



# **Code of Business Conduct and Ethics**

**(As approved on February 22, 2024)**

# Dear Colleagues,

At ImmunityBio, we all are responsible for understanding the important legal and ethical issues that affect our business and for acting with integrity at all times. Integrity means more than just complying with the law. It is one of ImmunityBio's core values. It reflects who we are as a company and as individuals. Conducting ourselves with integrity helps us build confidence within and enhance collaboration among our teams. Importantly, conducting ourselves with integrity helps us earn the trust and respect of the people we serve, the patients who benefit from our products.

This Code of Business Conduct and Ethics ("Code"), along with our written compliance policies, are essential resources for all colleagues. They outline ImmunityBio's policies on business conduct and identify the people who can answer any questions you might have about compliance-related issues. I am asking that you familiarize yourself with the Code and rely upon it as a reference to help ensure that you remain in compliance with all policies and procedures that apply to your work.

Please know that all of ImmunityBio's leaders are available to you if you have any concerns related to company practices or activities. Seeking advice, raising concerns, or reporting misconduct cannot and will not be held against you. Our open door and anti-retaliation policies are in place to encourage and protect colleagues who raise concerns.

Our commitment to doing the right thing, which means complying with both the spirit and the letter of the laws that govern our industry, gives us a competitive advantage. Acting with integrity depends on each of us giving our full commitment. The responsibility lies with all of us.

Thank you for all of your hard work and continued commitment to making ImmunityBio great.



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**Richard Adcock**  
**President & Chief Executive Officer**

# INTRODUCTION

At ImmunityBio, Inc. (“**ImmunityBio**” or the “**Company**”), we value our integrity above all else. As an employee or representative of ImmunityBio, we expect you to support our integrity by behaving lawfully and ethically at all times. This Code of Business Conduct and Ethics (**Code**) serves as one of the guideposts for your behavior, along with our comprehensive compliance program, Healthcare Compliance Manuals, other ImmunityBio policies and procedures, and your own personal good judgment.

In general, we expect you to:

- Comply with all applicable laws, rules, and regulations;
- Take responsibility for your actions and follow through on your commitments;
- Avoid situations where your personal interests are, or appear to be, in conflict with ImmunityBio’s interests;
- Protect and properly use ImmunityBio’s information, assets, and resources;
- Protect information that is owned by our customers and vendors;
- Safeguard non-public information and refrain from using that information for personal gain;
- Communicate in an honest and open manner; and
- Adhere to ImmunityBio’s standards for protecting the environment and the safety and health of our employees, our customers, our community, and our contractors.

This Code sets forth some general principles that you must apply to your own conduct, using common sense and good judgment. If you have any questions about any of these principles, consult with any member of the management team. In addition to this Code, ImmunityBio has adopted policies and procedures that govern all aspects of our business. You must know and comply with this Code ***and*** all internal policies and procedures that apply to you.

If you violate the law, this Code, the ImmunityBio comprehensive compliance program, or another ImmunityBio policy or procedure, you will be subject to discipline up to and including immediate termination of employment. A good faith effort to comply with this Code will be taken into consideration when determining disciplinary action. Supervisors who ignore or fail to correct misconduct may also be subject to discipline.

This Code applies to all officers, employees, contract representatives, and agents of ImmunityBio. This Code is not a contract of employment.

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# PRINCIPLE 1: BE HONEST AND ETHICAL

## **Fair Dealing**

You must not improperly use business courtesies to gain a competitive advantage. Offering, giving, soliciting, or receiving any form of bribe or kickback is strictly prohibited. You must treat customers, suppliers, competitors, fellow employees, and other stakeholders honestly and fairly. Never take unfair advantage of anyone through manipulation, concealment, disclosure of confidential information, or false or misleading statements.

## **ImmunityBio Records**

All ImmunityBio books, records, and accounts must be accurate and complete, and transactions must be recorded in a timely manner. You are personally responsible for the integrity of the information, reports, and records under your control. You must never make any false or artificial entries for any purpose.

