



Whistleblower policy

NTAW Holdings Limited
ACN 095 843 020

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1. Introduction

1.1 NTAW Holdings Limited ACN 095 843 020 (**Company**) has adopted this whistleblower policy (**Policy**) to demonstrate its commitment to the highest standard of conduct and ethical behaviour in its business activities and to promoting and supporting a culture of corporate compliance and honest and ethical behaviour.

1.2 The Company encourages the reporting of suspected illegal, fraudulent, corrupt or dishonest conduct and shall ensure that those who report may do so with confidence and without fear of intimidation, ramifications or adverse consequences.

1.3 The purpose of this Policy is to:

- (a) provide information about the operation of the Whistleblowing Legislation and obligations of the Company relating to same;
- (b) ensure that the Company maintains the highest standards of ethical behaviour and integrity;
- (c) encourage reporting of Disclosable Matters;
- (d) establish procedures for the management of Disclosable Matters; and
- (e) establish procedures to enable the Company to protect the identity of those who 'speak-up' about misconduct (also known as **whistleblowers**), as far as possible, and provide for the secure storage of information relating to the disclosure; and
- (f) establish procedures for protecting a whistleblower from reprisal.

1.4 This Policy should be read in conjunction with the Company's Code of Conduct.

1.5 A copy of this Policy is accessible to all officers and employees of the Company via the Company's website.

2. Interaction with Whistleblowing Legislation

2.1 The Company is committed to identifying and addressing wrongdoing as early as possible. In addition to the Company's commitment to provide a confidential and safe environment for whistleblowers to report matters of concern, there are specific provisions under Australian legislation which provide whistleblowers with legal rights in relation to certain types of disclosures.

2.2 For the Company, the relevant legislation is sections 1317AA to 1317AJ of the Corporations Act and sections 14ZZT to 14ZZE of the Taxation Administration Act (**Whistleblowing Legislation**).

2.3 The protections under the Whistleblowing Legislation only apply to certain types of disclosures, known as **Qualifying Disclosures**. To assist the Company's staff to understand when those statutory protections are available, additional information about the Whistleblowing Legislation is set out in the Annexure. This Policy identifies where there are specific requirements under the Whistleblowing Legislation for a report to be a Qualifying Disclosure.

2.4 This Policy contains a summary of parts of the Whistleblowing Legislation. Further detail can be found in the text of the Whistleblowing Legislation. The Whistleblowing Legislation will prevail to the extent of any inconsistency with this Policy.



3. Reporting conduct

Who can make a report of a Disclosable Matter?

- 3.1 It is important that the Company is aware of any information which allows it to appropriately manage risks to its employees, its customers, its property, its business and its reputation.
- 3.2 The following people are eligible to make reports under this Policy:
 - (a) an officer of the Company (which includes members of the Company's board of directors (**Board**) and the Company Secretary);
 - (b) an employee of the Company;
 - (c) an individual who supplies services or goods to the Company;
 - (d) an employee of a supplier of services or goods to the Company;
 - (e) an individual who is an associate of the Company (which includes directors and secretaries of both the Company and any related bodies corporate);
 - (f) a spouse, child or other relative of an individual listed above;
 - (g) a dependant of any individual listed above or of their spouse; or
 - (h) someone who was formerly any of the above (e.g. a former employee of the Company).
- 3.3 Under the Whistleblowing Legislation, the persons listed above are all **eligible whistleblowers** (including in relation to Tax Disclosures as described in section 3.5).
- 3.4 The Company expects all employees and officers to report any Disclosable Matter. Failure to report such conduct may result in disciplinary action.

What is a Disclosable Matter?

- 3.5 If you have reasonable grounds to suspect that you have information concerning:
 - (a) misconduct (which includes fraud, negligence, default, breach of trust and breach of duty) or an improper state of affairs (which includes a systematic issue that the relevant regulator should know about to properly perform its functions) in relation to the Company or any related body corporate of the Company; or
 - (b) misconduct, or an improper state of affairs or circumstances, in relation to the tax affairs of the Company or an associate of the Company (**Tax Disclosures**),
- then this is a **Disclosable Matter** for the purposes of this Policy and the Whistleblowing Legislation.
- 3.6 In relation to Tax Disclosures, the whistleblower must consider if the information they possess may assist the eligible recipient to perform functions or duties in relation to the tax affairs of the Company or an associate of the Company.



