# Modern Slavery Statement

2024

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## Acknowledgement of Country and Traditional Owners

Whitehaven acknowledges Australia's Traditional Owners, recognising their connection to land, waters and community. We pay our respects to First Nations peoples, and to their Elders past and present.



# Reporting entities

This Joint Modern Slavery Statement 2024 (Statement) is made on behalf of Whitehaven Coal Limited and its controlled subsidiaries that are reporting entities under the Australian *Modern Slavery Act 2018* (Modern Slavery Act) for the financial year ended 30 June 2024 (FY24).

| Reporting entities | ABN |
|---|---|
| Whitehaven Coal Limited | 68 124 425 396 |
| Whitehaven Coal Mining Ltd | 65 086 426 253 |
| Narrabri Coal Pty Ltd | 76 107 813 963 |
| Narrabri Coal Australia Pty Ltd | 73 110 262 925 |
| Aston Coal 2 Pty Ltd | 14 139 472 567 |
| Tarrawonga Coal Sales Pty Ltd | 40 119 741 883 |
| Werris Creek Coal Sales Pty Ltd | 71 107 169 111 |
| Whitehaven Blackwater Pty Ltd | 66 672 142 997 |
| Whitehaven Daunia Pty Ltd | 28 672 143 583 |

## Registered office

The registered office of all reporting entities covered by this Statement and their controlled entities is:

Level 28
259 George Street
Sydney NSW 2000

In this Statement, unless expressly mentioned otherwise, references to Whitehaven, the Group, the Company, 'we', 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 102 and 103 of our Annual Report 2024.

This Statement is Whitehaven's fifth under the Modern Slavery Act.

## Modern Slavery Act mandatory reporting 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.

## Consultation with reporting entities

Whitehaven takes a Group-wide approach to how we assess and manage modern slavery risk across all of our controlled entities – this includes our policies, systems and due diligence framework.

| Mandatory criteria | | Page number/s |
|---|---|---|
| 1. | Identify the reporting entity | 1 |
| 2. | Describe the structure, operations and supply chains of the reporting entity | 4-7 |
| 3. | Describe the risks of modern slavery practices in the operations and supply chains of the reporting entity and any entities it owns or controls | 8-11 |
| 4. | Describe the actions taken by the reporting entity and any entities it owns or controls, to assess and address those risks, including due diligence and remediation processes | 12 |
| 5. | Describe how the reporting entity assesses the effectiveness of such actions | 12 |
| 6. | Describe the process of consultation with any entities that the reporting entity owns or controls (a joint statement must also describe consultations with the entity giving the statement) | 1 |
| 7. | Any other information that the reporting entity, or the entity giving the statement, considers relevant | 11 |

The Modern Slavery Act defines modern slavery as including eight types of serious exploitation:

- trafficking in persons
- slavery
- servitude
- forced marriage
- forced labour
- debt bondage
- deceptive recruitment for labour or services, and
- the worst forms of child labour: situations where children are subjected to slavery or similar practices or engaged in hazardous work.

# Chairman's introduction

> We continue to enhance our approach to assessing and managing modern slavery risk, informed by engagement with our suppliers and other stakeholders and with regard to evolving expectations."



Whitehaven is a proudly Australian company. Our purpose is to support and sustain regional communities by exporting high quality coal from Australia to the world, and respecting human rights is integral to delivering on our commitments.

We acknowledge our role in supporting socially responsible operational and supply chain practices and are committed to taking action to prevent and mitigate the risk of modern slavery in our supply chains.

With an estimated 50 million victims of modern slavery globally, including 27.6 million victims of forced labour[1], we recognise the potential for modern slavery practices to exist in our supply chains.

This Statement is our fifth under the Modern Slavery Act, and we continue to build on the actions reported on in our previous statements.

We are focused on improving our approach to reduce the risk of modern slavery practices in our supply chains, including in cooperation with our suppliers.

**In FY24, we conducted due diligence on our largest suppliers in the medium-to-high risk categories including explosives, clothing, cleaning and Personal Protective Equipment (PPE). These categories have been recognised as at risk of modern slavery indicators in the manufacturing process and delivery of services including deceptive recruitment practices and underpayment.**

**Pleasingly, this work assessed the risk of modern slavery practices across these suppliers as low.**

We continue to enhance our approach to assessing and managing modern slavery risk, informed by engagement with our suppliers and other stakeholders and with regard to evolving expectations. This Statement outlines further opportunities to refresh and strengthen our approach, as outlined in our FY25 action plan on page 12.