Financial statements must be prepared in accordance with generally accepted accounting principles and must represent, in all material respects, the financial condition and results of the Company.

You must not destroy records that are potentially relevant to a violation of the law, any litigation, or any pending, threatened, or foreseeable government investigation or proceeding. It is a crime to alter, destroy, modify, or conceal documentation or other objects that are relevant to a government investigation, or to otherwise obstruct, influence, or impede an official proceeding. The law applies equally to all ImmunityBio records, including formal reports as well as informal data, such as e-mail, expense reports, and internal memoranda.

## **Public Communications**

You may not communicate externally on behalf of ImmunityBio unless you are authorized to do so. ImmunityBio has established specific policies regarding who may communicate information to the public, the press, market professionals (such as securities analysts, institutional investors, investment advisors, brokers and dealers) and security holders on behalf of ImmunityBio.

## **Gifts, Meals, and Entertainment**

In general, you and your immediate family members may not seek, accept, offer, promise, or give (directly or indirectly) anything of value—including gifts, discounts, favors, entertainment, or services—from or to any person or company with whom ImmunityBio does business. This prohibition is intended to prevent the improper use of anything of value (even nominal value) to induce or reward doing business with the Company. Subject to this general prohibition:

- You may offer meals and items of value to Healthcare Professionals (**HCPs**) in accordance with ImmunityBio's written policy on meals and items of value.
- You may offer or accept meals or items of value to or from non-HCPs with whom ImmunityBio does business, as long as these activities are reasonable in cost and frequency.

## **Conflicts of Interest**

You must avoid actual or potential conflicts of interest. A conflict may exist if your activities or interests, or the activities or interests of your family members, make it difficult for you to perform your job objectively and effectively.

You must disclose to ImmunityBio any interest that could influence or be perceived to influence your job activities or decisions. This includes any of the following interests, either of your own or of a family member:

- A substantial financial interest in an ImmunityBio supplier, competitor, or customer (this does not include ownership of nominal amounts of stock in publicly traded companies);
- An employment or consulting relationship with an ImmunityBio supplier, competitor, or customer;
- An interest in a transaction that ImmunityBio is known to be, or may be, interested in;
- A significant financial interest in a transaction with ImmunityBio;
- An outside business activity that is competitive with ImmunityBio's business;
- Service as an elected or appointed public official;
- A potential to personally profit from ImmunityBio's corporate opportunities; or
- Receipt of fees, commissions, services, or other compensation from an ImmunityBio supplier, competitor, or customer.

The above list is not exhaustive. Any other actual or potential conflict of interest must be reported. You must report all conflicts to your supervisor. If the Company determines that a conflict exists, it may take any action that it deems appropriate to resolve the conflict, up to and including termination.

## PRINCIPLE 2: COMPLY WITH THE LAW

ImmunityBio is committed to conducting its business activities in accordance with applicable federal and state laws and regulations. You must have a general understanding of the laws and regulations that apply to ImmunityBio's business activities. Contact a member of the management team if you have any questions about whether certain conduct complies with the law.

### Pharmaceutical Laws

The U.S. Food and Drug Administration (**FDA**) is the federal agency responsible for overseeing the safety of pharmaceuticals, biologics, and other products under the Federal Food, Drug, and Cosmetic Act (**FD&C Act**) and its implementing regulations. FDA regulates almost every aspect of ImmunityBio's business, including the research, development, manufacturing, distribution, marketing, and promotion of our products.

#### **Labeling, Advertising, and Promotion**

FDA regulations require drug labeling and promotional material to be accurate, balanced, and truthful. Among other things, FDA regulations require all materials and messaging used to promote our products to be fair and balanced and consistent with FDA-approved labeling. To ensure compliance with FDA regulations, you must comply with all ImmunityBio policies and procedures related to promotional activities.

#### **Product Samples**

The Prescription Drug Marketing Act of 1987 (**PDMA**) regulates the storage, distribution, and accounting of prescription drug and biologic samples. It also prohibits the sale, purchase, or trade of drug samples. In addition, several state laws affect the distribution of samples. ImmunityBio has policies and procedures in place to ensure that our sampling activities comply with federal and state law. If your job function involves the handling or tracking of product samples, you must know and comply with these policies and procedures.

