



# ***INTERNATIONAL CYANIDE MANAGEMENT INSTITUTE***

## ***Signatory Application***

### ***Form***

#### ***For The International Cyanide Management Code***

[www.cyanidecode.org](http://www.cyanidecode.org)

**January 2010**

The International Cyanide Management Code (hereinafter "the Code"), this document, and other documents or information sources referenced at [www.cyanidecode.org](http://www.cyanidecode.org) are believed to be reliable and were prepared in good faith from information reasonably available to the drafters. However, no guarantee is made as to the accuracy or completeness of any of these other documents or information sources. No guarantee is made in connection with the application of the Code, the additional documents available or the referenced materials to prevent hazards, accidents, incidents, or injury to employees and/or members of the public at any specific site where gold is extracted from ore by the cyanidation process. Compliance with this Code is not intended to and does not replace, contravene or otherwise alter the requirements of any specific national, state or local governmental statutes, laws, regulations, ordinances, or other requirements regarding the matters included herein. Compliance with this Code is entirely voluntary and is neither intended nor does it create, establish, or recognize any legally enforceable obligations or rights on the part of its signatories, supporters or any other parties.

# CODE SIGNATORY APPLICATION

## INSTRUCTIONS

1. Applicant Qualifications. Applicant must own, control, or operate: (a) an active gold mining operation or advanced development project that uses or will use cyanide for gold extraction, (b) a facility that produces cyanide for use in gold mining, or (c) an operation transporting cyanide for use in gold mining (including a consignor operating one or more cyanide supply chains).
2. Operations Description on Part II. Applicant's gold mines, cyanide production facilities and cyanide transport operations that fall within the scope of the International Cyanide Management Code must be described in Part II, regardless of how owned or whether such operations are to be certified. If a mine, production facility, or transport operation is operated by a contractor or separate operating company, the name of the contractor or company must be provided in Part II. The mailing address and physical location (latitude and longitude to the nearest minute) should be provided for each gold mining operation. Use the "additional information/comments" section of Part II to explain the rationale not to pursue certification of a specific mine, production facility or transport operation.

Signatory transporters that are consignors must list in Part II each supply chain to be certified and identify each entity in each supply chain that manages cyanide (e.g., each trucking company, railway and rail terminal, shipping company and port). Consignors must structure their supply chains such that all rail lines, ocean carriers and ports utilized by the signatory to transport cyanide to certified gold mines are included.

3. Execution Instructions; Website Information. An owner or officer of the Applicant that owns, controls, or operates the gold mine, cyanide production facility or cyanide transport operation must sign the application. Submission of this Application constitutes permission to post the information provided in Part II of the application on the Code website. However, upon the written request of a signatory consignor, the initial listing of this information on the transporter's ICMI signatory web page will include only a general description of the supply chain (e.g., "from the X sodium cyanide manufacturing facility to gold mines in South America"); the identity of each individual cyanide carrier and the country or countries in which they operate will be added only after the supply chain has been certified.
4. Annual Fee. The annual Signatory Fee in U.S. dollars or equivalent must accompany this Application. (See fee schedule at [http://cyanidecode.org/become\\_fees.php](http://cyanidecode.org/become_fees.php).)
5. Applicant's Duty to Provide Current Information. Applicant agrees to keep the application information current and to file an amended Application as necessary to indicate closure of operations or other events that significantly affect the information contained in this Application in a timely manner. Gold production information must include all sources, including joint ventures, which accrue to the Applicant's benefit.

6. Notification to ICMI: Applicant agrees to notify ICMI of the occurrence of a significant cyanide incident at any of its operations listed in Part II of this application. Notification to ICMI is encouraged if there is any doubt regarding the significance of the incident. Applicant also agrees to notify ICMI if any of its certified gold mining operations can no longer receive “certified cyanide” (i.e., cyanide that was produced and transported by a certified producer or transporter), and must arrange for an alternate producer and/or transporter that is not certified in compliance with the Code.<sup>1</sup> Signatory transporters that are consignors agree to notify ICMI of the addition or substitution of an individual carrier in a certified supply chain.

A written notification is to be submitted by e-mail and facsimile to ICMI at [info@cyanidecode.org](mailto:info@cyanidecode.org) and +1-202-835-0155. The information will not be posted on the ICMI web site, but will be used by ICMI to refer inquiries it may receive to the designated company representative.

