

NETSCOUT Vendor Code of Conduct

This Vendor Code of Conduct (“Code of Conduct”) sets out NETSCOUT’s expectations and obligations for its vendors, suppliers and subcontractors in relation to social, legal, environmental and ethical compliance. This Code of Conduct is designed to promote sustainable, safe and fair working conditions and the responsible management of social, legal, ethical and environmental issues in NETSCOUT’s supply chain.

COMPLIANCE WITH THE VENDOR CODE OF CONDUCT

Vendors and their employees, agents, and subcontractors (collectively referred to as “Vendors”) must adhere to this Code of Conduct while conducting business with or on behalf of NETSCOUT. Vendors must promptly inform their NETSCOUT contact (or a member of NETSCOUT management) when any situation develops that causes the Vendor to operate in violation of this Code of Conduct. While NETSCOUT Vendors are expected to self-monitor and demonstrate their compliance with this Code of Conduct, NETSCOUT may audit Vendors or inspect Vendors’ facilities to confirm compliance.

NETSCOUT reserves all of its legal rights and remedies in respect of any breach of this Code of Conduct, including but not limited to termination of any agreement with Vendor, or requiring the immediate removal of any Vendor representative(s) or personnel who behave in a manner that is unlawful or inconsistent with this Code of Conduct or other applicable NETSCOUT policy.

LEGAL AND REGULATORY COMPLIANCE PRACTICES

Each Vendor, in all of its activities, must operate in full compliance with the laws, rules and regulations of the countries in which it operates. All NETSCOUT Vendors must act in full compliance with all applicable laws and regulations while conducting business with and/or on behalf of NETSCOUT, and must, without limitation:

- **Trade:** Comply with all applicable trade controls, and export and import laws and regulations.
- **Antitrust:** Comply with all applicable antitrust and fair competition laws.
- **Boycotts:** Not participate in international boycotts that are not sanctioned by the United States (U.S.) government or applicable laws.
- **Anti-Corruption:** Comply with all applicable anti-corruption and anti-money laundering laws, including the Foreign Corrupt Practices Act as well as laws governing lobbying, gifts, and payments to public officials, political campaign contribution laws, and other related regulations.
- **Privacy:**
 - Protect the reasonable privacy expectations of personal information of everyone they do business with, including suppliers, customers, consumers and employees.
 - Comply with all applicable privacy and information security laws and regulatory requirements when personal information is collected, stored, processed, transmitted, and shared.

BUSINESS PRACTICES AND ETHICS

Vendors must conduct their business interactions and activities with integrity and must, without limitation:

- **Business Records:** Honestly and accurately record and report all business information and comply with all applicable laws regarding their completion and accuracy. Create, retain, and dispose of business records in full compliance with all applicable contractual, legal and regulatory requirements. Be honest, direct, and truthful in discussions with regulatory agency representatives and government officials, and reasonably cooperate with NETSCOUT in its dealings with such representatives and officials.
- **Gifts:** Avoid gifts to NETSCOUT employees or customers, because even a well-intentioned gift might be perceived as a bribe under certain circumstances, or create conflicts of interest. Avoid offering anything of value to obtain or retain a benefit or advantage for the giver, or anything that might appear to influence, compromise judgment, or obligate a NETSCOUT employee or customer.
- **Conflicts of Interest:** Avoid the appearance of or actual conflicts of interests. Vendors must not deal directly with any NETSCOUT employee whose spouse, domestic partner, or other family member or relative has a significant financial interest in the Vendor. In the course of negotiating an agreement, or performing the Vendor's obligations under an agreement, dealing directly with a spouse, domestic partner or other relative of any Vendor personnel employed by NETSCOUT is also prohibited.
- **Responsible Sourcing of Materials:** Maintain a policy to reasonably assure that the tantalum, tin, tungsten and gold in the products they supply to NETSCOUT does not directly or indirectly finance or benefit armed groups that are perpetrators of serious human rights abuses in the Democratic Republic of the Congo or an adjoining country. Exercise due diligence on the source and chain of custody of these minerals and make their due diligence measures available to customers upon customer request.
- **Insider Trading:** Avoid insider trading by not buying or selling NETSCOUT or another company's securities when in possession of information about NETSCOUT or another company that is not available to the investing public and that could influence an investor's decision to buy or sell the security.

