



## The AES Corporation Supplier Code of Conduct

The AES Corporation is committed to improving lives by accelerating a safer and greener energy future. Our work with Suppliers is critical to this mission. This Supplier Code of Conduct defines the basic requirements and expectations applicable to all suppliers, contractors, consultants and third-party intermediaries (“Suppliers”) to The AES Corporation and its affiliates. The AES Supplier Code of Conduct is incorporated into our contracts with suppliers and our suppliers are responsible for ensuring the compliance of any subcontractors with our Supplier Code of Conduct.

### **COMPLY WITH THIS CODE AND APPLICABLE LAW**

Suppliers must comply with all applicable laws and the standards set forth in this Code.

### **COMPLY WITH OUR CONTRACT**

Suppliers must comply with their written contract with AES. This Code is intended to complement the contract, not to replace it. Nothing in this Code is meant to supersede any more specific provision in a particular contract, and to the extent there is any inconsistency between this Code and other provisions of a contract or purchase order, the other provision will control.

### **PROVIDE A SAFE WORKING ENVIRONMENT**

Suppliers are expected to provide workers with a safe and healthy workplace free of harassment and discrimination and to engage positively with the local community. Suppliers shall be responsible for the health and safety (H&S) of employees and shall provide training to ensure their employees are educated in H&S issues and comply with applicable environmental, health and safety (EHS) laws and regulations, and AES’ contractor EHS requirements.

Suppliers shall act in accordance with the applicable statutory and international standards regarding environmental protection.

### **COMPETE FAIRLY**

Suppliers shall comply with all laws related to anti-trust, fair dealing and competition, including laws prohibiting price-fixing, restraint of trade, predatory pricing, trade secret theft, fraud, market allocation and kickbacks.

Suppliers shall not share or exchange any price, cost or other competitive information or engage in any collusive conduct with any third party with respect to

any proposed, pending or current AES bid or procurement.

### **MAINTAIN ACCURATE BOOKS AND BUSINESS RECORDS**

Suppliers shall maintain honest and accurate financial records of all business transactions and information. All reports and requests for payment to AES must be complete and may not exclude, hide or disguise any pertinent information. AES reserves the right to audit all Suppliers. Supplier shall provide AES with additional supporting documentation upon request.

Suppliers shall ensure that all invoices and any customs or similar documentation submitted to AES or governmental authorities in connection with transactions involving AES accurately describe the goods and services provided or delivered and the price thereof. Suppliers shall not participate in any actions that may be viewed as tax evasion or the facilitation of tax evasion. Suppliers should not delay sending an invoice or otherwise enable the shifting of an expense to a different accounting period.

### **AVOID CORRUPTION AND BRIBERY**

Suppliers shall comply with all applicable anti-corruption laws, including the U.S. Foreign Corrupt Practices Act, the OECD Convention Against Bribery, the UK Bribery Act, and any other applicable local anti-corruption laws. Suppliers may not directly or indirectly offer, promise or authorize the giving of anything of value to any government official, employee of a government-controlled company or political party, in order to obtain any improper benefit or advantage or for an improper reason. AES does not permit facilitation payments, regardless of local custom or practice.

Suppliers must keep a written account of all payments (including any gifts, meals, entertainment or anything else of value) made on behalf of AES or out of funds provided by or reimbursed by AES.

#### **AVOID CONFLICTS OF INTEREST**

Suppliers shall avoid conflicts of interest in their work for AES. Suppliers may not negotiate or deal directly with any AES employee that has a financial interest in the supplier or whose relative, friend, romantic partner or household member holds a financial interest in the supplier.

#### **AVOID EXTRAVAGANT GIFTS AND ENTERTAINMENT**

Suppliers must use good judgement, discretion and moderation when offering gifts or entertainment to AES employees or third parties they work with on AES' behalf. Any gifts or entertainment that create a conflict of interest or appear to influence business judgement must be avoided. In all cases, gifts and entertainment must be modest in value and infrequent.

#### **FOLLOW TRADE CONTROLS**

Suppliers shall comply with all applicable trade control laws and regulations in the import, export, re-export or transfer of goods, services, software, technology or technical data including any restrictions on access or use by unauthorized persons or entities.

#### **RESPECT HUMAN RIGHTS**

Suppliers shall comply with all applicable child and forced labor, and working conditions laws (including working hours, wages, etc.) and only employ workers who meet the applicable minimum legal age requirement in the country. Unless prohibited by local law, Suppliers shall grant their employees freedom of association and collective bargaining.

#### **CREATE A SUSTAINABLE BUSINESS**

Suppliers shall maintain work practices and environments that support sustainability. Our Suppliers shall provide solutions that support a sustainable social, economic, and environmental future.

#### **PROTECT CONFIDENTIAL INFORMATION**

Suppliers may only use AES confidential information for authorized purposes necessary to perform its contractual obligations and will not share such information with anyone outside AES without AES' permission. Unless otherwise provided in an agreement with AES, all business ideas, inventions, methodologies,

technologies and business plans that are conceived or created by Suppliers in their work for AES are the confidential information of AES. Suppliers shall protect AES confidential information (including intellectual property such as trademarks, patents, copyrights, logos, research and customer lists) to prevent its misuse, theft, fraud or improper disclosure. Suppliers shall protect sensitive or confidential information related to AES and shall comply with all insider trading laws. The obligation to protect confidential information related to AES continues after the Supplier relationship ends.

#### **AVOID CONFLICT MINERALS**

Suppliers shall take reasonable efforts to avoid in their products the use of raw materials which directly or indirectly finance armed groups who violate human rights.

#### **RESPECT INTELLECTUAL PROPERTY**

Suppliers shall respect the intellectual and other property rights of AES and of third parties, including all patents, trademarks and copyrights. Unless otherwise provided in an agreement with AES, all ideas, inventions, methodologies, technologies and business plans that are conceived or created by Suppliers in their work for AES are the sole property of AES, and Suppliers will reasonably cooperate with AES to assign, obtain, perfect, and protect intellectual property rights in the same.

#### **ENSURE CYBERSECURITY**

Suppliers shall use all IT resources in a safe, responsible, professional, ethical and lawful manner, and ensure the security of all AES data and proprietary information.

#### **PROTECT PRIVACY**

Suppliers shall respect the privacy rights and data of AES employees, customers and suppliers, and implement appropriate controls to ensure security and confidentiality of AES data to prevent accidental, unauthorized or unlawful destruction, alteration, modification or loss of AES data, misuse of AES data or unlawful processing or distribution of AES data.

#### **HOW TO RAISE A QUESTION OR CONCERN**

Suppliers who are aware of a violation of this Code or who have a question should contact the AES Helpline: [www.aeshelpline.com](http://www.aeshelpline.com). Reports can be made anonymously. AES has a strict non-retaliation policy for any matters referred to the AES Helpline.