Modern Slavery Statement 2022

WHITEHAVEN

Whitehaven Coal Limited ('Whitehaven' or the 'Company') is a for-profit entity, and the principal activity of Whitehaven and its controlled entities (referred to as the 'Group') is the development and operation of coal mines in New South Wales and Queensland. Whitehaven is a company limited by shares incorporated and domiciled in Australia whose shares are publicly traded on the Australian Securities Exchange.

This Joint Modern Slavery Statement 2022 (Statement) is made on behalf of Whitehaven Coal Limited (ABN 68 124 425 396) and its reporting entities under the Australian Modern Slavery Act 2018 (Modern Slavery Act) for the financial year ended 30 June 2022 (FY22). The following entities also meet the reporting test set out in the Modern Slavery Act: Whitehaven Coal Mining Ltd, Narrabri Coal Pty Ltd, and Aston Coal 2 Pty Ltd.

In this Statement, unless expressly mentioned otherwise, references to Whitehaven, the Group, the Company, we, us and our, refer to Whitehaven Coal Limited, its subsidiaries and its controlled entities and Whitehaven Coal Limited operated joint operations as a whole as outlined on pages 94 and 95 of our Annual Report 2022. The registered office for all controlled entities is Level 28, 259 George Street, Sydney NSW 2000.



Chairman's introduction

As a proudly Australian company, Whitehaven's purpose is to support and sustain regional communities by exporting high-quality coal from Australia to the world, underpinned by our STRIVE values. Respecting human rights is integral to being able to deliver value for our stakeholders.

Modern slavery describes situations where offenders use coercion, threats or deception to exploit victims and undermine their freedom.

We acknowledge our role in supporting socially responsible operational, supply chain and community engagement practices. We support the objectives of the Modern Slavery Act to provide transparency on and manage risks throughout supply chains.

This Statement outlines our approach and progress to identifying and addressing modern slavery risks in our operations and supply chain as well as the associated governance structures and our plans for the future.

This Statement is our third under the Modern Slavery Act and is for the reporting period 1 July 2021 to 30 June 2022.

The primary areas of focus during FY22 included risk assessment processes we conducted with our direct suppliers, a review of our policy framework underpinning our approach to modern slavery risk, and training conducted to ensure relevant teams are equipped to engage constructively with our suppliers on modern slavery due diligence. We will also articulate our future steps for continuous improvement in FY23.

We welcome feedback on how we can continue to improve our approach in this area; feedback can be sent to sustainability@whitehavencoal.com.au



The Hon. Mark Vaile, AO
Chairman

"We acknowledge our role in supporting socially responsible operational, supply chain and community engagement practices."



This Statement is made pursuant to the Modern Slavery Act and was approved by the Whitehaven Board as the parent entity on 30 November 2022 in their capacity as principal governing body of Whitehaven, and was signed by The Hon. Mark Vaile in his role as Chairman.

Our business

Whitehaven is proud to be the leading Australian producer of premium-quality coal.

We are the dominant player in Australia's only emerging high-quality coal basin. We help power developed and emerging economies in Asia where there is strong demand for our product, particularly for use in high-efficiency, low-emissions coal-fired power stations.

Our purpose as a company is to support and sustain regional communities by exporting high-quality thermal and metallurgical coal from Australia to the world. North West NSW is the focus of our capital investment and workforce presence.

Over our more than 20-year history, including 15 years as a publicly listed entity on the Australian Securities Exchange, we have developed a reputation for excellence in project delivery, safe operation, and targeted investment in the local economy and community.

Whitehaven is governed[1] by a Board of Directors. The Board is responsible for ensuring Whitehaven has an appropriate corporate governance structure and that the Company continues to grow and develop for the advancement of the mining sector and in line with its Constitution.

Our operations

We operate four mines (three open-cut and one large underground mine) and a Coal Handling and Preparation Plant (CHPP) in the Gunnedah Coal Basin of NSW. Our operating assets are complemented by two high-quality, near-term development projects, the Vickery Extension Project near Gunnedah, and the Winchester South Project in Queensland's Bowen Basin.

Of our ~2,500 workforce, approximately 75% are based in the local communities around our mine sites in North West NSW. We believe in helping communities grow, ensuring benefits flowing from our operations are seen and felt locally.

Beyond our operations and office in Gunnedah, NSW, we also have offices in Newcastle, Sydney, Brisbane, and in Tokyo, Japan.



[1] Section 4 of the Act defines a principal governing body as: (a) the body, or group of members of the entity, with primary responsibility for the governance of the entity; or (b) if the entity is of a kind prescribed by rules made for the purposes of this paragraph–a prescribed body within the entity, or a prescribed member or members of the entity.

