



AGNICO EAGLE

AGNICO EAGLE MINES LIMITED

REPORTING POLICY PURSUANT TO THE WHISTLEBLOWER ACT AND OTHER CONFIDENTIAL OR ANONYMOUS REPORTING PRACTICES

I. PURPOSE OF THESE GUIDELINES AND CLASSIFICATION OF VARIOUS COMPLAINT TYPES

Agnico Eagle Mines Limited (hereinafter “the Corporation”) prepared these guidelines to provide its own staff and the staff of the companies that belong to the same group and external parties that interact with the Company because of their work, such as collaboration and agreement partners, with a clear understanding of violations that fall under the scope of the EU and national legislation on the protection of persons who report breaches of Union law (hereinafter “the Whistleblower Act”), reporting practices and protection offered to whistleblowers pursuant to legislation. These guidelines also describe the Corporation’s practices for reporting breaches that do not fall under the scope of the Whistleblower Act.

Reporting activities covered by the Whistleblower Act

Under the Whistleblower Act, persons reporting certain breaches of law are offered protection to shield them from retaliation. Several whistleblowing activities fall under the scope of the Whistleblower Act. From the perspective of Agnico Eagle Finland Oy’s operations in practice, the main areas of legislation (both EU directives and Finnish laws) where reporting breaches of law falls under the Whistleblower Act are:

- i. protection of the environment
- ii. protection of privacy and personal data and the security of networks and information systems.

In addition, reporting breaches of law in the following areas of legislation (both EU directives and Finnish laws) falls under the Whistleblower Act:

- iii. public procurement (except for defense and security procurements)
- iv. financial services, products and markets
- v. prevention of money laundering and terrorist financing
- vi. product safety and compliance
- vii. transport safety
- viii. radiation protection and nuclear safety
- ix. food and feed safety and animal health and welfare

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- x. Public health referred to in Article 168 of the EU Treaty on the Functioning of the European Union
- xi. consumer protection.

The Whistleblower Act is applied to the reporting of actions and neglectful conduct related to the aforementioned areas that are:

- a) punishable under law
- b) may be punishable by an administrative fine or penalty payment or
- c) are so severe that they may seriously jeopardize the achievement of the objectives in the general interest of the legislation.

In addition, persons reporting breaches of the following laws (EU legislation and Finnish legislation) are protected under the Whistleblower Act:

- i. legislation on the EU's financial management or implementation of its expenditure or the collection of its revenue of funds
- ii. subsidies and state aid rules
- iii. competition rules
- iv. legislation on taxes related to companies and associations, and arrangements the purpose of which is to obtain a tax advantage that defeats the object or purpose of the applicable corporate tax law
- v. legislation intended to protect consumers (other than those referred to in section xi).

Reporting activities not covered by the Whistleblower Act

To facilitate the reporting of other observations and breaches that do not fall under the scope of the Whistleblower Act, the board's audit committee (hereinafter "the Audit Committee") has prepared its own guidelines and auditing policy. These guidelines and the auditing policy apply to the following matters:

- i. the receipt, retention and treatment of complaints received by the Corporation regarding such things as accounting, internal control or auditing matters and unethical/fraudulent activities; and
- ii. the confidential, anonymous submission by officers, directors and employees of the Corporation and its subsidiaries and affiliates of concerns regarding such things as questionable accounting, internal control or auditing matters and unethical/fraudulent activities;

The other breaches referred to herein do not fall under the Whistleblower Act and therefore the person reporting such breaches does not fall under the protection provided for in the Whistleblower Act. However, all reported breaches are always processed appropriately and the person reporting them is also treated appropriately. For example, with regard to an employee reporting a breach, the employer must always comply with the requirements of the law.

Some of these matters mentioned above and described in more detail in sections a)–j) partially overlap with matters that fall under the scope of the Whistleblower Act ("prevention of money laundering and terrorist financing" or "legislation on taxes related to companies and associations, and arrangements the purpose of which is to obtain a tax advantage that defeats the object or Reporting Policy pursuant to the Whistleblower Act – as of January 2023

purpose of the applicable corporate tax law”). If the reported breach falls into this category in terms of its content, the provisions of the Whistleblower Act are applied to the reporting practices and processing of the matter.