#### **Product Safety and Reporting Adverse Events**

As required by law, ImmunityBio closely monitors all reports of adverse events associated with the use of the Company's products to ensure that we consistently adhere to the highest levels of safety and accountability. You are required to identify, record, and report any safety, quality, or performance issues, or any circumstance that suggests the occurrence of any of these issues, within 24 hours of becoming aware of the event.

#### **Independent Medical Education Programs**

The FDA does not regulate industry-supported scientific and educational activities that are independent of the supporting company's influence. If a company influences a scientific or educational activity, however, then the activity may be considered "promotional" and subject

to all FDA regulations on product promotion. When we want to support scientific or educational activities without being subject to FDA regulation, we must ensure that the activities are designed and carried out without any influence from ImmunityBio. We have policies and procedures in place to ensure that our support of scientific and educational activities is appropriate.

### **The Pharmaceutical Research and Manufacturers of America (PhRMA) Code**

The purpose of the PhRMA Code is to ensure that healthcare decisions are made for the benefit of patients and are not based on undue influence from pharmaceutical companies. It provides examples of proper and improper practices regarding pharmaceutical companies' interactions with HCPs. Compliance with the PhRMA Code substantially reduces the risk of violating the Anti-Kickback Statute. The majority of the pharmaceutical industry, including ImmunityBio, has adopted and embraced the PhRMA Code, and your activities must comply with it.

### **Physician Payment Sunshine Act**

The Physician Payment Sunshine Act (**Sunshine Act**) requires disclosure to the federal government of defined transfers of value to any physicians, healthcare entities, and other applicable healthcare providers in the United States during the preceding calendar year. It is ImmunityBio's policy to maintain all records needed to comply with the requirements of the Sunshine Act.

## **Laws Relating to Government Healthcare Programs**

### **Federal Anti-Kickback Statute**

The federal Anti-Kickback Statute and certain state laws make it a crime to pay or receive anything of value with the intent to induce the purchase or prescription of drugs that are reimbursable under federal or state healthcare programs (*e.g.*, TRICARE, Medicare, or Medicaid). The purpose of these laws is to ensure that money, or anything else of value, does not interfere with our customers' independent clinical and formulary decisions. The Anti-Kickback Statute is interpreted broadly and prohibits a wide range of activities, such as:

- Providing an educational or research grant to an HCP (including a pharmacist) with the goal of encouraging the HCP to prescribe, dispense, or recommend a pharmaceutical product;
- Providing certain services to HCPs or other customers on the condition that they purchase or prescribe a certain amount of pharmaceutical products;
- Providing a grant to a managed care organization with the goal of influencing the formulary position of a product; and

- Paying an HCP a fee above the reasonable fair market value for services, such as participating in a ImmunityBio-sponsored advisory board, in order to reward or induce purchases or prescriptions.

Some state laws are broader and apply to all items and services, beyond those reimbursed under a government healthcare program. ImmunityBio treats all HCPs and other customers as if they are subject to the anti-kickback laws, even if they do not participate in government healthcare programs. ImmunityBio and its customers are subject to penalties for violating the anti-kickback laws. The penalties for violations include imprisonment and fines.

The federal Anti-Kickback Statute is so broad that it could be read to prohibit otherwise legitimate marketing activities and even some non-promotional activities. As a result, the Office of Inspector General at the U.S. Department of Health and Human Services has defined certain “safe harbors.” Activities that fall entirely within a safe harbor do not violate the Anti-Kickback Statute. A number of safe harbors exist, including the Discounts Safe Harbor, the Managed Care Safe Harbor, and the Personal Services Safe Harbor. You must ensure that your activities do not violate the Anti-Kickback Statute and, wherever possible, are structured to fall within a safe harbor. If you have any questions regarding your activities and the federal Anti-Kickback Statute and safe harbors, you should contact your supervisor.

