Code of Conduct for BYD Supplier

BYD adheres to the principles of Fairness, Transparency (with traceability) and Competition in procurement. By implementing the *Code of Conduct for BYD Supplier* (hereinafter the Code), BYD hopes to achieve mutual benefit and win-win outcome with suppliers and ensure the healthy, stable and sustainable development of the supply chain.

This Code is based on the principles generally accepted by the industry and international community and incorporates BYD's requirements for supplier management. BYD expects its suppliers to strictly comply with all applicable laws and regulations in all business activities, and fully implement the requirements of this Code.

This Code applies to suppliers and their subsidiaries, affiliates, subcontractors and lower-tier suppliers (hereinafter referred to as "Suppliers") that provide products or services to BYD Co., Ltd. and its affiliates (hereinafter referred to as "BYD"). Suppliers shall communicate the requirements of this Code to their downstream suppliers and oversee their implementation.

BYD welcomes Suppliers to implement the national and internationally recognized industry standards and best practices to continuously improve the competitiveness of their products and services. BYD will carefully evaluate and review supplier's compliance with this Code. Any violation of this Code may jeopardize the cooperative relationship between Suppliers and BYD and may even result in termination of such relationship.

1. Integrity and Good Faith

Business dealings are based on integrity and good faith, and any form of corruption is expressly prohibited by BYD. BYD expects its Suppliers make every effort to take all measures to ensure that their business operations meet the highest standards of integrity and good faith.

1.1. Suppliers shall comply with applicable anti-bribery and anti-corruption requirements, including but not limited to the laws and regulations where Suppliers and its branches are located, and where it conducts business with BYD.

1.2. Suppliers shall not, for the purpose of acquiring, retaining or otherwise obtaining any undue advantage, directly or indirectly, through Supplier's staff or any third party, provide or agree to provide, offer or agree to offer any property or other benefits such as any loan, gift, service or other payment, to any company or individual, including BYD's employees and their related persons, or to third parties, (including, but not limited to, BYD's customers, government officials), to influence any act or decision of the recipient.

1.3. In order to better comply with applicable laws, regulations and BYD's requirements on anti-bribery and corruption, Suppliers shall take measures such as communicating the requirements to their employees and partners to ensure that the requirements of anti-bribery and corruption are implemented end-to-end throughout their business activities.

2. Compliance

BYD champions the value of compliance management, and Suppliers shall comply with all applicable laws and regulations in carrying out its business activities. On this basis, BYD encourages Suppliers to comply with high-standard international compliance rules, etc., to comprehensively identify and prevent compliance risks.

2.1. Suppliers, including its employees (including directors, supervisors, senior management and partners), shareholders, parent companies, subsidiaries and branches, shall ensure that all the operations meet the laws and regulations and the applicable laws and regulations of the countries and regions where Suppliers and its branches are located, including but not limited to local, national, regional, international laws and regulations, rules, restrictions or guidelines, and all relating policies issued by BYD, and every employee has access to sufficient information and training on relevant laws and regulations.

2.2. BYD respects the Confidential Information that belongs to Suppliers, customers and other interested parties, and expects Suppliers to keep such information strictly confidential and not to use it improperly or disclose it to any third party.

2.3. BYD expects its Suppliers to strictly comply with the intellectual property laws and regulations of the People's Republic of China and other applicable countries and regions, and to identify and respect the intellectual property rights of others, including patents, designs, trademarks, trade secrets and copyrights (including but not limited to ingredients, sound recordings, videos, games and computer programs), and not infringe or misappropriate the intellectual property rights of others.

2.4. Without any exceptions, Suppliers shall strictly comply with all applicable import and export laws. This includes, but is not limited to, laws, regulations and resolutions of the countries where it is located, and those of other relevant countries and international organizations, relating to export controls, sanctions and trade embargoes (hereinafter collectively referred to as the "Laws").

2.5. Suppliers shall conduct business activities in compliance with all applicable international trade rules, the import and export activities shall also be carried out in strict accordance with customs laws and regulations and managed as per customs certification standards. Suppliers shall optimize and continuously improve its trade security management in accordance with *The Criteria for Advanced Certified Enterprises under the AEO Program*, as implemented in conjunction with the latest *Measures of the Customs of the People's Republic of China for the Credit Administration of Enterprises Registered and Filed with the Customs* or in accordance with equivalent applicable laws and regulations.