For reporting such situations, the Corporation has implemented a confidential and anonymous reporting policy (hereinafter “Policy”). Examples of complaints are (this list is not exhaustive) are as follows:

- a) violations of the Corporation's Code of Business Conduct and Ethics;
- b) experiencing or observing discrimination, harassment, sexual misconduct or similar behavior;
- c) the use of the Corporation's funds or property for any illegal, improper or unethical purpose (for example, fraud, theft of corporate property, embezzlement of funds, misappropriation of funds, bribes, kickbacks or influence payments);
- d) tampering with any of the Corporation's accounting or audit-related records or documents (in any format, including electronic records such as e-mails) or destroying any of the Corporation's accounting or audit-related records or documents except as otherwise permitted or required by the Corporation's records retention policy;
- e) fraud or deliberate error in the preparation, evaluation, review or audit of any of the Corporation's financial statements;
- f) fraud or deliberate error in the recording and maintaining of the Corporation's financial records (for example, overstating expense reports, falsifying time sheets, preparing erroneous invoices, misstating inventory records or describing an expenditure for one purpose when, in fact, it has been made for some other reason);
- g) deficiencies in or non-compliance with the Corporation's internal accounting oversight (for example, circumventing review and approval procedures);
- h) misrepresentations or false statements to or by an officer, employee or accountant regarding a matter contained in the Corporation's financial records, financial reports or audit reports;
- i) deviation from full and fair reporting of the Corporation's financial condition, results of operations or cash flows; and
- j) any effort to mislead, deceive, manipulate, coerce or fraudulently influence any internal or external accountant or auditor in connection with the preparation, examination, audit or review of any financial statement or records of the Corporation.

The Confidential Anonymous Complaint Reporting Policy is intended to ensure that

- i. complaints are received, investigated and retained on a confidential and anonymous basis that is in compliance with all applicable laws; and
- ii. directors, officers and employees of the Corporation (collectively, "Associates") are not penalized or retaliated against for making a good faith report of a complaint (see Section V below).

II. POLICY OVERSIGHT

Complaints that fall under the scope of the Whistleblower Act must be reported in writing via a designated channel available on the Corporation's intranet and public website. The Corporation has appointed the following people to process the complaints in an independent and unbiased manner:

a) **Primary processor**

Emma Ylläsjärvi
People & Culture Manager
Phone: +358 40 824 7110
E-mail: emma.yllasjarvi@agnicoeagle.com

b) **Secondary processor**

Jani Lösönen
Vice President, Europe
Phone: +358 341 7196
E-mail: jani.losonen@agnicoeagle.com

The Audit Committee has the responsibility to oversee practices not covered by the Whistleblower Act and compliance by all. Any Associate who becomes aware of any complaint that does not fall under the scope of the Whistleblower Act may notify any of the following:

a) **Primary Contact**

Chris Vollmershausen
Executive Vice President, Legal, General Counsel & Corporate Secretary
Phone: +1 647 260 3771
E-mail: chris.vollmershausen@agnicoeagle.com

b) **Secondary Contact**

David Smith
Executive Vice President, Finance and Chief Financial Officer
Phone: +1 416 847 3710
E-mail: david.smith@agnicoeagle.com

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Jason Allaire
Vice President, People & Social Affairs
Phone: (819) 759-3555
E-mail: jason.allaire@agnicoeagle.com

III. REPORTING OF COMPLAINTS

The reporting system referred to in the Whistleblower Act, in which the person reporting a breach is protected pursuant to the act, is a three-stage process. The primary method of reporting a breach is to use a company's internal reporting channel. The secondary method is to use a reporting channel maintained by authorities (the Chancellor of Justice's centralized reporting channel), either after the internal report or directly if the conditions for doing so set in the Whistleblower Act are met. The last method, which is used in exceptional circumstances if the conditions for doing so set in the Whistleblower Act are met, is to publicize the information. The reporting system and prerequisites for protection are described in detail in section V.

