



PRIVACY POLICY

INTRODUCTION

Aya Gold and Silver Inc. is a Canadian public company traded on the Toronto Stock Exchange (“**Aya**”). Your privacy is important to us. We are committed to protecting the personal information we collect in the course of our business and complying with applicable privacy legislation.

This Privacy Policy sets out how Aya collects, stores, uses and safeguards the personal information of its employees, directors, investors, independent contractors and job applicants. This Privacy Policy applies in addition to any and all privacy procedures established by Aya from time to time and all applicable laws regulating the Personal Information.

WHAT IS A PERSONAL INFORMATION?

“**Personal Information**” refers to any information which relates directly or indirectly to a natural person and allows that person to be identified.

THE TYPES OF PERSONAL INFORMATION AYA COLLECTS

Aya collects Personal Information as necessary or appropriate including for human resources management, recordkeeping, and legal compliance purposes. The Personal Information collected depends on the nature of the interaction between a natural person and Aya. Aya collects and uses Personal Information only to the extent necessary for the limited purpose for which it was disclosed and as permitted by applicable laws. For instance, Aya may collect Personal Information:

- During the job application process, such as from applications, recruiting services, and background checking services.
- During the term of employment to maintain personnel records such as position, compensation, training, performance, and work and time off hours.
- In connection with business, financial, or investment-related interactions, including participation in private placements or other securities offerings.
- Through voluntary communications, access, and tracking tools such as a mobile application, subject to the employee’s specific consent.
- Through monitoring of computer, network, or electronic resource usage provided by Aya, where such monitoring is conducted for legitimate purposes and in accordance with applicable privacy laws.

Personal Information collected by Aya includes:

- Name
- Address
- Phone Number
- e-mail address
- Government-issued documents (such as driver's license, passport)
- Government-issued numbers (such as social security numbers)
- Banking information
- Medical or health information required for employment-related purposes
- Resume
- Tax Documents
- Country, preferred language, and level of education
- Work eligibility including residency, visa and work permit status
- Personnel records
- Information used for specific purposes with express consent or "opt-in" to a voluntary program
- Online Identifier (such as username and password to access an online account)
- Within the limits and conditions prescribed by law, criminal background checks
- Information collected through IT usage monitoring, including device or network access logs, IP addresses, file access history, and email metadata

USE OF YOUR PERSONAL INFORMATION

Aya uses the Personal Information it collects for purposes that are reasonable, legitimate, and necessary in connection with its business activities, and in compliance with applicable laws, including Quebec's Act Respecting the Protection of Personal Information in the Private Sector and Canada's Personal Information Protection and Electronic Documents Act (PIPEDA).

Aya may use your Personal Information for the following purposes:

- To establish, manage, and maintain our relationship with you, including communications, onboarding, and identity verification.
- To communicate with you and your family in case of emergency. For Aya's employees, facilitating communication includes reaching out to designated family members in the event of medical emergencies or other circumstances requiring urgent contact. Aya will always seek to collect Personal Information directly from the individual concerned and will only collect such information from other sources when necessary.
- To facilitate the hiring process, including verifying references provided by you, conducting background checks, and administering screening or pre-employment assessments reasonably required for job consideration.
- To administer monetary and employment-related benefits, including managing hours worked, rate of pay, salaries, direct deposit, and participation in benefit plans. This

may require sharing relevant information with third-party payroll and benefits providers, insurers, equity management system providers, and government authorities as required by law.

- To evaluate and process participation in investment opportunities, including private placements and other securities transactions. This may require sharing Personal Information with authorized third parties, such as regulatory authorities, legal or financial advisors, and securities market operators, including the Toronto Stock Exchange (TSX), as necessary to comply with applicable laws.
- To comply with our internal policies and all applicable laws and regulations, including but not limited to privacy laws, language laws, employment laws, and securities regulations.
- To respond to your inquiries, requests, or communications in the normal course of business.
- To protect the security and integrity of our systems, detect and prevent fraud or unauthorized activity, and monitor the use of Aya's digital tools and platforms.
- To protect Aya's legal and business interests, including using Personal Information in the context of potential or actual legal proceedings or disputes.
- To maintain accurate records and fulfill administrative, audit, and compliance obligations.
- To share relevant updates, notices, or other information related to your relationship with Aya, subject to your communication preferences and applicable consent requirements.
- With respect to Personal Information collected through employee monitoring tools and systems, for the purposes of ensuring compliance with Aya's policies, maintaining cybersecurity, supporting internal investigations, evaluating employees' performance and attendance, assessing organizational needs, and improving operational efficiency, in accordance with applicable privacy laws.
- For any other purpose for which you have provided express consent or opted into a program or initiative.

Aya does not use Personal Information to make automated decisions that produce legal or similarly significant effects without meaningful human involvement.

All use of Personal Information is limited to the purposes stated above and conducted in a manner that respects confidentiality, proportionality, and legal obligations.

PROTECTION OF PERSONAL INFORMATION

Aya uses all reasonable efforts to ensure that Personal Information collected is protected against loss and unauthorized access. Access to Personal Information is restricted to selected Aya employees and representatives. In addition, Aya employs generally accepted information security techniques, such as firewalls, access control procedures and cryptography, to protect Personal

Information against loss and unauthorized access. While Aya uses reasonable efforts to limit access to its premises to authorized personnel, Aya cannot guarantee the confidentiality of Personal Information that is displayed on any shipment package or shipment label.

Despite the measures outlined above, no method of information transmission or information storage is 100% secure or error-free. Therefore, Aya unfortunately cannot guarantee absolute security. If you have reason to believe that your interaction with Aya is no longer secure (for example, if you feel that the security of any Personal Information that you provided to Aya has been compromised), please contact us immediately using the contact information as indicated below.

