



Development Bank of Namibia

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DBN PS4-OCCUPATIONAL HEALTH & SAFETY, PUBLIC HEALTH & SECURITY STANDARD

Contents

a) Version Control.....	2
1. DEFINITIONS, TERMS & ABBREVIATIONS	3
2. BACKGROUND	4
3. SCOPE	5
4. INTENT	5
5. PLANNING	6
6. IMPLEMENTATION AND OPERATION.....	7
7. PERFORMANCE MANAGEMENT	13
8. REVIEW	14
9. GENERAL REFERENCES FOR STANDARD METHODS.....	14
10. BOARD APPROVAL OF STANDARD	15

a) Version Control

The table below serves to track the key revisions made to this document for change control purposes.

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08/02/2016	0.01	Initial Draft for first review	Manager: Environment & Social Development
24/04/2016	0.02	Initial Review	Head: Risk and Compliance –John Jacobs
23/05/2016	0.03	2 nd Review	Risk and Compliance Committee
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07/11/2016	1.00	DBN Board Approval	Chairperson: DBN Board of Directors
10/01/2019	2.00	Change logo on first page	Manager: Environment & Social Development

1. DEFINITIONS, TERMS & ABBREVIATIONS

CONTRACTOR	Contractors refer to companies that undertake a contract with the promoter to provide materials or labour to perform a service or do a job.
DBN	Development Bank of Namibia
ESMS	Environmental, and Social Management System
ESMP	Environmental and Social Management Plan
EMERGENCY PREPAREDNESS PLAN	An <i>Emergency Preparedness Plan</i> describes the procedures and practices to allow for quick and efficient responses to accidents that could result in human injury or damage to the environment. It is necessary when hazard risks have been identified. The plan usually covers the procedures to alert emergency agencies, workers and the public about an accident; the emergency response actions to be carried out; the measures regarding the use, inspection, test, and maintenance of the emergency response equipment; the training and communication requirements to ensure that employees and contractors can implement the plan and are duly informed about any update or revision in the procedures.
PROMOTER	The legally authorised and registered entity that obtained or is applying for funding from DBN to implement a project
HAZARD ASSESSMENT	<i>Hazard Assessment</i> establishes the risk as a result of the transport, operation or decommissioning related activities of a project. The assessment requires the analysis of the types and amounts of hazardous materials, the potential spill and release scenarios and potential uncontrolled reactions such as explosions or fires. The analysis takes into consideration the location and characteristics of the project site including distance to settlements, water resources or environmentally sensitive areas. <i>HAZID</i> (Hazard Identification Study) and <i>HAZOP</i> (Hazard and Operability Study) are internationally-accepted methodologies to perform specialised hazard assessments.
ILO	International Labour Organisation
INFLUX MANAGEMENT PLAN	An <i>Influx Management Plan</i> is developed when project-induced migration risks are judged to be significant. The Plan should identify and assess the potential environmental and social impacts, as well as health risks within the project and its broader area of influence; propose appropriate interventions; and provide recommendations for project design and management. It should identify the stakeholders involved (defining their capacities and responsibilities); establish the monitoring, evaluation and reporting requirements; define the stakeholder engagement and public consultation and communication actions to be undertaken; and present a budget.
LABOUR PRACTICES	Refers to fair, safe and healthy working conditions.
MINOR	A minor is a person under the age of 18, who may be legally entitled to work in compliance with the standards of the ILO Convention 138 on minimum age for employment.

NGO	Non-Governmental Organizations
OCCUPATIONAL HEALTH AND SAFETY MEASURES	<i>Occupational health and safety measures</i> refer to the activities aimed at protecting workers against work-related sickness, disease and injury or even death associated with exposure to hazards encountered during the course of their work and/or dangerous environmental factors at the work place.
PUBLIC HEALTH AND SAFETY MEASURES	<i>Public health and safety measures</i> refer to the activities aimed at protecting the public against project related environmental and health risks, whether for example by exposure to hazards and toxic substances, environmental (incl. air) pollution and elevated noise levels.
SUPPLIER	The supplier is a company, whether large, global enterprise or a small or medium-sized business based in one region or locale, which sells goods (including raw materials, semi-finished, component, and intermediary products) or provides services to a promoter. Suppliers that sell directly to a promoter are known as first-tier or direct suppliers.
Worker	Refers not just to formal employees of a company but also to contract labour, migrant workers, seasonal workers, and day labourers.