We welcome feedback on our Statement – feedback can be sent to sustainability@whitehavencoal.com.au



**The Hon. Mark Vaile, AO**
Chairman

This Statement was approved by Whitehaven Coal Limited's Board of Directors as the parent entity on 12 December 2024 in their capacity as principal governing body of the Group, and was signed by the Hon. Mark Vaile in his role as Chairman.

1. Global Estimates of Modern Slavery: Forced Labour and Forced Marriage, by International Labour Organization, Walk Free, and International Organization for Migration 2022.


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# Our business

Whitehaven is the leading Australian producer of high-quality, high-calorific value (CV) thermal coal. Our thermal and metallurgical coal products are exported to premium markets, predominantly in Asia.

We help power developed and emerging economies in Asia where there is strong demand for our thermal coal, particularly for use in high-efficiency, low emissions coal-fired power stations.

Whitehaven Coal Limited is incorporated in Australia and its shares are publicly traded on the Australian Securities Exchange. All reporting entities under the Modern Slavery Act within the Group are also incorporated in Australia.

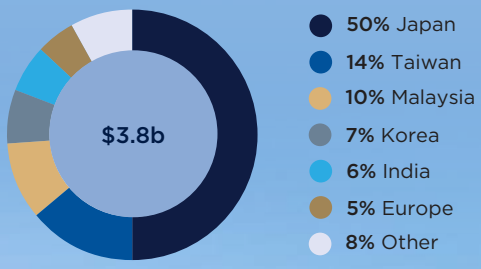
**Our purpose is to support and sustain regional communities by exporting high quality thermal and metallurgical coal from Australia to the world.**

**Our strategy is to own and sustainably operate large, cost-efficient mines producing high-quality, high-CV thermal coal and metallurgical coal for markets in Asia.**

**Our brand**

In FY24, Whitehaven reported revenue of $3.8 billion and managed sales of 20 million tonnes of coal.[1]

**FY24 sales revenue[1]**






1. On an equity basis, excluding coal reservation sales for NSW. Includes FY24 sales for NSW and Q4 FY24 for QLD being the first quarter of ownership. 'Other' includes Vietnam, Indonesia, New Caledonia, Chile, Europe and Australia.

## Our operations

Our operations are located in the Gunnedah Basin in North West NSW, and the Bowen Basin in Central Queensland. In FY24, we operated four coal mines and the Gunnedah Coal Handling Preparation Plant (CHPP) in New South Wales, and two coal mines in Queensland (which are not canvassed by this year's Statement).

On 2 April 2024, we completed the acquisition of the Daunia and Blackwater metallurgical coal mines in Queensland's Bowen Basin, doubling the size of Whitehaven's business and transforming the company to a predominantly metallurgical coal producer (by revenue).

From an equity ownership perspective, we have:

- 75% equity interest in the Maules Creek open cut mine, 77.5% equity interest in the Narrabri underground mine, and 100% interest in the Gunnedah Open Cut mines in NSW
- In Queensland, 100% interest in Daunia and an announced sale of 30% of Blackwater, which is expected to complete in early CY2025.




In FY24, our Werris Creek mine, which has been in operation since 2005, came to the end of its operating life and transitioned to a rehabilitation site, while early mining of the Vickery coal deposit, which entailed a modest capital investment, commenced.

The Gunnedah Open Cut mines now include Vickery and Tarrawonga.

Our operating assets are complemented by two high quality, development projects, the Vickery Extension Project near Gunnedah, and the Winchester South Project in Queensland's Bowen Basin.

Beyond our coal operations in NSW and Queensland, we also have offices in Newcastle, Sydney, Gunnedah, Brisbane, Tokyo, Japan, and representation in India.