2.6. BYD places great importance on the protection of Personal Information, based on which, expects Suppliers to ensure that all of their personal information processing activities comply with legal requirements on Personal Information protection in the countries where Suppliers and its branches are located or jurisdictions in which the processing activities take place.

2.7. BYD champions the principles of fair and free competition as a fundamental component of the market economy. BYD expects Suppliers to strictly abide by and act in full compliance with the applicable antitrust and competition laws, regulations, guidelines and rules in all aspects of their business activities, and to conduct their business activities in an open and competitive manner. Suppliers shall avoid any act that is intended to, or has the effect of, hindering, restricting, or distorting free and fair competition. In particular, Suppliers shall not enter into any agreements, resolutions or other concerted practices that may eliminate or restrict competition with their competitors or potential competitors, suppliers, customers or other third parties; shall not abuse the dominant position in relevant market; shall not exchange competitively sensitive information with any third party for the purpose of eliminating or restricting competition; and shall not engage in any unfair, anti-competitive, misleading or deceptive conduct in the marketing, promotion and sale of their products.

2.8. BYD combats activities related to money laundering (including terrorist financing) and expects Suppliers to take appropriate measures to ensure that legitimate business is not used to facilitate, support or cover up the source of illicit funds of terrorist or criminal activities. Suppliers shall also maintain proper financial records and reports pursuant to applicable laws and regulations.

3. Sustainable Development

BYD never forgets to serve society and produce better economic and social benefits while swiftly developing. BYD hopes that all Suppliers will practise sustainable development together, refer to the Social Accountability International SA8000 standard to achieve responsible and effective corporate management, continuously improve labor rights, protect the environment, and promote sustainable management of the entire upstream and downstream value chain.

3.1. Suppliers shall have fully understood the direct and indirect impacts of business activities on the society and environment, and has given due and proper consideration to the interests of all beneficiaries (including but not limited to its employees, customers, suppliers, business partners, shareholders and local communities). In order to evaluate and correct the behavior that is inconsistent with this Code, Suppliers are required to provide BYD with full access to the required information and areas. If any misconduct is identified or suspected, Suppliers are required to report to BYD immediately and submit a plan of rectification including a time frame for improvement so that BYD could continuously assess supplier’s performance and potential.

3.2. Labor Protection

3.2.1. Suppliers shall respect and protect human rights, promote equal work opportunities and treatment for employees, and comply with the labor-related laws, regulations, and rules of the People’s Republic of China and applicable countries and regions. Suppliers shall ensure that every employee works in a fair and ethical place, with fair wages, working hours and benefits that meet the applicable local minimum legal standards.

3.2.2. Suppliers shall not discriminate against employees in employment practices such as hiring, remuneration, promotion, incentives, training opportunities, termination of employment, etc., on the basis of skin colour, age, gender, sexual orientation, gender identity and gender expression, race or ethnicity, disability, pregnancy, religious beliefs, political affiliation, membership of associations, protected genetic information or marital status, etc.

3.2.3. Suppliers shall respect and protect the privacy of employees, refrain from prying into employees' privacy at will, refrain from over-collecting employees' personal information, manage and use employees' personal information appropriately, and prevent unauthorized disclosure and misuse.

3.2.4. Suppliers shall respect the rights of all employees to voluntarily form and join trade unions, engage in collective bargaining and peaceful assembly, and refuse to participate in such activities in accordance with local laws. Suppliers shall establish a mechanism for communicating with employees and communicate regularly with employees or their representatives. Employees or their representatives shall be able to communicate openly with management and express their views and concerns about working conditions and management practices without fear of discrimination, retaliation, threats or harassment.

3.2.5. Suppliers shall take special care not to use child labor at any stage of their operations (the minimum age for employment is subject to the local laws of the country or region). Make every effort to protect children from economic exploitation and from work that may interfere with their education or be harmful to their health or well-being, in accordance with the relevant provisions of the *United Nations Convention on the Rights of the Child*. For underage workers, student workers and apprentices, Suppliers shall formulate a management system in conjunction with local regulations to safeguard the legitimate rights and interests of minors.

