

	THE AES CORPORATION Lobbying Policy	Effective Date: December 29, 2020 Issued By: Ethics & Compliance
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I. PURPOSE AND SCOPE

Certain interactions with government officials and their staff, whether by an AES person or a third party acting on AES’s behalf, may be considered “lobbying.” Lobbying includes circumstances where an AES person or a third party acting on behalf of AES (such as an attorney, consultant, or contractor) communicates with a government official or a government staff member to represent AES’s views on legislative, regulatory, or policy matters.

Lobbying plays an important part in our efforts to inform governmental bodies about regulatory and legal matters that affect our business. Lobbying, however, is also an activity that, in the United States and certain other countries in which AES does business, is regulated by national, state and local laws in order to prevent abuses. Consequently, an AES person who spends a portion of his or her time engaging in lobbying activities on behalf of AES or who retains an outside lobbyist to engage in lobbying activity on behalf of AES, must report it to the AES Ethics & Compliance Department, prior to engaging in the lobbying activity, as it may trigger a variety of legal and regulatory requirements for AES, including registration and reporting obligations.

II. POLICY

Because lobbying registration and reporting requirements are complex and often change, please notify the AES Ethics & Compliance Department of any lobbying by your business, whether by an AES person or a third party acting on behalf of AES, prior to engaging in the lobbying activities, so that AES can ensure that it is in compliance with all applicable national, state, and local registration and reporting requirements in the countries in which AES is doing business. In addition, any AES memberships in trade associations engaged in lobbying activities should be reported to the AES Ethics & Compliance Department or the Government Affairs Department to ensure compliance with applicable reporting and disclosure requirements.

Business integrity is a key standard when selecting and retaining third parties to represent AES. We should consider only reputable and qualified individuals and entities as lobbyists and ensure that the compensation to be paid is reasonable for the services provided.

The hiring of third parties to engage in lobbying activities on behalf of AES is subject to the AES Contract Compliance Review Process. AES people are required to conduct reputational due diligence on all individuals and entities to be engaged on behalf of AES and to obtain written approval of the AES Chief Ethics & Compliance Officer in advance of the engagement.

In addition, depending on the facts and circumstances, AES people may be required to obtain a written legal opinion of outside counsel prior to engaging such individuals or entities to confirm that the proposed lobbying services comply with all applicable legal requirements, including applicable registration and reporting requirements. Please consult with the Ethics & Compliance Department as to whether or not a legal opinion is required for a particular engagement. It is important to note that

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contact with U.S. government officials by non-U.S. citizens may require registration under the Foreign Agents Registration Act.

Finally, all lobbying work must be performed pursuant to a written contract which contains appropriate contract compliance language. In addition, the lobbyist must sign a lobbyist certification that states that the lobbyist agrees to abide by the terms of the AES Compliance Program.

A. Fees and Payments

The fees for all lobbying engagements should be commensurate with the fair market value for such work and should not include any success or contingency fees. All payments to lobbyists and all expenses incurred by lobbyists in connection with their efforts must be fully documented (this requirement applies equally to AES people acting as lobbyists on AES’s behalf). AES people should be mindful of unusual requests by a proposed lobbyist such as requests for payment to third parties, payments to banks outside the country where the lobbyist is engaged, and payments in currency other than that of the country where the lobbyist is engaged.

B. Entertainment

Entertainment involving lobbyists must be appropriate and not lavish, consistent with the AES Code of Conduct, the AES Anti-Corruption and Gift and Entertainment Policies, and permissible under local law. In carrying out activities on behalf of AES, both AES people and outside lobbyists are expected to comply with all applicable laws and policies. Under no circumstances may an AES person engage in conduct via a lobbyist that would otherwise be prohibited.

C. Prohibited Payments

Under no circumstances may an AES person or an outside lobbyist acting on behalf of AES make, offer, give, promise, pay or authorize the offering, giving, making, promising or payments of any money, gift, or anything of value to a government official in exchange for business or unfair advantage.

III. RELATED POLICIES

Additional guidance may be found in the following AES policies:

- Contract Compliance Policy
- Charitable Contributions and Political Donations Policy
- Anti-Corruption Policy
- Gift and Entertainment Policy

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IV. REPORTING QUESTIONS OR CONCERNS

If you have any doubts about whether or not a particular activity qualifies as lobbying or if you have any questions about this Policy, please contact the AES Ethics & Compliance Department.