### **False Claims Act**

The False Claims Act prohibits entities and individuals from submitting, or inducing someone else to submit, a false claim for reimbursement by the federal government. Violating the False Claims Act can result in criminal prosecution and steep fines for each false claim. To avoid violating the False Claims Act, you must ensure that all promotional activities and materials comply with ImmunityBio’s policies and procedures.

### **Medicaid Best Price Law**

Under federal law, Medicaid is entitled to quarterly rebates based in part on the lowest price a pharmaceutical company offers to any non-government customer for a particular product. This is generally referred to as the “best price” of the product. ImmunityBio must calculate and report the metrics it uses to calculate these rebates to the federal government.

If ImmunityBio does not accurately account for discounts or other price concessions, it might result in the Company reporting an inaccurate best price to the federal government. This could violate the Medicaid Best Price Law, in which case ImmunityBio would have to pay significant penalties and be subjected to operating restrictions and criminal penalties.

Most states also have a version of pricing legislation and impose stiff penalties for violations of those laws.

## **State Reporting and Marketing Laws**

Some state laws limit or restrict the way pharmaceutical companies interact with HCPs, especially with respect to marketing practices and items of value provided to HCPs. State regulations are designed to ensure that interactions with HCPs benefit patients, and that HCPs use their independent judgment to make decisions about which drugs to prescribe to their patients. The recent trend is for state marketing and disclosure laws to place greater restrictions and requirements on companies than the PhRMA Code or federal laws (*e.g.*, Vermont).

## **Securities Laws**

You may not directly or indirectly—through, for example, significant others, family members or controlled entities—buy or sell stocks or other securities of ImmunityBio or any other company based on non-public information obtained from your work at ImmunityBio. In addition, you may not “tip” others by providing them non-public information under circumstances that suggest that you were trying to help them make an investment decision. These obligations are in addition to your obligations with respect to non-public information generally.

Under U.S. securities laws, it is unlawful for any person who has “material” non-public information about a company to trade in the stock or other securities of that company or to disclose such information to others who may trade. Material non-public information is information about a company that is not known to the general public and that a typical investor would consider important in making a decision to buy, sell, or hold securities. Violations of U.S. securities laws may result in civil and criminal penalties, including disgorgement of profits, civil judgments, fines, and jail sentences.

You should be aware that stock market surveillance techniques are becoming increasingly sophisticated, and the probability that U.S. federal or other regulatory authorities will detect and prosecute even small-level trading is significant. Insider trading rules are strictly enforced, even in instances when the financial transactions seem small.

You may not make an unauthorized disclosure of any non-public information acquired in the course of your service with ImmunityBio or misuse material non-public information in securities trading. Any such actions will be deemed violations of ImmunityBio’s Insider Trading Policy. All associates should be familiar with ImmunityBio’s policy regarding Insider Trading. If you have any questions at all regarding trading in ImmunityBio’s securities, contact the Compliance Department for guidance.

## **Privacy Laws**

In the course of conducting certain aspects of its business, ImmunityBio may collect and process various types of personal information. You may also have incidental or inadvertent contact with a patient’s personal information in the course of your activities with ImmunityBio.

Regardless of the source, ImmunityBio safeguards the confidentiality of personal information in accordance with federal and state privacy laws and regulations. The spirit of all privacy laws is that individuals should know when companies are using their personal information, how the personal information is being used, and how the personal information is protected. Personal information may include medical histories or records and personal identifiers such as names, birth dates, and Social Security Numbers.

The most important privacy law that affects the healthcare industry in the United States is the Health Insurance Portability and Accountability Act of 1996 (**HIPAA**). The HIPAA “Privacy Rule,” as it is commonly called, aims to protect the privacy of individually identifiable health information of patients and research subjects. The HIPAA Privacy Rule directly applies to HCPs, health plans, and healthcare clearinghouses and indirectly affects pharmaceutical company operations.

To ensure compliance with federal and state privacy laws, ImmunityBio has adopted comprehensive policies and procedures with which you are required to comply.