3.2.6. Suppliers shall abide by all applicable laws, rules and regulations prohibiting forced labor of any kind. Accordingly, BYD will not tolerate or allow Suppliers to employ any form of forced labour, bonded labour, trafficked labour, slavery (including modern slavery) or prison labour in the provision of any items and/or services to BYD. Suppliers must ensure that all of its employees are voluntarily employed and that Suppliers do not restrict their personal liberty, withhold identification documents, or engage in human trafficking, including transporting, harbouring, recruiting, transferring or accepting such labour or services through threats, coercion, force, abduction or deception. Employees shall not be required to pay deposits, recruitment or other fees to employers or agents. Suppliers shall further ensure that none of their sub-suppliers or service providers contracted to perform work in connection with a BYD project have used any form of forced labor in performing the contracted-for work or services. Should Suppliers learn about any actual or suspected instances of forced labor in the course of

performing work for or providing services to BYD (whether in their business operations or in those of their sub-suppliers and service providers), Suppliers shall promptly report such instances to BYD and take appropriate corrective steps.

3.2.7. BYD encourages Suppliers to establish an institutionalized occupational safety management system to provide a safe, healthy, pollution free and productive workplace. Suppliers shall ensure that the physical environment of the workplace, such as temperature and noise, complies with laws and regulations and applicable national standards, prepare emergency plans, and keep emergency facilities and access routes available for use. In addition to providing occupational health and safety training for employees, safety hazards in the workplace shall be minimized and employees shall have access to first aid services and personnel in charge. Housing provided by Suppliers for its employees shall be clean, safe, and meet their basic needs.

3.3. Environmental Protection

3.3.1. Environmental protection and economic development are not mutually exclusive, but are fundamental to sustained value creation. BYD is committed to designing production processes and products conducive to the sustainable use of resources, environmental protection and climate change mitigation. BYD recommends that Suppliers establish and continuously improve their own environmental management systems in accordance with ISO14001 and other standards, and take the initiative to provide BYD with plans and progress for the implementation and execution of environmental system certification.

3.3.2. Suppliers shall observe applicable environmental protection laws, regulations and standards and all reasonable environmental protection requirements proposed by BYD. For Suppliers engaged in the transportation of hazardous chemicals and other industries with special industrial requirements for safety and environmental management under national laws and regulations, they shall act in accordance with such special requirements. In particular, Suppliers shall ensure that relevant certificates and documents, including production permits, the transportation qualifications of hazardous chemicals, and applicable permits or qualifications relating to their packaging and containers, are authentic and valid. Hazardous chemical Suppliers are required to provide the corresponding Material Safety Data Sheets (MSDS), and mark the classification of chemicals and their hazardous information in accordance with the latest version of the United Nations Globally Harmonised System of Classification and Labelling of Chemicals (GHS) and applicable national standards, and make them available to the public.

3.3.3. Suppliers shall use clean energy as a priority. Reduce the generation of pollutants by adopting processes and equipment with high resource efficiency and low pollutant emissions, as well as technologies for the integrated use of waste and the non-hazardous treatment of pollutants.

3.3.4. Suppliers shall conserve resources, reduce and eliminate all types of resource consumption, including water and energy consumption, at source or through practices such as improving production, maintenance and facility processes, saving natural resource, substituting, recycling and reusing materials. Suppliers shall formulate energy management systems or procedures, eliminate high energy-consuming equipment and facilities required by the State, and reasonably renovate and upgrade production equipment and facilities and processes to save energy and reduce emissions.

3.3.5. Suppliers shall formulate water resource management system or procedures, identify and assess the abundance and scarcity of water resources in the operation site, and formulate measures to mitigate the risk associated with water scarcity; the use and discharge of water resources in the operation site shall be in compliance with the law and at the same time, Suppliers shall take into account the recycling of water resources and the conservation of water resources.

3.3.6. Suppliers shall strictly abide by relevant national laws and regulations and formulate biodiversity protection systems and measures. Supplier shall identify risks and investigate potential hazards associated with impacts on animal resources, plant resources and other biological resources. Suppliers shall continuously control its own business activities to reduce negative impacts on biodiversity.

3.3.7. In order to achieve sustainable development and respond to global challenges such as climate change, resource scarcity and environmental change, BYD actively advocates Suppliers to transform to a circular economy, prioritize circularity in product design, select eco-labels suitable for recycling targets, refer to internationally recognized methodologies and disclosure guidelines, and improve the transparency of recycling disclosure. Meanwhile, BYD supports Suppliers to research the latest trends in sustainable materials and recycling technologies for circular innovation.