Employees, board members, CEO or trainees or parties outside the Corporation that are in contact with the Corporation through their work, such as collaboration or contract partners, may report a complaint that falls under the scope of the Whistleblower Act via a reporting channel on the Corporation's intranet and public website, using the form at <http://www.agnicoeagle.ethicspoint.com> (hereinafter "Hotline"). Reports may also be submitted anonymously.

Each complaint will be assigned a unique reference number prior to forwarding the complaint to the Corporation. This reference number will be provided to the Complainant for future reference. Complaints are processed in a confidential, independent, and unbiased manner.

Complaints that are not covered by the Whistleblower Act may be submitted via the Hotline and also directly to the Contact by e-mail, postal mail or phone (free of charge), set up for the purpose. Reports may also be submitted anonymously. The following outlines the processes for reporting complaints that do not fall under the scope the Whistleblower Act. Complaints are always processed in a confidential manner.

Reporting complaints internally

- a) An Associate wishing to report a complaint using internal means may refer a complaint to the Primary Contact or to a Secondary Contact, who will treat all complaints in accordance with this Policy.
- b) If the Associate making the complaint wishes to do so in writing, the complaint should be specified in a letter, which should be delivered to the Primary Contact or to a Secondary Contact in a sealed envelope marked "Confidential".

Reporting complaints through the Hotline

- a) The Corporation has established the Hotline so that complaints of Associates and members of the public (referred to as "Complainants") can be reported in an anonymous and confidential manner. Complaints can be reported using a web form at www.agnicoeagle.ethicspoint.com.

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- b) A toll-free telephone number is also maintained for the purpose of receiving complaints. The Hotline is maintained by an independent third-party service provider. The Hotline will be available by phone 24 hours a day, 7 days a week by calling 877-333-2675 from within North America. If a Complainant is located outside of North America, they may place a **collect call to 0800 413607 (Finland)**. Complaints will be acknowledged within 7 days. The Notifier (Whistleblower) shall be informed within three months of which actions have been taken as a result of the notification/report
- c) Each complaint will be assigned a unique reference number prior to forwarding it to the Corporation. This reference number will be provided to the Complainant for future reference.
- d) All Complaints received by the Hotline will be forwarded directly to the Primary Contact or a person otherwise appointed to process the complaint.

IV. CONFIDENTIALITY AND PROCESSING OF PERSONAL DATA

The Corporation is committed to maintaining procedures for the anonymous and confidential reporting of complaints by Complainants. All responses will remain confidential.

If a complaint is reported via the Hotline, the Complainant may submit the report either anonymously or under their own name. In either case, the complaint is processed in a confidential manner.

A report of a complaint will only be disclosed to those persons who have a need to know in order to ensure the proper processing of the complaint. In the processing of complaints that fall under the scope of the Whistleblower Act, the provisions of said act are also complied with.

With regard to complaints that fall under the Whistleblower Act, said act provides for the processing of personal data, in addition to which all other applicable legislation on privacy must be complied with.

The Contacts may make recommendations to the Audit Committee from time to time on how the Corporation can provide confidential and, if so desired, anonymous, reporting of complaints by Complainants.

V. PROHIBITION ON RETALIATION

The Whistleblower Act specifically prohibits retaliatory measures against the Complainant. Therefore, the Complainant is directly protected by the law. Pursuant to the Whistleblower Act, the employer or any other party may not target a retaliatory action at the Complainant or any other person. An employee or another person may not be prevented from reporting a breach or publicizing the information in specific circumstances referred to in the Whistleblower Act.

Such prohibited retaliatory actions include the weakening of the terms of the employment contract, termination of the employment contract, other discriminatory treatment of the person or any other negative consequences for the person due to the complaint.

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If the Complainant or any other person becomes the target of a retaliatory action or suffers any other adverse effects, and the matter is submitted to a court for a decision, the onus is on the Corporation to prove that the prohibition of retaliatory action was not violated.

