

Australia Modern Slavery Act Transparency Statement

This statement is made on behalf of Tesla, Inc. and its subsidiaries, including Tesla Motors Australia, Pty Ltd (together, “Tesla”) for Tesla’s fiscal year ending on December 31, 2020. We are publishing this statement on behalf of the reporting entity Tesla Motors Australia, Pty Ltd under the Australia Modern Slavery Act 2018 as a demonstration of our commitment to anti-slavery practices and an affirmation of the values we hold and adopt across Tesla’s business operations and supply chain.

Our commitment

At Tesla, we are committed to ensuring that the way we conduct our business and dealings with our suppliers reflects our values and our belief that everyone should be treated with dignity and respect. Tesla is committed to ensuring that our suppliers do not use slave or child labour or engage in human trafficking. Human trafficking, modern slavery and child labour are crimes under the laws of countries throughout the world, including in the United States and Australia, but unfortunately continue to exist all over the globe. Our commitment is summarized in the Tesla Supplier Code of Conduct as well as in our Human Rights and Conflict Minerals Policy (both policies publicly available on Tesla’s home page at www.tesla.com/about/legal), and we continue to work to ensure that our suppliers uphold the principles in this statement. We look to the OECD Due Diligence Guidelines to inform our process and use feedback from our internal and external stakeholders to find ways to continually improve it.

Our organisational structure and our business operations and supply chain

Our business was founded in 2003, and we helped define and create the clean energy market before its importance today. Tesla's mission is to accelerate the world’s transition to sustainable energy. We design, develop, manufacture, sell, and lease high-performance fully electric vehicles and energy generation and storage systems, and offer services related to our sustainable energy products. For more information about our business and organizations, please see our annual report on Form 10-K for the year ended December 31, 2020, filed publicly with the U.S. Securities and Exchange Commission (“SEC”).

Tesla, Inc. is headquartered in California, USA. As of December 31, 2020, Tesla had 70,757 full-time employees located in our subsidiaries and operations around the world, including Australia. Tesla Motors Australia, Pty Ltd, a subsidiary of Tesla, Inc., is an Australian proprietary company that sells Tesla vehicles and energy products.

Tesla’s global supply chain from which we procure the materials that go into our automotive and energy products is a unique hybrid of traditional automotive and high-tech industry suppliers from around the world. Many of our Tier 1 suppliers (i.e., direct suppliers) do not purchase their raw materials directly from mining or refining parties and instead obtain them from their upstream suppliers and sub-suppliers. All of Tesla’s supply chain partners are subject to our Supplier Code of Conduct and our Human Rights and Conflict Minerals Policy. These policies are the foundation for ensuring social and environmental responsibility and ethical conduct by our suppliers throughout our global supply chain — no matter the industry, region or materials, and including with respect to preventing the use of modern slavery, child labour and human trafficking. Tesla continues to identify and do business with organizations that conduct their business with principles that are consistent with our policies.

Our employees and those who work for our suppliers

At Tesla, we hire the world's best and brightest people to help us achieve our mission, so people are one of our key focuses and main priorities. We are committed to creating safe and secure workplaces and working environments. Tesla is also committed to diversity, equity and inclusion (“DEI”) for our employees in our workplaces throughout the world. In December 2020, Tesla published its first Diversity, Equity and Inclusion Impact Report in the U.S. which outlined the state of our DEI position and future roadmap for further actions we are taking to engage with employees, candidates and community members on these issues.

All of our recruitment procedures comply with the relevant local regulations and standards; we adopt a fair and equitable approach when scouting for talent; and all wages are compliant with local laws and regulations. Tesla also advocates freedom of employment, which means all work should be done voluntarily. No employee should be forced to work against their will. Our employees may terminate their employment by giving any required contractual or statutory notice. Child labour and the employment of children below the applicable minimum legal age is strictly forbidden at Tesla.