LABOR PRACTICES AND HUMAN RIGHTS

NETSCOUT expects its Vendors to share its commitment to human rights and equal opportunity in the workplace. All NETSCOUT Vendors must conduct their employment practices in full compliance with all applicable laws and regulations, and must, without limitation:

- **Discrimination and Harassment:** Cooperate with NETSCOUT's commitment to a workforce and workplace free of harassment and unlawful discrimination. While we recognize and respect cultural differences, we require that Vendors not engage in discrimination in hiring, compensation, access to training, promotion, termination, and/or retirement based on race, color, sex, national origin, religion, age, disability, gender, gender identity or expression, ancestry, marital status, pregnancy, sexual orientation, genetic information, political affiliation, union membership, or military or veteran status, ancestry, medical condition, marital status, military or any other protected status.

- **Voluntary Labor:** Use only voluntary labor. The use of forced labor whether in the form of indentured labor, bonded labor, or prison labor by NETSCOUT Vendors is prohibited. Also prohibited is support for any form of human trafficking or involuntary labor through threat, force, fraudulent claims, or other coercion.
- **Documentation:** Ensure worker access to work-related documents. Vendors are prohibited from requiring workers to lodge “deposits”, holding employee identity or immigration papers (including but not limited to passports or work permits), or destroying, concealing, confiscating or otherwise denying workers’ access to such documents. Workers should be free to resign their employment in accordance with local and national laws or regulations without unlawful penalty.
- **Young Workers:** Comply with all applicable minimum working age laws or regulations and the International Labor Organization standards, and not use child labor. U.S. Vendors must also comply with the requirements of the Fair Labor Standards Act. NETSCOUT only supports the development of legitimate workplace apprenticeship programs for the educational benefit of young people and will not do business with those who abuse such systems. Workers under the age of 18 cannot perform hazardous work and may be restricted from night work, with consideration given to educational needs.
- **Abuse:** Not engage in physical discipline or abuse. Physical abuse or discipline, the threat of physical, sexual, psychological, and verbal abuse as well as other forms of intimidation are prohibited.
- **Legal Wages:** Provide wages for regular and overtime hours worked and benefits that meet or exceed local legal requirements. All workers must be provided with clear and understandable written information about their employment conditions in a language understood by the worker with respect to wages, benefits, location of work, living conditions, housing and associated costs, including any costs charged to employees and, if applicable, the hazardous nature of any work before they enter employment and as needed throughout their term of employment. Unless otherwise provided by local law, deductions from wages as a disciplinary measure will not be permitted nor will any deductions from wages not provided for by national law or local law be permitted without the express, written permission of the worker concerned.
- **Work Hours:** Not require workers to work more than the maximum hours of regular and overtime hours set by applicable labor laws or regulations. Vendors must ensure overtime is voluntary and paid in accordance with applicable laws or regulations. A workweek should not be more than 60 hours a week, including overtime, except in emergency or unusual situations. Workers should be allowed at least one day off per seven-day week.
- **Records:** Keep employee records in accordance with applicable laws or regulations, and agreements, and provide in a timely manner, via pay stub or similar documentation, the basis on which employees are paid.
- **Workers’ Rights:** Respect workers’ rights to freedom of association and collective bargaining in accordance with legal requirements. As noted above, we require that Vendors not engage in discrimination in hiring, compensation, access to training, promotion, termination, and/or retirement based on union membership. Vendor’s must also uphold the human rights of workers, and treat them with dignity and respect as understood by the international community. This applies to all workers including temporary, migrant, student, contract, direct employees, and any other type of worker.
- **Violations Reporting and Non-Retaliation:** Have a communicated process for employees and suppliers to raise their concerns regarding policy violations. This process should also ensure

confidentiality and protection of any employee or supplier who reports a violation, or assists in any subsequent investigation.