2. BACKGROUND

The International Finance Corporation (IFC) Performance Standards are an international benchmark for identifying and managing environmental and social risk and has been adopted by many organizations as a key component of their environmental and social risk management.

IFC's Environmental, Health, and Safety (EHS) Guidelines provide technical guidelines with general and industry-specific examples of good international industry practice to meet IFC's Performance Standards.

In many countries, the scope and intent of the IFC Performance Standards is addressed or partially addressed in the country's environmental and social regulatory framework.

Projects often bring employment, economic growth and social improvement opportunities to both workers and communities. Benefits can also result from access to health, education or social protection.

Project activities, however, can also increase exposure to hazards, risks and negative impacts in terms of public health and safety. These may arise through or be amplified by project-related occurrences such as increased environmental pollution, elevated noise levels the spread of communicable diseases or disproportionate use of violence by private or public security forces. Considerations should also be given to occupational health and safety issues arising in the context of projects.

This document lays down standards to protect and secure public and occupational health, safety and security and promote dignity of workers and citizens affected by promoters operations. DBN expects promoters to duly plan for, undertake, and monitor the adherence to these standards throughout the

project life cycle while accounting also for first-tier suppliers and primary contractors as well as to the requirements of the Labour Act 11 of 2007 and Government Notice No 156 Labour Act 1992 Regulations relating to the health and safety of employees at work.

The promoter is expected to take all necessary measures to ensure that such third parties observe and comply with these standards, duly reflecting them in procurement documents, contracts and monitoring arrangements. These measures should be understood within the wider context of developing fair, humane and sustainable business practices to respect human rights.

The Standard generally addresses what must be done but does not specify how each clause should be implemented. In assessing a projects compliance with the Standard, reviewers should expect general conformance to this Standard unless the project can demonstrate that it meets the intent of the Standard by an alternative approach.

3. SCOPE

This standard applies to the DBN as well as all sectors of activity, both public and private of its clients. In the light of the nature of the activities and size of the projects, the extent of applicability of the requirements described in this Standard will be flagged in discussions between the promoter and the DBN as early as possible, to be further explored during the assessment process.

Based upon international best practice and the DBN's recommendations, the promoter will agree with the DBN on

- (i) the level of comprehensiveness of the assessment of the health, safety and security risks and
- (ii) how occupational and public health and safety requirements will be best addressed and managed as part of the promoter's overall environmental and social management plan (ESMP). The ESMP should be supported by internationally recognised environmental, health, safety and quality management systems (ISO 14001:2015, ISO18001 and ISO 9001).
- (iii) The effort devoted to planning and managing environment health and safety should be in proportion to the risks and complexity associated with the project.

Failure to comply with the implementation of this standard requirement will be treated as an Event of Default. A no Event of Default will occur if the failure to comply is capable of remedy and is remedied within timeframes as stipulated in the DBN Term Loan Facility Agreement with the promoter.

4. INTENT

The standards set out herein seek to protect and support the fundamental rights of workers at DBN and in DBN financed operations. All operations financed by the DBN, are subject to these standards throughout their entire project lifecycle (Agreement, Construction, Commissioning, Operation and Closure) and while the DBN has a commitment via the loan.

The DBN stresses the employers' duty of care towards project workers and society, in safeguarding occupational and public health, safety and wellbeing within the area of influence of their operations and at associated facilities.

Specific objectives under this Standard amount to the following:

- Promote and protect the health and safety of employees at work throughout the project life cycle by ensuring safe, healthy, hygienic and secure working and accommodation conditions and,
- effectively, a working environment that respects and safeguards the right to privacy, and when appropriate, to the enjoyment of the highest attainable standard of physical and mental health of workers and their families(e.g. in workers accommodation);
- Ensure that promoter's/customer's duly anticipate, avoid or minimise, and effectively mitigate risks and adverse impacts to the health and safety of host communities within the project's determined area of influence (including all associated facilities) as well as end users, during both construction and operation phases;
- Help promote public health and safety across the project's area of influence by inter alia supporting and promoting programmes which aim at preventing the spread of major communicable diseases;
- Ensure the provision of private or public security to protect the project's workers and assets consistent with international human rights standards and principles; and,
- Ensure effective access to grievance mechanism and recourse to remedy for all project workers and members of the public in cases of violations of their rights falling within the scope of the present Standard.

