

Appendix 2 – Critical Provisions

CRITICAL PROVISIONS

TABLE A2.1. CODE OF PRACTICES 2024 (COP 2024) LIST OF CRITICAL PROVISIONS

COP PROVISION	DEFINITION
6 Human Rights	6.1, 6.2
7 Due Diligence for Responsible Sourcing, Including from Conflict-Affected and High-Risk Areas	7.1
16 Working Hours	16.1, 16.2*
17 Remuneration	17.1, 17.4
18 Harassment, Discipline, Grievance Procedures and Non-Retaliation	18.1, 18.2
19 Child Labour	19.1, 19.2
20 Forced Labour	20.1
22 Non-Discrimination	22.1
24 Health and Safety	24.1 – specifically, practices or conditions that could pose an immediate threat to the health and safety of the workforce or visitors to the site, requiring immediate rectification.
26 Hazardous Substances	26.2, 26.3
27 Wastes and Emissions	27.2b
29 Product Disclosure	29.1
30 Kimberley Process Certification Scheme and World Diamond Council System of Warranties	30.1
34 Indigenous Peoples and Free, Prior and Informed Consent (FPIC)	34.1a
39 Biodiversity	39.1, 39.2, 39.3 39.7
40 Tailings and Waste Rock	40.2a

*Except major nonconformities that fall within the scope of Table 23 Tolerance Levels for Assessing Conformance with COP Requirements on Working Hours, in the COP 2024 guidance.

Appendix 2 - Critical Provisions

TABLE A2.2. CODE OF PRACTICES 2019 (COP 2019) LIST OF CRITICAL PROVISIONS

COP PROVISION	DEFINITION
6 Human Rights	6.1
7 Due Diligence for Responsible Sourcing from Conflict-Affected and High-Risk Areas	7.1
16 Working Hours	16.1, 16.2*
17 Remuneration	17.1, 17.4
18 Harassment, Discipline, Grievance Procedures and Non-Retaliation	18.1
19 Child Labour	19.1, 19.2
20 Forced Labour	20.1
22 Non-Discrimination	22.1
23 Health and Safety	23.1 – specifically, practices or conditions that could pose an immediate threat to the health and safety of the workforce or visitors to the site, requiring immediate rectification.
25 Hazardous Substances	25.2
26 Wastes and Emissions	26.2c
28 Product Disclosure	28.1
29 Kimberley Process Certification Scheme and World Diamond Council System of Warranties	29.1
33 Indigenous Peoples and Free, Prior and Informed Consent	33.1
38 Biodiversity	38.1, 38.2, 38.4
39 Tailings and Waste Rock	39.2a

*Except major nonconformities that fall within the scope of Table 16.2 Tolerance Levels for Assessing Conformance with COP Requirements on Working Hours, in the COP 2019 guidance.

Appendix 2 - Critical Provisions

TABLE A2.3. LABORATORY GROWN MATERIALS STANDARD 2025 (LGMS 2025) LIST OF CRITICAL PROVISIONS

COP PROVISION	DEFINITION
6 Human Rights	6.1, 6.2
7 Due Diligence for Responsible Sourcing, Including from Conflict-Affected and High-Risk Areas	7.1
14 Working Hours	14.1, 14.2
15 Remuneration	15.1, 15.4
16 Harassment, Discipline, Grievance Procedures and Non-Retaliation	16.1, 16.2
17 Child Labour	17.1, 17.2
18 Forced Labour	18.1
20 Non-Discrimination	20.1
22 Health and Safety	22.1 – specifically, practices or conditions that could pose an immediate threat to the health and safety of the workforce or visitors to the site, requiring immediate rectification.
24 Hazardous Substances	24.2, 24.3
25 Wastes and Emissions	25.2b
27 Product Disclosure	27.1

For COC, a critical nonconformity, supported by objective evidence, is raised against any of the COC provisions in the case of:

- deliberate falsification of information required to support a conformity grading; or
- a systemic failure of the management system to implement the COC; or
- a total lack of controls needed to manage risks to the COC.