

# Norwegian Transparency Act Statement

2022



**BW OFFSHORE**

# **2022 ANNUAL ACCOUNT REGARDING BW OFFSHORE'S WORK TO PROMOTE FUNDAMENTAL HUMAN RIGHTS AND DECENT WORKING CONDITIONS**

## **1. BACKGROUND AND INTRODUCTION**

BW Offshore Norway AS ("BWO AS") is a member of the BW Offshore Ltd. group ("the BW Offshore Group") of companies. The BW Offshore Group engineers innovative floating production solutions. The BW Offshore Group designs new FPSOs with an engineering mindset, preparing redeployments and exploring new opportunities, all while fostering a culture where people grow and thrive. The BW Offshore Group has a fleet of FPSOs with potential and ambition to grow. By leveraging four decades of offshore operations and project execution, the BW Offshore Group creates tailored offshore energy solutions for evolving markets world-wide.

The BW Offshore Group has around 1700 employees and is publicly listed on the Oslo stock exchange. It has offices, operations, and legal entities world-wide, as described in its Annual Report. BWO AS has offices in Oslo and Arendal and has approximately 130 employees in Norway.

The BW Offshore Group's work to promote fundamental human rights and decent working conditions forms part of its Ethics and Business Conduct Compliance Programme which is centrally administrated and executed by the Company's Corporate Integrity function with mandate from and regular review by the CEO and the Board of Directors. The Ethics and Business Conduct Compliance Programme is based on five pillars, and the work related to human rights and decent working conditions belongs to the pillar "Respect for the Individual" and applies equally across the BW Offshore Group, including to BWO AS. Although BWO AS does not administer an independent compliance or ESG programme, the statements contained herein about the BW Offshore Group apply equally to BWO AS.

The Ethics and Business Conduct Compliance Programme applies to all personnel, representatives, and legal entities of the BW Offshore Group, and accordingly, this Annual Account covers policies, procedures, risk assessment, risk management, due diligence, goals and commitments for all the BW Offshore Group of companies, including BWO AS. In 2022, a project was carried out to further strengthen BW Offshore Group's work to promote fundamental human rights and decent work conditions in alignment with the introduction of the Norwegian Transparency Act which entered in to force 1 July 2022 (the "Transparency Act").

## **2. POLICIES AND PROCEDURES**

BWO AS supports internationally recognised human rights, including the International Bill of Human Rights and other relevant human rights conventions, and the International Labour Organisation's core conventions on fundamental principles and rights at work. BWO AS observes applicable OECD's guidelines for

Multinational Enterprises, in particular the Due Diligence Guidance for Responsible Business Conduct, with regards to human rights and decent working conditions and supports the objectives of the UN Global Compact. The OECD guidelines, which recognise and promote the positive contribution companies can make to economic, environmental, and social development, also recognise that business can have a negative impact on human rights and working conditions. BWO AS strives to reinforce its positive impact and cease, prevent, or mitigate adverse negative impact.

### **3. RESPONSIBLE BUSINESS CONDUCT THROUGHOUT THE ORGANISATION**

#### **3.1 Shareholders, the Board of Directors and executive management**

The Board of Directors of BW Offshore Ltd., the parent company of BWO AS, is involved in the process of promoting basic human rights and decent working conditions. The Human Capital, Supply Chain, Operations and Corporate Integrity functions collaborate to administer policies and processes designed to fulfil corporate social responsibility and sustainability objectives. The project and processes to implement the Transparency Act's obligations and expectations have been presented and discussed during ESG committee and Board meetings in 2022.

#### **3.2 General principles and procedures**

BW Offshore Group's Code of Ethics and Business Conduct sets out its commitment to respect human rights and standards advised by the International Labour Organisation. The BW Offshore Group has adopted a [Human Rights and Decent Working Conditions Policy](#) which sets out the principles and standards to respect human rights and decent working conditions. BW Offshore also revised its [Supplier Code of Ethics and Business Conduct](#) and maintains [Supplier Ethical Employment Practice Guidelines](#) that reflect our strong commitment to human rights and decent working conditions and expectations on our suppliers to do the same.

These procedures are hereinafter collectively referred to as the "BW Offshore Human Rights Procedures".

The BW Offshore Group's Human Rights Procedures set out the commitment to respect internationally recognised standards for human rights and decent working conditions and comply with applicable laws and regulations in countries where it operates.