5. PLANNING

- 5.1. The promoter shall ensure that health and safety risks falling under this domain are duly identified and adequately mitigated, supported by satisfactory occupational and public health and safety management plans and systems in place, based on best international practice, and tailored to the sector and/or industry in question.
- 5.2. Whilst recognising the difficult challenges associated with enforcing these standards along supply chains, the DBN nonetheless expects promoters/customer to demonstrate satisfactory practices in this respect by appropriate due diligence in the selection of the contractors and suppliers.
- 5.3. All security management arrangements introduced and delivered either by public law and order/security forces or private service providers will be expected to comply with the Article 115 of the Constitution of the Republic of Namibia, Police Act 19 of 1990, General Notice 296/2004 ¹(GG 3335) and Entries No. 1 and 2 of List in the Seventh Schedule to the Constitution of Namibia. The maintaining of safety and security of assets and persons on a

¹ Regulations for the Windhoek Municipal Police Service

DBN financed operation must be within a framework that ensures respect for human rights and fundamental freedoms.

- 5.4. All projects will be designed and will operated in compliance with the applicable legislation on occupational and public health and safety (Affirmative Action (Employment) Act 29 of 1998 and regulations, The Labour Act No 11 of 2007 and its regulations relating to the Health, Safety and Welfare of employees at work, as well as with relevant international standards ISO18001, ISO14001, ISO9001 and best practice. In addition, the promoter will adhere to international good practice and to any obligations and standards to which the Namibia is party to.
- 5.5. Accordingly, the promoter will identify and evaluate occupational and public health and safety risks and potential adverse impacts arising directly or indirectly from the project as early as possible, on a continuous basis throughout the entire project life cycle and along its supply chain.

6. IMPLEMENTATION AND OPERATION

- 6.1. The promoter will promptly develop and implement appropriate and adequate measures aiming at avoiding or preventing, or as a last resort, minimising or reducing, the identified risks and potential adverse impacts.
- 6.2. The promoter shall document robust justification for choosing to minimise or reduce impacts rather than avoiding or preventing them.
- 6.3. In so doing, the promoter will be guided by the precautionary principle, the principles that preventive action should be taken and that any impact should as a priority be effectively remedied at its source even if scientific data are insufficient, inconclusive or uncertain.
- 6.4. The adopted measures will be commensurate with the nature and magnitude of the identified risks and impacts and will be applied without discrimination, taking into account differences in risk exposure and the higher sensitivity of the most socially and economically vulnerable and marginalised groups, especially female-headed households, low-income households, children, the elderly, minorities and indigenous people.
- 6.5. The promoter is encouraged to maintain and/or introduce more stringent protective measures for safeguarding the rights and well-being of workers and the public likely to be affected by the project, thereby extending beyond and above the scope of this Standard.
- 6.6. The promoter will also be expected to undertake additional studies, capacity building activities and/or put in place reasonable and appropriate measures to strengthen public health and safety measures where the DBN so requires.

- 6.7. To this end, appropriate resources for the implementation, monitoring and reporting of public health and safety measures and requirements will be planned for and budgeted by the promoter.
- 6.8. Similarly, access to grievance and remedy should be ensured both for the workers and the public.
- 6.9. The promoter will provide the DBN with adequate documentation in relation to the health and safety management systems to be put in place. The latter shall include appropriate provisions for monitoring and reporting.
- 6.10. When deemed necessary, or upon request of the DBN, the promoter may need to undertake corrective measures which should be properly documented and reported to the DBN.
- 6.11. In line with the freedom of expression and information and the right of the public to information and consultation, the promoter will ensure that the affected stakeholders within the project's area of influence are properly identified, consulted and informed of their rights in terms of health, safety and security.
- 6.12. The promoter will further ensure that they can freely convene and express their views on project risks, impacts and the proposed health and safety management plans.
- 6.13. This consultation shall take place as part of the assessment (e.g. as part of the EIA/ESIA process when applicable) and subsequently during the project life of the project when judged necessary and detailed in the management plans. Therein, due attention should be paid to reaching out to vulnerable groups in the local population.
- 6.14. The promoter will develop and implement the necessary health and safety management plans, including emergency prevention, preparedness and response and disease prevention and containment plans, for promptly and effectively addressing any health and safety risks and potential adverse impacts arising throughout the project life cycle.
- 6.15. Where the operation financed is likely to involve significant numbers of labourers arriving on site from beyond the local context, the promoter shall develop and implement an Influx Management Plan.
- 6.16. The promoter will ensure that all aforementioned requirements are duly inscribed in the procurement and contracting documents of first-tier suppliers and primary contractors in the operation, governing the latter's practice and delivery of services accordingly.

