

字节跳动商业伙伴行为准则

ByteDance Business Partner Code of Conduct



概览

本商业伙伴行为准则（“准则”）旨在向为字节跳动及代表字节跳动提供任何产品或服务或开展任何活动的所有第三方（包括但不限于供应商、服务提供商、代理、供应方、顾问等）（“商业伙伴”）告知及说明我们的道德及合规标准。本准则应构成我们与我们的商业伙伴之间协议的一部分，并设立审计权，以便字节跳动能够确认商业伙伴遵守本准则的情况。

引言

字节跳动致力于以最高的道德标准开展其业务。为此，我们为商业伙伴制定了本准则。在字节跳动，我们希望与在业务经营中坚守诚信和合规原则的商业伙伴发展并保持业务关系。本准则为每一商业伙伴制定了道德、诚信、人权、雇佣标准、环境、健康和安全以及公平业务实践等领域的详细标准和责任，但我们并无意使其穷尽所有主题或场景。本准则无意替换或变更商业伙伴对字节跳动所承担的合同义务。

适用范围

本准则适用于所有“商业伙伴”，包括代表商业伙伴开展字节跳动业务相关活动的员工、董事会成员、高级职员、经理、顾问及其他第三方。

遵守法律

商业伙伴应遵守其业务经营地或货物及服务提供地所在国家、地区的所有适用法律法规。在本准则和任何适用的法律法规存在冲突的情况下，应适用更严格的规定。

公平业务实践

字节跳动以诚实、道德的方式开展业务，对违法或不道德的任何行为零容忍，该等行为包括但不限于腐败、贿赂、舞弊、勒索、侵占、回扣、洗钱等。为了建立透明、可信赖的业务关系，我们期望我们的商业伙伴遵循相同标准。

- **反贿赂和腐败** - 商业伙伴应确保其不会直接或通过第三方间接参与涉及字节跳动业务的任何形式的贿赂或腐败行为。商业伙伴应遵守其业务经营地所在国家和地区适用的反腐败法律法规、国际反腐败公约，以及字节跳动全球反腐败和反贿赂政策。商业伙伴不应为不当获得或维持业务或业务优势，向任何人（包括政府官员）提供或给予任何有价值之物，包括但不限于现金、现金等价物（如礼品卡）、贷款、工作机会、礼品、餐饮、娱乐、旅行、慈善/政治捐赠或赞助等，也不应支付任何疏通费。商业伙伴不得直接或通过第三方间接向字节跳动的员工或代表，或代表字节跳动向任何第三方，提供不适当的礼物（包括但不限于现金和礼品卡）。如果商业伙伴向字节跳动的员工或代表提供任何商业礼遇，则该等礼遇应是偶然的、低价值的，且是适用法律法规所允许的。
- **利益冲突** - 任何在商业伙伴的个人利益与字节跳动的利益之间造成实质或潜在冲突的情况都须避免。如果商业伙伴和字节跳动的员工、前员工或代表之间的关系导致或预期将会导致与字节跳动的任何实际或潜在的利益冲突，商业伙伴应及时向字节跳动披露，

并配合字节跳动采取有效措施以回避或消除利益冲突对双方现有或潜在的商业关系可能产生的任何影响。

- **财务诚信和会计** - 商业伙伴必须保留与字节跳动所有业务往来的准确簿册和记录。该等记录必须按照适用的标准会计惯例和记录保留政策予以保存。字节跳动保留对商业伙伴与其业务相关的财务记录加以审计的权利。
- **反欺诈** - 商业伙伴应确保不会直接或通过第三方间接从事、实施、鼓励、支持、纵容或以其他方式参与任何涉及以欺骗手段骗取钱财或个人利益的违法行为。该等行为包括但不限于：(1) 与字节跳动相关的非法消费者欺诈、诈骗和其他欺骗性商业行为（例如利用字节跳动平台实施的欺诈），导致任何个人或实体遭受财务或其他损失；(2) 对字节跳动实施的欺诈行为。
- **公平竞争** - 商业伙伴应遵守所有适用的反垄断和反不正当竞争法律法规，促进公平竞争，尊重市场上的竞争对手。商业伙伴不得签订会违反适用法律法规并对竞争造成不合法限制或禁止的任何（书面或口头）协议或从事具有该等效果的其他形式的活动。
- **国际贸易合规** - 商业伙伴必须遵守所有适用的国际贸易法律法规，包括但不限于进出口管制、禁运、经济制裁和反抵制等方面的法律法规。商业伙伴不得与任何受制裁地区和受制裁方进行可能违反任何适用的制裁和出口管制法律法规的业务活动或其他交易。
- **反洗钱** - 为打击洗钱和恐怖主义融资，商业伙伴只能与参与合法商业活动并从合法来源获得资金的客户开展业务。商业伙伴开展业务时应遵守当地所有适用的反洗钱和反恐融资法律，并确保具有适当的政策和流程，防止违反该等法律。
- **知识产权** - 商业伙伴必须采取适当的措施以保护、且不得侵犯字节跳动及其创设者的知识产权，包括但不限于商业秘密、专有技术、专利、著作权、商标以及源代码，并应立即将任何可能或正在侵犯该等权利的情形告知字节跳动。

