Capability Statement

Mining, Resources, Energy and ESG

Bennett

LITIGATION AND COMMERCIAL LAW



Who you need when it matters.

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Foreword

I am pleased to introduce Bennett's Mining, Resources, Energy and Environmental, Social and Governance (**ESG**) capabilities to you.

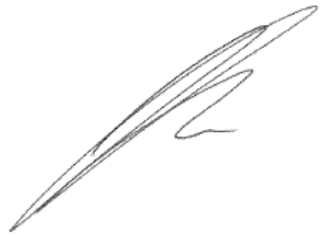
When a client enters into a relationship with Bennett, we place your business and your legal issues at the forefront of everything we do, drawing on our strong internal pool of expertise to deliver you the best commercial outcomes. We work together on a taskforce basis on all of our matters, bringing together a cohesive and dedicated team of legal practitioners focused on achieving your desired commercial outcome. This may involve bringing together the requisite mix of expertise across our various practice areas.

The enclosed capability statement demonstrates the expertise of the collective team at Bennett and our market leading experience in the area of commercial litigation and dispute resolution. Trusted advisers to the resources sector. Disputes. Governance. Investigations. Strategic Risk. When the outcome matters, clients turn to Bennett.

We strongly value a successful and long term relationship with our clients, and look forward to a long working relationship with you.

If you have any questions concerning our capability statement please contact me or Dalitso Banda, Principal, Bennett.

Kind regards



Nathan Ebbs
Managing Principal

Strategic lawyers for critical issues, complex disputes and high-value opportunities.

Western Australia is home to many of the world's most significant mining and energy projects. In this environment, legal issues rarely exist in isolation. They affect investment, governance, reputation, project delivery and enterprise value.

Bennett advises mining, resources and energy participants across the full commercial lifecycle. Our work encompasses corporate and commercial transactions, project and investment structuring, joint ventures, commercial contracting, governance, regulatory compliance and ESG, as well as complex disputes and investigations.

We work with listed and private companies, boards, directors, shareholders, investors, financiers and industry participants to facilitate transactions, manage commercial risk, protect enterprise value and resolve critical business challenges throughout Australia and internationally.

When the stakes are high

Clients engage Bennett when:

- control of a business or project is in dispute;
- shareholders, directors or joint venture partners are in conflict;
- regulators commence investigations or enforcement action;
- governance failures threaten value or reputation;
- projects encounter significant legal or commercial risk; or
- complex disputes require decisive strategic leadership.

Our role extends beyond legal advice. We help clients protect value, preserve commercial objectives and navigate critical business decisions.

Disputes & Strategic Litigation

Market-leading representation in complex commercial and resources disputes, including:

- Shareholder and oppression claims
- Joint venture disputes
- Directors' duties and governance disputes
- Corporations Act proceedings
- Contract and project disputes
- Fraud and asset recovery
- International and domestic arbitration

Governance, Risk & Investigations

Advising boards, executives and stakeholders on:

- Corporate governance
- Board and shareholder disputes
- Internal investigations
- Regulatory investigations
- Whistleblower matters
- Crisis management
- ESG and compliance frameworks
- ASX Listing Rules and Corporations Act compliance
- Board advisory and directors' duties
- Corporate structuring and reorganisations
- ESG and sustainability reporting
- Climate-related financial disclosures[BL1.1]
- Modern slavery reporting and compliance
- FIRB and other regulatory approvals

Mining & Resource Sector Advisory

Supporting resource sector participants across the project lifecycle, including:

- Mergers, acquisitions and divestments
- Farm-in and farm-out agreements
- Tenement acquisitions, disposals and due diligence
- Joint venture establishment and structuring
- Offtake, royalty and streaming arrangements
- Mining services and supply agreements
- Capital raisings and strategic investments
- Commercial contracting and procurement[BL2.1]
- Project ownership and control disputes
- Tenement and mining rights issues
- Commercial contracting
- Distressed assets and restructurings
- Investment and stakeholder disputes
- Strategic risk management

Industry Insight. Disputes Expertise.

Unlike traditional full-service firms, Bennett's reputation has been built on helping clients resolve complex problems and protect commercial interests when circumstances become contested.