If the Corporation violates the prohibition of retaliatory action, it is liable for the financial harm caused to the Complainant. If the employee's employment contract is terminated in retaliation, the employer must pay compensation pursuant to Chapter 12, Section 2 of the Employment Contracts Act. In addition, a Complainant subjected to retaliatory conduct or attempts to prevent the complaint, is entitled to compensation in line with the seriousness of these actions and the harm caused by them.

However, if it emerges that the Complainant deliberately reported or publicized false information, the Complainant is liable for the financial damages arising from the false report. In addition, a person who deliberately made a false report may be sentenced by a court to pay a penalty fee for a violation of the Whistleblower Act.

With regard to a person reporting a complaint that does not fall under the scope of the Whistleblower Act, neither the Corporation, nor any person acting on behalf of the Corporation or in a position of authority in respect of the employee may take any retaliatory action against the employee or threaten to do so with the intent to compel the employee to abstain from reporting a complaint. In addition, the Corporation may not discriminate against, change the work tasks of, suspend, terminate, or otherwise adversely affect the employment of an Associate as specified in Section 806 of the Sarbanes-Oxley Act of 2002, the rules and policies of the United States Securities and Exchange Commission whistleblower program or the rules and policies of the Ontario Securities Commission whistleblower program. Engaging in retaliatory conduct may be considered an offence under various applicable laws.

VI. PUBLICIZING THE PROCESS FOR REPORTING COMPLAINTS

The Corporation will also periodically communicate reminders to Associates of the process for reporting breaches. This may be accomplished by electronic or other means, including, for example, email, written memos and posters.

VII. INVESTIGATION OF COMPLAINTS, RESULTS AND FURTHER MEASURES

Complaints covered by the Whistleblower Act

Internal complaints

Complaints that fall under the scope of the Whistleblower Act must be submitted via the Corporation's Hotline using the web form. Complaints that fall under the scope of the Whistleblower Act are only processed by people appointed for the task by the Corporation.

These people may, at their own discretion, invite other people, either within or from outside the Corporation, to participate in the investigation, if they consider this to be necessary for the proper processing of the matter. These people, who are appointed for the task separately, must also process the matter in a confidential and unbiased manner.

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People processing complaints may not disclose the name of the Complainant to anyone who does not participate in the processing of the matter. They may, however, disclose the Complainant's name to a separately appointed processor or expert if this is necessary for the complaint to be verified. In addition, the names of the Complainant or other people specified in the complaint may be disclosed to the authorities, criminal investigation authorities, or the prosecutor, or during court proceedings or other judicial or administrative proceedings outside a court held to decide on the claim, if such disclosure is necessary for the matter to be processed. The person processing the matter informs the Complainant before the disclosure of their name. If the matter is reported anonymously, the Complainant's name cannot be disclosed.

The Corporation deletes personal data related to a complaint within five years of the report unless the data must be stored under the provisions of the Whistleblower Act. If the data must be stored for longer than five years, the Corporation will delete it immediately once the storage is no longer required. Personal data that is not relevant for the processing of the complaint is deleted without delay.

Upon receipt of a complaint, the people responsible for its processing will decide on the most suitable course of action for the investigation and will initiate measures required to verify the complaint. The processors also decide on the need for any further measures. If a breach is deemed to have taken place, the processors must intervene and determine the required measures.

The Complainant may be contacted for further information to facilitate the investigation but the Complainant is not obliged to answer such enquiries.

After investigating the matter, the processor may transfer the realization of further measures to the executive team or to other persons with the authorization to decide on the matter. The Complainant will be notified of any measures taken or to be taken due to the breach within three months of the report.

If the Complainant reported the matter anonymously, a reference code is assigned to the complaint which can be used for requests for further information or notifications on further measures, thereby ensuring anonymity. A person reporting a breach anonymously cannot be contacted directly.

