

# SUPPLIER'S CODE OF CONDUCT



## Introduction

<b>1</b>	<p>Air Liquide adheres to the highest standards in conducting business and is particularly committed to:</p> <ul style="list-style-type: none"><li>&gt; respecting and promoting human and labour rights;</li><li>&gt; protecting the environment.</li></ul> <p>Air Liquide is a signatory of the:</p> <ul style="list-style-type: none"><li>&gt; <a href="#">United Nations (UN) Global Compact</a>, whose Ten Principles cover human rights, international labour standards, the environment and anti-corruption.</li><li>&gt; <a href="#">Responsible Care Global Charter</a> initiative run by the International Council of Chemical Associations, whose signatories commit to improve the global chemical industry's performance in terms of health, safety and environmental protection.</li></ul> <p>In accordance with these commitments and <a href="#">Air Liquide's Principles of Action</a>, the engagement of Suppliers (being suppliers and subcontractors, their own suppliers and subcontractors, subsidiaries and affiliates, employees, temporary or not, as well as any third parties which provide goods and/or services to an Air Liquide Group company) to adhere to the <a href="#">Air Liquide Supplier's Code of Conduct</a> and <a href="#">Air Liquide's Code of Conduct</a> are prerequisites for supplying Air Liquide.</p>
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## Laws and regulations

<b>2</b>	<p>Suppliers shall comply with:</p> <ul style="list-style-type: none"><li>&gt; all applicable laws and regulations without exception;</li><li>&gt; all international conventions and treaties when applicable.</li></ul> <p>This concerns in particular:</p> <ul style="list-style-type: none"><li>&gt; human, social and labor rights;</li><li>&gt; health, safety and security;</li><li>&gt; respect for the environment;</li><li>&gt; business ethics practices including anti-corruption, competition law and international trade compliance;</li><li>&gt; asset protection (including information and data).</li></ul>
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## Human, social and labour rights

<b>3</b>	<p>Air Liquide shares the principles laid down in the:</p> <ul style="list-style-type: none"><li>&gt; International Bill of Human Rights;</li><li>&gt; International Labour Organization (ILO) Declaration on Fundamental Principles and Rights at Work;</li><li>&gt; Organization for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises;</li><li>&gt; United Nations Guiding Principles on Business and Human Rights (UNGPs).</li></ul>
<b>4</b>	<p>Suppliers shall:</p> <ul style="list-style-type: none"><li>&gt; support and respect internationally proclaimed human rights;</li><li>&gt; ensure that they are not complicit in human rights abuses;</li><li>&gt; identify their societal risks.</li></ul>

	<p>To that end, Suppliers shall:</p> <ul style="list-style-type: none"> <li>➤ prohibit all forms of forced and compulsory labor including involuntary prison work and any form of modern slavery;</li> <li>➤ prohibit child labour: <ul style="list-style-type: none"> <li>○ the minimum working age shall not be less than the legal minimum age, under applicable laws, or the age of 15 years, whichever is higher,</li> <li>○ workers engaging in hazardous work, i.e. any work that is likely to jeopardize a worker's health, safety or morals, shall not be less than 18 years of age;</li> </ul> </li> <li>➤ uphold the freedom of association and the effective recognition of the right to collective bargaining;</li> <li>➤ eliminate discrimination in respect of employment and occupation;</li> <li>➤ guarantee that all of their employees are able to work in an environment where they are free from the risk of harassment in any form;</li> <li>➤ comply with applicable laws and sector-specific labor regulations concerning working time, including overtime laws;</li> <li>➤ provide wages and benefits at least as prescribed by the respective national laws, including minimum wage legislation, in line with existing practice in the industry and local labor markets and ensure a fair compensation according to local living conditions;</li> <li>➤ work with certified recruitment agencies with fair and ethical recruitment methods;</li> <li>➤ prohibit unlawful eviction and unlawful taking of land, forests and waters.</li> </ul>
5	<ul style="list-style-type: none"> <li>➤ Suppliers shall ensure that all security forces for the protection of the company's project comply with applicable laws.</li> </ul>