### **Fair Competition Laws and Fair Dealing**

Fair competition laws are designed to prohibit activities that reduce market competition and harm consumers. ImmunityBio strives to outperform competition in a fair, honest, and legal manner. You must never engage in illegal or unethical business practices. You should never attempt to improperly obtain proprietary information, including trade secret information, from another company. In addition, you should not obtain trade secret information from past or present employees of other companies.

ImmunityBio is committed to conducting all of its business dealings in compliance with applicable antitrust laws. Pursuant to this policy, you may never:

- Collaborate with a competitor or take other actions that have the effect of improperly discouraging competition. If you have any questions about the potential impact of an action or communication, first discuss such questions with the General Counsel;
- Make an agreement or have an informal understanding with competitors, either directly or indirectly, to fix prices, divide customers or territories, or restrict sales;
- Exchange information on pricing, discounting, allowances, royalties, costs, quotas, allocation of customers or territories, contract terms, or other similar proprietary information, with competitors;
- Attempt to monopolize or dominate markets with anything other than the use of superior products, service, or performance;
- Engage in illegal tying (*i.e.*, an agreement to sell one product on the condition that the customer also purchase a different product or agrees to forego purchasing the product from another supplier), illegal price discrimination, or refusals to deal;

- Enter into agreements with distributors regarding resale prices; or
- Discuss any of these topics with competitors. If a competitor initiates a conversation with you on any of these topics, you should politely decline to reciprocate and report the incident to the Compliance Department.

You should always be fair in your dealings with clients, customers, suppliers, competitors, and any other third parties. You may not engage in the practice of manipulation, concealment, abuse of privileged information, misrepresentation, or any other unfair-dealing practice.

### **Immigration Laws**

The United States and other countries impose restrictions on non-citizens visiting or working in the country. In many instances visas or work permits must be obtained from the government. You are responsible for complying with all applicable immigration laws. In addition, you must comply with ImmunityBio policies that govern the performance of work activities outside of the United States. If you have any uncertainty concerning the requirements of the law, you should consult with the Compliance Department before working in, or travelling to, a country of which that person is not a citizen, or authorizing any person to do so.

### **Export and Trade Laws**

The United States and other countries have laws that restrict or prohibit even ordinary sales, research, manufacturing, and other commercial relationships with certain countries or parties. Even the simple act of carrying laboratory equipment from the United States to a European facility may constitute an export and be subject to applicable trade laws and controls. In addition, disclosing (including oral or visual disclosures) or transferring controlled data to a non-U.S. person, even if the disclosure or transfer occurs within the United States, would be deemed an export to the home country or countries of the non-U.S. person and could require a license or other authorization. You are encouraged to contact your supervisor when interacting with any person or entity with a presence outside the United States to ensure that your actions are in compliance with these trade laws.

### **Anti-Bribery and Corruption Laws**

You must comply with the letter and spirit of the U.S. Foreign Corrupt Practices Act and all other applicable anticorruption statutes. This means that you must not, either directly or indirectly, make any bribes or corrupt payments on behalf of the ImmunityBio. Bribes not only take the form of money, but also favors, entertainment, promises to pay, and anything else that has value. Violations of anti-corruption laws can subject ImmunityBio and its representatives to criminal and civil penalties.

## PRINCIPLE 3: COOPERATE WITH INVESTIGATIONS AND INQUIRIES

### Government Requests and Investigations

It is ImmunityBio's policy to cooperate with all government agencies with respect to any request for information or facility visits in connection with a government investigation.

If an employee is contacted by any government agency, he or she should immediately notify his or her supervisor. If an employee is approached in the field (*e.g.*, at a customer's office or at the employee's home) by an investigator, the employee has the right to obtain legal representation before allowing the investigator to proceed.

If an investigator requests to see ImmunityBio documents, immediately notify the General Counsel and obtain approval before providing any materials. If the investigator presents a search warrant or a subpoena, the warrant or subpoena should be delivered immediately to the General Counsel, but the employee must not obstruct a search pursuant to a search warrant.

During a facility visit, employees should cooperate fully with inspectors throughout the inspection process, answering any appropriate questions the inspectors may have.