Tesla’s Human Rights and Conflict Minerals Policy sets out our approach to this matter and is applied throughout the company and across our global supply chain. Tesla employees must also adhere to our Code of Business Conduct and Ethics (publicly available on Tesla’s Investor Relations’ page at ir.tesla.com/corporate). Additionally, we expect our suppliers to adhere to our Supplier Code of Conduct and comply with all applicable local and national laws.

Our supply chain

Tesla purchases thousands of parts, which we source globally from hundreds of suppliers. We have developed close relationships with several key suppliers, particularly in the procurement of battery cells and certain other key system parts.

Our complex global supply chain is a unique hybrid of traditional automotive and high-tech industries and encompasses suppliers from around the world. Many of our Tier 1 suppliers do not purchase all of their raw materials directly and instead must obtain them from upstream suppliers and sub-suppliers. Therefore, our suppliers are highly dependent on the information provided to them by their respective supply chains. However, all of our suppliers are required to adhere to our Human Rights and Conflict Minerals Policy and Supplier Code of Conduct and to provide evidence of the existence of policies that address, amongst other things, social issues.

Our Supplier Code of Conduct is part of our ongoing efforts to ensure that social and environmental responsibility and ethical conduct exist throughout our supply chain, no matter what industry, region or materials. Annually, we publicly file with the SEC a Conflict Minerals Report (last published on May 28, 2021 for FY20) with a description of our global due diligence efforts related to the sourcing of certain “conflict minerals,” including tantalum, tin, tungsten and gold (known commonly as, “3TG”). This report also describes our broader efforts to work with our global suppliers to ensure they adhere to our Human Rights and Conflict Minerals Policy and our Supplier Code of Conduct. Throughout the year, Tesla, along with our partners and independent third parties, conduct audits to observe these principles in action. If there is a reasonable basis to believe a supplier is in violation of these policies, Tesla will transition away from that relationship unless the violation is cured in a satisfactory manner.

Assessing risks of modern slavery and actions taken

Tesla is committed to ensuring that our suppliers do not use modern slavery or child labour or engage in human trafficking. Unfortunately, modern slavery, child labour and human trafficking are crimes that continue to exist in countries throughout the world. Through our commitment to enforce our Supplier Code of Conduct and Human Rights and Conflict Minerals Policy, continuous employee and supplier training, and the supplier audit and due diligence efforts described herein, Tesla believes that there is minimal risk of, and we have found no evidence of Tesla causing, contributing to or being linked to modern slavery, child labour or human trafficking in our supply chain.

Tesla recognizes, however, that due to the unavoidable realities of our global supply chain, we may in some instances be indirectly exposed to modern slavery risks. Such specific areas of risk may include: suppliers or sub-suppliers located in countries that may have a higher risk of modern slavery; potential exposure to entities that may not comply with human rights and labour laws; and certain products and natural resources that may have higher modern slavery risks based on how they are produced or mined. Tesla uses a combination of factors to prioritize reducing these risks based on external assessments, feedback from industry groups, as well as our own experience with suppliers. To further ensure our suppliers are in compliance with our expectations, policies and applicable legal requirements, as well as to reduce the risk of modern slavery in our own business operations, Tesla is committed to:

- Continuously evaluating our supply chain to address any risks related to conflict minerals, modern slavery, child labour and human trafficking;
- Reviewing suppliers' practices to ensure their compliance with Tesla's Human Rights and Conflict Minerals Policy;
- Requiring our Tier 1 suppliers to certify that their materials incorporated into Tesla products comply with the applicable laws related to conflict minerals, modern slavery, child labour and human trafficking of the country or countries in which they are doing business;
- Disciplining contractors and appropriate parties who fail to meet the requirements of our Supplier Code of Conduct and Human Rights and Conflict Minerals Policy, including potential termination of contract;
- Ensuring appropriate Tesla employees are aware of issues regarding conflict minerals, modern slavery, child labour and human trafficking, particularly with respect to mitigating such risks within Tesla's supply chain;
- Investigating if Tesla has a reasonable basis to believe that a supplier may be engaging in modern slavery, child labour, human trafficking or use of conflict minerals; and
- Transitioning away from purchasing goods or services from any supplier that is believed to be engaging in modern slavery, child labour, human trafficking or use of conflict minerals if the supplier does not take corrective actions.