信息安全和数据保护

商业伙伴应对其在与字节跳动进行业务往来的过程中获悉的所有非公开信息保密，该等信息包括但不限于字节跳动的商业信息、知识产权、产品策略、专有数据、财务状况、战略计划、组织架构、技术或管理规则、谈判信息、用户和客户信息、员工信息等，也包括字节跳动根据任何法律规定或合同义务承诺不对外公开的第三方的保密信息。商业伙伴仅可按照取得该等保密信息时获得的授权和目的使用该等保密信息。此外，在任何时候，商业伙伴必须遵守其各自业务经营地所在国家、地区适用的网络安全、隐私和数据保护法律法规，并坚持业务所在国有关网络安全和数据安全的高标准。

雇佣标准和人权

我们希望商业伙伴根据有关雇佣标准和就业的适用法律法规以及下列标准对待其员工，并给予其员工以最大程度的尊严和尊重：

- **不使用童工** - 商业伙伴不得使用童工，并应制定程序，核实及确保不雇用任何童工。"儿童"指低于工作地所在国家、地区适用法律规定的最低就业年龄的任何人。未满 18 岁的工人不得从事危险性工作。
- **不存在强迫和强制劳动、现代奴役或贩卖人口情形** - 商业伙伴仅可使用自愿劳动，不得在其组织或供应链内使用任何形式的现代奴役或人口贩运，亦不得使用任何形式的强迫、抵债、非自愿或监禁劳动。所有工人必须能够自由工作，并在作出合理事先通知后离开。商业伙伴应确保其管理层理解该等反对强迫和强制劳动、现代奴役及人口贩运的承诺，并确保其员工享有受适用法律法规以及详细的雇用合同（其中以易于为员工理解的语言载明服务条款和条件）所保护的所有权利。
- **多样、包容及不歧视** - 商业伙伴必须致力于维护其员工的人权，在与工作相关的环境中给予其员工以尊严和尊重。商业伙伴应在其力所能及范围内，制定公平招聘政策，避免不会存在任何形式的就业歧视或骚扰（包括但不限于基于种族、肤色、年龄、性别、政治信仰、宗教、民族或族裔出身、性取向、残疾、工会从属关系或任何其他受适用法律法规保护的类别的歧视或骚扰）。
- **自由结社和集体谈判** - 商业伙伴应承认并尊重员工自由自愿地建立或加入符合法律规定并依法登记的社会团体的权利。在遵守当地法律的前提下，不受任何非法限制。商业伙伴还应允许其员工通过工会或职工代表大会，在制定、修订直接涉及劳动者切身利益的规章制度或者签订集体合同等重大事项时，与单位平等协商。
- **工资、福利和工作时间** - 商业伙伴必须确保员工的工作时间不超过员工工作地的当地法律法规规定的最长工作时间。必须向员工支付适用法律法规要求的最低工资和所有法定福利。除了支付正常工作时间的工资外，还必须根据适用的当地法律对员工加班时间支付加班工资，如果不存在此类法律，则应至少按员工正常小时工资支付加班工资。

企业社会责任

在字节跳动，我们积极将企业社会责任融入我们的日常运营，并期望我们的商业伙伴亦遵循同样的标准。

- **平台运营和产品质量** - 商业伙伴必须遵守适用的有关平台运营和产品质量的法律法规。
- **保护环境** - 希望我们的商业伙伴遵守所有适用的环境法律法规。我们希望我们的商业伙伴能够高效、负责任地利用自然资源，将其对环境的影响降至最低，并持续监控其环境绩效。
- **处理危险材料和废物** - 我们改善业务实践，为社区作出积极贡献。在处理被归类为对环境有害的材料和产品时，商业伙伴必须确保该等材料和产品得到安全的处理、运输、储存、回收和/或处置。我们希望产生任何类型的废物或排放物的商业伙伴应在排放或处置该等废物或排放物之前，根据适用法律法规对其进行定性、监控和处理。

