

A: It is important for all our suppliers to comply with our **Supply Global Standard**. If the supplier refuses to comply, we cannot do business with them unless an exemption has been granted for valid reasons. Consult with Procurement and our Compliance team to review the facts and align on a course of action.

Q: Our operation has engaged a consultant to assist with some environmental permits and approvals. My 2Up leader selected the consultant and works with them regularly. I've seen an invoice from the consultant which includes an amount for 'miscellaneous' and an item described as a 'special fee'. Our operation is expecting a significant environmental approval shortly. I've spoken with my 2Up leader and he said that this was the wrong time to offend the consultant by asking questions. He said they are doing a great job and we should just leave them to it. What should I do?

A: Unexplained or suspicious items on invoices might suggest a supplier is making improper payments. Ignoring these red flags could result in a breach of anti-corruption laws and cause significant damage to our reputation. As you have already spoken with your 2Up leader, you should speak to our Compliance team or raise a misconduct concern via Integrity@BHP or the BHP Protected Disclosure Reporting Channel.

Avoid conflicts of interest

Q: My partner's consultancy specialises in an area that BHP needs advice. Can I recommend their business?

A: You can make the team aware of your partner's connection to the business, however, you should be completely transparent about your interest so Procurement's processes can be independently applied. Discuss the recommendation with your line leader, ensure the details are registered in the **Conflict of Interest register** and that a suitable plan to manage this potential conflict of interest is put in place.

Q: My regular contact from an important supplier has invited me to a music concert where their company has booked a hospitality room. They tell me they won't be there but offer me a second ticket to bring a friend or partner. Should I go to the concert?

A: You should check the tickets are of a modest and reasonable value. You may need to estimate the value based on equivalent ticket prices and consider if the invitation will include a reasonable degree of business relationship-building. If your contact is not attending and it is not clear who will be your host, you should decline the invitation. Your line leader should also be able to advise on the appropriateness of attending. Register the offer in the **Gifts and Entertainment register** and if intending to accept the offer, check the **Business Conduct Global Standard** standard for any pre-approval requirements.



Our Code Hypothetical Scenarios continued

3. Work with integrity

Manage competition law risks

Q: At a social gathering, a competitor complains to me about one of our vendors. He says his company will never use the vendor again and recommends we do the same. We have had a similar negative experience, so can we agree with the competitor's recommendation?

A: The competitor's recommendation raises a potential collective boycott issue and you should not agree with it. In engaging with competitors, avoid expressly or implicitly agreeing not to deal with a particular supplier or customer, regardless of whether you are having the discussion in a business, social or other context. In this scenario, the risk can be avoided by stating that BHP independently evaluates and takes decisions regarding its vendors. Alternatively, indicate that you do not wish to discuss the topic. If the competitor persists, you should walk away and report the incident via Integrity@BHP or the BHP Protected Disclosure Reporting Channel, your line leader, our Compliance team or Legal.

Q: BHP has agreed to participate in a study focused on sustainability in the mining and resources industry. The study is being led by a research institute, with other producers and customers also participating. As part of the study, BHP is requested to provide some production forecast data and current salary details for a proposed secondee to the project. Can I provide the information requested?

A: No. Speak to Compliance or Legal before responding. The study involves third parties who compete with BHP on the production of commodities and also for the

recruitment and retention of talent. The exchange of competitively sensitive information with a competitor, particularly forward-looking information such as production forecasts or current information on salaries and benefits, will breach competition laws in many countries. However, competition authorities recognise that the exchange of information can be beneficial and have pro-competitive effects when properly managed. If you are considering conducting or contributing to a study that involves competitively sensitive information, you must first speak to Compliance or Legal.

Respect trade control laws

Q: My team is looking to engage a new maritime freight provider to transport a spot cargo from different countries. The provider is not incorporated in a country affected by comprehensive trade sanctions, and neither the origin nor the destination country are sanctioned. Can I forego sanctions screening procedures in the circumstances?

A: No. Sanctions may be imposed against individuals, entities and vessels that are nationals of countries that are not affected by comprehensive (country/territory-wide) sanctions. Sanctions may also apply in a wide range of circumstances including in connection to the party ultimately using the cargo (the end user) or how the cargo is ultimately to be used (the end use). As a result, it is essential that BHP's sanctions screening procedures are always followed. In these particular circumstances, it is important to note that maritime freight service providers that have facilitated transactions with Iran and North Korea have been particular targets of sanctions.



