

# ITA TIN CODE v5.0

## Principles and Standards of Practice (SOP)



### THE PRINCIPLES

- PRINCIPLE 1            Maintain legal compliance and develop sound policies to improve practices
- PRINCIPLE 2            Seek continual improvement of environmental performance
- PRINCIPLE 3            Seek continual improvement of health and safety performance
- PRINCIPLE 4            Seek continual improvement in labour practices
- PRINCIPLE 5            Engage with stakeholders using a participatory approach
- PRINCIPLE 6            Manage negative impacts on, and contribute to development of, local communities and indigenous peoples
- PRINCIPLE 7            Avoid contributing to serious human rights abuses and conflict
- PRINCIPLE 8            Seek to positively influence practices of suppliers of materials, goods and services
- PRINCIPLE 9            Encourage understanding, and safe and appropriate use of tin products
- PRINCIPLE 10           Work towards reporting against the Tin Code

## **PRINCIPLE 1      Maintain legal compliance and develop sound policies to improve practices**

*ICMM 1: Implement and maintain ethical business practices and sound systems of corporate governance.*

*ICMM 2: Integrate sustainable development considerations within the corporate decision-making process.*

*IRMA 1: Business integrity (Chapter 1.1 – legal compliance; Chapter 1.2 – revenue and payments transparency).*

Most international standards on responsible business practices expect fundamental legal compliance and therefore Principle 1 is core to the Tin Code and widely applicable.

### **1.      STANDARDS OF PRACTICE**

#### **1.1.    Policies**

Companies will develop and publish policies to support legal compliance and improve practices with respect to the expectations of the Tin Code.

#### **1.2.    Management system**

Companies will work towards implementing appropriate management systems to control and monitor relevant aspects of this Principle 1.

#### **1.3.    Legal compliance**

Companies will have and keep up to date all business registrations, licences and other documents necessary to legally carry out business activity and otherwise comply with relevant local laws, including with health and safety and environmental requirements.

#### **1.4.    Business integrity**

Companies will seek to prevent bribery and corruption.

#### **1.5.    Transparency**

Companies will implement the Extractive Industries Transparency Initiative (EITI) if required by national government.

#### **1.6.    Whistleblowing**

Companies will develop and implement whistleblowing procedures to enable employees and stakeholders to report concerns related to company activities, including relevant expectations of the Tin Code.

#### **1.7.    Training**

Companies will work towards implementing appropriate and periodic training for employees regarding relevant aspects of this Principle 1 and require onsite contractors to train their workers on aspects relevant to their specific tasks and work areas.

## **PRINCIPLE 2    Seek continual improvement of environmental performance**

*ICMM 6: Seek continual improvement of our environmental performance.*

*ICMM 7: Contribute to conservation of biodiversity and integrated approaches to land use planning.*

*IRMA 3: Environmental responsibility (Chapter 3.1 – water quality; Chapter 3.2 – water quantity; Chapter 3.3 – mine waste management; Chapter 3.4 – air quality; Chapter 3.6 – GHG emissions; Chapter 3.7 – protected areas; Chapter 3.8 – biodiversity outside officially protected areas).*

*IRMA 4: Planning and managing for positive legacies (Chapter 4.2 – reclamation and closure).*

A responsible approach to environmental issues is widely expected by stakeholders, however, the extent of applicability of Principle 2 will be closely dependent on company type and activity. For example, mining and smelting may require consideration of different and potentially significant impacts, while concentrate and metal traders may not physically handle materials and therefore for whom this Principle will be less relevant.

### **2.    STANDARDS OF PRACTICE**

#### **2.1.    Management system**

Companies will work towards implementing an environmental management system that utilises the mitigation hierarchy (avoid, minimise, mitigate, compensate) to control and monitor relevant aspects of this Principle 2.

#### **2.2.    Water quality**

Companies will seek to understand and manage discharges to surface waters and groundwater in order to minimise negative impacts on water quality.<sup>1</sup>

#### **2.3.    Water consumption and availability**

Companies will seek to reduce water consumption in their operations in order to minimise negative impacts on water availability.