- 6.17. All health and safety management plans will form an integral part of the Project's overall environmental and social management plan (ESMP) which should be regularly reviewed and updated as required.
- 6.18. Implementation of the ESMP should rest on a well-defined and robustly established environmental and social management system (ESMS), informed by internationally recognised (ISO14001:2015 and ISO18001) and DBN standards and practices and governing the promoter's/customer's own and out-sourced/supplied activities.
- 6.19. In demonstrating that adequate and appropriate resources and expertise of the ESMS are introduced for the supervision of the implementation of all health and safety management plans, the monitoring of the effectiveness of mitigated risks and remedies, as well as the identification of any new risks and impacts as they arise throughout the project, the promoter should establish a unit or team assigned with the above tasks. The unit should have the expertise required to set up, implement and monitor an ESMS.
- 6.20. The unit or team in charge of the implementation and monitoring of the health and safety management plans should also report and record any accidents, incidents and/or breach of relevant legislation arising from the project.
- 6.21. A qualified officer, designated to handle health and safety issues, will consult with aggrieved or affected citizens and/or community groups as appropriate and ensure that the recording of accidents and incidents is done in a non-discriminatory manner.
- 6.22. The promoter will grant project workers and members of the communities within the project's area of influence (as well as any other person potentially affected by project related activities) free and easy access to an independent and effective grievance mechanism. The mechanism shall address their health and safety concerns in a timely and effective manner and shall not impede access to other redress mechanisms, such as judicial, administrative or extrajudicial means of complaint.
- 6.23. The promoter will duly inform workers and community members of the existence of the grievance mechanism.
- 6.24. The promoter will ensure a healthy, safe and hygienic working environment, which respects human dignity, complies with general hygiene norms, and takes into account and ensures the physical and mental integrity of workers.
- 6.25. To this end and when necessary, the promoter will carry out a HAZID (Hazard Identification Study) and/or HAZOP (Hazard and Operability Study).

- 6.26. In view of the results of such studies, the promoter will take the appropriate measures to respect the rights of workers and protect workers from injury, illness or death associated with exposure to hazards encountered in the workplace or arising from project activities.
- 6.27. The proposed measures will consider sector-specific hazards and will take into account any significant change to the risk, to collective means of protection and to personal protective equipment brought about by technological developments.
- 6.28. The promoter will avoid the use of materials known to be dangerous or particularly hazardous for human health and safety as well as the environment.
- 6.29. In case the hazards are inherent to project activity or not feasible to completely eliminate, the promoter will duly identify them through a relevant risk analysis and, accordingly, take protective measures and provide adequate personal protective equipment at no cost to the workers.
- 6.30. The promoter will take all necessary actions to ensure that workers and/or their representatives are made aware of all risks associated with their work and all protective measures are to be taken with regard to their health and safety.
- 6.31. The promoter will provide project workers with adequate, timely and regularly updated training and information material on health and safety issues and procedures. The promoter will not request unqualified workers to operate equipment that may require safety training.
- 6.32. The promoter will, if appropriate, organize demonstrations in the wearing of personal protective equipment. Personal protective equipment must be used in accordance with instructions and only for the purposes specified, except in specific and exceptional circumstances. Such instructions must be understandable to all workers.
- 6.33. The promoter will ensure that all project workers have access to adequate, safe and hygienic basic facilities, if living on-site and that qualified first-aid can be provided at all times.
- 6.34. The promoter shall provide basic services including water, sanitation, and, in certain cases when the scale or the nature of the activity being carried out so requires, availability of medical care, based on the principles of non-discrimination and equal opportunity, and will organise awareness-raising sessions on health and safety as required.
- 6.35. Workers' accommodation quarters must meet minimum size and hygiene standards (including adequate ventilation; water supply for drinking, cooking, bathing, and laundry purposes; toilet facilities; sewage and waste disposal facilities) and respect basic living needs.