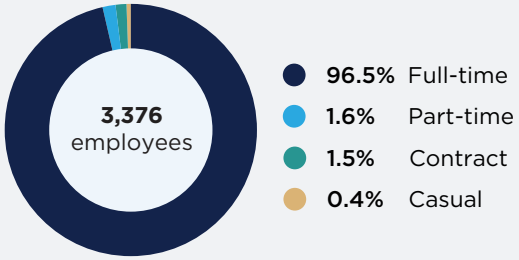
### Our workforce

**3,376**
employees[3]

**859**
embedded contractors[4]

**10.6%**
of employees identify as Aboriginal or Torres Strait Islander people

**Employees by contract type**




1. Vickery is an approved development project. Early mining, which commenced in the June 2024 quarter, is a smaller scale project ahead of full scale development.
2. Werris Creek reached the end of its mine life and transitioned to a rehabilitation site in the June 2024 quarter.
3. Whitehaven's Sustainability Report 2024 notes a workforce of 3,352, which excludes casual employees.
4. Number of permanent contractors hired via labour hire firms or individual contracts.

# Our supply chains

In FY24, we engaged about 2,000 suppliers and spent $2.5 billion in contestable spend[1] at our NSW operations, with the majority of our spend with Australian-based companies.

**$2.5bn**
Contestable spend

**99%**
Australian-based suppliers

**92%**
Spend with Australian-based suppliers

**27**
International suppliers

**6**
International countries sourced from

## Spend categories

Our largest contestable spend categories are:

### Rail, port, sales and marketing

Includes rail transport to the Port of Newcastle, coal export terminal costs, port-related costs, and the payment of selling commissions, agents fees and demurrage. We use two export terminal providers, Newcastle Coal Infrastructure Group (NCIG) and Port Waratah Coal Services (PWCS) to store and load coal onto ships for export to our customers.

### Coal

We purchase Australian-produced coal from third parties, largely to optimise the blend of our own coal or due to production shortfalls.

### Mining services

Includes engineering, operations and professional services.

### Energy and utilities

Comprises fuels such as diesel for use in our mining fleet and operations, and electricity from utilities and electricity retailers.

### Mining equipment

Comprises heavy mine haulage trucks, earth moving equipment and heavy mining equipment, parts, components, and equipment hire.

### Labour hire

Comprises the recruitment of skilled workers hired in our operations.

### Drilling and blasting

Includes drilling and blasting services, explosive materials and related consumables.

## Procurement management

Whitehaven's procurement is managed Group-wide by our Procurement team, led by the General Manager Procurement.

We procure goods and services from suppliers through various types of arrangements, which range from short and long-term procurement agreements managed by our centralised Procurement function, to purchase order terms and conditions for low-value purchases that are managed by our operations.