健康和安全的

商业伙伴应致力于为其全体员工提供一个安全、健康的工作环境，并努力提升工作场所的健康和安全性，不断改善工作条件。

- **安全的工作环境** - 商业伙伴应确保根据适用的法律法规和国际公认标准，为员工提供健康安全的工作环境。商业伙伴应尽最大努力控制危险因素，并针对事故和职业风险采取必要的预防措施。
- **健康和沟通** - 商业伙伴应确保员工接受充分和定期的健康和安全教育。
- **事故报告** - 商业伙伴应制定预防、管理、跟踪和报告职业伤害和疾病的内部程序。商业伙伴还应制定旨在鼓励员工报告并实施纠正行动的相关规定。此纠正行动计划应降低风险，提供必要的医疗，并协助员工重返工作岗位。

实施和监督

商业伙伴应采取适当措施，确保将本准则的原则传达给其员工。商业伙伴应充分知悉并理解本准则以确保其对字节跳动维护的价值和准则的承诺，并且就字节跳动、及其子公司和关联方所主张的因本准则被违反而导致的任何财务或声誉损害承担责任。

- **沟通** -商业伙伴应将本准则设立的标准和要求传达给所有参与字节跳动业务相关活动的员工、董事会成员、高级职员、经理、代理人、分包商或代表他们开展任何其他第三方。商业伙伴还应保留适当的记录，以证明符合本准则的要求。字节跳动保留通过现场审计核实商业伙伴是否遵守本准则的权利，现场审计可由字节跳动自行进行，也可由为此目的而指定的第三方进行。该等审计将事先与商业伙伴商定。
- **举报和发声** -与本准则或字节跳动的业务相关的违规行为可以保密和匿名的方式通过字节跳动所管理的反馈渠道（ethics@bytedance.com）提出，不必担心遭到报复。我们确保及时、适当地解决所举报的问题和违规行为。

ByteDance Business Partner Code of Conduct

Overview

The Business Partner Code of Conduct ("Code") serves to communicate and specify our ethical and compliance standards to all third parties, including but not limited to suppliers, service providers, agents, vendors and consultants who provide any kind of products or services or undertake any activity for or on behalf of ByteDance ("Business Partner").

This Code forms part of the agreement with our Business Partners and creates audit rights so that ByteDance can confirm the Business Partner's compliance with this Code.

Introduction

ByteDance is committed to conducting business in accordance with the highest ethical standards and seeks to develop and maintain business relationships with Business Partners who are committed to upholding the principles of integrity and compliance in their business operations.

This Code sets detailed standards and responsibilities for each Business Partner in the areas of ethics, integrity, human rights, labour, environment, health and safety and fair business practices. Nonetheless, this Code is not intended to be all-inclusive or to address every situation. Furthermore, this Code is not intended to replace or change a Business Partner's contractual obligations to ByteDance.

Applicability

This Code is applicable to all Business Partners. This also includes a Business Partner's employees at all levels, board members, officers, managers, consultants and other third parties who act on behalf of or represent the Business Partner in conducting any activities in connection with ByteDance's business.

Compliance with Laws

Business Partners shall comply with all applicable laws and regulations of the countries in which they operate or render goods and services. In case of any conflict between this Code and any applicable laws or regulations, the stricter standard applies.

Fair Business Practices

ByteDance conducts business honestly and ethically and has zero tolerance for unlawful or unethical conduct in any form, including but not limited to corruption, bribery, fraud, extortion, embezzlement, kickbacks or money laundering. To foster transparent and trustworthy business relationships, we expect our Business Partners to follow the same standards.

- **Bribery and Corruption** – Business Partners shall ensure that they do not directly or indirectly through third parties engage in any form of bribery or corruption in relation to ByteDance's business. Business Partners shall abide by the Foreign Corrupt Practices Act (FCPA), the UK Bribery Act, all

applicable anti-corruption laws and regulations of the countries in which they operate, applicable international anti-corruption conventions, and ByteDance's Global Anti Corruption and Anti Bribery Policy. Business Partners shall not offer or give anything of value – including but not limited to cash, cash equivalents (such as gift cards), loans, job opportunities, gifts, meals, entertainment, travel, charitable and political donations and sponsorships – to anyone (including government officials) to improperly obtain or retain business or any business advantage; facilitation payments are strictly prohibited. Business Partners shall not make inappropriate gifts, directly or indirectly through a third party, to employees or representatives of ByteDance, or to any third party on behalf of ByteDance. If Business Partners extend any business courtesies to ByteDance's employees or representatives, it should be infrequent, of low value and permissible under the applicable laws and regulations.