Our Code Hypothetical Scenarios continued

3. Work with integrity



Q: I am working with a new supplier who wants to subcontract part of the work to another company. The supplier refuses to provide the name of the company or to tell me where it is located. Is this a problem?

A: It may be a trade controls red flag. We should know the identity of those providing goods and services to us, directly or indirectly, and should be able to confirm if they are sanctioned, organised under the laws of, or operating from a sanctioned jurisdiction or using sanctioned country goods or services in what they are providing. Try to obtain more information, follow required processes and consult with the Compliance team before proceeding.

Q: I am responding to a tender and have been asked to confirm we will not use any restricted list, blocked or boycotted parties in providing the goods or services. Can I confirm this?

A: You should promptly contact the Compliance team for guidance on how to address this provision. The request could be prohibited/penalised by anti-boycott laws and may be reportable to the United States government.

Q: I have been involved in the engineering design for a development project in Chile and am interested in purchasing drones from the United States to conduct testing at the site. I have also received a document from a French vendor for my signature confirming we will comply with export control requirements following receipt of a part. What do I need to do?

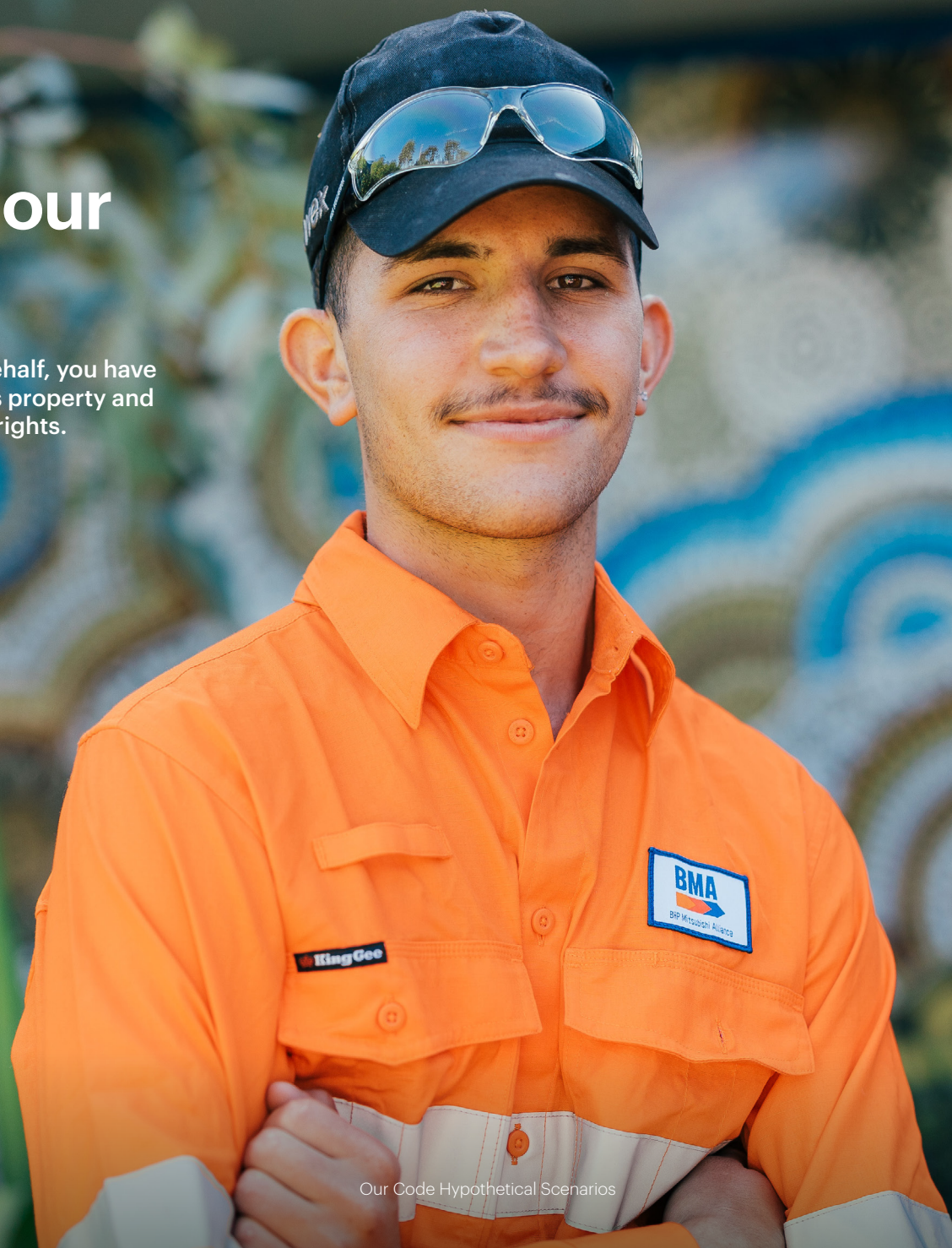
A: The United States' export controls regimes are broad and far reaching. It is necessary to determine the export classification of the drones to assess any licensing requirements and ongoing compliance obligations before agreeing to purchase the drones. Similarly, the French export control certification may commit BHP to significant ongoing obligations (including, potentially, restrictions on retransferring or re-exporting the items in question). You must understand the nature of documents that you sign at a vendor's request and how items you plan to move cross-border are classified for export. In both of these instances, you must always contact our Ethics and Compliance team to gain the necessary approvals and licences before proceeding.

