

TSM Claims and Labels Policy

Claims and labels are the messages, logos and imagery used to communicate that an entity meets a certain level of *Towards Sustainable Mining* (TSM) performance. Claims and labels may be used in marketing and communications materials, annual reports, and other media by companies and facilities that are members of associations implementing TSM.

TSM performance results must be reported in a manner consistent with an association's TSM self-assessment and independent verification requirements (i.e., the Mining Association of Canada's *Terms of Reference for Verifiers* and membership commitment). TSM participating companies and facilities can make claims or use labels (e.g., TSM trademark, TSM logo) in relation to TSM performance upon completion of their first self-assessment. Participating companies may indicate that they are in the process of implementing TSM if yet to complete an initial self-assessment. The TSM logo should not be distorted when used in company materials, whether printed or online.

As TSM is not a certification standard, companies cannot make claims regarding TSM certification or use the TSM logo on mined materials or products to imply certification. When making claims about TSM performance, participating companies and facilities must provide clear and descriptive information about the level of performance achieved, whether the performance is based on self-assessed or verified data, and the timeframe in which this performance was reported. For example, a participating company or facility cannot claim to "have met all TSM requirements" but must instead specify that they "met all TSM Level A or Yes requirements in 2020 based on a self-assessment" or "achieved Level AA or Yes in 25 of 30 TSM performance indicators in 2019 based on a verified assessment". Where feasible, claims about TSM performance should be accompanied by a link to the MAC website or the website of a relevant TSM partner association for more information about the TSM performance rating system. Participating companies can claim to "participate in TSM" so long as no claims are made regarding performance, unless qualified as described above.

Companies or facilities that are not members of or associated with associations implementing TSM or are not international subscribers to TSM are not permitted to make claims about TSM performance or to use the TSM logo. In cases where such entities are using TSM to improve sustainability performance, any public communications about TSM must indicate that, while practices are thought to align with TSM requirements, actual performance has not been subject to a comprehensive TSM verification process.

The Mining Association of Canada (MAC), as the current holder of the TSM trademark, is committed to monitoring the use of TSM claims and labels. TSM partner associations, members, international subscribers to TSM, verifiers, and communities of interest are expected to bring to the attention of MAC any instances of misuse or perceived misuse of claims and labels related to TSM. One mechanism for informing MAC of such instances is the TSM Issues Resolution Mechanism. More information on this mechanism is available on the MAC website.

Where instances of misuse are identified, MAC will engage with the entity in question to educate on proper use, working collaboratively with the entity to modify or remove any misused claims or labels. In cases where an entity is unwilling to respect TSM claims and labels requirements, appropriate action will be taken to defend the registered TSM trademark. In cases where a MAC

member, TSM partner association member or international subscriber to TSM is not adhering to these requirements, MAC will work collaboratively with the entity in question, and TSM partner association if relevant, to modify or remove any misused claims or labels. In cases where this approach is not successful, MAC will use the existing corrective action process for MAC member compliance with TSM, the most severe outcomes of which are suspension or withdrawal of membership.