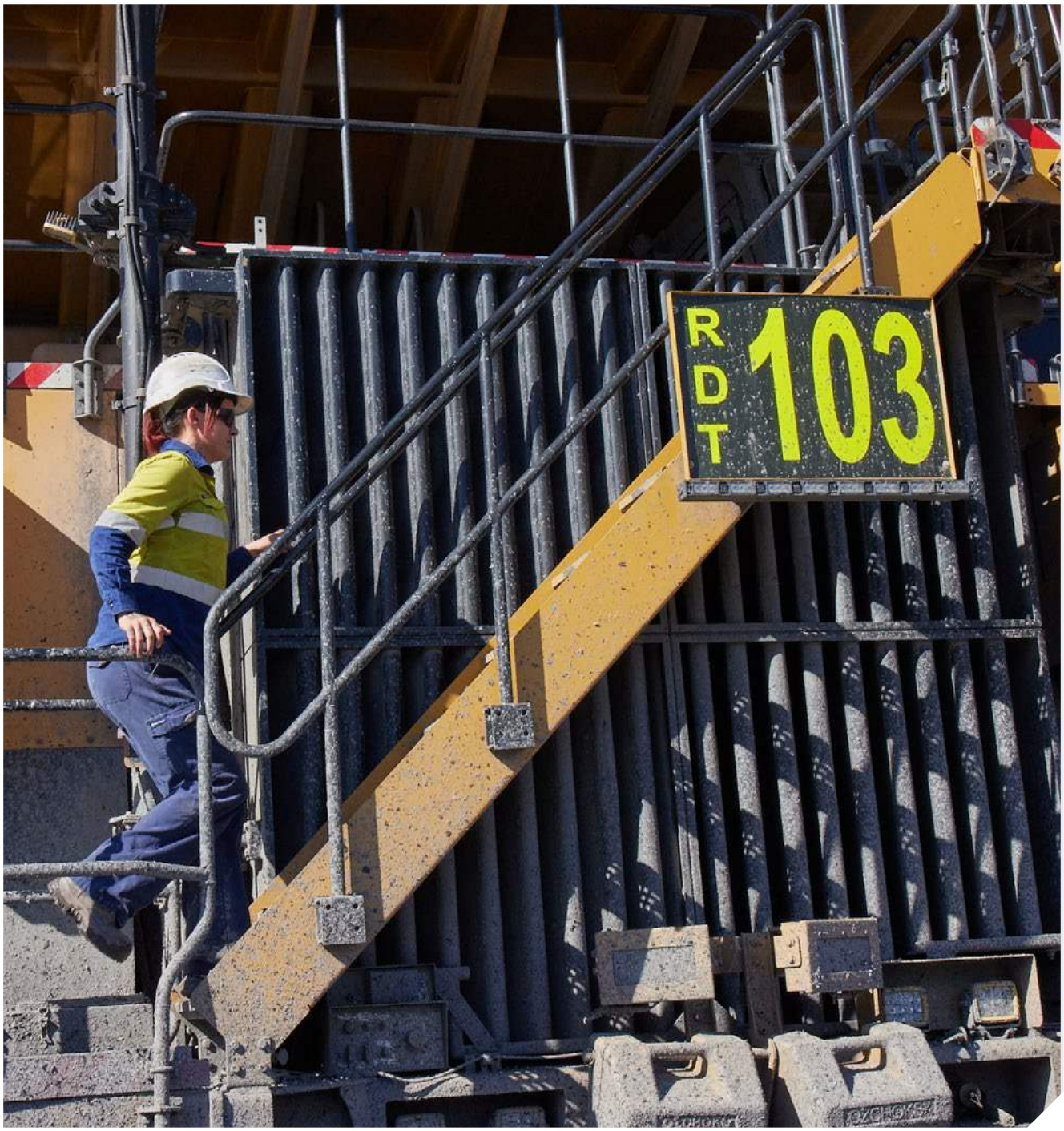
We support Australian small businesses by offering 21-day payment terms to our small and medium-sized local suppliers in the areas around our operations, and report in compliance with the Payment Times Reporting Scheme.

## International suppliers

In FY24, we sourced goods and services from 27 international-based suppliers located in 6 countries. The majority of this spend, which accounted for 8% of our contestable spend, related to purchases of coal produced in Australia, selling commissions, demurrage, port charges and financing activities.

1. Contestable spend includes capital and operating expenditure on 100% operating control basis. It excludes payments to government, taxes, and employee payments and expenses. Spend data is for NSW operations only. Whitehaven's QLD operations will be included in the spend data for FY2025.

| Non-Australian sourcing countries | Spend categories |
|---|---|
| Singapore | Coal purchases, selling commissions, demurrage, port charges, financing activities |
| South Korea | Coal purchases, selling commissions, demurrage |
| Japan | Selling commissions, demurrage, port charges |
| Taiwan | Demurrage |
| Switzerland | Coal purchases, demurrage, port charges |
| USA | Financing activities |



# Assessing and addressing modern slavery risks

We assess the risk of modern slavery practices based on the potential for Whitehaven to cause, contribute to, or be directly linked to modern slavery through our operations and supply chains, as set out in the UN Guiding Principles on Business and Human Rights.

Modern slavery practices that are most likely to occur in supply chains are debt bondage, serious child labour and forced labour.

We are committed to upholding internationally recognised human rights and complying with all applicable local human rights laws. This includes complying with the UN International Labour Organization (ILO) Conventions on minimum age of work and the prohibition of the worst forms of child labour, including hazardous child labour.

We respect human rights, including people's right to freedom from all forms of modern slavery and recognise our responsibility to mitigate and prevent modern slavery practices in our supply chains and operations.




## Risk in operations

We assess the risk of modern slavery practices relating to our workforce as low due to strong human resources controls in place. All of our operations are located in Australia, where there are strong workplace rights and legal protections relating to labour management.

