



## ANTI-BRIBERY AND ANTI-CORRUPTION POLICY

### I. INTRODUCTION

The Board of Directors (the “**Board**”) of Avino Silver & Gold Mines Ltd. (the “**Company**” or “**Avino**”) has determined that the Company should formalize its policy regarding anti-bribery and anti-corruption in compliance with the *Corruption of Foreign Public Officials Act* (Canada) (the “**Act**”), the anti-bribery and anti-corruption provisions in the *Criminal Code* (Canada), the *US Foreign Corrupt Practices Act of 1977* (“**FCPA**”), and the equivalent laws set out under Mexican legislation, including without limitation the *Federal Criminal Code* (Código Penal Federal), the criminal codes of Mexico’s states, the *General Administrative Liabilities Law* (Ley General de Responsabilidades Administrativas), and the *National Anti-Corruption System Law* (the Sistema Nacional de Anti-Corrupción) (collectively, “**Mexican Anti-Corruption Laws**”).

### II. OBJECTIVE OF THE POLICY

The objective of this Anti-Bribery and Anti-Corruption Policy (the “**Policy**”) is to provide a procedure to ensure that the Company, together with its directors, officers, employees, consultants, contractors, and third-party representatives conduct their business in an honest and ethical manner reflecting the highest standards of integrity and in compliance with the Act, FCPA, Mexican Law and all other applicable laws and regulations.

### III. APPLICATION OF THE POLICY

The Act applies to any person acting in the course of “any business, profession, trade, calling, manufacture or undertaking of any kind carried on in Canada or elsewhere”. The *Criminal Code* (Canada) applies to crimes with a substantial connection to Canada. The FCPA applies to all companies traded on a U.S. stock exchange and prohibits bribery. Mexican Anti-Corruption Laws apply to individuals and entities conducting business within Mexico and its individuals states, as applicable. Accordingly, this Policy applies to all directors, officers, employees, consultants, contractors and third-party representatives of Avino for whom their scope of employment or consulting services involves dealing with any of the persons described in the Act, the FCPA, or Mexican Anti-Corruption Laws when dealing with any person on behalf of Avino.

All consultants and contractors shall be provided with a copy of this Policy and all agreements with consultants, contractors and third-party representatives should include a provision that the consultant, contractor and third-party representative must abide by this Policy at all times.

### IV. COMMUNICATION OF THE POLICY

Copies of this Policy are made available to directors, officers, employees, consultants, contractors, and third-party representatives either directly or by posting of the Policy on the Avino website at [www.avino.com](http://www.avino.com). All directors, officers and employees will be informed whenever significant

changes are made. New directors, officers, employees, consultants, contractors and third-party representatives will be provided with a copy of this Policy.

## **V. COMPLIANCE**

All directors, officers, employees, contractors, consultants, and third-party representatives in discharging their duties, shall comply with the applicable laws, regulations and rules of the jurisdiction where they carry out their business duties to Avino and all jurisdictions where Avino conducts its business activities, and in particular with respect to corrupt practices laws, regulations and rules set out under applicable Mexican Anti-Corruption Laws. Where uncertainty or ambiguity exists, competent legal advice should be obtained.

## **VI. CERTIFICATION**

All directors and officers of Avino, together with any employees, consultants, contractors and third-party representatives specified by the Board, shall provide a certification of compliance with this Policy in the form attached to Avino's Code of Ethics and Business Conduct at any time and from time to time as the Board or the Company's Chief Executive Officer may request.

The Chief Executive Officer of Avino shall be responsible for reviewing the certifications obtained and for providing written confirmation to the Board in the event any such certifications contain a Statement of Exceptions.

## **VII. PREVENTION OF IMPROPER PAYMENTS**

All directors, officers, employees, consultants, contractors and third-party representatives will adhere to Avino's commitment to conduct its business in an honest and ethical manner reflecting the highest standards of integrity and in compliance with all relevant laws and regulations applicable to it. Accordingly, Avino and its directors, officers, employees, consultants, contractors and third-party representatives shall not:

### **1. *Bribes***

- (a) Directly or indirectly, offer, give or agree to give or offer a loan, reward, advantage or benefit of any kind to a public official, political party, party official or political candidate as consideration for an act or omission by the recipient in connection with the performance of the recipient's duties or functions with the government; or to induce the official to use his or her position to influence any acts or decisions of such government for the purposes of obtaining or retaining an advantage in the course of business, including an act or decision to direct business; or
- (b) agree to, or comply with any demands for a bribe made by a public official, political party, party official or political candidate.

### **2. *Kickbacks***

- (a) Kickback any portion of a contract payment to employees or agents of another contracting party or utilize other techniques, such as subcontracts, purchase orders or consulting agreements, to channel payment to public officials, to employees or agents of another contracting party, their relatives or business associates.

**3. Extortion**

- (a) Directly or indirectly demand or accept a bribe.

**4. Facilitation Payments**

- (a) Make any “facilitation payment”, a term that is sometimes used to denote a smaller bribe paid in order to facilitate an administrative or routine task.