- 6.36. Access to cooking/meal facilities should also be provided. When the promoter is responsible for providing the food, it shall ensure that food handling facilities comply with food hygiene regulations.
- 6.37. Policies on the quality and management of the labour camps (including accommodation, sanitary facilities, kitchens and dining halls) will be put in place and implemented.
- 6.38. Risks to public health and safety are normally expected to be identified at ESIA stage. Risks should be identified and their management integrated with other components of environmental and social assessment, so as to support a holistic and comprehensive approach to risk management.
- 6.39. Influencing project factors to be assessed in such an undertaking, although not exhaustive, include: the location and type of the project; relevant national legislation and company's internal standards and practices; the track record of contractors; the number of people impacted and their vulnerability profile; the timescale of the impact; legacy issues; availability of local expertise.
- 6.40. Potential negative impacts affecting the public may be triggered by the following:
- Release of and exposure to hazardous materials or chemicals (e.g. seepage into ground water, contamination of surface water supplies);
 - Waste disposal (e.g. unsanitary landfills);
 - Construction activity impacts, such as increased noise, dust and/or light levels throughout the day and for extended periods;
 - Transportation-induced changes (e.g. changes in nature and volume of traffic provoking increase in levels of noise, dust and respiratory problems, environmental pollution, changes in nature, speeds and volumes of traffic and road accidents, etc.)
 - When new building and structures will be accessed by members of the public, the promoter will consider incremental risks of the public's potential exposure to operational accidents and/or natural hazards and ensure consistency with the principle of universal access;
 - Changes in population composition through, for example, in-migration of labour force, opportunity seekers or sex workers, in turn provoking pressure on health systems and infrastructure,
 - exposure to sexually transmitted/communicable diseases, pressure on existing natural resources, increased vulnerability of local populations;
 - Resource use related impacts (e.g. through modification of water courses, changes from earth movements);
 - Structural components impacts (e.g. from failure of structures such as dams, faulty design, disruption of existing access);

- 6.41. In the event that hazardous materials and substances are part of existing project infrastructure or components, the promoter will take special care that these are transported, made operational and decommissioned in accordance with good international industry practice, in a way that avoids or minimises public exposure within the limits of governing national law and international good practice.
- 6.42. Where there is a risk to public health and safety arising from the exposure to hazardous materials and substances, especially those that are life-threatening or known to cause serious hazards to human health and/or the environment, the promoter will take due care to identify, eliminate and substitute such hazardous materials and substances accordingly. An emergency preparedness plan is required accordingly.
- 6.43. To the extent possible, the promoter will take the necessary measures to avoid, mitigate and manage the risks and potential adverse impacts on public health and safety arising from the influx of project workers. Such risks and impacts may be associated with changes in population composition, intangible cultural heritage, health implications and exposure to communicable diseases and the increased vulnerability of communities in the area of influence of the project due to increased pressure on already scarce natural resources.
- 6.44. The promoter will especially endeavour to protect women and girls from sexual violence and harassment; and avoid and contain the spread of communicable diseases associated with immigration, especially sexually transmitted diseases (including HIV/AIDS), Tuberculosis and Malaria.
- 6.45. To these ends, the promoter shall organise training and awareness programmes, and ensure that codes of conduct (for workers and people living in labour camps if any) are implemented. The promoter will further find alternative means for remedying significant stress on natural resources caused by the increased population numbers. When relevant, the promoter shall develop an influx management plan.
- 6.46. The promoter will support initiatives promoting public health, safety and security and aiming to reduce the spread of communicable diseases, especially HIV/AIDS, Tuberculosis and Malaria, where an increased incidence of the above is linked to project activities.
- 6.47. In essence, the promoter will collaborate with public authorities and other stakeholders (such as NGOs) and build upon existing measures to implement public programmes and policies that will raise the public's awareness and understanding of communicable and preventable diseases and will effectively counter their spread. Such existing measures could build upon relevant national programmes, include community awareness programmes and support mechanisms, and account for any long-term human resource implications (e.g. time lost, skills shortages, training needs).