Our supply chain

In FY22, we spent more than $2.1 billion with more than 1,337 direct (first tier) suppliers, the majority of which are Australian companies.

We are focused on ensuring the benefits of our operations are seen and felt locally, especially when it comes to procurement.

To that end, we are proud to have spent $353 million with 315 suppliers based in North West NSW in FY22.

All activities undertaken by Whitehaven regarding procurement are subject to our Code of Conduct, which outlines the behaviour we expect from all members of the workforce, as well as the Anti-Corruption Policy. Members of the workforce also have access to an independent service to report potential misconduct as outlined in our Speak Up Policy.

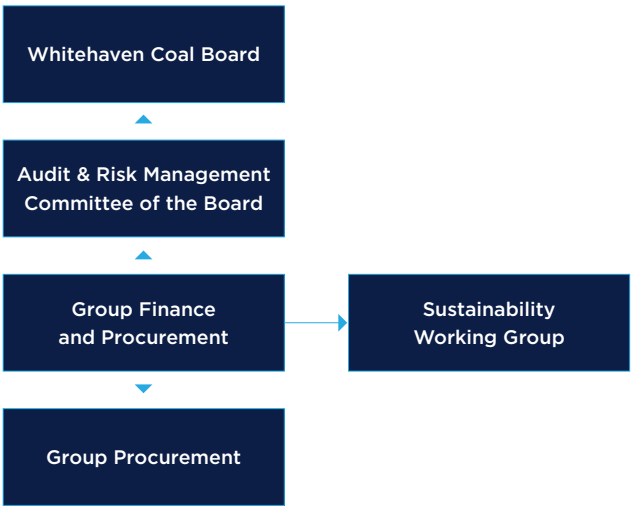
These policies are available at whitehavencoal.com.au/corporate-governance



Identifying and addressing the risks of modern slavery

Our assessment and mitigation process is led by our Group Finance and Procurement team, with oversight from the Audit & Risk Management Committee of the Board.

In FY22 and prior years, we commissioned Unchained Solutions Pty Ltd to assist with our modern slavery risk assessment process. Unchained is a professional service firm based in Sydney that provides business solutions around strategy, training, analysis, documents and research to help Australian organisation comply with the Modern Slavery Act.



1 Risk assessment

In FY22, we completed a comprehensive risk assessment of our direct suppliers to identify which elements of the business and supply chain could may be susceptible to modern slavery risk.

Risk in operations

As Whitehaven's operations are wholly located in Australia, a country with world-leading legal protections regarding human and workplace rights, the risk of slavery in our operations is assessed as low.

We acknowledge the risks associated with shipping companies contracted by our customers. During FY22, preliminary desktop research was conducted on ten shipping companies operating out of the Port of Newcastle, as well as port operators Port Waratah Coal Services (PWCS) and Newcastle Coal Infrastructure Group (NCIG).

While Whitehaven does not have contractual arrangements with these shipping companies, we remain committed to working with PWCS and NCIG to ensure the right governance framework is in place to monitor and report on modern slavery risks.

Risk in supply chain

In FY22, we undertook a modern slavery risk assessment of Whitehaven's top 250 direct (first tier) suppliers by expenditure, which accounted for about 96% of total procurement spend.

The key finding was that most of our direct suppliers posed a low modern slavery risk because they are based in low-risk countries. Our 21-day payment terms for small and medium-sized local suppliers, and participation in the Payment Times Reporting Scheme, also contributes to lowering risk by reducing undue pressure on our suppliers.

Of the top 250 suppliers:

- 95% of Whitehaven spend is represented by Australian-based suppliers
- 70% of Whitehaven spend is represented by 17 suppliers
- 100% of Whitehaven direct suppliers are from low-risk countries.

However, the risk of modern slavery is likely to increase when considering indirect suppliers.

With that in mind, our focus is on strengthening our understanding of third-party supply chains and raising levels of awareness of potential modern slavery issues with our suppliers, as well as strengthening supplier on-boarding processes and procedures.

2 Supplier engagement strategy

Following the risk assessment, we identified twelve of our top 250 suppliers from which we required more information. We asked them to complete a supplier Self-Assessment Questionnaire to provide information about their relevant policies, systems, mechanisms, practices and processes in place to minimise or prevent the occurrence of modern slavery, and indicators to measure the effectiveness of these systems.

As in previous reporting periods, Whitehaven will continue to perform periodic due diligence on its suppliers (like that outlined above), with any failure to participate or any supplier determined to be at high risk of modern slavery practices reported to senior management and appropriate further actions taken.

