



Critical Minerals Association USA (CMA USA) Charter

Our Founding Principles

- 1) The CMA USA and its members will work proactively together to solve shared concerns and issues along critical mineral supply chains. The work carried out by the CMA USA will be for all of its members and not to the benefit of any single company to the exclusion of the membership as a whole.
- 2) Members should be linked to critical minerals (as defined by the CMA USA) and meet one or more of the following criteria:
 - NYSE listed with projects/ operations in USA
 - NYSE listed with projects/ operations overseas
 - Non-NYSE listed with projects/ operations in USA
 - Non-NYSE listed with projects/ operations overseas but based in USA with a predominantly US board of directors
 - Have a direct or indirect connection with the US
- 3) The CMA USA and its 'members' will act with the highest regard for their ethical, legal, and professional obligations and abide by all U.S. legislation ensuring ethical business practice and any laws or regulations relating to economic or financial sanctions, export controls, trade embargoes or restrictive measures from time to time imposed, administered or enforced, and will follow the CMA USA's Competition Compliance Principles, as set out below.
- 4) All members of the CMA USA will integrate ESG practices into their operations and ensure, where possible, ESG compliance throughout their supply chains. Companies will adhere to best practice international ESG standards applicable to the critical minerals sector (e.g. TSM, ICMM).
- 5) All members of the CMA USA will demonstrate, through their internal and external actions, respect for human rights.
- 6) All members of the CMA USA will demonstrate, through their internal and external actions, positive local community and stakeholder outreach. The CMA USA believes that engagement with society and industry stakeholders is key to changing perception of the industry.
- 7) All members of the CMA USA will demonstrate, through their internal and external actions, respect for the natural environment.
- 8) All members of the CMA USA will implement demonstratable risk management and health and safety systems.

Our Competition Compliance Principles - What information can be shared between members

There are many positive aspects to trade associations such as the CMA USA, and information that can be shared between members can include:

- Non-confidential information that is in the public domain.
- Technical industry issues including standards and health and safety matters.
- Non-strategic technical or scientific data that results in consumer benefits.
- Industry public relations or lobbying initiatives; provided competitively sensitive information is not shared in the process, and advice has been taken if initiatives may exclude market operators.
- Industry standards that increase product interoperability, compatibility or safety, provided advice has been taken on the development, transparency, accessibility and potential competitive impact of these standards.
- Related trade association specific data or information that is in the public domain, including for example information published by other international critical minerals associations, TSM or ICMM.

Information shared by members in the CMA USA is done so at the members' own discretion.

The CMA USA deems that it is members responsibility to ensure that private/ confidential information is not disclosed in the CMA USA's open forum.

Our Competition Compliance Principles - What information cannot be shared between members

There are certain areas of sensitive commercial information that should never be discussed between our members during CMA USA activities, either formally or informally, intentionally or inadvertently, directly or indirectly through a third party. These include:

- Current or future pricing, or matters affecting prices.
- Company-specific sales information.
- Company-specific cost information.
- Salaries and wages, hiring practices or limitations on hiring a competitor's employees.
- Commercial planning or strategy information including geographic growth and business expansion or contraction plans.
- Key contract terms, such as any matters relating to specific suppliers and customers that are significant to core drivers of market competition, such as key contract.

Our Competition Compliance Principles – prohibited practices

CMA USA members shall never reach any agreement or understanding (including tacitly) with any other member on the following:

- Prices that either company will announce or charge their customers.
- The timing or method of price increases.

- Terms of sale or delivery that either company will offer customers.
- Allocating product or geographic markets in which either company will sell or not sell.
- Allocating customers to which either company will sell or not sell.
- Bids to any customers, including whether to bid or not to bid.
- Production, capacity, or sales volumes.
- Soliciting each other's employees or employee salaries and benefits.

These types of agreements (cartel agreements) are automatically illegal. There can be no justification; the agreement itself is unlawful and will not be permitted, authorised or condoned by the CMA USA in any circumstances.

Inquiries

Any questions relating to this statement, or its contents, should be directed to Jeff Townsend.

Any suspected breach of this statement should be reported to Jeff Townsend.