Whitehaven's approach to human resources management is underpinned by robust policies and procedures, training and grievance mechanisms. Our recruitment and onboarding processes include appropriate checks relating to working rights and age requirements.

In FY24, 62% of our employees were also covered by enterprise agreements.

## Contractors

We engage skilled contractors to support our operational requirements, perform specialist and generalist trades, and provide professional and administrative services. The majority of contractors are engaged via our labour hire providers with which we have established contractual arrangements.

## Shipping

Maritime shipping has been recognised as susceptible to modern slavery, with seafarers working in an environment with a high-risk of labour exploitation.[1]

While we are not directly linked to the risk of modern slavery in the shipping industry as we do not procure any shipping arrangements, we are affiliated with parties that are linked to shipping providers through our customers, which procure shipping services for the export of coal.

In our NSW operations, Whitehaven exports coal via NCIG and PWCS, but does not have any direct contractual relationship with the shipping operators.

In FY23, we reviewed the most recent Modern Slavery Statements published by NCIG, PWCS and the Port of Newcastle.

We remain committed to working with NCIG and PWCS to ensure the right governance framework is in place to monitor and report on modern slavery risk.

1. Modern Slavery within Maritime Shipping Supply Chains, by the UN Global Compact Network Australia and Maritime Union of Australia, December 2022.



## Risks in supply chains

In FY22, we engaged Unchained Solutions Pty Ltd (Unchained) to conduct a comprehensive modern slavery risk assessment and mapping exercise of our Tier 1 suppliers.

The risk of modern slavery was analysed based on:

- Country risk – where the suppliers' activities are based and the risks that represent the country of operation
- Category risk – the type of goods or services supplied by the suppliers and the known risks associated with the product or service.

Country risk was assessed based on the Walk Free Global Slavery Index 2018, which aims to assess countries' prevalence of modern slavery, vulnerability to modern slavery, and government responses to modern slavery.

Category risk was assessed based on the Global Slavery Index 2018, the International Labour Organization's dataset, and information from the United States Department of Labor on goods produced by child labour and forced labour. Higher risk categories are typically characterised by a high number of vulnerable workers, largely migrant and low-skilled workers who are employed in low-paying and often higher risk work.

We consider country risk as the key determinant of our risk of contributing to or being directly linked to modern slavery practices.

After integrating updated country risk data from the Global Slavery Index 2023, we then revised our inherent risk assessment of Tier 1 suppliers, who for FY24 were assessed as a low risk of modern slavery based on country risk, with 99% of our suppliers based in Australia.

### Supplier assessment and contract terms

When selecting new suppliers, we assess a range of matters including how the business manages modern slavery in their business and supply chains, the location of the supplier and what country the goods and services provided are sourced from.

Our standard contract terms include a general obligation for suppliers and contractors to comply with all laws, site rules and policies, as well as meet modern slavery laws and provide Whitehaven the right to conduct an audit of, or perform due diligence in respect of, modern slavery risk.

### FY24 due diligence of medium-to-high risk suppliers

When we consider the Category Risk of goods and services, we recognise that the risk of modern slavery increases due to the source of manufacturing of goods and the delivery of domestic services such as cleaning.

We engaged Unchained to conduct due diligence of the risk of modern slavery practices on our top 10 suppliers by spend providing goods and services in explosives, clothing (workwear), PPE and cleaning.

Each vendor was required to complete an industry-specific Self-Assessment Questionnaire (SAQ) which requested information on their employment arrangements; responsible sourcing audits or certifications; specific risks related to worker rights; assessment and management of modern slavery risk; and grievance and remediation processes.

Based on the ten supplier responses, the risk of workplace exploitation within the Australian operations to the degree of modern slavery practices was assessed as low.

# Assessing and addressing modern slavery risks continued continued

## Governance

Our modern slavery risk assessment and mitigation process is led by our Procurement and Sustainability teams, with oversight from the Audit and Risk Management Committee of the Board.

Unchained supports Whitehaven with our modern slavery risk assessment and due diligence processes. Unchained is a modern slavery consulting firm that provides business solutions around strategy, training, analysis, documents and research to assist Australian organisations comply with the Modern Slavery Act.

