



INTERNATIONAL CYANIDE MANAGEMENT INSTITUTE

SIGNATORY AND CERTIFICATION PROCESS

FOR THE
INTERNATIONAL CYANIDE MANAGEMENT CODE

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The International Cyanide Management Code (hereinafter “the Code”, “Code” or “the Cyanide Code”), this document, and other documents or information sources referenced at 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 or silver 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.



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Introduction

This document describes the processes and requirements for becoming a signatory to the International Cyanide Management Code (“Code”, “the Code” or “the Cyanide Code”), for auditing, certification, and recertification of operations, and for addressing findings of substantial compliance and non-compliance. References are made to other documents available on the Cyanide Code website which provide further detail on topics related to the processes and requirements. Terms highlighted in bold when first used are defined in the document *Definitions and Acronyms*.

I. Becoming a Signatory

- A. Gold and silver mining companies using cyanide in the production process, and the producers and transporters of this cyanide participate in the program by becoming signatories to the Cyanide Code.
- B. Companies use the International Cyanide Management Institute (“ICMI” or “the Institute”) *Signatory Application Form* to designate operations to be certified in compliance with the Code and to provide other necessary information.
- C. Signatories pay initial and annual *Signatory Fees* to support the Institute’s activities.
- D. Signatories are subject to the reporting requirements of Section VI, below.

II. Auditing, Certification and Recertification

- A. An operation that is active when designated for certification by a signatory company must have the site inspection portion of its initial certification audit completed within three years of being designated for certification.
- B. A mining operation that is not active (e.g. under construction, idle for economic reasons, etc.) when designated for certification (including those that have been pre-operationally certified) must notify ICMI of the date of its first receipt of cyanide within 90 days, and must have the site inspection portion of its certification audit completed within one year of that date.
- C. A cyanide production facility or cyanide transport operation that has been pre-operationally certified must notify ICMI of the date of its first production or transport of cyanide within 90 days and must have the site inspection portion of its certification audit completed within six months of that date.
- D. A certified operation must have the site inspection portion of its next certification audit completed within three years of the date that its previous certification was publicly announced by ICMI, except in cases of a change in ownership.
- E. A certified operation must be audited within two years of a change in ownership, which is defined as a change of the controlling interest of the operating company.



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- F. The lead auditor for a Cyanide Code certification audit must:
- 1) meet ICMI's criteria for a lead auditor and have an individual on the audit team who meets ICMI's criteria for a technical expert auditor as described in ICMI's *Auditor Criteria*; and
 - 2) evaluate the operation's compliance using the appropriate ICMI *Verification Protocol*; cyanide warehouses that are not located at a mine site must be evaluated using the applicable portions of ICMI's *Cyanide Production Verification Protocol*;
 - 3) review the audit findings with the operation to ensure that the information presented is accurate; and
 - 4) submit the following documents to ICMI within 90 days of completing the site inspection portion of the audit:
 - a **Detailed Audit Findings Report** responding to the questions in the Verification Protocol;
 - a **Summary Audit Report** that includes the auditor's conclusion regarding the operation's compliance with the Cyanide Code;
 - an Auditor Credentials Form; and
 - a letter from an authorized representative of the signatory company granting ICMI permission to post the Summary Audit Report on the Cyanide Code website.
- G. A signatory **consignor** that adds or changes individual carriers, ports or other elements of a certified **supply chain** must:
- 1) submit to ICMI a revised Part II of the Signatory Application Form identifying the change;
 - 2) notify ICMI within 72 hours of the initiation of cyanide transportation or management activities by the new supply chain element; and
 - 3) the lead auditor must submit to ICMI a revision or addendum to the supply chain's certification audit report evaluating the new supply chain element within nine months of the initiation of activities by the new element.
- H. ICMI will conduct a **Completeness Review** of each certification audit report it receives, including addenda to certified supply chains noted above, to ensure that appropriate responses have been provided for all Verification Protocol questions and adequate evidence has been included in support of the auditor's findings. ICMI will advise the auditor and the audited operation when the report has been accepted as complete.

III. Audit Findings and Substantial Compliance

A. Full Compliance

- 1) An operation is certified in full compliance with the Cyanide Code if ICMI receives and accepts as complete a certification audit report with the lead auditor's finding that it is fully compliant with all of the Code's Principles and Standards of Practice (or Production or Transport Practices, as appropriate).



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- 2) The operation's certification becomes effective on the date its Summary Audit Report is published on the Cyanide Code website.