3.7 Disclosable matters also involve information about the Company, if the discloser has reasonable grounds to suspect that the information indicates that the Company (including their employees or officers) have engaged in conduct that:

- (a) constitutes an offence against, or a contravention of, a provision of any of the following:
 - (i) the *Corporations Act*;
 - (ii) the *Australian Securities and Investments Commission Act 2001*;
 - (iii) the *Banking Act 1959*;
 - (iv) the *Financial Sector (Collection of Data) Act 2001*;
 - (v) the *Insurance Act 1973*;
 - (vi) the *Life Insurance Act 1995*;
 - (vii) the *National Consumer Credit Protection Act 2009*;
 - (viii) the *Superannuation Industry (Supervision) Act 1993*;
 - (ix) an instrument made under an Act referred to above;
- (b) constitutes an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more;
- (c) represents a danger to the public or the financial system; or
- (d) is prescribed by regulation.

3.8 Disclosures that are not about a Disclosable Matter are not dealt with under this Policy or the Whistleblowing Legislation.

3.9 Examples of a Disclosable Matter under this Policy may include:

- (a) dishonest, corrupt, fraudulent or unlawful conduct or practices, including bribery;
- (b) financial irregularities;
- (c) unfair, dishonest or unethical dealings with a customer or third party;
- (d) unethical or serious improper conduct including breaches of any legal or regulatory obligations, breaches of the Company's internal policies (such as the Company's anti-bribery and corruption policy) and engaging in misleading or deceptive conduct especially in relation to accounting or financial reporting practices;
- (e) any other kind of serious impropriety; or
- (f) any other conduct or act that may cause loss to the Company or which may otherwise be detrimental to the Company's interests including unsafe work practices or abuse of the Company's property or resources.

3.10 A whistleblower is encouraged to reveal, at the outset, any personal interest or involvement they may have in the matter. A failure to disclose any personal interests will not prevent the reported disclosure being investigated pursuant to this Policy.



What matters should not be reported under this Policy?

3.11 Personal work-related grievances should not be reported under this Policy and are not protected under the Whistleblowing Legislation, except to the extent that the personal work-related grievance involves a Disclosable Matter under the Whistleblowing Legislation.

3.12 Some examples of matters which **should not** be reported under this Policy include:

- (a) a staff member's dissatisfaction with their pay (unless the staff member's grievance relates to discriminatory conduct); and
- (b) a staff member's failure to receive a promotion on grounds unrelated to discriminating conduct.

3.13 A personal work-related grievance may be protected under other legislation, such as the *Fair Work Act 2009* (Cth). An employee may report a personal work-related grievance in accordance with NTAW policies.

How to report a Disclosable Matter

3.14 Reports of known or suspected Disclosable Matters can be made confidentially and anonymously at any time (whether during or outside office hours) to the Whistleblower Protection Officer (the Group HR Manager) at PetaW@ntaw.com.au. The Whistleblower Protection Officer is a person authorised by the Company to take disclosures.

3.15 Under the Whistleblowing Legislation whistleblowers may also report such information to the following additional **eligible recipients**:

- (a) an officer of the Company and related bodies corporate, including:
 - (i) senior executives of the Company and the Board;
 - (ii) Group Chief Executive Officer;
 - (iii) Group Chief Financial Officer; or
 - (iv) Company Secretary;
- (b) an auditor, or a member of an audit team conducting an audit of the Company or any related body corporate of the Company;
- (c) an actuary of the Company or any related body corporate of the Company;
- (d) any person authorised by the Company to take disclosures (the Whistleblower Protection Officer); or
- (e) a senior manager of the Company or any related body corporate of the Company (noting that senior managers are generally those people who make, or participate in making of, significant business decisions of the Company).

3.16 Disclosures made to a legal practitioner for the purposes of obtaining legal advice or legal representation about the operation of the Whistleblowing Legislation are protected, even where the legal practitioner has concluded that a disclosure does not relate to a Disclosable Matter under the Whistleblowing Legislation.

Commented [GL1]: We suggest listing 2 or 3 people within the organisation who whistleblower disclosures may be made to. This may include for example the CFO, COO, or other similar roles. These recipients should be aware of the requirements and obligations relating to whistleblower disclosures, and understand what steps to take if a complaint is received.