- **Conflict of Interest** – Business Partners shall avoid any situation that may involve a conflict or the appearance of a conflict between their personal interests and the interests of ByteDance. Additionally, Business Partners shall promptly disclose to ByteDance any actual or potential conflict of interest between the Business Partner and ByteDance's employees, former employees or representatives, when such conflict arises or is anticipated to arise. Business Partners shall cooperate with ByteDance to take effective measures to avoid or eliminate any possible impact an actual or perceived conflict will have on the existing or proposed commercial relationship between the parties.
- **Financial Integrity and Accounting** – Business Partners must keep accurate books and records of all business dealings with ByteDance. These records must be kept in compliance with applicable standard accounting practices and record retention policies. ByteDance reserves the right to audit the financial records of the Business Partner in connection with its business.
- **Fraud** – Business Partners shall ensure that they do not directly or indirectly through third parties engage in, perpetrate, encourage, support, condone, or otherwise participate in any activity that involves the use of deception for monetary or personal gain in a manner that is prohibited by law or regulation. Such activities include, but are not limited to: (i) unlawful consumer frauds, scams and other deceptive business practices, related to ByteDance (e.g., frauds perpetrated via ByteDance platform), that cause any individual or entity to suffer financial or other losses; and (ii) frauds perpetrated on ByteDance itself.
- **Fair Competition** – Business Partners shall comply with all applicable antitrust and anti-unfair competition laws and regulations and promote fair competition and respect competitors in the marketplace. Business Partners shall not enter into any agreements (written or oral) or engage in other

forms of activities, which would unlawfully restrict or prohibit competition under applicable laws and regulations.

- **International Trade Compliance** – Business Partners are required to comply with all applicable international trade laws and regulations, including but not limited to, those on import and export control, embargoes, economic sanctions, and anti-boycott. Business Partners shall not engage in business activities or other dealings with sanctioned regions and parties that may lead to a violation of any applicable sanctions and export control laws and regulations.
- **Anti-Money Laundering** – Business Partners shall only conduct business with customers who are involved in legitimate business activity and whose funds are derived from legitimate sources, in order to combat money laundering and terrorist financing. Business Partners shall conduct business in accordance with all applicable anti-money laundering and anti-terrorism financing laws in the jurisdictions in which it does business, and shall ensure that it maintains appropriate policies and procedures in order to prevent violation of such laws.
- **Intellectual Property** – Business Partners shall take appropriate measures to safeguard and not infringe upon the intellectual property rights of ByteDance and its creators, including but not limited to trade secrets, know-how, patents, copyrights, trademarks, and source codes. Additionally, Business Partners should immediately inform ByteDance of any potential or existing infringement of such rights.

Information Security and Data Protection

Business Partners shall treat all non-public information that they get access to during their business dealings with ByteDance as confidential, including but not limited to, ByteDance's business information, intellectual property rights, product strategy, proprietary data, financial status, strategic plans, organizational structure, technical or management rules, negotiation information, user/customer information, employee information, and third-party confidential information that ByteDance is under any statutory or contractual obligation to not disclose to the public. Business Partners shall only use confidential information as authorized and for the purpose for which it was provided. Additionally, at all times Business Partners shall comply with all applicable cybersecurity, privacy and data protection laws and regulations, and uphold the high standards of cybersecurity and data security in their respective countries of operation and the countries or regions where we operate our business.

Labour and Human Rights

Business Partners are expected to treat their employees with the utmost dignity and respect and in accordance with the applicable labour and employment laws and regulations as well as the following standards:

- **No Child Labour** – Business Partners shall not use child labour and should have procedures in place to verify and ensure that no child labour is employed. “Child” refers to any person below the minimum age for employment under the applicable laws of the country where the work is to be performed. Workers under the age of 18 years shall not perform work which is hazardous in nature.
- **No Forced or Compulsory Labour, Modern Slavery, or Human Trafficking** – Business Partners shall only use voluntary labour, and shall not engage in any form of modern slavery or human trafficking or use any type of forced, bonded, involuntary, or prison labour within their organizations or supply chains. All workers must be able to work freely and leave with reasonable prior notice. Business Partners shall ensure that their management understands such commitment against forced and compulsory labour, modern slavery, and human trafficking, and shall ensure that they provide their employees with access to all rights protected by applicable laws and regulations as well as detailed employment contracts stating terms and conditions of service which are easily understood by them.
- **Diversity, Inclusion, and Non-Discrimination** – Business Partners must be committed to upholding the human rights of its employees and treat them with dignity and respect in settings associated with work. Business Partners shall have fair recruitment, training and promotion policies, and ensure that there is no form of discrimination or any form of harassment (including but not limited to discrimination or harassment on the grounds of race, color, sex, political beliefs, religion, national or ethnic origin, sexual orientation, disability, union membership, or any other characteristics protected by applicable laws and regulations). Business Partners shall also promote diversity and inclusion at its workplace.
- **Freedom of Association and Collective Bargaining** – Business Partners should recognise and respect the right of employees to freely and voluntarily establish and join unions or associations of their choice, without any restrictions or consequences subject to compliance with local laws. Business Partners are also expected to allow their employees to collectively discuss and negotiate with management their grievances in relations to terms and conditions of work.
- **Wages, Benefits and Working Hours** – Business Partners shall ensure that the working hours of their employees do not exceed the maximum hours mandated by local laws and regulations where the employees work. The

employees must be paid minimum wages and all legally mandated benefits as required by applicable laws and regulations. In addition to payment for regular hours of work, employees must be paid overtime for the extra hours worked by them in compliance with the applicable local laws, and where no such laws exist, at least equal to their regular hourly rate.

Corporate Social Responsibility

At ByteDance we actively integrate corporate social responsibility into our daily operations and expect our Business Partners to follow the same standards.

- **Platform Operation and Product Safety** – Business Partners shall comply with the applicable laws and regulations on platform operation and product safety.
- **Protection of the Environment** – We expect our Business Partners to comply with all applicable environmental laws and regulations. We expect our Business Partners to use natural resources efficiently and responsibly, minimize their environmental impact, and continually monitor their environmental performance.
- **Handling of Hazardous Material and Waste** – We improve business practices to make a positive contribution to our communities. When handling materials and products that are classified as hazardous to the environment, Business Partners shall ensure that such materials and products are handled, transported, stored, recycled, and/or disposed of safely. Business Partners producing any kind of waste or emissions are expected to characterize, monitor, control, and treat such waste or emissions prior to discharge or disposal in accordance with applicable laws and regulations.

Health and Safety

Business Partners shall commit to creating a safe and healthy work environment for all of their employees and strive for operational health and safety for the continuous improvement of working conditions.

- **Safe Working Environment** – Business Partners shall ensure that employees are provided with a healthy and safe working environment in accordance with applicable laws and regulations as well as internationally recognized standards. Business Partners shall do their utmost to control hazards and take necessary precautionary measures against accidents and occupational risks.

- **Health and Safety Communication** – Business Partners shall ensure that employees receive adequate and regular health and safety training and education.
- **Incident Reporting** – Business Partners should have internal procedures in place to prevent, manage, track, and report occupational injury and illness. Business Partners shall also include provisions to encourage employee reporting and implementation of corrective action. Business Partners corrective action plans should mitigate risks, provide necessary medical treatment, and facilitate employees’ return to work.

Implementation and Monitoring

Business Partners shall take appropriate steps to ensure the principles of this Code are communicated to their employees.

Business Partners are required to fully acknowledge and understand this Code to ensure their commitment to the values and standards upheld by ByteDance and shall be subject to liability for any financial or reputational damages caused by any violation of this Code as claimed by ByteDance and its subsidiaries and affiliates.

- **Communication** – Business Partners shall communicate the standards and guidelines included in this Code to all employees, board members, officers, managers, agents, and subcontractors or other third parties acting on their behalf in conducting any activities in connection with ByteDance’s business. Business Partners shall also maintain appropriate records to demonstrate compliance with the requirements of this Code. ByteDance reserves the right to verify Business Partners’ compliance with this Code through on-site audits, which can be performed by ByteDance itself or through third parties appointed for that purpose. Such an audit will be agreed upon in advance with the Business Partner.
- **Speak Up** – Concerns or violations relating to this Code or the business with ByteDance can be raised confidentially via the speak up channel at ethics@bytedance.com managed by ByteDance, without the fear of retaliation. We ensure that the reported concerns and violations are addressed in a timely manner and in an appropriate way.