#### **2.4.    Land and soil quality**

Companies will seek to understand and manage discharges to land in order to minimise negative impacts on land and soil quality.

#### **2.5.    Air quality**

Companies will seek to understand and manage discharges to air in order to minimise negative impacts on air quality.

#### **2.6.    Greenhouse gases**

Companies emitting more than 25,000 tonnes of CO<sub>2</sub>-equivalent will seek to understand direct and indirect greenhouse emissions and consider economic reduction initiatives appropriate to the nature and scale of operations.

#### **2.7.    Energy consumption**

Companies will seek to identify technically and financially feasible measures for reducing the direct and indirect consumption of energy per unit of production or increasing the share from renewable sources.

#### **2.8.    Tailings management**

Companies will store or dispose of tailings in a manner that minimises the risk of impacts to the environment and human health.<sup>2</sup>

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<sup>1</sup> For offshore operations, companies will seek to understand and manage discharges to marine waters in order to minimise negative impacts on seawater quality; further requirements with respect to the marine discharge of tailings, hazardous wastes and non-hazardous and inert wastes are addressed in SOPs 2.8, 2.9 and 2.10 respectively

<sup>2</sup> For offshore operations, companies will return non-hazardous and inert tailings as near as possible to the point of extraction; companies will transfer tailings that are defined as hazardous wastes to a terrestrial location and there store or dispose of them in a manner that minimises the risk of impacts to the environment and human health

2.9. *Hazardous waste management*

Wherever possible companies will avoid the generation of hazardous wastes; where this is not possible companies will manage and dispose of wastes in a manner that minimises negative impacts on human health and the environment.<sup>3</sup>

2.10. *Non-hazardous and inert waste management*

Wherever possible companies will minimise the production of non-hazardous and inert wastes and consider reuse and recycling options before disposing of them in an appropriate manner.<sup>4</sup>

2.11. *Banned substances*

Companies will not use substances that are banned under international convention or local laws.

2.12. *Biodiversity protection*

Companies will seek to understand potential impacts on biodiversity and avoid activities that significantly modify or degrade critical natural habitats through an appropriate action plan.<sup>5</sup>

2.13. *Protected areas*

Companies will respect legally protected areas in accordance with local laws and will seek to understand and manage potential impacts of operations on adjacent zones.<sup>6</sup>

2.14. *Closure and reclamation*

Companies will allocate adequate financial resources to enable implementation of closure and rehabilitation of operations in accordance with local requirements and expectations of key stakeholders.<sup>7</sup>

2.15. *Training*

Companies will work towards implementing appropriate and periodic training for employees regarding relevant aspects of this Principle 2 and require onsite contractors to train their workers on aspects relevant to their specific tasks and work areas.

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<sup>3</sup> For offshore operations, companies will not dispose of hazardous wastes into the marine environment, including tailings where these are not categorised as inert or non-hazardous; companies will transfer hazardous wastes to a terrestrial location and there manage and dispose of them in a manner that minimises negative impacts on human health and the environment

<sup>4</sup> For offshore operations, companies will return non-hazardous and inert mineral wastes (tailings) as near as possible to the point of extraction; companies will return other non-hazardous and inert wastes to a terrestrial location and consider reuse and recycling options before disposing of them in an appropriate manner

<sup>5</sup> For offshore operations, companies will not extract from critical natural habitats and will dispose of tailings so that these cannot be dispersed by currents, tidal movements or other naturally occurring transport mechanisms into critical natural habitats

<sup>6</sup> For offshore operations, companies will not extract from protected areas and will dispose of tailings so that these are unlikely to be dispersed by currents, tidal movements or other naturally occurring transport mechanisms into protected areas

<sup>7</sup> For offshore operations, closure can be achieved through appropriate actions under 2.8, 2.9 and 2.10