#### **3.3 Internal accountability and operationalisation**

While the Board of Directors has oversight of BW Offshore's response to human rights due diligence assessments, operational responsibility rests with the CEO of the BW Offshore Group and with the general manager for BWO AS. The Corporate Integrity function, with mandate from and regular review by the CEO and Board of Directors, leads and coordinates internal work.

The Corporate Integrity function reports quarterly the status of the due diligence process, including the status of implemented risk measures, to the CEO and the Board of Directors.

The BW Offshore Group has adopted and implemented specific guidelines for responsible business conduct that describe in more detail the implementation of the due diligence process.

### 3.4 Internal information and training

Information about the Transparency Act is available to all employees on the intranet. A multi-disciplinary project group has worked on the implementation of the Transparency Act and provided input to the due diligence assessment.

In addition, the following guidance was published for staff on how to identify unethical labour practice red flags:

## Identify the Red Flags of Unethical Labour Practices

Unethical labour practices can occur anytime we work with another company such as a contractor, subcontractor, or supplier and can be found anywhere in the world.

Be on the lookout for these red flags and **report them** when observed to help eliminate unethical labour practices of any form.

The Company:

operates in a high risk country or industry (refer to US Trafficking in Persons Report)

limits or prohibits inspections of their worksites

offers us significantly better terms than their competitors

will not allow their workers to be interviewed

retains workers' documents (e.g. passports and visas)

The Workers:

are paid late or their wages are withheld

must pay to get the job

are below the legal age

are required to live in substandard employer-provided housing

have no access to or control over their bank accounts

get little or no time off

are threatened or abused

If you have a reasonable belief that any of these are occurring even if you don't have all the details—immediately report the situation to Corporate Integrity.

Local numbers available at [www.speakup.bwoffshore.com](http://www.speakup.bwoffshore.com)

[compliance@bwoffshore.com](mailto:compliance@bwoffshore.com)

[www.speakup.bwoffshore.com](http://www.speakup.bwoffshore.com)

E-learning on modern slavery is mandatory for new employees. The course includes the main principles on fundamental human rights and decent working conditions and information about the Company's Speak Up process.

The 2022 completion rate for the modern slavery e-learning was 93%.

### **3.5 Speak Up and grievance mechanism**

There are several channels for raising questions or concerns about ethical matters. The “Speak Up” channel is available to anyone, either internal or external, who has a question or concern. The Speak Up channel allows for anonymous reporting and is available at <https://speakup.bwoffshore.com>.

The BW Offshore Group did not receive any reports regarding human rights or unethical working conditions in 2022.

### **3.6 Suppliers and business partners**

BWO AS expects its suppliers and business partners to apply equivalent high standards of ethics and business conduct when conducting business for or with it. Suppliers are vetted through a Vendor Qualification Programme. The due diligence of suppliers and business partners is risk-based and may include questionnaires, site visits, or audits. BWO AS will not engage with a supplier or business partner if the compliance risk is deemed too high and cannot be sufficiently mitigated.

## **4. HUMAN RIGHTS DUE DILIGENCE PROCESS IN BW OFFSHORE**

### **4.1 The human rights’ due diligence process**

As part of the due diligence process, the following overall goals have been set in alignment with the Transparency Act:

- Ensure that the business or operation does not have a potential or actual negative impact on basic human rights or decent working conditions in connection with BWO AS's business and operation.
- Inform the public through an annual report.
- Provide information upon request.

The main principles behind the due diligence assessments are:

- Preventive
- Risk-based
- Based on priorities with a focus on severity and probability
- Dynamic processes and ongoing follow-up
- Involvement of stakeholders
- Communication and dialogue

### **4.2 Information regarding actual adverse impacts and significant risks of adverse impacts**

BWO AS performed an overall risk mapping of human rights and decent working conditions. The assessment of negative impact was initiated by a broad risk scoping exercise. The purpose of the scoping exercise was to enable BWO AS to carry out an initial prioritisation of the most significant risk based on industry, geography, company and type of services to identify areas where the risk of negative impact on human rights and decent employment is most likely and most significant.

The following departments were involved in the mapping process:

- Supply Chain
- Operations
- Legal
- Compliance
- Human Capital
- Operational Integrity

Based on the risk scoping exercise, the following priorities have been made:

### **Industrial risk**

The offshore industry has several challenges related to human rights and decent working conditions. The risk of adverse impact on health and safety and forced labour are highlighted by several industry organisations as the most challenging and are topics that are therefore prioritised the due diligence assessment from an industry perspective.