In addition to our due diligence efforts with respect to conflict minerals as reported in our annual Conflict Minerals Report filed in the United States, Tesla has implemented similar measures for other materials that may present a risk of modern slavery in our supply chain. The U.S. Department of Labor 2020 List of Goods Produced by Child or Forced Labour identifies purchased electric vehicles that have batteries made with cobalt as a risk. We have taken additional steps, particularly on the sourcing of cobalt and other natural resources, which can be found within our latest Impact Report published annually. Our due diligence efforts on mineral sourcing allow us to engage with suppliers on responsible sourcing issues and to highlight the importance of such issues, including modern slavery, during our sourcing process.

Tesla Employee Training

It is important to us that our employees are aware of the issues surrounding modern slavery and that employees who work with suppliers are trained on issues of human trafficking, modern slavery and child labour, particularly with respect to mitigating such risks within our supply chain. Where necessary, we implement appropriate disciplinary action, including potential termination of contract, for those suppliers who do not comply with our Human Rights and Conflict Minerals Policy. Tesla's employee onboarding process includes an overview about our values and key programs, such as our commitment to DEI and human rights.

Assessing the effectiveness of our actions

During fiscal year 2020, Tesla expanded the scope of its responsible sourcing team to take a closer look at how we are sourcing our materials and to better understand the potential risks of those sourcing decisions. Moving forward, this expanded effort will allow for the identification of and responses to issues within our supply chain to be centralized and for improvements to be tracked over time. Other actions taken to better assess our effectiveness, include:

- Continue to participate in cross-industry groups, such as the Responsible Business Alliance, Silicon Valley Conflict Minerals and Human Rights Forum, Global Battery Alliance and the Fair Cobalt Alliance;
- Continue to audit our suppliers on a range of environmental, social and governance issues including their policies on forced labour;
- Where appropriate, require suppliers to undergo a specialized audit focused on their facility labour practices;
- Continue to include as a contractual requirement for our suppliers' participation in our due diligence processes;
- Encourage suppliers to conduct responsible sourcing and reduce the risk of modern slavery in their own supply chains; and
- Educate suppliers on the importance of understanding the content of their products as well as performing due diligence on their own supply chains to reduce risks associated with modern slavery and conflict minerals.

Process of consultation amongst Tesla entities

Tesla maintains a specialized team within the company's global supply chain organization to lead our due diligence efforts with respect to conflict minerals and modern slavery. These efforts cover all of Tesla's subsidiaries throughout the world, including those in Australia. In addition, an internal cross-functional Tesla Responsible Sourcing Steering Committee composed of Tesla management from Supply Chain, Internal Audit, Environmental, Health and Safety, Policy, ESG, Compliance and Legal oversees these due diligence efforts and potential risks and issues within our global supply base. Our efforts have been approved, and the letter of authorisation sent to our global suppliers, signed by a Vice President of Tesla's Global Supply Management. In addition, our Board of Directors reviews our policies and human rights programs.

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This statement is given on behalf of Tesla, Inc. and its subsidiaries, including Tesla Motors Australia, Pty Ltd, for Tesla’s financial year ending 31 December 2020. This statement sets out our evaluation of risks of modern slavery in our business and the actions taken during the financial year to address these risks and prevent modern slavery and human trafficking in our operations and supply chains. For purposes of compliance with Australia’s Modern Slavery Act 2018, this statement has been approved by the Tesla Motors Australia, Pty Ltd Board of Directors and is signed by two directors of that entity on the date indicated below.

By: /s/ David Feinstein

Name: David Feinstein

Title: Director

Date: June 28, 2021

By: /s/ Li Li

Name: Li Li

Title: Director

Date: June 28, 2021