If an employee receives an inquiry, a subpoena, or other legal document regarding ImmunityBio's business, whether at home or in the workplace, from a governmental agency, ImmunityBio requests that the employee notify his or her supervisor and the General Counsel immediately. At times, we may be involved in litigation and, because we are in a heavily regulated business, we may be subject to government reviews. As a result, ImmunityBio employees may receive summons, subpoenas, and requests for production of documents.

**Before** accepting a summons, subpoena, or other service of process or signing a summons, contact the General Counsel. You are not authorized to accept service of process on behalf of the ImmunityBio. Do not release any documents or discuss the case without first notifying the General Counsel.

Employees should never provide false or misleading statements to any government official or fail to disclose or take efforts to conceal any information pertinent to an investigation.

### Internal Audits and Investigations

As part of the ImmunityBio comprehensive compliance program, from time to time the Company will audit our compliance with internal policies, as well as with laws and regulations. You must cooperate with all audits and be truthful and accurate when responding to audit requests.

In addition, ImmunityBio promptly investigates all reports of misconduct. As with audits, you must cooperate with such investigations and provide truthful and accurate information if you are questioned in the course of an investigation. You must not mislead an investigator, alter, or destroy any relevant documents, or otherwise impede or interfere with the investigation in any way. Impeding or interfering with an investigation can result in disciplinary action, up to and including termination.

# PRINCIPLE 4: PROTECT OUR RESOURCES AND EMPLOYEES

## Confidential Information

You are responsible for safeguarding confidential information. This includes confidential information that belongs to ImmunityBio, its suppliers, its customers, and even fellow employees. ImmunityBio's information, products, services, ideas, and concepts are important proprietary assets for our Company. Various laws enable us to protect these assets. Examples of confidential or proprietary information include marketing plans and strategies, sales and marketing data, customer and employee records, research and technical data, manufacturing techniques, pricing information, information pertaining to business development opportunities, and new products and services.

Help protect ImmunityBio's confidential information by following these principles:

- Be careful when using the telephone, e-mail, instant messaging, video conferencing, fax, and other electronic means of storing and sending information.
- Do not forward confidential or proprietary information to non-ImmunityBio email accounts.
- Delete any sensitive data that you no longer need to perform your job.
- Do not discuss confidential information in public places where others may overhear.
- Never provide confidential information to outsiders without first getting a written confidentiality agreement and approval from your supervisor.
- Beware of informal telephone or email requests from outsiders seeking information.

In addition, you must not use, disclose to ImmunityBio, or induce the Company to use any confidential, proprietary, or trade secret information that belongs to any of your prior employers or any other third party without that party's written consent.

## Intellectual Property

Protecting ImmunityBio's intellectual property is essential to maintaining the Company's competitive advantage. ImmunityBio's intellectual property includes its patents, trade secrets, and copyrights, as well as the trademarks, scientific and technical knowledge, know-how, and the experience developed in the course of the Company's activities. You are expected to support the establishment, protection, maintenance, and defense of ImmunityBio's rights in all commercially significant intellectual property and to use those rights in a responsible way.

In addition to protecting ImmunityBio’s intellectual property rights, you must respect the valid intellectual property rights of others. Unauthorized use of the intellectual property rights of others may expose the Company to civil lawsuits and damages. Theft and misappropriation of intellectual property may result in significant fines and criminal penalties for the Company and you.

### **ImmunityBio Property and Opportunities**

In general, you must not use ImmunityBio property or services for your own personal benefit. You also must not use opportunities that you discover through your employment with the Company for your own personal benefit.

### **Political Contributions and Lobbying**

ImmunityBio reserves the right to communicate its position on important issues to elected representatives and other government officials. It is ImmunityBio’s policy to comply fully with all local, state, federal, foreign, and other applicable laws, rules, and regulations regarding political contributions. ImmunityBio’s assets—including company funds, employees’ work time, and company premises and equipment—must not be used for, or be contributed to, political campaigns or political activities under any circumstances without prior written approval.