## Health, Safety and Security in the workplace

6	<p>Air Liquide considers that all employees have the right to a healthy, safe and secure work environment, free of the risk of violations to their personal integrity.</p>
7	<p>Suppliers shall:</p> <ul style="list-style-type: none"> <li>➤ enforce laws and regulations aimed at protecting the health, safety and security of their employees and contractors;</li> <li>➤ ensure the health, safety and security of Air Liquide employees at their facilities;</li> <li>➤ comply with Air Liquide's Life Saving Rules ("LSR").</li> </ul> <p>To that end, Suppliers shall:</p> <ul style="list-style-type: none"> <li>➤ put in place and maintain an occupational health and safety policy or when appropriate a safety management system;</li> <li>➤ stop a job or refuse to perform a job if it cannot be performed safely;</li> <li>➤ track the number of lost time accidents;</li> <li>➤ implement any and all measures aimed at reducing this number of lost time accidents.</li> </ul>

## Respect for the environment

8	<p>The protection of the environment is at the heart of Air Liquide's values.</p> <p>To address climate change and biodiversity stakes, Air Liquide reinforced its long-standing commitment to act for a sustainable future, notably by reducing CO<sub>2</sub> emissions.</p>
9	<p>Suppliers shall contribute to Air Liquide's efforts and commitments to protect the environment (such as environmental requirements, climate change and sustainable procurement).</p>

	<p>To that end, Suppliers shall:</p> <ul style="list-style-type: none"> <li>➤ comply with applicable environmental protection regulations;</li> <li>➤ identify their environmental risks;</li> <li>➤ address the urgency of climate change and energy transition;</li> <li>➤ participate in Air Liquide's 2050 carbon neutrality objectives with key intermediary CO<sub>2</sub> emission reduction milestones in 2025 and 2035;</li> <li>➤ commit to preserve natural resources (water, forest...) and biodiversity;</li> <li>➤ structure their activities and their supply chain to avoid or minimize negative environmental impacts (pollutant emissions, wastes...);</li> <li>➤ endeavor to continuously improve their products, processes and services to make them more environmentally friendly (e.g. through recycling and circular economy).</li> </ul>
10	<p>Suppliers shall <b>not</b> cause any harmful soil change, water pollution, air pollution, harmful noise emission or excessive water consumption and shall acknowledge that it could:</p> <ul style="list-style-type: none"> <li>➤ significantly impair the natural bases for the preservation and production of food,</li> <li>➤ deny a person access to safe and clean drinking water,</li> <li>➤ make it difficult for a person to access sanitary facilities or destroys them or</li> <li>➤ harm the health of a person.</li> </ul>

## Business ethics practices

11	<p><b>Avoiding conflicts of interest</b></p> <p>Employees of Air Liquide shall avoid any situation that involves a conflict between their direct or indirect personal interests and the interests of Air Liquide.</p> <p>Working simultaneously for a customer, supplier, or competitor could constitute a conflict of interest for an employee.</p> <p>Suppliers shall:</p> <ul style="list-style-type: none"> <li>➤ strictly respect these principles with Air Liquide employees, notably during their contact with Air Liquide;</li> <li>➤ disclose immediately any potential or actual conflict of interest, for example with EthiCall (see <a href="#">Section 20 - Whistleblowing System</a>).</li> </ul>
12	<p><b>Preventing corruption</b></p> <p>Air Liquide's employees and Suppliers, directly or through an intermediary, shall <b>not</b>:</p> <ul style="list-style-type: none"> <li>➤ allocate, offer or grant unwarranted advantages in any form to a private individual or an employee or representative of a government entity or instrumentality, an organization controlled by a government or performing a function on behalf of a government, in any country or to any other person for the purpose of obtaining favorable treatment, an advantage in the conduct of business or influencing the outcome of a negotiation involving Air Liquide.</li> </ul> <p>This includes but is not limited to monies or other things of value, facilitation payments, charitable donations, kickbacks, and other improper influence of decision makers.</p> <p>Air Liquide's employees shall <b>not</b>:</p> <ul style="list-style-type: none"> <li>➤ offer or accept any form of payment or remuneration to or from a Supplier.</li> </ul>