Initial notification of a significant incident is requested within 24 hours of its occurrence, and should include the date and nature of the incident, and the name and contact information of a company representative to respond to requests for additional information. If such information is not available at that time, the initial notification should be submitted with the available information and updated as soon as practicable but preferably no later than 72 hours after the incident.

Notification of an agreement for purchase or transport of “non-certified” cyanide is requested to be within 72 hours of making such an agreement, and should include the reason for using a “non-certified” cyanide producer or transporter, the time anticipated until a certified cyanide supply can be re-established, and contact information of a company representative to respond to requests for additional information.

Notification of a change in carriers included in consignor’s certified supply chain is requested to be within 72 hours of the new carrier initiating its activities.

7. Time Period for Certification. All mines, production facilities, or transporters listed in Part II for which Code certification is intended must achieve certification within three (3) years of the date Applicant becomes a Code Signatory or of the date of the filing of an amended Application adding the mine, production facility, or transport operation.
8. Supplemental Information-Part II. Use additional pages, or an alternate format for Part II, to provide supplemental information.

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<sup>1</sup> Notification is not required for a certified gold mine’s continued use of cyanide transported by a railroad or ocean carrier that has demonstrated its responsible cyanide management via a due diligence investigation, or a trucking company that has demonstrated its responsible cyanide management via a Code-equivalent-non-certification audit, provided that: 1) the mine was certified using this carrier(s) prior to the Code revisions of October 2009 that required producers and transporters to be signatories; and 2) the report(s) of the due diligence investigation and/or Code-equivalent-non-certification audit was completed less than three-years before receipt of the cyanidenotification would otherwise be required; and 3) the carrier has not been individually certified or included in a certified supply chain of a signatory consignor.

**PART I – APPLICANT INFORMATION**

Type of Operation:  Gold Mine  Cyanide Production  Cyanide Transporter

Type of Application: Original Application  Revised Application

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
(City) (State) / (Province) (Postal Code) (Country)

Name of Person Responsible for Completing the Application: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**ANNUAL SIGNATORY FEES**

Annual Fee for Cyanide Producers: \$5,500  
Annual Fee for Cyanide Transporters: \$550  
Annual Fee for Gold Mining Operations: (See below.)

Calculation of Signatory Annual Fee for Gold Mining Operations: Gold produced in 2009 by cyanidation at operations listed on Part II of Signatory Application @ \$0.032/ounce of gold.

- Includes gold produced by cyanidation at all operations for 2009
- Includes % of production from joint ventures
- A minimum fee of \$1,000 applies regardless of the signatory company’s 2009 gold production
- Fees for new signatories may be prorated for remainder of current calendar year

Total \_\_\_\_\_ ounces of gold x US\$0.032 per ounce = US\$ \_\_\_\_\_

Filing Authorization, Release of Information, and Applicant’s Indemnity. The undersigned is authorized to file this Application on behalf of the Applicant. Upon the acceptance of the Applicant as a Code Signatory, the Applicant authorizes the posting of information in Part II of this Application on the Code website. The Applicant and the Applicant’s corporate affiliates under common control with the Applicant hereby agree to indemnify and protect the International Cyanide Management Institute, its officers, directors, and employees (collectively, the “Indemnitees”), from and against any and all loss, claims, damages, or liabilities arising from any and all claims (including reasonable legal expenses), demands, actions, suits, or proceedings in which the Indemnitees may be involved, as a party or otherwise, by reason of, or as a consequence of, the gold mining, cyanide production, or cyanide transportation operations owned, controlled, or operated by the Applicant.

Applicant's Agreement to Hold Harmless and to Participate in the Dispute Resolution Process.

The Applicant hereby agrees to hold the International Cyanide Management Institute, and its officers and directors, harmless with regard to the Institute's denial of certification, conditional certification, certification, or decertification of any of the Applicant's operations. The Applicant further agrees to hold the Institute, and its officers and directors, harmless for all of the Institute's other activities in administering the International Cyanide Management Code and in fostering the goals of the Code. The Applicant also agrees to abide by the Code's Dispute Resolution Procedure, which will be used for resolution of all disputes regarding administration of the Code.

Specifically, the Applicant hereby understands and agrees that: (1) the Applicant will be bound by the Dispute Resolution Procedure; (2) that the outcome of the Procedure is final; and (3) the Applicant will hold the International Cyanide Management Institute, and its officers and directors, harmless in connection with the resolution of any dispute pursuant to the Procedure.

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

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

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

(Must be signed by owner/corporate officer.)