3.17 Where the information to be reported is a Tax Disclosure, whistleblowers are encouraged to make the disclosure to the Whistleblower Protection Officer.

3.18 Additionally, the Whistleblowing Legislation allows whistleblowers to make Tax Disclosures to the following **eligible recipients**:

- (a) the Tax Practitioners Board;
- (b) a registered tax agent or Business Activity Statement (**BAS**) agent who provides tax agent services or BAS services to the Company;
- (c) a senior manager of the Company as described above in section 3.15(e);
- (d) any other employee or officer (within the meaning of the Corporations Act) of the Company who has functions or duties that relate to the tax affairs of the Company.

3.19 Under the Whistleblowing Legislation, whistleblowers may also report Disclosable Matters to:

- (a) the Australian Securities and Investments Commissions (**ASIC**);
- (b) the Australian Prudential Regulation Authority (**APRA**);
- (c) in relation to Tax Disclosures, the Commissioner of Taxation (**ATO**); or
- (d) any other prescribed Commonwealth authority or regulator.

3.20 However, if a whistleblowing report is made to one of these regulators, the Company will not automatically become aware of that report and therefore may not be able to respond to it in accordance with this Policy.

Disclosures outside of the Company

3.21 You must not report a Disclosable Matter to a member of parliament or a journalist unless it is a public interest disclosure or an emergency disclosure. Further information about Public Interest disclosures and emergency disclosures can be found in the Annexure.

3.22 Making reports to a member of parliament or a journalist will not obtain the protection of the Whistleblowing Legislation or any other protections provided by this Policy unless it is a public interest disclosure or emergency disclosure.

3.23 Unless a public interest disclosure or an emergency disclosure is being made, speaking to a journalist or a member of parliament about confidential information in relation to the Company without authorisation is not permitted and may be a disciplinary offence.

The content of a report

3.24 Disclosures are most useful when they include key information that offers actionable insight. Disclosures should include as much of the following information as possible if known by the person reporting the misconduct:

- (a) **What occurred** – Describe the act that is suspected or has been witnessed. It is useful to also describe what should have happened, so the report taker is clear about the nature of misconduct being described. Report what occurred, the sequence of events leading up to witnessing the act, steps observed, and any actions taken to confirm suspicions or observations.



- (b) **How the misconduct was executed** – Describe any factors that may have enabled the misconduct or contributed to misconduct going undetected, being concealed or being previously unidentified.
- (c) **Where it occurred** – Describe the physical location/address that the misconduct occurred, the work location of those perpetrating misconduct, or the location where the misconduct was observed.
- (d) **When the misconduct occurred** – Include key dates of actions suspected or observed relating to the misconduct being disclosed. If a series of events occurred, offer these in chronological order if possible.
- (e) **Who was involved** – Offer names and job titles of those associated with the misconduct if known or information that may help identify those that may have been associated with the misconduct. Also offer names of others that may have witnessed or played a role in the acts being reported.

No time limit on reports

- 3.25 There is no time limit associated with making whistleblowing reports. However, the sooner misconduct is reported, the more likely it is that reliable evidence will be able to be gathered as part of any investigation and the Company can address the matter.
- 3.26 There may be limitations regarding legal action that can be taken in response to proven allegations but this should not deter whistleblowers from making a disclosure about misconduct they have reasonable grounds to believe occurred. All disclosures can assist the Company to refresh risk management monitoring, training and controls.

Anonymous reports

- 3.27 Whistleblowers are able to make an anonymous report and they will still be entitled to the protections set out in this Policy and under the Whistleblowing Legislation if the other requirements for making the disclosure are complied with.
- 3.28 However, if the whistleblower's identity is not provided when making a whistleblowing report, this:
 - (a) may prevent the Company from re-contacting the whistleblower confidentially to clarify or confirm information supplied;
 - (b) may impact on the Company's ability to proceed with investigation (for example, if there are gaps in information supplied that cannot be clarified directly in confidence with a whistleblower);
 - (c) may prevent the Company from updating the whistleblower on the Company's efforts taken in response to their disclosure; and
 - (d) may affect the Company's ability to take steps to protect the whistleblower from detriment.