## **PRINCIPLE 3    Seek continual improvement of health and safety performance**

*ICMM 5: Seek continual improvement of our health and safety performance.*

*IRMA 2: Social responsibility (Chapter 2.2 – occupational health and safety; Chapter 2.3 – emergency preparedness and response; Chapter 2.7 – community health and safety).*

*IRMA 3: Environmental responsibility (Chapter 3.5 – noise).*

Most international standards addressing responsible business practices, as well as the metal industry's stakeholders, expect that basic health and safety standards are met. Principle 2 is core to the Tin Code and is widely applicable across all company types unless clearly not relevant; for example, *Community health and safety* is not considered relevant to concentrate and metal traders due to the low potential for significant interaction and/or impact.

### **3.        STANDARDS OF PRACTICE**

#### **3.1.    *Health and safety management systems***

Companies will work towards implementing a management system to monitor and control relevant aspects of this Principle 3.

#### **3.2.    *Safe working practices***

Companies will maintain safe and healthy working conditions by implementing measures that minimise and seek to eliminate workplace fatalities, injuries and occupational diseases amongst employees, contractors and visitors.

#### **3.3.    *Incident investigations***

Companies will document reportable health and safety incidents using a transparent and inclusive procedure that allows affected workers and local communities to provide input.

#### **3.4.    *Incident follow up***

Following a reportable health and safety incident, companies will define and implement corrective actions in a timely fashion and monitor the effectiveness of such actions.

#### **3.5.    *Training***

Companies will provide appropriate and periodic training for employees regarding relevant aspects of this Principle 3, require onsite contractors to train their workers on aspects relevant to their specific tasks and work areas, and provide appropriate briefings to visitors to company facilities.

## **PRINCIPLE 4      Seek continual improvement in labour practices**

*ICMM 3: Uphold fundamental human rights and respect cultures, customs and values in dealings with employees and others who are affected by our activities.*

*IRMA 2: Social responsibility (Chapter 2.1 – fair labor and terms of work).*

There is a widespread expectation of appropriate labour standards among metal industry stakeholders. This Principle 4 is applicable to all companies and is primarily derived from core International Labour Organisation standards, which are broadly recognised as universal rights for workers and are invariably incorporated in policies and requirements of downstream manufacturers.

### **4.      STANDARDS OF PRACTICE**

#### **4.1.    *Labour management systems***

Companies will work towards implementing a labour management system to control and monitor relevant aspects of this Principle 4.

#### **4.2.    *Discrimination***

Companies will not make employment decisions based on gender, race, nationality, ethnic, social and indigenous origin, religion or belief, disability, age or sexual orientation unless clearly necessary due to inherent characteristics of the job.

#### **4.3.    *Remuneration***

Companies will ensure workers receive fair remuneration for standard and overtime hours worked that meets or exceeds the local legal minimum plus any applicable statutory benefits and provide equal pay for work of equal value.

#### **4.4.    *Forced labour***

Companies will not use or support slavery, servitude, forced or compulsory labour.

#### **4.5.    *Child labour – worst forms***

Companies will not engage in the worst forms of child labour as defined by Article 3 of ILO Convention No. 182 including that which is likely to harm the health, safety or morals of children.

#### **4.6.    *Child labour – other forms***

Companies may employ children of minimum age 14 years, or older as defined by local laws, to undertake non-hazardous, light work that does constrain their ability to gain an education.

#### **4.7.    *Working hours***

Companies will comply with local laws and ensure that workers undertake overtime on a voluntary basis and have at least one day of rest for every 7-day period or as prescribed by local laws (whichever is higher).

#### **4.8.    *Freedom of association and collective bargaining***

Companies will engage with workers on freedom of association and collective bargaining as permitted by local laws.

#### **4.9.    *Training***

Companies will provide appropriate and periodic training for employees regarding relevant aspects of this Principle 4 and require onsite contractors to train their workers on aspects relevant to their specific tasks and work areas.