B. Substantial Compliance

- 1) An operation is certified in substantial compliance with the Cyanide Code if ICMI receives and accepts as complete a certification audit report with the lead auditor's finding that it is substantially compliant with the Code's Principles and Standards of Practice (or Production or Transport Practices, as appropriate).
- 2) An auditor can make a finding of substantial compliance when an operation has made a good-faith effort to comply with the Cyanide Code and the deficiencies identified by the auditor can be readily corrected and do not present an immediate or substantial risk to employee or community health, safety, or the environment (see detailed discussion in the *Mining, Production and Transport Guidance documents*).
- 3) Certification of a substantially compliant operation is conditional and requires development and implementation of a **Corrective Action Plan (CAP)** to bring the operation into full compliance.
 - a) The CAP must include a time period, mutually agreed to by the operation and the auditor, to bring the operation into full compliance with the Cyanide Code. In no case shall this time period be longer than one year from the date on which ICMI posts the operation's Summary Audit Report on the Cyanide Code website.
 - b) The lead auditor must submit the CAP for ICMI review at the time the audit report is submitted.
 - c) The CAP will be posted on the Cyanide Code website along with the Summary Audit Report and Auditor Credentials Form.
- 4) The operation must provide the auditor with evidence demonstrating that the CAP has been fully implemented within the agreed-upon time frame.
- 5) No later than 30 days after the completion date of a CAP, the lead auditor shall submit to ICMI a **CAP Completion Report**, which will be posted on the Cyanide Code website in place of the CAP.
- 6) CAPs and CAP Completion Reports must be consistent with ICMI's *Corrective Action Plan Requirements* available on the Cyanide Code website.

IV. Audit Findings of Non-Compliance and Missed Deadlines for Certification Audits and Completion of Corrective Action Plans

- A. An operation is non-compliant with the Cyanide Code, and thus cannot be certified, when the lead auditor finds non-compliance with one or more Standards of Practice, Production Practices or Transport Practices during a Cyanide Code certification audit.
 - 1) For an operation found in non-compliance to continue on a path to certification, the lead auditor must include a CAP addressing all findings of non-compliance with submission of the other required audit documents (see II.F.4) to ICMI.



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- 2) Once accepted by ICMI as complete, the CAP will be posted on the Cyanide Code website for review by the public along with the Summary Audit Report and the credentials of the auditor(s).
- B. An operation found in non-compliance during its initial audit will be certified if:
- 1) within one year of the effective date of a non-compliance finding, which is the date on which ICMI announced the operation's non-compliance and posted its Summary Audit Report on the Cyanide Code website, the auditor determines that the operation has fully implemented its CAP, and submits a CAP Completion Report to ICMI; or
 - 2) more than one year but less than three years has elapsed from the effective date of a non-compliance finding, which is the date on which ICMI announced the operation's non-compliance and posted its Summary Audit Report on the Cyanide Code website, the requirements of IV.A.1 are met and **CAP Implementation Status Reports** are submitted to ICMI; or
 - 3) more than three years have elapsed from the effective date of a non-compliance finding, which is the date on which ICMI announced the operation's non-compliance and posted its Summary Audit Report on the Cyanide Code website, the requirements of IV.A.2 are met; and
 - a) the operation submits **Internal Compliance Audit Reports** to ICMI; and
 - b) the auditor submits a complete initial certification audit report with a finding of full compliance to ICMI.
- C. An operation found in non-compliance during a recertification audit will be recertified if:
- 1) within three years of the effective date of a non-compliance finding, which is the date on which ICMI announced the operation's non-compliance and posted its Summary Audit Report on the Cyanide Code website:
 - a) the auditor determines that the operation has fully implemented its CAP and submits a CAP Completion Report to ICMI; and
 - b) the operation submits CAP Implementation Status Reports and Internal Compliance Audit Reports to ICMI; or
 - 2) more than three years have elapsed from the effective date of a non-compliance finding, which is the date on which ICMI announced the operation's non-compliance and posted its Summary Audit Report on the Cyanide Code website, the requirements of IV.C.1 are met; and the auditor submits to ICMI a complete recertification audit report with a finding of full compliance.
- D. An operation that does not have the site inspection portion of a certification audit completed by the applicable deadline is non-compliant with the Cyanide Code, and thus cannot be certified until it submits to ICMI a complete certification audit report with a finding of substantial or full compliance.