12	<p>Suppliers shall:</p> <ul style="list-style-type: none"> <li>➤ comply with these principles as well as cause their subcontractors and suppliers to do so;</li> <li>➤ implement a compliance programme aimed at detecting and preventing corruption, including internal rules prohibiting and sanctioning corruption practices;</li> <li>➤ institute an employee awareness-raising campaign and third parties assessment and appropriate control systems;</li> <li>➤ establish and deploy a process to train their employees, subcontractors and suppliers on the topics referenced in this Suppliers' Code of Conduct, particularly on Ethics &amp; Integrity / anti-corruption and bribery.</li> </ul> <p><i>Note:</i></p> <p><i>Only inexpensive corporate gifts given to or received from a Supplier with the sole aim to strengthen its brand image and maintain a good business relationship with Air Liquide may be accepted.</i></p> <p><i>They shall be reasonable in value, timing and frequency, consistent with customary business practices and shall be compliant with each party's respective policies on gifts and invitations and the laws or regulations of the country in which the Air Liquide subsidiary conducts business and the laws of the country from which the Supplier operates (if different), Sapin II and any other applicable laws.</i></p> <p><i>Suppliers should apply the same policies in their relations with third parties.</i></p>
13	<p><b>International Trade Compliance</b></p> <p>Suppliers shall:</p> <ul style="list-style-type: none"> <li>➤ be compliant with applicable international trade regulations including export controls, embargoes and sanctions targeting countries, companies or individuals;</li> <li>➤ disclose any restrictions that may be imposed on the export, re-export or transfer of their supplies of products, software, technologies or services;</li> <li>➤ identify any part of the delivery or service that is subject to export regulations - either directly or indirectly through the integration of controlled items, software or technology - at the time of the signature of a contract or the receipt of an order;</li> <li>➤ provide amendment to such information in the event of a change in export regulations or classifications;</li> <li>➤ provide Air Liquide with all information concerning such applicable export regulations;</li> <li>➤ provide Air Liquide with all necessary classification certificates upon request.</li> </ul>
14	<p><b>Competition Law Compliance</b></p> <p>Suppliers shall:</p> <ul style="list-style-type: none"> <li>➤ adhere strictly to the fair trade/competition laws applicable in the countries in which they operate.</li> </ul> <p>Suppliers shall <b>not</b>:</p> <ul style="list-style-type: none"> <li>➤ exchange or disclose any sensitive business information concerning competitors, clients, or Suppliers.</li> </ul> <p><i>Note:</i></p> <p><i>The fair trade/competition laws forbid agreements or practices that could limit or distort competition or trade. This includes but is not limited to price-fixing agreements, the manipulation of tender processes, collusion with respect to markets, territories or clients between competitors, as well as the boycotting or unequal treatment of certain clients or Suppliers without valid cause.</i></p>

## Protection and proper use of assets

15	<b>Protecting Intellectual Property</b> Suppliers shall respect intellectual property rights of Air Liquide and third parties.
16	<b>Use of the name of Air Liquide and publicity</b> Suppliers shall not use Air Liquide or Air Liquide's subsidiaries names, trademarks, service marks or logos, or the fact that Suppliers are doing business with Air Liquide, in any advertising, marketing documents or other dealings with third parties unless specifically authorized by Air Liquide in writing.
17	<b>Protecting Information and Personal Data</b> Suppliers shall <b>not</b> : <ul style="list-style-type: none"><li>➤ disclose to third parties or use for their own purposes any technical, commercial or business confidential information, personal data (notably health data), drawings, designs, data, software or any other information which Air Liquide identified to the Suppliers as confidential or that the Suppliers should reasonably know as being confidential for Air Liquide.</li></ul> Suppliers shall: <ul style="list-style-type: none"><li>➤ maintain confidentiality using at least the same degree of care as is used to protect its own confidential information;</li><li>➤ protect any nominative, professional or private information pertaining to individuals by all necessary precautions to prevent alteration or disclosure and in respect of the local and international regulations;</li><li>➤ ensure personal data is processed in compliance with applicable laws and is subject to an appropriate protection against unauthorized or unlawful processing, loss, alteration, misuse, disclosure or other transmission;</li><li>➤ return or destroy confidential information and personal data upon request, or at the termination of the business relationship between the Suppliers and Air Liquide;</li><li>➤ inform Air Liquide promptly without delay in case of any breach of confidentiality.</li></ul>
18	<b>Protecting assets and resources</b> Suppliers shall <b>not</b> : <ul style="list-style-type: none"><li>➤ copy, attempt to reverse engineer, decompile or disassemble any assets or resources provided by Air Liquide, unless specifically authorized by Air Liquide in writing.</li></ul> Suppliers shall: <ul style="list-style-type: none"><li>➤ protect adequately the assets and resources provided by Air Liquide;</li><li>➤ return the assets promptly upon request, or at the termination of the business relationship between the Suppliers and Air Liquide;</li><li>➤ use the assets in accordance with their intended purpose and as required by Air Liquide.</li></ul>

