

## LME Responsible Sourcing – Secondary Material sourcing attestation form

Revision date: 22 November 2021

### 1.) BRAND INFORMATION

<b>Brand name</b>		<b>LME Brand code</b>	
<b>Producer name</b>		<b>Producer address</b>	
<b>Contact details</b>			
<b>Date of submission</b>		<b>Date of last submission</b>	

### 2.) DIRECTIONS

#### Introduction

- This form replaces and combines the previous versions of the LME Responsible Sourcing – Secondary Material sourcing attestation form and Addendum released in Nov 2020. Both this version and the previous versions will be accepted for the 2021 Reporting Period.
- As outlined in Section 4.1 of the Overview of LME responsible sourcing document, and in line with the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas (“OECD Guidance”), the LME’s requirements for the responsible sourcing of its listed-brands will not apply to those Brands sourcing their feedstock exclusively from Secondary Materials (as defined in Section 3 below).
- For the avoidance of doubt, this exclusion will only apply to the compliance requirements as laid out in Sections 4-7 of the LME Policy on Responsible Sourcing of LME-Listed Brands (“LME Responsible Sourcing Policy”). **ISO 14001 and OHSAS 18001 / ISO 45001 (or equivalent certification programmes) certifications are required for all LME-listed Brands (including Brands sourcing solely from Secondary Material sources)** and the first LME reporting date for these certifications (or equivalent) is 31 December 2023.
- Capitalised terms not otherwise defined in this form shall have the meanings ascribed to them under the LME Responsible Sourcing Policy.
- This attestation form is only intended for Brands that source solely from (i.e. 100%) Secondary Material sources and wish to use this form to self-attest as such. Brands sourcing Primary Materials should consult the LME Responsible Sourcing Policy for information on Reporting Periods, submission deadlines and other information relating to compliance.
- Brands will be required to comply with the LME Responsible Sourcing Policy if unable to determine the origin of minerals sourced.

#### Timeline

- The first submission of this attestation form to the LME should be 30 June 2022.
- Brands that wish to use this form to comply will need to attest that the Brand has only sourced Secondary Materials for the production of that Brand for the Reporting Period (please see the meaning of Reporting Period in LME Responsible Sourcing Policy).
- Should sourcing practices then change and the Brand stops sourcing only Secondary Materials, the Brand should make the LME aware within 30 days. The LME will then work with the Brand to agree a timeline for transition to Track A, B or C for the purposes of responsible sourcing compliance.



### Further instructions

- To ensure compliance with the LME Responsible Sourcing Policy via this attestation form, Brands must take the following steps:
  - i) Complete Brand information (shown in Section 1) as per the Brand's LME brand listing requirements. Should Brand information not be available (or new Brand information is required), please email the LME [Brands](#) Team.
  - ii) The Brand's sourcing team (e.g. buying / procurement department) and Compliance team to jointly conduct an internal first-party assessment of the Brand's sourcing history (for materials used in the production of the LME brand) for the Reporting Period (if first submission) or since last submission date, to determine percentages of Primary Materials sourced and percentage of Secondary Materials sourced.

For the avoidance of doubt, Materials will be considered "sourced" from the date the material's legal ownership is transferred to the Brand. Additionally, Brands must inform the LME in Section 5 of this form if the Brand is relying purely on assurances from their suppliers rather than objective evidence e.g. audits.

If any Primary Material sourcing is used in production of the Brand, the Brand becomes ineligible to use this attestation form and the LME Responsible Sourcing Policy Sections 4 to 7 will apply.
  - iii) After conducting the assessment review by internal teams, confirm with the Brand's reporting officer (defined below) that 100% of materials sourced for production constitute Secondary Materials.
  - iv) Complete the supporting information in Section 5. The information in this section will not be published externally by the LME.
  - v) Once completed, ensure the Reporting Officer and an Authorised Signatory sign the attestation form declaration (shown in Section 6).
  - vi) Send completed form as a PDF to the LME by email to [responsiblesourcing@lme.com](mailto:responsiblesourcing@lme.com).
  - vii) The Brand will receive confirmation from the LME that the attestation form has been received and ratified and furthermore the **Brand's name will be shown on the LME website as the Brand having self-attested to 100% Secondary Materials sourcing.**
  - viii) If the Brand becomes aware that sourcing practices change and Primary Material is due to be (or has already been) sourced, the Brand will be required to inform the LME within 30 days, and to begin working towards compliance with the LME Responsible Sourcing Policy on a timeline to be agreed with the LME.
  - ix) Brands are encouraged to periodically review and conduct assessments of their sourcing practices.