Q: One of my colleagues has asked if I can share a technical manual related to a new automated piece of equipment with them. My colleague is in Chile and I am in Australia. I have a copy of the manual saved to my computer so can I email it to them directly?

A: It is possible that the manual contains technical information that may be controlled for export purposes. Prior to emailing it to a colleague in a different country, confirm the manual is not controlled for export to that country. This may be indicated by an export control legend or marking on the document. If you are unsure if or how the document is controlled, please consult the **Business Conduct Global Standard** standard for initial guidance on whether the item you intend to send via email could be subject to controls or contact the Compliance team before sending the information to your colleague.

4. Protect our company

If you work for us or on our behalf, you have an obligation to protect BHP's property and respect intellectual property rights.



Our Code Hypothetical Scenarios continued

4. Protect our company



Protect our assets

Q: My team has recently changed to a new performance monitoring application. No one uses the old system. Can I delete the data in the old system?

A: Historical data is an asset. The data retention and disposal schedule in the BHP Data Catalogue should be consulted before deleting data.

Q: While at work, a co-worker asked me to perform a minor repair on his personal vehicle so he could get home safely. Given it's a small job it won't take long to fix, and we're not busy today, is it okay if I use my work tools?

A: It is never ok to use BHP property, tools or equipment for personal use no matter how quick the job may be. Tools should only be used on BHP equipment and for work purposes. If you are concerned about the safety of your colleague's means of transport, please deal with that as you would any other safety concern but it is never ok to conduct repairs using BHP property.

Q: I work as an Administrative Assistant and sometimes my line leader asks me to perform work for his personal business during work time. I don't want to question my line leader or 2Up leader, or get anyone into trouble, but I also don't want to do anything wrong. What should I do?

A: You should not be asked to work on personal business matters or use BHP property, including Technology systems, for these purposes. BHP's assets, information systems and communication resources should only be used for BHP business purposes. You should talk to the Ethics and Investigations team, Legal or raise a misconduct concern via Integrity@BHP or the BHP Protected Disclosure Reporting Channel.

Our Code Hypothetical Scenarios continued

4. Protect our company

Safeguard our technology, systems and data

Q: A BHP colleague wants to avoid data roaming charges while travelling for business and has asked me to download an application that will allow us to communicate free of charge. What should I do?

A: BHP communications are subject to legal as well as regulatory requirements. You must use BHP approved applications to communicate and conduct company business. Your Technology representative can help you install approved applications. Check our Social Media policy for updates.

Q: Upon signing up to various social media and career networking websites, I am often asked to provide an email contact. It's more convenient for me to use my BHP email address. Should I submit this address?

A: Your BHP email address should never be used for personal purposes. Despite the convenience, this email address should only be used for work related tasks. As we have no control over other websites, there may be an unacceptable likelihood of your email address being stolen or leaked, risking your privacy and home life, and BHP's brand, technology, systems and data.

Protect our intellectual property

Q: I am planning to work from home over the weekend on an important document but don't want to carry my laptop home. Can I send the document to my personal email and then work on it from home on my personal computer?