## **PRINCIPLE 5      Engage with stakeholders using a participatory approach**

*ICMM 9: Contribute to the social, economic and institutional development of the communities in which we operate.*

*IRMA 2: Social responsibility (Chapter 2.8 – community and stakeholder engagement; Chapter 2.13 – grievance mechanism and access to other remedies).*

Developing a participative approach to stakeholder engagement is important for creating effective forums for communication with downstream users and consumers and is particularly important with local communities around mining areas. This Principle 5 is considered applicable to all company types and includes engagement with stakeholders throughout the entire supply chain.

### **5.      STANDARDS OF PRACTICE**

#### **5.1.    Stakeholder management**

Companies will work towards implementing a systematic approach to stakeholder management to control and monitor relevant aspects of this Principle 5.

#### **5.2.    Stakeholder mapping and engagement**

Companies will seek to identify and record the characteristics and interests of stakeholders affected by, or with the potential to affect, company activities, and plan a participatory approach to engagement including disadvantaged and vulnerable groups.

#### **5.3.    Grievance mechanism**

Companies will establish an appropriate grievance mechanism to receive, and facilitate resolution of, concerns raised by individuals, workers, communities or civil society organisations regarding company activities.

#### **5.4.    Training**

Companies will provide appropriate and periodic training for employees regarding relevant aspects of this Principle 5 and require onsite contractors to train their workers on aspects relevant to their specific tasks and work areas.

## **PRINCIPLE 6      Manage negative impacts on, and contribute to development of, local communities and indigenous peoples**

*ICMM 9: Contribute to the social, economic and institutional development of the communities in which we operate.*

*IRMA 2: Social responsibility (Chapter 2.9 – obtaining community support and delivering benefits; Chapter 2.10 – FPIC; Chapter 2.11 – cultural heritage; Chapter 2.12 – resettlement);*

This Principle 6 relates to engagement localised in proximity to the area of operation of the company and is most relevant for mining and mineral processing activities with limited options in site location. The beneficial aspects of operations to local communities, for example by creating employment and local economic development are also important to consider.

### **6.      STANDARDS OF PRACTICE**

#### **6.1.    Community and indigenous people management**

Companies will consider implementing a systematic approach to the management of community and indigenous peoples' issues to control and monitor relevant aspects of this Principle 6.

#### **6.2.    Community health and safety**

*Companies will seek to implement practical and reasonable measures with the goal of eliminating potential negative health and safety impacts on local communities.<sup>8</sup>*

#### **6.3.    Consultation**

Companies will plan a process of consultation that enables local communities and indigenous peoples to express their views on risks, impacts and mitigation measures, and allows the company to consider and respond to them.

#### **6.4.    Free, prior and informed consent (FPIC)**

Companies will seek the FPIC of indigenous peoples where their lands, access to natural resources or cultural heritage may be impacted by company activities.

#### **6.5.    Land rights, use and access**

Companies will seek to anticipate and avoid or minimise adverse impacts on land rights, land use and access to land and compensate for any significant residual impacts.

#### **6.6.    Physical displacement (resettlement)**

Companies will seek to avoid or minimise involuntary resettlement and take appropriate measures to mitigate adverse impacts on displaced persons.

#### **6.7.    Economic displacement (livelihoods)**

Companies will financially compensate economically displaced people as required by local laws and plan a livelihoods restoration programme to ensure that there is no net negative impact on their livelihoods.

#### **6.8.    Local economic development**

Companies will seek to contribute to the economic development of local communities and indigenous peoples.

#### **6.9.    Natural resource use and availability**

Companies will seek to minimise negative impacts on access to and availability of natural resources by local communities and indigenous people.

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<sup>8</sup> For offshore operations, companies will inform local communities, including fishermen and informal or illegal offshore miners of the need to maintain a safe distance from operational vessels and equipment



6.10. *Cultural heritage protection*

Companies will anticipate and wherever possible avoid adverse impacts on cultural heritage; when avoidance is not possible, companies will minimize, mitigate and/or compensate for such impacts.

