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Mitsui & Co., Ltd.

**Mitsui Global Group Hotline
Bribery & Antitrust**

WHISTLEBLOWING POLICY

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1. Introduction and Scope

- 1.1 This whistleblowing policy aims to help our employees and our management to identify, report, clarify and eliminate possible wrongdoings (“**Whistleblowing Policy**” or “**Policy**”). With this Policy we want to create trust and encourage our employees to raise concerns.
- 1.2 This Policy applies to Mitsui & Co., Ltd. based in Tokyo, Japan (“**Mitsui Tokyo**”) and its group companies established in Belgium, Czech Republic, France, Germany, Greece, Hungary, Ireland, Netherlands, Italy, Latvia, Malta, Norway, Poland, Romania, Spain, Switzerland, UK, Morocco, Canada, USA, Mexico, Venezuela, Columbia, Peru, Chile, Brazil, Argentina, Cuba, Turkey, Algeria, Morocco, South Africa, Mozambique, Kenya, Ghana, Gabon, Rwanda, United Arab Emirates, Qatar, Oman, Iran, Bahrain, Kuwait, Saudi Arabia, Iraq, Jordan, Israel, Egypt, India, Bangladesh, Pakistan, Sri Lanka, Singapore, Myanmar, Malaysia, Indonesia, Thailand, Cambodia, Philippines, Vietnam, Laos, Australia, New Zealand, Mongolia, South Korea, China, Hong Kong, Taiwan, Japan, Russia, Uzbekistan, Ukraine, Kazakhstan and Azerbaijan (each “**Mitsui Group Company**”).
- 1.3 Each Mitsui Group Company is part of the international Mitsui group with Mitsui Tokyo as its headquarters (“**Mitsui Group**”, “**Company**” or “**we**”).

2. Definitions

- 2.1 “**Whistleblower**” is an employee of the Company who has become aware of and reports an illegal, immoral, or illegitimate conduct regarding antitrust and anticorruption matters in the Mitsui Group. Since the Whistleblower is unable to remedy such misconduct on his/her own, he/she reports it to the Contact appointed by the Company.
- 2.2 “**Whistleblowing Report**” or “**Report**” means the notification related to antitrust and anticorruption wrongdoings within the Mitsui Group to the Contact.
- 2.3 “**Incriminated Person**” or “**Person Reported**” means the individual who is suspected of a violation of antitrust and/or anticorruption laws by the Whistleblower in its Whistleblowing Report.

- 2.4 **“Contact”** is a person to whom the Whistleblower reports misconduct. It may be an in-house employee but also an external service provider commissioned by Mitsui Tokyo or a Mitsui Group Company.
- 2.5 Reported information is deemed to have been made in **“Good Faith”** if the Whistleblower has reasonable grounds to believe that the facts to be reported are correct, that they do not conflict with his own state of knowledge and that they constitute, in his opinion formed on that basis, a circumstance that may directly or indirectly cause damage or other detriment to the Mitsui Group, employees, business partners or customers. If and insofar as the Whistleblower is obligated to clarify the facts prior to reporting them, he/she must disclose such obligation in the Whistleblowing Report.
- 2.6 **“Discrimination”** means any behaviour that may discriminate against or vilify the Whistleblower. This also includes any conduct directed at preventing the Whistleblower from making a Whistleblowing Report.

3. Principles

3.1 Purpose

The purpose of this Whistleblowing Policy is the implementation of a global whistleblowing system for the detection and investigation of antitrust and anticorruption issues.

3.2 Persons authorized to report

All current employees and/or executives of the Mitsui Group are authorized to report suspected wrongdoings.

3.3 Potentially Incriminated Persons

All employees and/or executives of the Mitsui Group suspected of having caused a reportable incident may be reported.

3.4 Subject of reporting

Only misconduct in regard to antitrust and anticorruption issues that is directed against the interest of the Mitsui Group should be reported.

4. Reporting Process

4.1 Reporting requirements

(a) Open and direct reporting

All persons authorized to make a Whistleblowing Report are encouraged to disclose wrongdoings, misconduct and threats within the meaning of this Policy openly and directly.