3.29 If a whistleblower wants to maintain complete anonymity when making a disclosure, we suggest the whistleblower submits their disclosure on an anonymous basis to the Whistleblower Protection Officer or an Eligible Person at the Company as follows:

- (a) submits their disclosure from a computer not connected to the Company's network;
- (b) if making the disclosure by phone, calls from an unlisted number;
- (c) if submitting an email, uses a private email address not one connected to the Company's network; and
- (d) refrains from telling others that they have filed a whistleblowing disclosure.

3.30 You may remain anonymous throughout the reporting and investigation process, including after it concludes. You can refuse to answer questions that you feel could reveal your identity at any time, including during follow-up conversations.

3.31 Even if a whistleblower does not make the report on an anonymous basis, the person receiving the report is not permitted to reveal the identity of the whistleblower, or information that is likely to lead to the identification of the whistleblower, except for in certain circumstances as set out in section 7 below.

4. Investigating a Disclosable Matter

4.1 If you report a Disclosable Matter under this Policy to an Eligible Person at the Company, you will be notified, as soon as practicable, that your report has been received and the following matters:

- (a) as far as lies in the Company's power, you will not be disadvantaged for making such a disclosure;
- (b) the protections afforded to a whistleblower;
- (c) you may choose to make a disclosure anonymously (for example, a whistleblower may adopt a pseudonym) and remain anonymous;
- (d) the information disclosed (but not the whistleblower's identity) may be disclosed to other persons if it is necessary for the purposes of investigating the disclosure; and
- (e) you must not discuss the matter with any unauthorised persons.

4.2 You should not attempt to investigate the Disclosable Matter yourself.

4.3 All reports made under this Policy will be reviewed, at the earliest opportunity, to determine whether it qualifies for protection as a Disclosable Matter and whether an investigation is required. Any findings will be managed promptly. The way a disclosure is managed depends on what it involves and will be dealt with on a case by case basis.

4.4 Where appropriate, the Company will provide feedback to the whistleblower about the progress of the investigation and/or the outcome, subject to confidentiality considerations of the individuals allegedly engaging in the Disclosable Matter. A discloser who wishes to remain anonymous should nevertheless attempt to maintain ongoing two-way communication with the Company, so the entity can ask follow-up questions or provide feedback.



4.5 In order to ensure that any investigations and actions undertaken are fair and unbiased, it may be necessary to:

- (a) obtain specialist, independent advice including trained investigation staff from either inside the Company or refer the matter confidentially to a third-party investigation firm, if deemed appropriate having regard to the nature of the Disclosable Matter;
- (b) appoint a person to assist in the investigation of a matter the subject of a report; or
- (c) refer the matter to the police or law enforcement where disclosures refer to criminal behaviour.

4.6 In the conduct of an investigation, the Company may proceed as follows:

- (a) speak to anyone who may be affected or involved in the disclosure so that they are provided with the opportunity to respond to the allegation(s);
- (b) consider these responses; and
- (c) speak to witnesses (where there is a dispute as to the facts surrounding the allegations).

4.7 In certain circumstances, where the Company decides it is appropriate to do so, it may also place any persons affected by the report or the whistleblower on paid leave during part or all of the investigation.

4.8 Any whistleblowers who reveal their identity may be asked to participate in subsequent confidential interview(s) in relation to the claims made in the disclosure including to clarify facts supplied in order to proceed with further investigation.

5. Fair treatment of employees that are the subject of a disclosure

5.1 The Company is committed to ensuring the fair treatment of employees and other persons engaged by the Company who are mentioned in reports of Disclosable Matters, or to whom such disclosures relate. Fair treatment of those persons implicated in a misconduct disclosure includes but is not limited to the following:

- (a) disclosures will be handled confidentially, when it is practical and appropriate in the circumstances;
- (b) the opportunity to be 'heard' on, and respond to the allegations as against them before any adverse findings are made against them; and
- (c) the opportunity to have their responses considered by the Company and, in appropriate circumstances, investigated.

5.2 During any investigation into a report of a Disclosable Matter, the Company extends support and protection to employees, officers and others engaged by the Company and implicated in the report until such investigation has concluded and claims have been proven or dismissed. Any suspected adverse or detrimental treatment in this regard should be reported to the Whistleblower Protection Officer so that these matters may be addressed.

5.3 The Company will endeavour to respond promptly to any complaints raised by parties who are the subject of a disclosure where such party has concerns about unfair treatment in the context of assessment of, and investigation into the Disclosable Matter.