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- E. An operation that does not fully implement its CAP by the applicable deadline is non-compliant with the Cyanide Code, and thus cannot be certified until the following conditions are met:
- 1) Within three years of the effective date of a substantial or non-compliance finding, which is the date on which ICMI announced the operation's substantial or non-compliance and posted its Summary Audit Report on the Cyanide Code website:
 - a) the auditor determines that the operation has fully implemented its CAP and submits a CAP Completion Report to ICMI; and
 - b) the operation submits CAP Implementation Status Reports and Internal Compliance Audits Reports to ICMI; or
 - 2) If more than three years have elapsed from the effective date of a substantial or non-compliance finding, which is the date on which ICMI announces the operation's certification and posts its Summary Audit Report on the Cyanide Code website, the requirements of IV.E.1 are met and the auditor submits to ICMI a complete certification audit report with a finding of full compliance.
- F. The non-compliance procedures described in IV.A – IV.E are applied as follows:
- 1) CAP Implementation Status Reports must be submitted to ICMI by the auditor annually within two months of the anniversary of the effective date of the substantial or non-compliance finding and will be made available to the public on the Cyanide Code website.
 - 2) Internal Compliance Audits Reports must be submitted to ICMI by the operation annually within two months of the anniversary of the effective date of the substantial or non-compliance finding and will be made available to the public on the Cyanide Code website.
 - a) Internal Compliance Audits must be conducted no earlier than two months prior to the anniversary of the effective date of the substantial or non-compliance finding.
 - b) Internal Compliance Audits may be conducted by personnel from the operation or from the signatory's other operations, or by contractors, consultants or other third parties; auditors are not required to meet ICMI's Auditor Criteria for lead or technical expert auditors but should be familiar with the type of operation being audited and the requirements of the Cyanide Code.
 - c) The applicable ICMI Verification Protocol should be used to conduct an Internal Compliance Audit.
 - d) The Summary Audit Report that found an operation in substantial or non-compliance should be used as a guide to prepare the Internal Compliance Audit Report. Additional details should be included to show that the operation has continued to implement the systems, plans and procedures necessary for full compliance with those Standards of Practice, Production Practices or Transport Practices that had been found in full compliance, and that, as applicable, measures are being implemented to bring substantially compliant and non-compliant Practices into full compliance.



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- e) Internal Compliance Audit reports will be posted on the signatory's page of the Cyanide Code website as received, without review by ICMI.
 - f) If a new audit is required for an operation's certification, submittal of Internal Compliance Audit Reports is no longer required within one year prior to submittal of the new audit report.
- 3) Certification audits required under IV.D and IV.E shall be conducted as:
- a) initial audits for operations that have not previously been certified, and
 - b) recertification audits, with compliance evaluated over the prior year, for operations that have previously been certified.
- 4) The certification of an operation previously found in non-compliance with a Standard of Practice, Production Practice or Transport Practice starts a new three-year audit cycle unless the certification is within one year of ICMI's posting of the Summary Audit Report containing the non-compliance finding.

V. Re-Admission of Signatories, Re-Designation of Operations for Certification and Re-Activation of Temporarily Inactive Operations

- A. A signatory company that voluntarily withdrew or was terminated from participation in the Cyanide Code may seek readmission to the program by submitting to ICMI a new signatory application and the applicable signatory fee. Additionally, its auditor must submit to ICMI complete certification audit reports with findings of full compliance for:
- 1) all active operations designated for certification at the time the signatory re-applies to the program.
 - 2) any active operations designated for certification at a later date that the signatory had designated for certification or certified during the signatory company's previous participation in the program.
- B. To be re-designated for certification and certified, an operation previously certified or designated for certification but withdrawn by the signatory must submit to ICMI:
- 1) An updated signatory application; and
 - 2) A complete certification audit report with a finding of full compliance for the re-designated operation.
- C. Certification audits required under V.A and V.B shall be conducted as:
- 1) initial audits for operations that have not previously been certified, and
 - 2) recertification audits, with compliance evaluated over the prior year, for operations that have previously been certified.
- D. An operation that has been certified or designated for certification but has suspended activity for at least six months can enter "temporarily inactive" status by submission of an



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updated signatory application. For a temporarily inactive operation to re-enter the certification program, it must submit to ICMI:

- 1) an updated signatory application; and
- 2) a complete initial certification audit report for the re-activated operation with a finding of full or substantial compliance, or a pre-operational certification audit report for the re-activated operation with a finding of full compliance.