(b) Reasonable suspicion

The Whistleblower should only report incidents where he/she has reasonable grounds to believe that an incident relevant under this Whistleblowing Policy has occurred.

The Whistleblower will not be able to clearly see every time whether a certain action or behaviour should be reported according to the principles of this Policy. Therefore, the Whistleblower should look into this Policy carefully before making a Whistleblowing Report. At the same time, it is preferable to report suspicious incidents in Good Faith rather than to conceal them.

If in doubt, we recommend first consulting your local contact who decides about matters related to the Whistleblowing Policy without naming the suspect.

(c) Specific and conclusive

Each Whistleblowing Report should be as specific as possible. The Whistleblower should provide as detailed as possible information about the incident to enable the recipient of the Report to assess the matter accurately. Thus, the background, sequence of events and reason for reporting as well as the names, dates, places and other information should be provided. Also, documents should be enclosed, if available. Personal experiences, potential bias and subjective opinions should be identified as such.

In principle, the Whistleblower will not conduct own investigations; exemptions may apply in those cases where they are obligated by contract to conduct investigations.

4.2 Code of practice: Mitsui Global Group Hotline

Reporting is possible via the Mitsui Global Group Hotline (“**GGHL**”), the Mitsui Group’s global whistleblowing system. In the following, the functionality and basic reporting process via GGHL is described in detail. Due to national legal requirements, the reporting process may differ in some jurisdictions. Please see for national specifications of GGHL under section 4.2(c).

GGHL provides two options for reporting incidents efficiently and reliably. A Whistleblowing Report can be filed through the externally operated website either in form of a confidential e-mail or anonymously directly on the GGHL website. In both cases, the Whistleblowing Report will be forwarded to the Compliance Department, Legal Division of Mitsui Tokyo (“**Compliance Department**”).

For employees based in the European Union, the externally operated website can be reached at <https://whistle-eu.com/tsuho/>. This website is run by TSUHO Support Center EU SARL (“**Support Center EU**”) headquartered in Paris, France. For employees based outside the European Union, the externally operated website can be reached at <https://whistle.jp/tsuho/select-country/eng>. This website is run by TSUHO Support Center Co. Ltd. (“**Support Center**”) headquartered in Tokyo, Japan. Support Center (EU) is an independent external company that is specialized in handling Whistleblowing Reports.

After visiting the above mentioned website the Whistleblower can register with the Support Center (EU) by using the group-wide password and providing further Registration Information (his/her employing Mitsui Group Entity; country; confirmation that no state secrets, trade secrets, military secrets, spatial data, medical secrets or information under attorney client privilege (“**Unreceivable Information**”) will be sent with the Report).

It is recommended to use the below described options reasonably by weighing one’s own interests and the affected interests of the Person Reported and of the Company.

(a) Option A

If the Whistleblower chooses Option A he/she will be asked to provide his/her name and his/her contact e-mail address. Afterwards, a confirmation e-mail with an e-mail address and an individual acceptance ID will be send to the Whistleblower. The Whistleblower can then send his/her Report to this specific e-mail address including the acceptance ID.

The Support Center will first examine the contents of said Report and translate its content into Japanese before forwarding it to the Compliance Department. In case the Report contains any Unreceivable Information, it will not be forwarded but deleted upon notice to the Whistleblower. The Whistleblower can decide if he/she wants his/her name and e-mail signature to be removed before the Report is forwarded.

Inquiries about the Whistleblowing Report and further communication with the Compliance Department will only be possible through the Support Center (EU). There is no direct communication between the Whistleblower and the Compliance Department and/or any Mitsui Group Company.

(b) Option B

The Whistleblower also has the second Option B where a Report can be filed anonymously on the website of the Support Center (EU). In this case, the Whistleblowing Report is directly forwarded to the Compliance Department without its contents being checked or translated by the Support Center. Option B allows the handling of urgent cases.

An urgent case exists if the Whistleblowing Report contains information that requires the Compliance Department's immediate attention because otherwise the Company or its employees could take harm. Neither the Support Center (EU) nor the Compliance Department can identify the Whistleblower from other information than the information given in the Whistleblowing Report itself. As the Whistleblower does not enter his/her name or contact e-mail address in Option B, a subsequent communication between the Whistleblower and the Compliance Department is not possible.