Our lawyers combine deep disputes expertise with a sophisticated understanding of the resources sector, enabling us to provide advice that is legally rigorous, commercially pragmatic and strategically focused.

Who we act for:

- ASX-listed companies
- Mining and exploration companies
- Energy and infrastructure participants
- Directors and officers
- Major shareholders
- Investors and private equity funds
- Financiers
- Mining contractors and service providers
- Insolvency practitioners



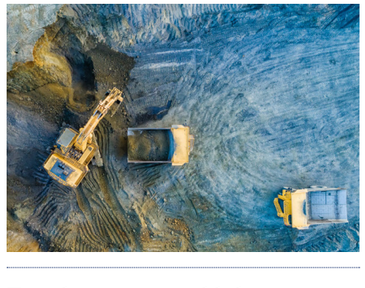
Commercial litigation and dispute resolution, including class actions



Corporate governance



Emerging markets



Employment and labour disputes



Infomation governance, privacy and cybersecurity



Mining



Modern slavery reporting and risk mitigation



Regulation and investigations, including disclosures



Reputation and defamation protection

Leading a
united front.

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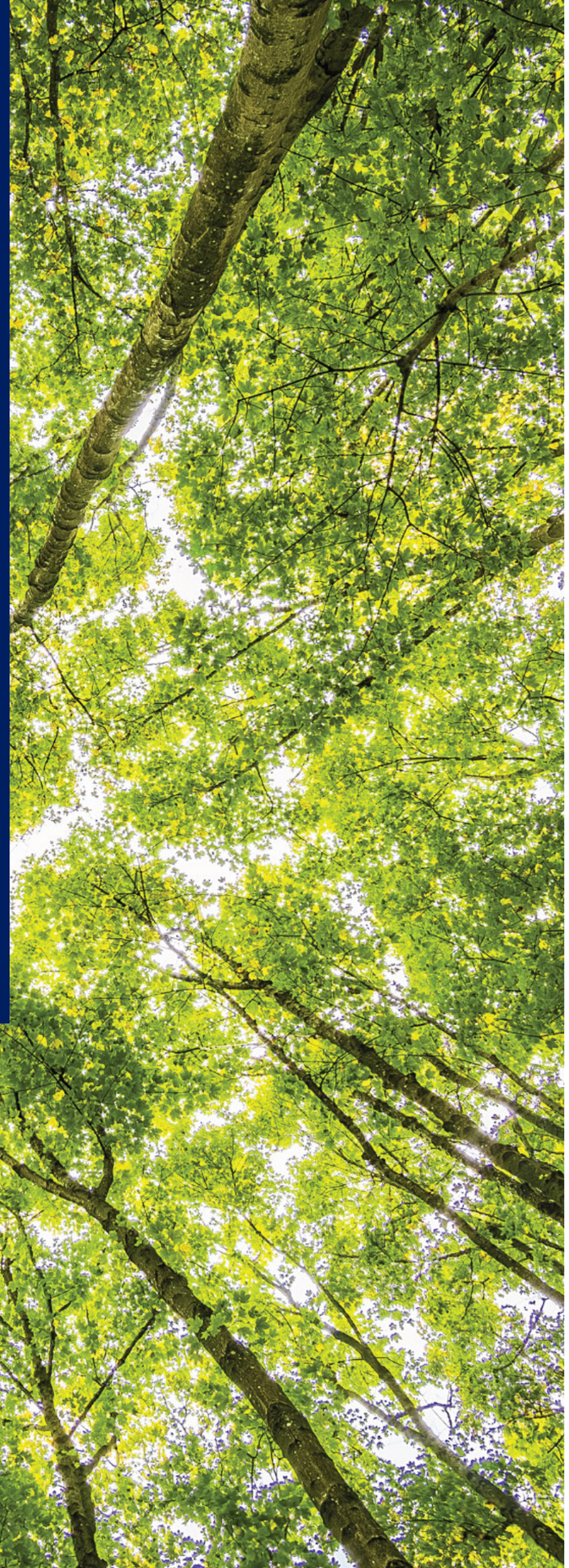



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