## Conflict minerals

19	Suppliers shall: <ul style="list-style-type: none"><li>➤ ensure that no prohibited materials are present or used in their products or supply chain, including minerals sourced from conflict areas;</li><li>➤ identify the source and trace the chain of custody, insofar as this is possible, of certain minerals such as tantalum, tin, tungsten and gold used in the manufacture of products supplied to Air Liquide;</li><li>➤ make these control measures available to Air Liquide on request.</li></ul>
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## Whistleblowing system

20	<p><a href="#">EthiCall</a><sup>1</sup>, Air Liquide's whistleblowing system, is available to all Suppliers, subcontractors and other external stakeholders and their employees.</p> <p>It allows a person to file an alert for existing or reasonably suspected ethical violations or misconduct that are very likely to occur in relation to Air Liquide's activities.</p> <p>Those can be related to for example:</p> <ul style="list-style-type: none"> <li>&gt; fraud;</li> <li>&gt; corruption;</li> <li>&gt; conflict of interest;</li> <li>&gt; harassment;</li> <li>&gt; discrimination;</li> <li>&gt; breach of competition law;</li> <li>&gt; protection of information and personal data;</li> <li>&gt; human rights violation/abuse;</li> <li>&gt; health and safety or environmental issues.</li> </ul> <p>This whistleblowing system is described on the <a href="#">dedicated internet page</a> of the Group. Air Liquide's Whistleblowing Policy is also available on the same internet page.</p>
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## Compliance with the Air Liquide Supplier's Code of Conduct, evaluation and audit

21	<p>Air Liquide periodically reviews this Supplier's Code of Conduct and its implementation program. All new versions shall apply to Suppliers.</p> <p>Air Liquide reserves the right to verify compliance with the rules set forth in this Supplier's Code of Conduct with each Supplier in any form it chooses: a questionnaire or an audit by Air Liquide or a third party.</p> <p>In case of non-compliance by a Supplier with any of the terms of this Supplier's Code of Conduct, and in particular as concerns obligations concerning anti-corruption, Air Liquide reserves the right to terminate at its sole discretion any business relationship with the Supplier.</p>
22	<p>Suppliers shall:</p> <ul style="list-style-type: none"> <li>&gt; ensure their own suppliers and subcontractors comply with Air Liquide Supplier's Code of Conduct;</li> <li>&gt; comply and provide complete and accurate information, including access to their documentation, notably relevant financial documentation and sites.</li> </ul>

## Definitions

23	Supplier	Air Liquide's suppliers and subcontractors, their own suppliers and subcontractors, subsidiaries and affiliates, employees (temporary or not), as well as any third parties which provide goods and/or services to an Air Liquide Group company.
	Conflict of interest	Any situation of interference between a person's duty within an organization and their personal interest that could influence or appear to influence the independent, impartial and objective performance of such duty on behalf of the organization.
	Hazardous work	Any work that is likely to jeopardize a worker's health, safety or morals.
	Shall	Denotes a requirement (mandatory)
	Should	Denotes a recommended practice, but not a requirement (non mandatory guidance)
	May	Denotes an option
	Can	Indicates a possibility or ability

<sup>1</sup> Airgas has a similar system called [EthicsPoint](#).