A: BHP data or intellectual property should always be protected by storing or sharing or publishing using BHP approved locations and applications, including when working from home. Do not transfer, publish, share, remove or delete BHP data or intellectual property from those approved locations without authorisation from your line leader.

Q: When I leave BHP can I take any of my work with me?

A: As a general rule, any work you create that relates to our business or operations is owned by BHP and cannot be used outside of the company. There may be limited circumstances where BHP will permit you to use that work product, but only with prior written permission and after any BHP information has been removed. Discuss the matter with your line leader or 2Up leader prior to leaving BHP.



Q: An original equipment manufacturer (OEM) has been providing spare parts for some equipment at a high price. I have been dealing with a low-cost manufacturer and think they could make these parts at a much lower price. Can I give the low-cost manufacturer some examples and ask them to make these parts for us?

A: Engaging a third party to copy, make or supply these parts could involve risks such as infringement of copyright, patents or registered designs, or breaches of confidence or contractual obligations. While we should always seek to get parts at the best value price possible, we also need to respect any IP the OEM may have.



5. Protect and respect information

As a publicly listed company, we must comply with regulations about sharing information.

Our Code Hypothetical Scenarios continued

5. Protect and respect information

Communicate consistently and truthfully

Q: I saw a comment on Facebook about something taking place at my site that I know is not accurate. Can I correct the statement?

A: If you choose to contribute to the discussion, you should only mention information that has already been publicly shared. It's ok to talk about your workplace but take care not to reveal confidential information when you do. If you're not sure, speak with your line leader first.

Q: I took a great photo of my teammates onsite with our open cut mine in the background. They are in full PPE. Can I put this on Facebook?

A: Each site has its own rules around photography so check with your line leader on your site rules before taking any photos. You should also confirm with your team-mates whether they are ok for their photo to be taken, and for it to be posted on social media.

Respect personal information and privacy

Q: I suspect the payroll details of an employee may have been mistakenly shared with an incorrect recipient. Should I wait until they confirm they have received the data to report the potential breach?

A: No, you must immediately report all suspected and confirmed data breaches to your line leader and cybersecurity@bhp.com.

Q: I've recently changed my address and phone number but haven't informed anyone at BHP. Is this a problem?

A: We are required by law to keep your personal information accurate and up to date to ensure that you or your next of kin can be contacted in an emergency. It is your responsibility to inform us of any changes to your personal information as soon as possible. You can do this online (via the Digital Workspace) or by providing the information to your line leader or 2Up leader.

Q: I have been requested to create a report that involves payroll details of individuals at a site. What are the requirements I need to be aware of while storing and sharing this report?

A: You must ensure:

- only the minimum amount of data necessary for the report is collected and used
- the report is stored securely and proper access rights are administered to prevent unauthorised personnel from accessing the report
- the file is password protected or encrypted prior to being shared with others.

Q: While engaging with a potential candidate for an upcoming role, they discussed sensitive information regarding a pre-existing medical condition. Can I keep a detailed record of everything the candidate has shared with me?



A: No. You must first consider whether it is necessary for you to record all this information, as it may not be necessary for a legitimate BHP business purpose and the candidate may not have intended for BHP to have it on record. You must also consider whether the candidate has been made aware of BHP's Privacy Policy (which explains what types of information BHP collects and why), and has provided their consent to the collection of their sensitive information (including their health information).