6.11. *Training*

Companies will provide appropriate and periodic training for employees regarding aspects of this Principle 6 relevant to interactions with local communities and indigenous people that may occur during the course of their work. Companies will require onsite contractors to undertake the same training when relevant to their specific role.

## PRINCIPLE 7 Avoid contributing to serious human rights abuses and conflict

*ICMM 3: Uphold fundamental human rights and respect cultures, customs and values in dealings with employees and others who are affected by our activities.*

*IRMA 2: Social responsibility (Chapter 2.4 – human rights due diligence and compliance; Chapter 2.5 – mining and conflict-affected or high-risk areas; Chapter 2.6 – security arrangements).*

Basic human rights are fundamental and considered applicable to all company types. Principle 7 is derived from internationally recognised standards that define the minimum expectations with respect to human rights, security and conflict.

Stakeholders provided feedback which indicated that the standard 7.3 would benefit from explicit reference to OECD and the text standard 7.3 was revised after 1st January 2021. Hence, Tin Code reports up to and including those prepared in 2020 were based on the previous wording of the standard and indicate whether third-party assessments fully evaluated ITA member's OECD due diligence.

### 7. STANDARDS OF PRACTICE

#### 7.1. Human rights management

Companies will work towards implementing a systematic approach to human rights management to control and monitor relevant aspects of this Principle 7.

#### 7.2. Use of private or state security personnel

Companies using direct or contracted workers to provide security will be guided by the Voluntary Principles on Security and Human Rights and by applicable local law.

#### 7.3. Responsible sourcing

Companies<sup>9 10</sup> will evaluate potential risks, seek to avoid support to conflict, human rights and other significant abuses and publicly report on their efforts according to international expectations and laws, in particular the OECD Due Diligence Guidance 3T Supplement.<sup>11</sup>

#### 7.4. Training

Companies will provide appropriate and periodic training for employees regarding relevant aspects of this Principle 7 and require onsite contractors to train their workers on aspects relevant to their specific tasks and work areas.

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<sup>9</sup> Companies with smelters will seek to be third-party assessed against recommended criteria

<sup>10</sup> Companies without smelters will seek to apply aspects of the recommended criteria relevant to their own circumstances.

<sup>11</sup> The criteria recommended for **standard 7.3** is the ITA-RMI Assessment Criteria for Tin Smelting Companies (Oct 2019) **criteria 7.3**. Other criteria may be utilised if deemed equivalent after equivalence checks against **criteria 7.3** and **7.3 guidance** by ITA experts.

## **PRINCIPLE 8      Seek to positively influence practices of suppliers of materials, goods and services**

*ICMM 2: Integrate sustainable development considerations within the corporate decision-making process.*

*IRMA: Only relevant to fair labour and terms of work (influencing suppliers generally is not a concept used by IRMA).*

Of key importance in the tin industry will be consideration of the potential of participants to influence suppliers of minerals from artisanal and small-scale mines, as well as providers of other goods and services. While enforcing compliance with the Principles and Standards of practice on suppliers of minerals, other goods and services is not appropriate, companies can take steps to encourage their suppliers to improve their performance over time.

Principle 8 will be reported but will not be implemented until development of a plan of activity and consideration of impacts. This will include identifying appropriate and effective methods for sustainable incentivisation and financing of the extensive activities that will be required throughout the supply chain, and in particular at the field level of artisanal and small-scale mining areas. A well-considered plan will be essential to ensure activities have a positive impact and avoid de-facto embargo and negative consequences on livelihoods of ASM who are particularly dependent on mineral trade.

### **8.      STANDARDS OF PRACTICE**

#### **8.1.      Suppliers of ASM produced minerals, general**

Companies will request suppliers declare that they will work towards understanding their supply chain and communicating through suppliers the objectives of the Tin Code, information and guidance to encourage improvements.

#### **8.2.      Principle 1 ASM minerals (compliance and policies)**

Suppliers will be requested to communicate the importance of formalisation and potential opportunities to engage in practical projects encouraging formalisation of ASM as appropriate (based on feedback) to the production area.