Other potential areas of industrial risk are in accordance with the risk scoping considered to be:

- Living wage
- Working hours
- Poor working and/or living conditions for hired workers and/or immigrant workers
- Immigrant labour
- Respecting customary and indigenous rights

### **Geographical risk**

The BW Offshore Group is represented in all the major oil and gas regions world-wide with its main offices in Singapore and Norway and further offices in Africa, the Americas, Asia and Europe. BWO AS considered all of these locations and their activities when conducting its risk assessment.

In order to assess risks linked to the countries in question, “The Rule of Law Index” and “The Global Rights Index” were used as references.

“The Rule of Law Index” measures countries’ rule of law using eight factors: (1) Limits on government power, (2) Absence of corruption, (3) Open government, (4) Basic rights, (5) Order and security, (6) Regulatory enforcement, (7) Civil administration and (8) Criminal law. The index is a good indication of the level of protection of human rights in a country.

The International Trade Union Confederation (ITUC) has developed the “Global Rights Index”. ITUC’s primary task is to promote and defend workers’ rights and interests, through international cooperation between trade unions, global campaigns, and advocacy within the major global institutions. The main areas of activity include the following: organising and human rights; economy, society, and workplace; equality and non-discrimination; and international solidarity. The ITUC Global Rights Index provides relevant information on the general protection of workers’ rights in a country.

The mapping of countries in which the BW Offshore Group has offices indicates that the following countries are considered high risk:

- Brazil
- Nigeria
- South Korea
- United Arab Emirates

The mapping of countries where BW Offshore Group's suppliers or business partners are located, indicates that the following countries are considered high risk:

- Brazil
- Cameroon
- China
- Hong Kong
- India
- Indonesia
- South Korea
- Malaysia
- Nigeria
- United Arab Emirates

In these countries, the risk of material adverse impact on human rights and decent work conditions are considered high and will be prioritised in further risk analysis and implementation of relevant measures.

### **Company risk**

No particularly high company risk has been identified in the initial scoping exercise. The work continues to map company risk for suppliers and business partners based on the type of relationship and geography.

### **Services**

The BW Offshore Group's services include engineering, procurement, construction, and installation, as well as lease and operation services for FPSOs.

Suppliers are categorised in three main categories: fleet operations, material management and contract management. Within fleet operations the sub-categories offshore mobilisation and logistics are considered medium risk due to the use of manning agencies or other subcontracted labour for the units. Material management is considered low risk, whilst the following sub-categories within contract management are considered high risk:

- Construction (Conversion / Integration)
- Fabrication (Hull, Topside, Turret)
- Maintenance and modification projects

In connection with these activities, the risk of adverse impact on human rights and decent work conditions is considered high and will be prioritised in further risk analysis and implementation of relevant measures.

Risks identified as significant during this initial prioritisation are subject to more detailed analysis. The enterprise risk management system includes these risks and reporting of controls, planned actions, dedicated responsible persons and deadlines.

In 2022, there were no identified actual breaches in the due diligence assessment. The work to cease, prevent and mitigate significant risks of adverse impacts continues in 2023.

- a. Information regarding measures implemented or planned to be implemented to cease actual adverse impacts or mitigate significant risks of adverse impacts

There are implemented measures to cease, prevent and mitigate significant risks. In 2022, there were ethical labour audits in fabrication yards in Singapore and Indonesia, with further audits to follow in 2023. Subsequent to the labour audits, recommendations were made to the yards to improve working conditions and work will continue to monitor progress and engage in discussions about ongoing improvements, as needed.

## **5. SUMMARY AND THE WAY FORWARD**

BWO AS continues strengthening its due diligence process for human rights and decent working conditions. Revision of relevant policies and management systems will continue in 2023. Other focus areas for 2023 include tracking implementation and results, involving and cooperating with relevant stakeholders and further communicating about adverse impacts. There will also be at least six vendor social/governance-related site visits in 2023.

This annual account is made pursuant to the Norwegian Transparency Act section 5. The report covers the period 1 July 2022 to 31 December 2022. The account was approved by the Board of Directors of BW Offshore Norway AS on 20.06.2023.

On behalf of BW Offshore Norway AS

Sign.

**Pia Schnitler, General Manager**