(c) National specifications

- Italy

In case the Whistleblowing Report relates to the Mitsui Group Company Mitsui Italia S.p.A. ("Mitsui Italia"), Mitsui Tokyo will share the Report with the supervisory committee at Mitsui Italia in accordance with Italian law. The supervisory committee is responsible for the investigation of compliance matters at Mitsui Italia and ensures that Mitsui Italia complies with Italian law. In no circumstances will personal data be provided to a member of the supervisory committee being investigated.

- Russia

For employees based in Russia, only the anonymous option B applies.

- USA

For employees based in the USA, the respective GGHL website is operated exclusively by TSUHO Support Center America Co. Ltd headquartered in Tokyo, Japan.

5. Procedure after Reporting

All Whistleblowing Reports will be treated with confidentiality taking into account the applicable data protection laws. After having received a Report, the Compliance Department will check the details provided, especially if there is any evidence that can corroborate or refute the information provided, and will decide whether to conduct further internal investigations.

Employees are obligated to assist the Compliance Department with the investigations and to cooperate in clearing up the matter to the best of their abilities. They are bound to confidentiality.

The information found will be documented. Only the data required will be collected and processed. If necessary based on the results found, the other internal competent bodies within the Mitsui Group and, where required, the authorities will be called in and the respective data will be transmitted to them.

The investigation will be conducted as quickly as reasonably possible.

If a Whistleblowing Report turns out to be wrong or cannot be sufficiently supported by facts, this will be documented accordingly and the investigation will be stopped immediately. This must not have any negative consequences for the Person Reported and the incident must not be documented in his or her personnel file.

Mitsui Tokyo will strive to use the results and suggestions of any investigation in a way that a conduct can be corrected if and insofar as possible under the existing circumstances.

6. Protection of Whistleblower and of persons involved in the investigation process

6.1 Confidentiality and secrecy

Protection of the Whistleblower and of the persons involved investigating the incident is ensured by the confidential treatment of their identity.

If at the time of registration with the Support Center (EU) the Whistleblower has chosen not to have his/her name, e-mail address and e-mail signature transmitted together with his/her Report, only the contents of the Report, excluding such name, e-mail address and e-mail signature will be forwarded to the Compliance Department.

If the Whistleblower did not select this option or if he/she chooses to provide his/her contact details as part of the Report, such data will be stored and used for investigation taking into account the requirements under the applicable data protection laws.

6.2 Protection from reprisal

No person reporting in Good Faith or assisting in clearing up a respective suspicion has to fear negative consequences (such as Discrimination, degradation or dismissal) as a result of such reporting and/or assistance. Something else may apply if the person is involved in the incident to be investigated.

If a Whistleblower or person assisting in clearing up a suspicion believes that he/she has been penalized, discriminated against, harassed or the like as a result thereof, he/she

should inform his/her respective superior thereof and/or contact the Compliance Department directly. The Compliance Department can be informed by e-mail (e-mail address: compliance@mitsui.com) in English and/or Japanese.

Any employee or superior who dismisses, degrades, harasses or discriminates against a Whistleblower or person assisting in clearing up a respective suspicion due to such reporting or assistance, must expect disciplinary measures which may even result in his or her dismissal.

7. Abuse of the Mitsui Global Group Hotline

Every person authorized to report is asked to disclose wrongdoings and misconduct. The Whistleblower should make sure to present the facts objectively, accurately and completely as well as to identify personal experiences, potential bias and subjective opinions as such.

Reporting should be done in Good Faith. If an examination of the Report shows, for example, that there is no reasonable suspicion or that the facts do not suffice to substantiate suspicion, the Whistleblower who has reported in Good Faith does not have to expect disciplinary measures.

Something else applies to the Whistleblower who deliberately abuses the GGHL for false reporting, as he/she must expect disciplinary measures. Such measures may include, for example, a warning or dismissal. Abusive conduct may also have consequences under criminal or civil law.