### 3.) DEFINITIONS

- **Primary Materials** – Processed material which has never previously been refined
- **Secondary Materials** – for LME requirements for base metals, Secondary Materials are the reclaimed end-user or post-consumer products (this is material containing metal that is reclaimed from a consumer or commercial product that has been used for its intended purpose by individuals, households or commercial, industrial and institutional facilities as end-users of the product which can no longer be used for its intended purpose – for the avoidance of doubt, reshaping or rebranding of metal from other smelters, refiners, traders or warehouses cannot be



included in this category), or scrap processed metals (this is material created during product manufacturing which are returned to a smelter or refiner or re-melter).

Secondary Materials include obsolete, defective, and scrap materials which contain refined or processed metals that are appropriate to recycle in the production of aluminium, copper, lead, nickel, cobalt, tin and zinc. For the avoidance of doubt, materials partially processed, unprocessed, or a bi-product from another ore, are not Secondary Materials

- **Reporting Officer** – a person responsible for ensuring the accuracy of the attestation form that is submitted to the LME. The LME does not require the reporting officer to collate all the pertinent sourcing data required for the Brand to be confident that the attestation form is correct, nor design and implement the processes by which such data is collated. That said, the reporting officer shall ultimately be responsible for the declaration and submission of the attestation form and should therefore be satisfied that the form is accurate (having checked any internal assessment and materials). The attestation form must be approved and submitted by the reporting officer (and signed off by an authorised company signature).

The LME shall be entitled to rely on any report submitted by the reporting officer as being complete and accurate in respect of Secondary Material sourcing on the basis that it has been reviewed and approved by reporting officer

- **Authorised Signatory** – an individual with the capacity and authority to sign this form on behalf the organisation

#### 4.) FURTHER LME GOVERNANCE

- The LME may request at any time, and the Brand will comply, that the reporting officer of the Brand confirms, in writing, the Brand's compliance with the terms of the attestation form and that its sourcing remains 100% from Secondary Materials.
- Upon the provision of at least thirty (30) days' written notice (but without notice in the case of a breach or suspected breach of the instructions of this attestation form), the Brand shall permit the LME and/or its advisors and/or any independent professional auditors acting on behalf of the LME to gain access (both physical and remote) and inspect during normal business hours the systems, controls, books, records and/or other documents as may be required. Additionally, to inspect the Brand's sourcing data and, where appropriate, that of its affiliates, and any other information held by the Brand or its affiliates<sup>1</sup> for the purposes of auditing the Brand's compliance with this attestation form. The LME shall ensure that its advisors and/or its auditors treat all information obtained from a Brand during the course of any audit as confidential information.

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<sup>1</sup>This includes reviewing the system processes and policy documents used to collate data



## 5.) SUPPORTING INFORMATION

- Please answer the following questions about the Brand's sourcing practices. In addition to the information provided, please include with your submission any other documentation deemed relevant to the Brand's secondary material sourcing practices.

1. Explain whether the Brand is relying solely on assurances from suppliers regarding the sources of material or on objective evidence (e.g. from independent audits).

2. List corporate level checks that Brand conducts on its suppliers (e.g. Know Your Client/Counterparty checks).

3. Confirm that the Brand has a strong company management system in place (please refer to OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, page 36) and give examples.



## 6.) DECLARATION

I confirm on behalf of \_\_\_\_\_ [*insert parent company's registered company name*] that the information in this attestation form is true, accurate, and complete, and, furthermore, that \_\_\_\_\_ [*insert Brand name*] Brand sourced 100% Secondary Materials (as defined in this attestation form) in this Reporting Period.

**Reporting Officer signature:** \_\_\_\_\_

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

**Authorised Signatory signature:** \_\_\_\_\_

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_