VI. Situations Requiring Notification to ICMI

Cyanide Code signatory companies are required to provide notification to ICMI of the following occurrences, as described below: A) significant cyanide incidents at its operations; B) receipt of **non-certified cyanide** at its certified mines; and C) changes in a consignor's certified supply chain.

A. Significant Cyanide Incident

- 1) Notification of a **Significant Cyanide Incident** at any of a signatory's operations that fall within the scope of the Cyanide Code and are listed in Part II of its signatory application must be provided to ICMI 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. Further salient information, such as root cause, health, safety and environmental impacts, and any mitigation or remediation is requested to be supplied within seven days of the incident.
- 2) Notification must be submitted in writing by e-mail or facsimile to ICMI at info@cyanidecode.org and +1-202-835-0155.
- 3) Notification to ICMI is encouraged if there is any doubt regarding whether the incident meets ICMI's criteria for a significant cyanide incident.

B. Receipt of non-certified cyanide at a signatory's Cyanide Code-certified mine

- 1) Notification of an agreement for purchase or transport of non-certified cyanide must be provided to ICMI within 72 hours of making such an agreement.
- 2) Notification must 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.

C. Changes to a Certified Supply Chain

- 1) Notification of a change in the transporters, ports, and other elements included in a consignor's certified supply chain must be provided to ICMI within 72 hours of the new carrier initiating its activities.
- 2) A signatory consignor that makes changes to certified supply chain is also subject to the requirements of II.G., above.



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VII. Definition of Terms

For additional information regarding the below definitions, please refer to the Cyanide Code document, *Definitions and Acronyms*.

Completeness Review: The process used by ICMI to review submitted certification audit reports to ensure that all necessary information has been provided by the independent third-party auditor. Completeness Reviews advise the auditor and audited operation of any additional information, clarification and/or evaluation necessary for the audit report to be accepted as complete.

Consignor: An entity which arranges for and oversees the transport of cyanide along a route or portion thereof from its point of production to a certified gold or silver mine. Consignors may include but are not limited to cyanide producers, mining companies, transporters, brokers, distributors and sales agents. A consignor is considered to be a cyanide transporter for purposes of becoming a Code signatory.

Corrective Action Plan (CAP): A plan to correct deficiencies identified during a Code Certification Audit that have resulted in the auditor making a finding of substantial compliance or non-compliance.

Corrective Action Plan (CAP) Completion Report: An auditor's report concluding that an operation has provided evidence demonstrating that it has implemented its Corrective Action Plan as specified and in the agreed-upon time frame, and has achieved full compliance with the Cyanide Code.

Corrective Action Plan (CAP) Implementation Status Report: An auditor's report on the status of the implementation of a Corrective Action Plan to bring non-compliant Standards of Practice, Production Practices or Transportation Practices into full compliance.

Detailed Audit Findings Report: The certification audit report document submitted to ICMI by the auditor that provides responses to each of the questions in the applicable Verification Protocol and describes the evidence on which the auditor's findings regarding the operation's compliance with the Cyanide Code are based.

Internal Compliance Audit Report: A report submitted to ICMI by an operation found in non-compliance during a Code Certification Audit demonstrating that it has maintained full compliance with those Standards of Practice, Production Practices or Transport Practices that had been found in full compliance, and that, as applicable, measures are being implemented to bring substantially compliant and non-compliant Practices into full compliance with the Cyanide Code.

Non-certified Cyanide: Cyanide that was not produced and/or transported by a Code-certified producer or transporter.



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Significant Cyanide Incident: Significant cyanide events are considered to include the following confirmed events:

- a) Human exposure that requires an action by an emergency response team, such as decontamination or treatment;
- b) An unpermitted release which enters natural surface waters, on or off-site;
- c) An unpermitted release that occurs off-site or migrates off-site;
- d) An onsite release requiring action by an emergency response team;
- e) A transport incident requiring emergency response for cyanide release;
- f) Events of multiple wildlife fatalities where cyanide is known or believed to be the cause of death; and
- g) Theft of cyanide.

Summary Audit Report: An audit report submitted to ICM I providing the auditor's findings regarding the operation's compliance with the Cyanide Code and with each Standard of Practice, Production Practice or Transport Practice and including summaries of the evidence supporting the findings.

Supply Chain: Transportation, warehousing and distribution operations and activities involved in transporting cyanide from its point of manufacture to a destination point such as a mining operation, port, or warehouse.