You must obtain approval from the Compliance Department for any work activity that requires lobbying communication with any member or associate of a legislative body or with any government official or associate in the formulation of legislation. Work activity covered by this policy includes meetings with legislators or members of their staffs or with senior executive branch officials on behalf of ImmunityBio. Preparation, research, and other background activities that are done in support of such lobbying communication are also covered by this policy even if the communication ultimately is not made.

### **Discrimination**

ImmunityBio bases employment decisions on business needs, skills, experience, and work performance. We do not discriminate based on race, color, gender, marital status, disability, age, sexual orientation, religion, citizenship, ancestry, nationality, military history, or any other legally protected status. Additional information is available in the ImmunityBio Employee Handbook.

### **Harassment**

You are required to treat your colleagues with dignity and respect. Harassment of any kind is strictly prohibited. Harassment can take many forms, including unsolicited and unwelcome comments about race, color, gender, marital status, disability, age, sexual orientation, religion, citizenship, ancestry, nationality, military history, or any other legally protected status. You should report any act of harassment to your supervisor or Human Resources.

## **Employee Confidential Information**

ImmunityBio respects the confidentiality of personal information about its employees. In the employment relationship, it is necessary to collect and maintain a significant amount of personal information. Apart from the disclosure of information required by legal proceedings or government filings, Company personnel with access to such information are prohibited from releasing the information except on a need-to-know basis or with prior approval of the affected employee.

## **Employee Health and Safety**

ImmunityBio is committed to protecting the health and safety of its employees. To ensure that employees are kept healthy and safe, you must not only follow all health and safety requirements but must also take personal responsibility for your safety and the safety of those with whom you work. This includes never reporting to work in a state that could impair your ability to work safely and conscientiously (such as under the influence of drugs or alcohol).

If you are involved in, or know of, an accident or dangerous situation in the workplace, you must report it to your supervisor immediately.

# PRINCIPLE 5: COMPLY WITH IMMUNITYBIO POLICIES AND PROCEDURES

## Policies and Procedures

In addition to this Code, ImmunityBio has adopted policies and procedures that govern all aspects of our business. Policies provide detailed legal and compliance standards. Procedures set forth specific processes to follow.

While some policies and procedures apply to all ImmunityBio employees, others are tailored to specific job functions. You must know and comply with all internal policies and procedures that apply to you.

## Seeking Guidance

If you are unsure whether particular conduct is consistent with a ImmunityBio policy or procedure, you should consult your supervisor before engaging in the conduct.

## Approvals and Waivers

Any action (or inaction) prohibited by this Code may be specifically approved in advance, or specifically waived subsequently, by the Board of Directors or its designated committee. Except as otherwise provided in the Code, the Board of Directors or its designated committee must review and approve any matters requiring special permission under the Code for a member of the Board of Directors or an executive officer. Except as otherwise provided in the Code, the Chief Financial Officer or appropriate Compliance Department personnel must review and approve any matters requiring special permission under the Code for any other employee, agent, or contractor.

Any approval or any waiver of any provision of this Code for a member of the Board of Directors or an executive officer must be approved in writing by the Board of Directors or its designated committee and promptly disclosed, along with the reasons for the waiver, to the extent required by law or regulation. Any approval or any waiver of any provision of this Code with respect to any other employee, agent, or contractor must be approved in writing by the Chief Financial Officer or appropriate Compliance Department personnel. Copies of approvals and waivers will be retained by ImmunityBio.

## Reporting Violations

You must immediately report any violations or potential violations of this Code, a law or regulation, or an ImmunityBio policy or procedure to your supervisor. You may report violations or potential violations by using the Company's reporting hotline by calling 1-833-765-8563, online at [immunitybioinc.ethicspoint.com](http://immunitybioinc.ethicspoint.com), or on a mobile intake site at [immunitybiomobile.ethicspoint.com](http://immunitybiomobile.ethicspoint.com). You must also cooperate with any investigations of wrongdoing.

You will not be disciplined or retaliated against for making a good faith report of a violation or potential violation, unless it is your own.