8. Data Protection

Data protection is a high priority for the Mitsui Group. In order to ensure the safety of personal data, we have worked closely with our technical and legal experts in this area to develop GGHL. Personal data being part of the whistleblowing procedure will be processed in compliance with applicable data protection laws. GGHL is based on the strict requirements of the European General Data Protection Regulation (EU) 2016/679. All employees of the global Mitsui Group will thus be protected by the same high data protection standard. Furthermore, the applicable national data protection laws have been taken into account for the development of GGHL.

8.1 Definitions

- (a) **“personal data”** means any information relating to an identified or identifiable natural person (**“data subject”**); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- (b) **“processing”** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaption or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
- (c) **“Controller”** means the natural or legal person, public authority, agency or body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

As part of the whistleblowing procedure Mitsui & Co., Ltd. (1-3, Marunouchi 1-chome, Chiyoda-ku, 100-8631 Tokyo, Japan) acts as Controller with regard to GGHL.

- (d) **“Processor”** means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the Controller.

8.2 Processing of personal data

Personal data will be collected and stored as part of the whistleblowing procedure. This includes any personal data that is part of the Whistleblowing Report and, if chosen by the Whistleblower, his/her name and e-mail address.

8.3 Legal basis for processing

The data collected will be used only for the purposes described in this Whistleblowing Policy. The processing of personal data takes place, in particular, to ensure compliance

at Mitsui Tokyo and within the Company. Data will be processed if this is necessary to protect Mitsui Tokyo's and the Company's legitimate interests, unless the interests of the data subjects outweigh these interests. Legitimate interests include ensuring compliance within the Company; this incorporates uncovering and clarifying wrongdoings within the Company and conduct that harms the Company, white-collar crime and the like, as well as protecting employees, business partners, customers, etc.

8.4 Safeguard for data transfer within the Mitsui Group

The data will be transferred only to authorized individuals and only if necessary for the purposes described in this Whistleblowing Policy. This includes the members of the Compliance Department at the headquarters in Tokyo, and, if it is absolutely necessary for the investigation process, other members of the Compliance/Legal Departments of the Mitsui Group, particularly in the U.S., UK, Singapore and China. The Mitsui Group has concluded Standard Contractual Clauses as appropriate safeguards for the intra-company transfer of personal data under applicable data protection law.

8.5 Data transfer to third parties

The processing of personal data by third parties on behalf of the Controller is governed by data processing agreements in accordance with the requirements under applicable data protection law. The following companies are involved in the data processing for GGH:

TSUHO Support Center EU SARL (43 rue de Liège 75008 Paris, France)

TSUHO Support Center Co. Ltd (7F 5-8-14 Hiroo, Shibuya-ku, Tokyo, Japan)

8.6 Technical and organisational measures to ensure data security

The personal data collected in connection with the Whistleblowing Report will be stored separately of other data kept by the Incriminated Person at the Company. Adequate authorization systems and appropriate technical/organizational measures ensure that only those in charge within the Compliance Department can access such data. This also applies to the Whistleblower's personal data.

8.7 Data storage

Data collected in connection with reporting that is of no relevance to the procedure will be promptly deleted. Such data will be generally deleted within two months after conclusion of the Company's internal investigations.

If misconduct in terms of this Whistleblowing Policy or an abuse of the GGHL pursuant to section 7 results in proceedings before a criminal, disciplinary or civil court, the data storage time may be extended until a final and binding decision has been reached in such proceedings.

9. Protection of the Incriminated Person

9.1 Notification of the Incriminated Person

Any person affected by the Whistleblowing Report will be notified in due time of the suspicion directed against it, taking into account the requirements under the applicable data protection laws, provided that such notification does not seriously impair the achievement of the objectives of the processing.

Notification shall take place no later than upon the completion of the investigations.

Normally, such notification will include the following information:

- identity and contact details of the Controller and the contact details of the data protection officer (where applicable);
- the purpose of the processing;
- the legal basis for the processing and, if applicable, the legitimate interests of the Controller;
- the categories of personal data concerned;
- the recipients and/or categories of recipients of the personal data, if any;
- if the Incriminated Person is based in the European Union: the transfer of personal data to a country outside the European Union as well as the appropriate

safeguards for such an transfer and the means to obtain a copy of them or where they have been made available;

- the period for which personal data is stored or the criteria for determining such period;
- the data subject's right to information, rectification, restriction or erasure and/or possible rights of objection;
- the right to lodge a complaint with a national supervisory authority;
- the source the personal data originates from.