3.3.8. Suppliers shall focus on the control of toxic and hazardous substances in products. Suppliers shall ensure that their products and services comply with all applicable laws and regulations in relevant countries and regions, including but not limited to EU RoHS, REACH, POPs, U.S. TSCA and other international environmental regulations on hazardous substances, and continue to dynamically analyze the environmental regulations on relevant products and strictly comply with the environmental requirements of each country.

3.3.9. Suppliers shall strictly abide by national, local and various industry-related environmental protection laws and regulations. Suppliers shall improve the management rules and regulations for wastewater, waste gas and noise, and the programme for handling sudden environmental pollution accidents. All kinds of production wastewater shall be collected and treated according to classification and quality. Suppliers shall adopt different types of waste gas treatment

facilities for production waste gas according to different production processes and main components of waste gas to ensure that wastewater and waste gas emissions comply with applicable national, local and industrial requirements. Suppliers shall adopt sound insulation, noise reduction, sound absorption, vibration damping and other measures for production equipment to reduce noise to within the limits stipulated by law.

3.3.10. Suppliers shall identify the sources of non-hazardous solid waste, formulate measures to recycle non-hazardous solid waste in accordance with the requirements of solid waste laws and regulations, and legally dispose of non-hazardous solid waste in accordance with the principles of reduction, resourcing, and harmlessness, collect statistics on the sources of non-hazardous solid waste and data on the recycling and disposal of non-hazardous solid waste, so as to trace back the sources of non-hazardous solid waste and disposal of non-hazardous waste.

3.3.11. Suppliers shall establish a management system for hazardous waste and related regulations in accordance with national environmental protection regulations. Hazardous waste management plan and hazardous waste reduction plan shall be formulated. The hazardous waste generated shall be properly collected and stored, and qualified institutions shall be entrusted to dispose of them, and at the same time actively seek for process modification and substitution of raw and auxiliary materials to reduce the generation of hazardous waste.

3.3.12. Suppliers shall carry out organizational carbon verification, set carbon reduction targets, promote energy-saving technological reform projects, and increase the use of clean energy. Suppliers shall carry out product carbon footprint accounting and supply chain emission reduction.

3.4. Sustainable Development of the Whole Supply Chain

In order to actively respond to the challenges of climate change, improve the level of social responsibility of the entire value chain, and ensure that the entire supply chain meets domestic and international regulations related to environmental protection and social responsibility, BYD actively promotes the practice of sustainable development in the entire supply chain. Suppliers, as the core of the supply chain, should actively establish a sustainability management system, carry out low-carbon management, and promote the sustainability management of lower-level suppliers.

3.4.1. BYD encourages Suppliers to establish sustainable development strategies and practice sustainable development by formulating climate development strategies and conducting supply chain due diligence. Suppliers shall co-operate with BYD in due diligence, and at the same time establish supply chain due diligence management system, carry out due diligence, actively promote the sustainable development of the next tier of suppliers, and require the next tier of suppliers to also carry out due diligence in order to ultimately realize the sustainability management of the whole supply chain.

3.4.2. To date, mineral trade in Conflict Affected and High-Risk areas (CAHRAs) is affected by violent conflicts and violation of human rights. To avoid the risks of procurement activities contributing to conflict, human rights abuses and instability, Suppliers shall establish a responsible minerals procurement management system and due diligence policy based on the OECD *Due Diligence Guidance for Responsible Supply Chains of Minerals* from CAHRAs, and provide due diligence reports to BYD upon request.

3.4.3. Suppliers shall communicate the above requirements to its sub-suppliers at each tier and monitor their implementation. Supplier shall conduct regular due diligence and investigations throughout the supply chain, including activities such as extraction, transportation, handling, trading, processing, smelting, refining and alloying, manufacturing, and sales. BYD expects Supplier to make every effort and take appropriate measures to prevent, mitigate, or reduce risks associated with minerals and related activities originating from Conflict-Affected and High-Risk Areas, and to ensure that the entire supply chain complies with applicable requirements.

4. **Complaint Channel**

BYD encourages Suppliers to report violations by employees of both parties and other Suppliers.

BYD's Complaint Channel: +86-755-89888888-62407 (phone); tousu@byd.com (email); "lianjiebyd" (WeChat Official Accounts).