HEALTH AND SAFETY

Vendors are expected to integrate sound health and safety management practices into all aspects of their business operations, and must, without limitation:

- **Compliance:** Provide a safe and healthy work environment and fully comply with all applicable safety and health laws, regulations, and practices including those applicable to the areas of occupational safety, emergency preparedness, occupational injury and illness, industrial hygiene, physically demanding work, machine safeguarding, sanitation, food, and housing.
- **Prevention:** Ensure that business operations meet general principles of health and safety risk prevention. General principles include identifying, minimizing and preventing hazards, using competent and trained people, providing and maintaining safe equipment and tools, including personal protective equipment as required.
- **Illegal Substances:** Prohibit the use, possession, distribution, or sale of illegal drugs while on NETSCOUT-owned or leased property, or the property of any NETSCOUT customer.

ENVIRONMENTAL REGULATIONS AND PROTECTION

NETSCOUT recognizes its social responsibility to protect the environment and expects its Vendors to share its commitment of responding to challenges posed by climate changes and working toward protecting the environment. As a part of this commitment, all NETSCOUT Vendors must, without limitation:

- **Hazardous Materials:** Comply with all applicable environmental laws and regulations regarding hazardous materials, air emissions, waste, and wastewater discharges, including the manufacture, transportation, storage, disposal, and release to the environment of such materials.
- **Electrical Equipment Regulations:** Deliver electrical or electronic equipment in line with all applicable regulations such as but not limited to the EU RoHS directive.
- **Waste:** Endeavor to reduce or eliminate waste of all types, including water and energy, by implementing appropriate conservation measures in their facilities, through their maintenance and production processes, and by recycling, re-using, or substituting materials.
- **Permits:** Obtain, maintain, and keep current all required environmental permits and registrations and follow the operational and reporting requirements of such permits.
- **Environmental Threats:** If applicable, identify the chemicals or other materials being released that pose a threat to the environment and manage them appropriately to ensure their safe handling, movement, storage, use, recycling, or reuse and disposal.
- **Emergency Preparedness:** Identify and assess potential emergency situations and events, and minimize their impact by implementing emergency plans and response procedures. Such plans and procedures shall focus on minimizing harm to life, the environment and property.

- **Compliance with Restrictions:** Adhere to all applicable laws, regulations, and customer requirements regarding prohibition or restriction of specific substances, including labeling for recycling and disposal.

PROTECTION OF ASSETS AND INTELLECTUAL PROPERTY

Protection of intellectual property rights is vital for any company. NETSCOUT depends on intellectual property such as information, processes and technology. All NETSCOUT Vendors must, without limitation:

- **Legitimate Use:** Respect and protect the intellectual property rights of all parties by only using information technology and software that has been legitimately acquired and licensed. Use software, hardware, and content only in accordance with their associated licenses or terms of use.
- **Responsible Use:** Protect and responsibly use the physical and intellectual assets of NETSCOUT, including intellectual property, tangible property, supplies, consumables, and equipment, when authorized by NETSCOUT to use such assets.
- **Maintaining Security:** Comply with all NETSCOUT requirements and procedures for maintaining passwords, confidentiality, security and privacy as a condition of providing NETSCOUT with goods or services or receiving access to the NETSCOUT internal corporate network, systems, and buildings. All data stored or transmitted on NETSCOUT owned or leased equipment is to be considered private and is the property of NETSCOUT. NETSCOUT may monitor all use of the corporate network and all systems (including email), and may access all data stored or transmitted using the NETSCOUT network.
- **Ownership Rights:** Comply with the intellectual property ownership rights of NETSCOUT and others including but not limited to copyrights, patents, trademarks, and trade secrets; and manage the transfer of technology and know-how in a manner that protects intellectual property rights.

REPORTING QUESTIONABLE BEHAVIOR

If you wish to report questionable behavior or a possible violation of this Code of Conduct, you are encouraged to work with your primary NETSCOUT contact in resolving your concern. If that is not possible or appropriate, please contact the NETSCOUT Compliance Office via MBCompliance@netscout.com. NETSCOUT will maintain confidentiality to the extent possible and will not retaliate, or tolerate any retribution or retaliation taken, against any company or individual who has, in good faith, sought out advice or reported questionable behavior or a possible violation of this Code of Conduct.