9.2 Right to comment and to have data deleted

The Incriminated Person will be heard by the Compliance Department before conclusions are drawn at the end of the process explained above. If a hearing cannot be conducted for objective reasons the Compliance Department will ask the Incriminated Person to submit his/her arguments in writing. Thereafter, the Compliance Department will decide on the necessary measures to be taken in the interest of Mitsui Tokyo.

If the suspicion raised in the Report does not prove true, the Incriminated Person will have the right to erasure of his/her data stored by the Company in this context pursuant to Section 10.2.

10. Rights of the data subjects

All persons whose data is processed as part of the whistleblowing procedure, for example the Whistleblower, the Incriminated Person or those assisting in clearing up the matter, have the following rights as data subjects:

10.1 Right to information

Data subjects have the right to receive information on the data stored in relation to them and further information, such as the purposes of processing or the data recipients.

10.2 Right to rectification, restriction or erasure

Data subjects have the right to have their incorrect data corrected, completed, blocked or erased in accordance with the provisions of applicable data protection law.

10.3 Notification of recipients

If the Controller has disclosed the data to a third party it will notify such data recipient of the data rectification, erasure or restriction in accordance with applicable legal provisions.

10.4 Right of objection

If personal data is processed on the basis of legitimate interests, the data subjects may at any time, based on grounds relating to their particular situation, object to the processing of their personal data. The Controller will then either demonstrate interests that are worthy of protection and allow such processing or it will stop the processing.

10.5 Contact person

The rights listed in Sections 10.1 to 10.4 can be exercised by e-mail to compliance@mitsui.com.

Right to appeal to the data protection supervisory authority

If the data subject believes that the Controller is not processing the personal data in accordance with applicable data protection laws, he/she may lodge a complaint with a supervisory authority. The complaint may be lodged, in particular, with an authority in the member state of his/her residence, his/her workplace or the place where the alleged violation happened.

11. Further Rights

11.1 Violation of this Whistleblowing Policy

In case of any indication of a violation of this Policy, both the Whistleblower and the Incriminated Person may turn to the Compliance Department (e-mail address: compliance@mitsui.com) that will look into the matter.

11.2 Right to have the results of the investigation reviewed

Both the Whistleblower and the Incriminated Person may turn to the Compliance Department (e-mail address: compliance@mitsui.com) if they believe that the investigations conducted are erroneous and/or insufficient or if they believe that they are being wrongfully discriminated against during the investigations. In that case, all necessary measures will be taken. The Compliance Department will investigate the matter and the person who lodged the complaint will be notified accordingly.

11.3 Involvement of the works council

If there is a works council in the respective country, the Incriminated Person may exercise its right to turn to, and consult the works council.

12. Implementation of the Mitsui Group Hotline and responsibility

12.1 The Compliance Department is responsible for publishing and implementing this Whistleblowing Policy. This also includes creating conditions across the Mitsui Group Companies that will enable the Whistleblower to report with confidence.

The following measures are to be implemented in particular:

- Informing all employees of the GGHL in the relevant national language. This may include providing information in staff newsletters or corresponding introduction programs; and
- Informing and training the Contacts and local management on the accurate performance of the procedure and the implementation of the requirements of this Whistleblowing Policy.

12.2 The Compliance Department will monitor the implementation of the Whistleblowing Policy. It will review, for example, the efficiency of measures taken in response to a suspicion voiced pursuant to this Whistleblowing Policy. The Compliance Department may appoint bodies within the Company that will assist the management with the monitoring tasks.

The Compliance Department will review this Whistleblowing Policy at least once a year from a legal and operative point of view. External experts may be consulted in the process.

13. Contact information

- 13.1 This Whistleblowing Policy is available on the website of the Support Center (EU). It can also be requested at any time from the HR Department of Mitsui Tokyo and the Mitsui Group Companies.
- 13.2 Should you have any questions, remarks, etc. in relation to this Whistleblowing Policy, please contact the Compliance Department by e-mail (e-mail address: compliance@mitsui.com) in English and/or Japanese.