Our Code Hypothetical Scenarios continued

5. Protect and respect information

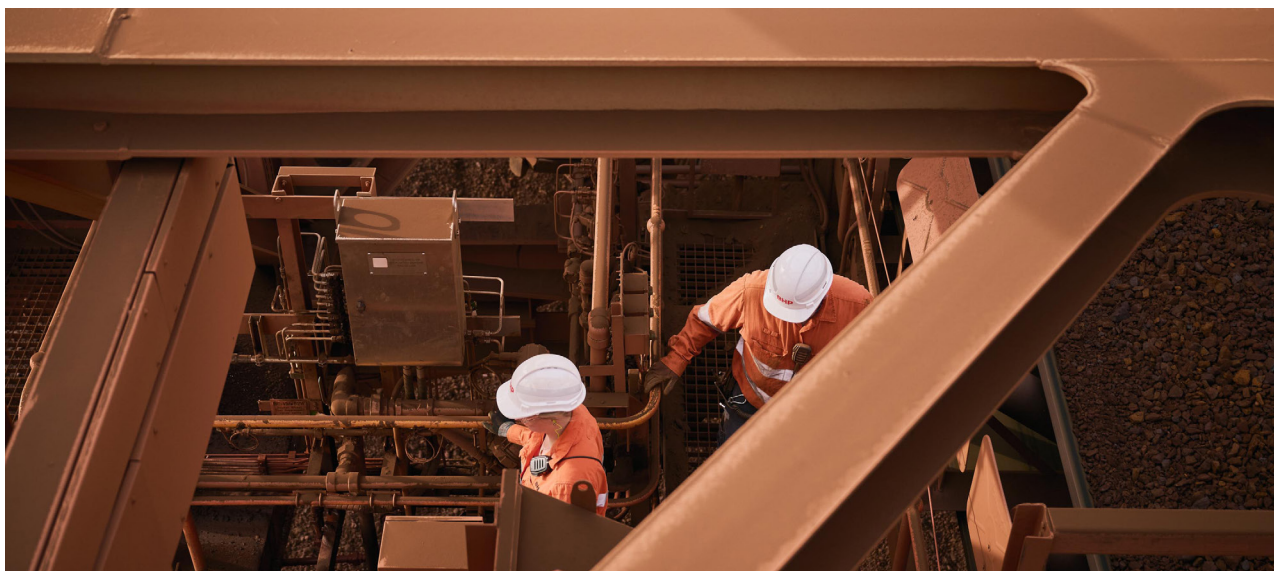
Report truthfully

Q: During my last shift my vehicle collided with another vehicle while going around a bend. We both reacted quickly, there was no damage to either vehicle and neither of us were hurt. Do we have to take time out from our jobs to fill out paperwork and report this as nothing happened?

A: We all have a duty of care to report all accidents and near misses. While in this instance no-one was injured, next time it could be more serious. It's important that all near misses are reported so they can be appropriately investigated and safety measures put in place to prevent a more serious outcome.

Q: During the last environmental monitoring round there were some unusual results. I noted that some individual samples exceeded the limits established by our operation. I think this might be a one-off. Do I have to fill out paperwork and report this at the next round of monitoring?

A: Yes. While in this instance there were only a few unusual results, it's important that reporting processes are followed to ensure that any potential issues are identified and can be appropriately investigated, any necessary measures put in place and the relevant individuals can determine if there is a need for external reporting.



Q: I am responsible for approving expense reports for my team. I have six direct reports and some months I don't have time to check to make sure receipts are attached but I trust my team. Do I need to review every receipt?

A: As a line leader you have an additional duty of care to be a positive and visible role model. Whenever you approve anything in the system — an expense report, service entry sheet, goods receipt or otherwise — always verify that the underlying transaction is appropriate. It is not undermining the trust you have in your team but a requirement that we have receipts

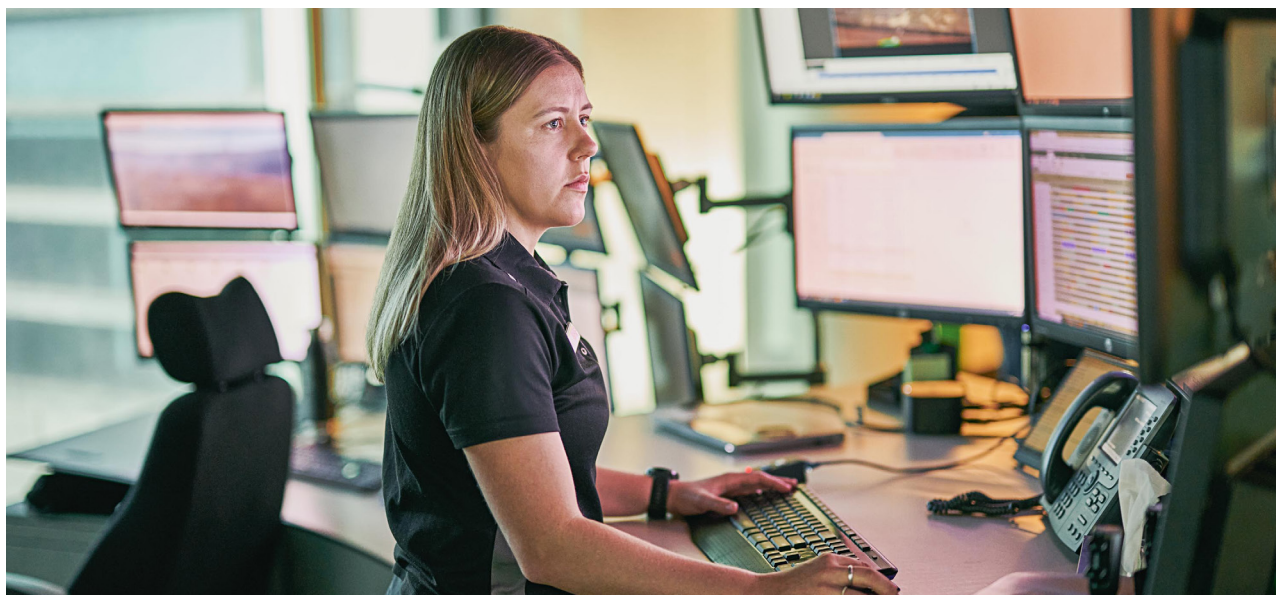
for all our expenses. Check the expenses incurred are work related and copies of all receipts have been attached.