3 Policy suite review

Our Code of Conduct, Diversity and Inclusion, Speak Up and Anti-Corruption policies were reviewed and assessed in light of modern slavery risk.

4 Awareness and skills training

Throughout FY22, Whitehaven's Procurement team, Commercial Managers and key purchasing staff accessed Unchained's e-learning module to deepen their understanding of the issue of modern slavery and the requirements of the Act. Key personnel from Procurement, commercial and site management also took part in a skills training workshop to discuss the impact of modern slavery on the mining sector and good practice in engaging with vendors.

5 Grievances reporting

Our Speak Up Policy encourages people to speak up if they become aware of any Potential Misconduct and outlines the Company's processes for responding to such reports. Potential Misconduct includes any improper state of affairs or circumstances in relation to the Company, and therefore includes potential modern slavery practices.

The policy applies to our employees and contractors as well as our suppliers and their employees, and any associates of the Company.

Concerns of potential misconduct can be raised either via our external independent hotline service or Whitehaven's Executive General Manager – People & Culture, General Counsel and Company Secretary or Chief Financial Officer.

In FY22, we did not receive any concerns related to modern slavery practices either through our hotline or correspondence to Whitehaven's senior executives.



Continuing to improve our approach

Throughout FY22 we have continued to implement a range of initiatives proportionate to the risk identified, as listed in the table below.

In addition, we have scheduled further activities to advance our approach to modern slavery risk within our governance framework and assessment of risk within our value chain, prioritising a stakeholder-based approach to identifying and addressing risks, and augmenting our ethical business practices.

Activity	Status
Comprehensive risk assessment and mapping exercise to identify which parts of the business could be susceptible to modern slavery risk	Complete
Conduct due diligence on suppliers; issue questionnaire and assess risks, with a focus on top 250 suppliers by spend	Complete
Conduct anti-modern slavery training for key employees	Complete
Add modern slavery assessment to on-boarding process for new suppliers	Complete
Research risks associated with shipping of products, although not part of our supply chain	Complete
Review and revise Whitehaven policies to capture Modern Slavery requirements	Complete
Governance framework	
Define and educate staff on whistleblowing and grievance processes	Complete
Review Human Resource Policies: Recruitment, Contracts and Code of Conduct to align with compliance criterion	Scheduled
Value chain	
Conduct due diligence on third-party labour hire agencies	Scheduled
Develop a strategy to address modern slavery risk associated with logistics and shipping	Scheduled
Revise and develop assessment criteria and process for new supplier contracts	Scheduled

Assessing effectiveness

As we deploy the road map described on page 6, we will identify the primary impact areas that we can measure the effectiveness of the actions taken to address modern slavery risk. This will include establishing key objectives, indicators and metrics, and implementing the data strategy to capture both the outputs and outcomes.

Currently, we assess our effectiveness in identifying and managing modern slavery and human rights risks by tracking our actions and outcomes, engaging with suppliers, undertaking internal governance and external assurance processes and reporting via our **Sustainability Report.**



Consulting with our people

In the FY22 reporting period, the Group's Finance and Procurement team, with oversight from the Audit & Risk Committee of the Board, conducted a series of consultation meetings with the entities that form part of the Whitehaven Coal Group. The purpose of these meetings was to provide awareness of the issue of modern slavery, the nature of the reporting mechanism of the Act and its implications for the Group, and how the action plan outlined in this document will be implemented across the Group.



Modern Slavery Act 2018 (CTH) – Statement Annexure

Mandatory Criteria

The table below outlines the page number/s of our Statement that addresses each of the mandatory criteria in section 16 of the Modern Slavery Act.

Mandatory criteria	Page number/s
a) Identify the reporting entity.	**Inside cover**
b) Describe the reporting entity's structure, operations and supply chains.	**2, 3**
c) Describe the risks of modern slavery practices in the operations and supply chains of the reporting entity and any entities it owns or controls.	**4**
d) Describe the actions taken by the reporting entity and any entities it owns or controls to assess and address these risks, including due diligence and remediation processes.	**4, 5**
e) Describe how the reporting entity assesses the effectiveness of these actions.	**7**
f) Describe the process of consultation on the development of the statement with any entities the reporting entity owns or controls (a joint statement must also describe consultations with the entity covered by the statement).	**7**
g) Any other information that the reporting entity, or the entity giving the statement, consider relevant.	**6**



Whitehaven Coal
Level 28, 259 George Street
Sydney NSW 2000
P +61 2 8222 1100
ASX Code: WHC

whitehavencoal.com.au