#### **8.3.      Principle 2 ASM minerals (environment)**

Suppliers will be requested to communicate guidance on managing environmental impacts as well as potential opportunities to engage in practical projects encouraging implementation by ASM as appropriate to the production area.

#### **8.4.      Principle 3 ASM minerals (health and safety)**

Suppliers will be requested to communicate guidance on managing health and safety impacts as well as potential opportunities to engage in practical projects encouraging implementation by ASM as appropriate to the production area.

#### **8.5.      Principle 4 ASM minerals (labour)**

Suppliers will be requested to communicate guidance to raise awareness regarding concerns over forced or compulsory labour, and the worst forms of child labour as well as potential opportunities to engage in practical projects encouraging implementation by ASM as appropriate to the production area.

#### **8.6.      Principle 6 ASM minerals (communities)**

Suppliers will be requested to communicate guidance on negotiating with local communities and indigenous peoples regarding access to land.

#### **8.7.      Principle 7 ASM minerals (human rights and conflict)**

Suppliers will be requested to communicate guidance to raise awareness regarding concerns over serious human rights abuses and conflict, as well as potential opportunities to engage in practical projects encouraging implementation by ASM as appropriate to the production area.

*8.8. Suppliers of LSM produced minerals*

Companies will request major suppliers to meet or work towards principles of this Tin Code.

*8.9. Suppliers of secondary materials*

Companies will implement a system to check suppliers are legally operating and request suppliers meet or work towards principles of this Tin Code.

*8.10. Suppliers of goods and services*

Companies will request major suppliers meet or work towards principles of this Tin Code.

## **PRINCIPLE 9 Encourage the understanding, and safe and appropriate use of tin products**

*ICMM 8: Facilitate and encourage responsible product design, use, re-use, recycling and disposal of our products.*

*IRMA: Not applicable – IRMA is strictly focused on mine sites.*

*GRI for the mining and metals sector includes product responsibility and materials stewardship*

All mining and metals sectors tend to have complex value chains which make use of materials in widespread applications implying a high level of responsibility for product life cycles. Tin is a vital ingredient in a wide range of manufacturing sectors, including consumer goods, packaging, construction, vehicles and other forms of transport, as well as a range of tin chemicals. Producers are expected to contribute to understanding and communicating important information regarding their product to complement information on industry practices in this Tin Code.

### **9. STANDARDS OF PRACTICE**

#### **9.1. *Understanding potential impacts of tin***

Companies will seek to advance the understanding of the properties of tin and any potential effects on human health and the environment through sound science and data.

#### **9.2. *Encouraging safe and appropriate use***

Companies will support research, innovation and collaboration that promotes safe and efficient production, use and recycling of tin, including to ensure regulatory compliance and efficient use of energy and natural resources

#### **9.3. *Communicating appropriate information***

Companies will communicate accurate information on impacts and use of its products, to workers, users in the value chain and wider stakeholders, accounting for the need for appropriate confidentiality.

## **PRINCIPLE 10      Work towards reporting against the Tin Code**

*ICMM 10: Implement effective and transparent engagement, communication and independently verified reporting arrangements with our stakeholders.*

*IRMA: Every issue (chapter) has a reporting requirement (public and/or on request from stakeholders).*

Some level of public reporting by companies on status will be important for demonstrating progress on the practical implementation of the Tin Code and the overall improvement of industry standards. Reporting is therefore applicable to all activity and company types.

### **10.      STANDARDS OF PRACTICE**

#### **10.1      Policy Review**

*Companies will review published policies at least annually to reflect any changes to company expectations in relation to standard 1.1*

#### **10.2      Communicating reporting information**

*Companies will agree to the publication of a report of activities against the Principles and Standards of the Tin Code.*

#### **10.3      Management Review**

*Companies will ensure the above public information related to the Tin Code is approved by senior responsible management*