## Policies

Our suite of policies, which are supported by processes and grievance mechanisms, relating to mitigating and remediating the risk of modern slavery include:

| | |
|---|---|
| **Code of Conduct** | Defines the standards of behaviour expected by all our employees and people working for, or on behalf of, Whitehaven – this includes our contractors, consultants and directors. The Code's principles include to act with honesty, integrity and fairness; treat others with respect and dignity; and maintain a safe working environment. |
| **Speak Up Policy** | Encourages anyone with information about potential misconduct to report that information. |
| **Anti-Corruption Policy** | Establishes a standard of behaviour of integrity, honesty and transparency which applies to the Company and its directors, officers, employees, agents, and any other party representing the Company. |
| **Diversity and Inclusion Policy** | Outlines our commitment to support and encourage a diverse workforce and inclusive workplace which is free from unacceptable behaviour, and our approach to diversity and inclusion. Whitehaven also captures, monitors and reviews employee complaints related to breaches of this policy. |
| **Workplace Behaviour Guidelines** | Outlines what constitutes discrimination, vilification, sexual harassment, workplace harassment, bullying and victimisation (together known as unacceptable behaviour) and the process of raising any concerns about unacceptable behaviour. Whitehaven's Workplace Behaviours Complaints Procedure contains the process to manage and resolve workplace bullying, harassment and/or discrimination complaints within Whitehaven. |

We expect all our suppliers and contractors to share our commitment to ethical conduct and integrity. All contracted and on-site suppliers are required to comply with our Code of Conduct, policies and procedures.

In FY24, we updated our Supplier Code of Conduct to clarify the expectations of our suppliers, including with respect to modern slavery risk. The new Code will be issued contemporaneously with this Statement.

## Grievances and remediation

Our Speak Up Policy encourages anyone to speak up with information about potential misconduct and to report that information. 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; suppliers of goods and services and their employees; any associates of the Company; and a relative or dependent, or spouse of a dependent, of any of the above.

The policy outlines how to report concerns relating to business conduct, the processes we follow to respond to reports, and the protections a reporter receives.

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. Our independent whistleblower hotline, operated by Navex Global, provides individuals the opportunity to anonymously report potential misconduct.

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All reports made are received and treated sensitively and seriously, and are dealt with promptly, fairly and objectively.

Where a concern of modern slavery relating to a direct or indirect supplier is raised, this is reported to Whitehaven's General Manager Procurement and Legal team to initiate further investigation.

In FY24, we did not receive any concerns related to modern slavery practices in our operations or direct suppliers.

## Training and awareness

During FY22, Whitehaven's Procurement team, Commercial Managers and key purchasing staff completed 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.

During FY24, modern slavery refresher training was provided to Procurement staff and Commercial Managers.



# Progress and FY25 action plan

We continue to focus on improving our approach to assessing and managing modern slavery risks. Our FY24 progress and our FY25 planned actions are outlined below.

| FY24 progress | Status |
|---|---|
| Conduct due diligence on high-risk suppliers in explosives, cleaning, clothing and PPE | Complete |
| Conduct revised internal training on modern slavery risks | Complete |
| Update inherent risk country categories with integration of Global Slavery Index 2023 data | Complete |
| Develop Supplier Code of Conduct | Complete |

| FY25 action plan |
|---|
| Conduct an inherent risk assessment on new suppliers following the acquisition of mining sites in Queensland |
| Conduct due diligence on high-risk suppliers identified through this assessment |
| Publish the Supplier Code of Conduct for all suppliers |

# Assessing effectiveness

In FY24, we continued to assess the effectiveness of our actions in identifying and managing modern slavery risks by tracking performance and outcomes against our action plan, and through our learnings from engaging with suppliers and other stakeholders. In particular, we reviewed:

- Risk identification – the results of our supplier risk assessment, including the number of suppliers identified as at medium or high inherent risk of modern slavery practices.
- Due diligence – the completion of modern slavery due diligence SAQs sent to suppliers and findings from the SAQ responses.
- Awareness and training – the proportion of our Procurement team and operational staff involved in procurement processes that have completed modern slavery training program, and the need for refresher training.
- Applying learnings – how we have applied learnings to further improve our approach and obtain a better understanding of our supply chains.

In FY25, we intend to conduct a risk assessment on the suppliers that provide goods and services to our newly acquired Queensland mines and will then determine the extent of the work required in our QLD operations.



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