STORAGE AND DESTRUCTION OF PERSONAL INFORMATION

Aya will store the Personal Information for no longer than necessary to achieve the purposes for which the Personal Information was collected plus any additional time to meet legal requirements.

Where the specific purpose for which the Personal Information was collected or stored is achieved, Aya will destroy your Personal Information, or anonymize it, should it need to be used for serious and legitimate purposes, subject to any preservation period provided by applicable laws.

THIRD PARTY ACCESS TO PERSONAL INFORMATION

Aya may grant third parties access to Personal Information as needed for the purposes outlined in this Privacy Policy and in accordance with applicable laws. Such disclosures may include:

- Sharing with service providers who perform functions on Aya's behalf;
- Disclosing information to meet legal, regulatory, or contractual obligations, including requirements from government agencies, securities regulators, stock exchanges, or other authorized regulatory entities;
- Providing access to legal or financial advisors, auditors, or other professional service providers when necessary to support Aya's operations or protect its legal interests;
- Any other disclosures permitted or required under applicable privacy and data protection legislation.

In such cases, Aya will limit the disclosure of Personal Information to what is strictly necessary to carry out the requested services or to meet legal or regulatory requirements.

Categories of service providers handling your Personal Information include the following: outsourced payroll, database management, system management, premises security, application hosting, travel administration, insurers, insurance brokers, benefits providers, equity-based management system providers, claims administrators, retirement plan administrators, testing

companies, governmental authorities, securities commissions, stock exchanges, other competent regulatory bodies, lawyers, accountants, or auditors.

Aya will use contractual or other means to provide a comparable and adequate level of security when Personal Information is processed by a third party. Unless otherwise authorized by the individual concerned or by law, third parties are not permitted to use Personal Information for their own commercial purposes, to sell Personal Information, or to use it for any purposes except on Aya's behalf.

Access to Aya's employees Personal Information will be limited to those individuals who need to know the Personal Information in order to fulfill the purpose for which it was disclosed, such as human resources personnel, payroll department, department supervisors, managers, and legal affairs. Some Personal Information will be made available within the organization, for example on the corporate directory, intranet, and telecommunications platforms in order to facilitate communication and cooperation among employees.

Aya will disclose Personal Information as necessary or appropriate under applicable laws including to:

- respond to requests from governmental and regulatory authorities.
- comply with court orders.
- answer or institute a litigation procedure or other legal process.
- obtain legal remedies or defend legal rights.
- protect the operations of Aya.
- protect the rights, safety, and property of Aya's employees and others.
- comply with regulatory requirements imposed by securities commissions or stock exchanges

Aya may disclose Personal Information to a third party in connection with a reorganization, merger, sale, joint venture, assignment or other disposition of all or part of our business, brands, affiliates, subsidiaries or other assets. However, if such a transaction is completed, Personal Information will continue to be protected under applicable privacy laws. If such a transaction is not completed, Aya will require the other party to refrain from using or disclosing your Personal Information in any manner and to destroy it completely.

RIGHTS TO PERSONAL INFORMATION

At the written request addressed to the Privacy Officer (contact information below) and with proof of the identity of the person to whom Personal Information relates, individuals have the following rights:

- **Right of Access and Rectification**

In compliance with applicable privacy laws, you may request access to your Personal Information and be provided with a copy of your Personal Information retained by Aya.

You may also request that Aya correct, update, or restrict the processing of your Personal Information. However, please note that in certain situations, restricting the processing of your Personal Information may prevent Aya from continuing its relationship with you, including processing your application or maintaining your employment.

If you request that Aya corrects your Personal Information, Aya will correct the Personal Information if your request is reasonable. If Aya is not satisfied that your request is reasonable, Aya will include a note with the Personal Information to the effect that the correction was requested but not made.

You may also submit a request to Aya for information about how your Personal Information was collected, how it has been used, the individuals and organizations within Aya who have had access to it, and details regarding its retention period.

- **Right to Consent Withdrawal**

You may withdraw your consent to the disclosure or use of your Personal Information. Proof of your identity may be required before Aya implements the withdrawal of your consent. However, please note that in certain situations, withdrawal of your consent may prevent Aya from continuing its relationship with you, including processing your application or maintaining your employment.

Where applicable, you may have the right to request that your Personal Information no longer be disseminated or be de-indexed.

- **How to Exercise your Rights?**

You may submit any request for access, rectification or withdrawal in writing via email to the Privacy Officer (contact information below) along with proof of the identity of the person to whom Personal Information relates. You will receive an answer to your request within thirty (30) days from receipt by the Privacy Officer. If your request is denied, the Privacy Officer will provide a written answer supported by the reasoning behind the refusal, the legal provision supporting the refusal, the remedies available to you and the delays to exercise them.

COMPLAINTS ABOUT PROTECTION OF PERSONAL INFORMATION

Any complaints related to protection of Personal Information must be addressed to the Privacy Officer (contact information below). The Privacy Officer will promptly after receipt of a complaint,

acknowledge receipt thereof, and meet with the stakeholders in order determine the appropriate actions to be taken depending on the seriousness of the complaint, in compliance with all applicable laws. After complete evaluation of the complaint, your query will receive a written answer listing the corrective measures taken, if any, and supporting arguments.

CONTACT AYA ABOUT THIS POLICY AND TO MAKE A REQUEST ABOUT YOUR RIGHTS

To make a request related to your Personal Information or to exercise your privacy rights, please contact Aya's Privacy Officer at privacy@ayagoldsilver.com.

Last Updated: May 2025

Approved by the Environment, Social and Governance Committee of the Board of Aya Gold & Silver Inc.