- 6.48. In the course of ensuring that operation assets and personnel are secured and safeguarded in a legitimate manner, the promoter should also assess the risks and impacts upon workers, local society and communities in and surrounding the project area of influence resulting from the use of arrangements provided by security personnel, whether privately outsourced or publicly provided. Such security arrangements shall be defined in the ESMP; although a full standing security management plan may be requested by the DBN when deemed necessary.
- 6.49. The promoter is expected to be guided by the principle of proportionality and legitimate use of force, applicable law and good international practice when hiring, training, equipping and monitoring security personnel as well as when setting the rules for their conduct. Specifically, the DBN expects that observance of the above-mentioned codes of conduct and principles shall be the basis for the development and observance of relevant codes of conduct for security forces and all other security management arrangements on site.
- 6.50. As such, the promoter should ensure that security personnel are fully informed of the rules of conduct applicable to them and should seek public disclosure of security arrangements. To these ends, the promoter should ideally incorporate these requirements in the contracts and other agreements to be signed with the security providers.

7. PERFORMANCE MANAGEMENT

- 7.1. In consultation and collaboration with workers and management the promoter, should coordinate activities to ensure compliance of the following four basic functions:
- monitoring of the work environment;
 - surveillance of employees' and communities health;
 - advisory services and communication (providing information, education, training, and counselling on occupational health and safety to management and employees); and health care, such as first aid, collaboration with health authorities.
- 7.2. The promoter should maintain registries of work-related accidents and of serious harm to health. Registries should record all accidents that cause injury (or could have caused injury, such as exposure near misses, lost time injuries, restricted work days etc).
- 7.3. Registries and reporting should cover the following persons:
- any employee at the workplace,
 - any person at the workplace who is under the employer's control.
- 7.4. The promoter should also investigate, jointly with employees, every accident, injury, or risk of injury to determine whether it was caused by a significant hazard and propose changes to prevent the recurrence of another incident.

- 7.5. The promoter should immediately report all serious injury to an employee during his or her work to the appropriate Ministry of Labour –Labour Commissioners Office, Ministry of Health and Social Services and Social Security Commission.

8. REVIEW

The principles contained in this standard will be reviewed on an annual basis to facilitate improvement.

9. GENERAL REFERENCES FOR STANDARD METHODS

- Labour Act 11 of 2007 and;
- Government Notice No 156 Labour Act 1992 Regulations relating to the health and safety of employees at work.
- ISO14001:2015, ISO18001, ISO9001
- DBN Health and Safety Policy
- Performance Standard 4, Community Health, Safety, and Security, IFC, January 1, 2012
- African Development Bank Group Integrated Safeguards System (ISS) - Approved 17 Dec 2013
- The World Bank Group Environmental, Health and Safety Guidelines (EHS Guidelines)
- ILO Declaration on Fundamental Principles and Rights at Work
- European Investment Bank (EIB) Environmental and Social Handbook, Environment, Climate and Social Office Projects Directorate, Version 9.0 of 02/12/2013
- DBSA Environmental and Social Safeguard Standards_ESSS_13 May 2014

10. BOARD APPROVAL OF STANDARD



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EXTRACT OF THE UNAPPROVED ORDINARY BOARD MINUTES OF THE BOARD OF DIRECTORS' MEETING HELD ON 7 NOVEMBER 2016 AT 12 DANIEL MUNAMAVA STREET, WINDHOEK, NAMIBIA

"7. RISK, COMPLIANCE AND POLICIES

7.1 The Board reviewed and approved without any amendments thereto the following environmental standards,

- 7.1.1 Environmental and Social Management System Standard
- 7.1.2 Occupational Health and Safety, Public Health and Security Standard
- 7.1.3 Rights and Interests of Indigenous People Standard
- 7.1.4 Stakeholder Engagement Standard
- 7.1.5 Labour and Working Conditions Standard
- 7.1.6 Land Acquisition and Involuntary Resettlement Standard
- 7.1.7 Cultural Heritage Standard
- 7.1.8 Emergency Prevention, Preparedness and Response Standard
- 7.1.9 Pollution Prevention and Control Standard
- 7.1.10 Biodiversity and Ecosystems Standard
- 7.1.11 Greenhouse Gas Emissions and Climate Change Standard

A handwritten signature in black ink, appearing to read 'R Brusa', enclosed within an oval-shaped stamp.

Company Secretary

R Brusa

14 December 2016