Q: I have been asked to provide a written update on the progress of one of our team's key improvement initiatives. We are behind schedule but I know we will catch up in the next month or two. Do I need to specifically say we are behind schedule?

A: All reporting we do across the organisation should be factual and not give the impression that work has been completed when it has not, even if there is a strong belief the work will be completed soon.

Our Code Hypothetical Scenarios continued

5. Protect and respect information



Inside information and insider trading

Q: I am part of an Internal BHP Business Continuity Planning team and have just been informed that due to a significant mine site event, one of our main production assets is to be closed. This information has yet to be made public, but when it is, commodity prices are expected to rise. Can I use this information to trade commodity derivatives or purchase shares in a competing producer in the expectation their share price will rise?

A: This is likely to be inside information about BHP that is not available to the public at this time. As per the requirements of the **Securities Dealing Global Standard** standard, unless authorised to do so, you should not transact in physical commodities, commodity derivatives or securities of BHP or other companies whose price may be impacted once the information becomes publicly available. To do so, would be in breach of the **Securities Dealing Global Standard** standard or insider trading laws. Equally, if you tell your friends and they use this information to deal in BHP or another company's securities, your friends may also be liable for breaching insider trading laws.

Q: I am a maintenance technician and have heard from a friend in Head Office that our half-year results will be below market expectations. I have been thinking of selling some of my BHP shares to help fund a house renovation and it seems a good opportunity to sell before the half yearly results are announced. Is it ok to sell my shares?

A: This is likely to be inside information about BHP that is not available to the public at this time. As per the requirements of the **Securities Dealing Global Standard** standard, you should not transact in securities of BHP or other companies whose securities may be price impacted once the information becomes publicly available. To do so would be in breach of the **Securities Dealing Global Standard** standard or insider trading laws. Equally, if you tell your friends and they use this information to deal in BHP or another company's securities, your friends may also be guilty of breaching insider trading laws.

Q: I overheard my line leader talk about BHP potentially selling one of its big mine sites in another country. I haven't seen this on the news or heard anybody else talk about it at my site. Can I tell my friends who also work at BHP?

A: This is likely to be confidential information and may also be inside information about BHP that is not generally available to the public. If you tell your friends and they use this information to deal in BHP securities, you and your friends may be liable for breaching **Securities Dealing Global Standard** or insider trading laws.

Our Code Hypothetical Scenarios continued

5. Protect and respect information

Q: I was told I was on the Securities Dealing Restricted List and I can't remember if I received an email telling me that I am no longer on this list. I would like to sell some shares that I own. Should I check with someone before I sell my shares?

A: Check with Group Governance as if you are on the Securities Dealing Restricted List, you must seek clearance prior to selling your shares. You will not be given clearance to deal in BHP securities during a closed period. This is the period from the end of BHP's financial year to the publication of BHP's full year results announcement, and the end of BHP's half year to the publication of BHP's half year results.

If you are not on the Securities Dealing Restricted List, then you will not need clearance prior to selling your shares. However, the general prohibition on insider trading still applies, and if you have inside information, you must not deal in BHP shares until the information is public or no longer material.