Notifications to the authorities

If the Complainant has good grounds for believing that the Corporation has not initiated investigation into the breach within three months of the submission of the complaint, the Complainant may report the breach via the Chancellor of Justice's centralized reporting channel or via a reporting channel maintained by the relevant authority, thereby gaining protection pursuant to the Whistleblower Act. Such good grounds include the Corporation not informing the Complainant of any measures it intends to take as a result of the complaint.

In addition, the Complainant may report the breach directly via the Chancellor of Justice's centralized reporting channel or via a reporting channel maintained by the relevant authority, thereby gaining protection pursuant to the Whistleblower Act, if the Complainant has firm grounds for believing that:

- a) the breach cannot be effectively addressed on the basis of an internal complaint (for example, because the processor of the complaint or the Corporation's management are involved in the breach or the complaint pertains to a cartel), or
- b) the Complainant is at risk of retaliation.

Publicizing information on breaches

If the Complainant reported the breach via the Chancellor of Justice's centralized reporting channel or via a reporting channel maintained by another authority and the Complainant has good grounds for believing that the authority has not started an investigation into the matter within three months, or within six months on good grounds, the Complainant may publicize the matter to the media, for example, to gain protection pursuant to the Whistleblower Act. Situations in which the conditions for publicizing the information are met are exceptional.

In addition, the Complainant may publicize the matter without first reporting the breach to the Corporation or via the Chancellor of Justice's centralized reporting channel or to another authority, to gain protection pursuant to the Whistleblower Act, if the Complainant has good grounds for believing that:

- a) the breach of law reported in the complaint may result in clear and present danger to general interests (e.g., reports on risks related to radiation and nuclear power safety)
- b) reporting the matter to an authority may cause a risk of retaliatory action (in practice, this condition is met if the authority has made a threat of such action), or
- c) the authority in question is implicated in the breach or it is otherwise likely that the authority will not intervene effectively in the situation for specific circumstances related to the matter.

Complaints other than those covered by the Whistleblower Act

Processing of complaints

Upon receipt of a complaint that is not covered by the Whistleblower Act, the Contacts appointed to process complaints will determine the appropriate course of action to investigate the complaint, including which internal and external resources will be utilized. The investigation of all complaints will be monitored on an ongoing basis by the Contacts.

Depending on the nature of the complaint, and its materiality as determined in the first instance by the Contacts, the Contacts will keep the Chief Executive Officer (except to the extent that the CEO is allegedly implicated in the complaint) up to date on the status of the investigation. The CEO must be kept up to date particularly in case of complaints that could materially affect the financial statements of the Corporation or the integrity of the Corporation's system of internal controls. This must be done for purposes of ensuring compliance with regulatory requirements, including the timely and continuous disclosure obligations of the Corporation and the certification obligations of the Chief Executive Officer and Chief Financial Officer of the Corporation.

The investigation of a complaint that implicates (or may implicate) a Contact must be supervised by one of the other Contacts. The investigation of a complaint that implicates (or may implicate) all of the Contacts shall be supervised by the Chair of the Audit Committee, or such other independent member of the Board of Directors as designated by the chair of the Audit Committee.

Report to the Audit Committee

The Primary Contact (or the Primary Contact's designee) will periodically prepare a report on complaints not covered by the Whistleblower Act to the Audit Committee specifying, among other things:

- a) the number of complaints received since the previous report;
- b) all complaints received, by relevant category, since the previous report; and
- c) the reporting avenues used by persons reporting complaints.

In addition, if requested by the Audit Committee, the Contacts will report on the effectiveness of the reporting system since the previous report.

The Audit Committee may request special procedures that are not inconsistent with this Policy to be used in connection with any particular complaint, including the retention of outside counsel or other advisors in accordance with the terms of the Audit Committee charter.

VIII. POLICY REVIEW

This Policy and its effectiveness will be reviewed by the Audit Committee at least annually, with recommendations regarding updates or amendments, if any, being made to the Board of Directors as required.

IX. INQUIRIES

Any questions with respect to the general application of this Policy should be made to the Primary Contact.