**5. Political Contributions**

- (a) Make any contributions or provide any financial support to political parties or candidates on behalf of Avino except in compliance with paragraph 5(b) below;
- (b) Nothing in paragraph 5(a) should be interpreted as prohibiting a director, officer, employee, consultant, contractor or third-party representatives of Avino from making contributions to certain government initiatives, provided that such contributions:
  - (i) are permitted by the Act, FCPA, Mexican Anti-Corruption Laws and all other applicable laws and regulations;
  - (ii) are not made in situations where such contributions are, or may be interpreted as, an attempt to encourage favourable treatment of the Company;
  - (iii) are not made in response to specific requests; and
  - (iv) are approved in advance by the Chief Executive Officer of the Company, who shall make a decision based on legal advice obtained from legal counsel to the Company
- (c) Directors, officers, employees, consultants, contractors or third-party representatives of Avino who have questions about the application of this paragraph or whether a particular contribution is prohibited under this Policy should contact the Chief Executive Officer of the Company who, with the advice of legal counsel, will determine acceptability of a proposed contribution from both a legal and a corporate policy perspective.

**6. Government Agents**

- (a) Retain an agent to represent Avino’s business interests in a particular country if such agent, or any of the agent’s principals, staff, officers or key employees are government or public officials, political party officials, political candidates, persons related to the foregoing, or other persons who might assert illegal influence on Avino’s behalf. However, if the Chief Executive Officer deems necessary, then such an agent may be retained provided:
  - (i) the reputation, background and past performance of the agent is properly researched and documented; and
  - (ii) the agent is retained pursuant to a written agreement specifically defining the agent’s duties, representing and warranting the absence of the relationship set out above, providing for immediate termination in the event of an improper payment, annual certification requirement and the right to audit expenses and invoices.

**7. *Employment of Public Officials***

- (a) Employ any officer or employee of a government or any of its agencies or a government corporation, or any person acting in an official capacity for any such entity and including relatives of any such person. However, if the Chief Executive Officer deems necessary, then such a person may be employed provided:
  - (i) the employment is lawful in the country, province or state concerned;
  - (ii) the services to be rendered by the person do not conflict with the official government duties of the person; and
  - (iii) the services to be rendered by the person are such that the employment of the person does not conflict with section 1 of this Policy.

**8. *Books and Records***

- (a) Establish or maintain accounts which do not appear in any of the books and records that they are required to keep in accordance with applicable accounting and auditing standards;
- (b) make transactions that are not recorded in those books and records or that are inadequately identified in them;
- (c) record non-existent expenditures in those books and records;
- (d) enter liabilities or expenses with incorrect identification of their object in those books and records;
- (e) knowingly use false documents; or
- (f) intentionally destroy accounting books and records earlier than permitted by law.

**9. *Exception***

- (a) A director, officer, employee, consultant, contractor and third-party representatives of Avino will not have breached the terms of paragraph 1(a) of the Policy, if the loan, reward, advantage or benefit has been approved by the Board, and where such loan, reward, advantage or benefit is either:
  - (i) permitted or required under all applicable laws; or
  - (ii) made to pay the reasonable expenses incurred in good faith by or on behalf of the recipient that are directly related to the promotion, demonstration or explanation of the products or services of Avino, or the execution or performance of a contract between Avino and the government for which the recipient performs duties or functions.

**VIII. MANAGEMENT RESPONSIBILITIES**

Management of Avino shall develop, implement, monitor and maintain a system of internal controls to facilitate compliance with this Policy, as well as to foster a culture of integrity and maintain high ethical standards throughout Avino.

## **IX. REPORTING VIOLATIONS**

Any officer or employee that becomes aware of actions which could constitute a violation of this Policy is required to report it to their immediate supervisor. However, if such officer or employee is not comfortable discussing the matter with their immediate supervisor, or does not believe that the supervisor has dealt with the matter properly, then they should raise the matter with a senior officer of Avino or in accordance with the Avino's Whistleblower Policy and Procedures, a copy of which is available online at [www.avino.com](http://www.avino.com). Officers and employees who raise genuine concerns in good faith will not be subject to retaliation, retribution or disciplinary action.

## **X. CONSEQUENCES OF NON-COMPLIANCE WITH POLICY**

Failure to comply with this Policy may result in severe consequences, which could include, without limitation, internal disciplinary action or termination of employment or consulting arrangements without notice. The violation of this Policy may also violate certain Canadian or other laws and if it appears that a director, officer or employee may have violated such laws, then Avino may refer the matter to the appropriate regulatory authorities, which could lead to civil and/or criminal penalties, including fines or imprisonment.

In addition, violation of this Policy may constitute a criminal or administrative offence under the Act, FCPA, or Mexican Anti-Corruption Laws, and may expose Avino and/or a director, officer, employee, consultant or contractor to penalties such as fines and/or imprisonment.

## **XI. REVIEW OF POLICY**

The Board shall review and evaluate this Policy on an annual basis to determine whether the Policy is effective in ensuring compliance by Avino, its directors, officers, employees, consultants, contractors and third-party representatives with the Act, FCPA and Mexican Anti-Corruption Laws.

## **XII. QUERIES**

If you have any questions about how this Policy should be followed in a particular case, please contact the Chief Executive Officer or a member of the Audit Committee.

**ADOPTED AND APPROVED** by the Board of Directors of Avino Silver & Gold Mines Ltd. on August 12, 2025.