6. Proven misconduct

- 6.1 The Company reserves the right to institute performance management or take other disciplinary action, including termination of employment or engagement, in relation to those found to have committed corporate misconduct.
- 6.2 The Company also reserves the right to refer matters to law enforcement or regulatory bodies at any time should the misconduct in the Company's reasonable opinion warrant such a referral.

7. Protection of whistleblowers

Support of whistleblowers

- 7.1 The Company firmly believes that those who reasonably suspect or witness misconduct should be able to report their suspicions with the confidence that they will be supported, and not punished or discriminated against for making a disclosure.
- 7.2 Whistleblowers are encouraged to raise any concerns arising out of a disclosure (or anticipated disclosure) or any subsequent investigation process with the Whistleblower Protection Officer.

Protecting confidentiality

- 7.3 The Company is committed to protecting and respecting the confidentiality of a person who reports a Disclosable Matter.
- 7.4 You may choose to make a report on an anonymous basis, however, as noted in section 3.28, there are a number of advantages in connection with the investigation process if you disclose your identity.
- 7.5 If you do disclose your identity and you are an eligible whistleblower who is making a disclosure protected by the Whistleblowing Legislation to an eligible recipient, the eligible recipient has an obligation to keep your identity confidential. This includes keeping information which could lead to the disclosure of your identity confidential, including by redacting your personal information, referring to you in a gender-neutral context, and ensuring the handling and investigating of the disclosure by trained staff.
- 7.6 The Company has procedures in place to ensure secure record-keeping and information-sharing relating to Disclosable Matters under this Policy, including:
 - (a) secure storage of paper and electronic documents relating to disclosures;
 - (b) limiting access to those directly involved in managing and investigating the disclosure;
 - (c) communications and documents relating to the investigation of a disclosure will not be sent to an email address or to a printer that can be accessed by other employees of the Company; and
 - (d) each person who is involved in handling and investigating a disclosure will be reminded of the confidentiality requirements and undertake training, as set out below.
- 7.7 The Company has the legal right to share a whistleblower's identity if reasonably necessary to refer an incident to authorities (such as ASIC, APRA, and the Australian Federal Police or other prescribed body) who may wish to pursue the matter.



7.8 Under the Whistleblowing Legislation, it is also permissible to:

- (a) disclose information regarding the suspected or actual wrongdoing disclosed without revealing the whistleblower's identity or information that is likely to lead to the identification of the whistleblower;
- (b) disclose information other than the whistleblower's identity if it is reasonably necessary for the purposes of the investigation and all reasonable steps are taken to reduce the risk that the whistleblower will be identified;
- (c) disclose the identity of a whistleblower, or information likely to lead to his or her identification to a legal practitioner for the purposes of obtaining legal advice or representation in relation to the disclosure; or
- (d) disclose the identity of a whistleblower where such disclosure is made with the consent of the whistleblower.

7.9 In order to allow for the appropriate investigation of the matter, and to provide support to the whistleblower, the recipient of your disclosure may ask you to consent to the disclosure of your identity to specific individuals, such as:

- (a) the Whistleblower Protection Officer; and
- (b) any other persons reasonably necessary for the purposes of investigating matters the subject of your disclosure. This will be limited to a restricted number of people.

7.10 If you are the recipient of a report from a whistleblower relating to a Disclosable Matter you must not reveal the identity, or information that is likely to lead to identification, of the whistleblower without the written consent of the whistleblower or without the express permission from the Whistleblower Protection Officer to make the disclosure. Such action may constitute a criminal offence.

7.11 Whistleblowers can be assured that any information released in breach of this Policy will be treated seriously and may result in disciplinary action, potentially including dismissal. A breach of this Policy may in certain circumstances also result in criminal sanctions.

Other protections

7.12 The Company is committed to protecting and respecting the rights of a person who reports a Disclosable Matter. The Company will not tolerate any detriment caused, or threatened to be caused against any person who has made or who is believed to have made a report regarding a Disclosable Matter.

7.13 Any victimisation, retaliation or detriment caused or threatened to be caused in reprisal for a report of a Disclosable Matter being made under this Policy will be treated as misconduct and may result in disciplinary action, which may include dismissal (or termination of engagement).

7.14 If you experience or discover any such detrimental conduct, or potential conduct, you should report it immediately to the Whistleblower Protection Officer or an Eligible Person at the Company.

Potential fines

7.15 In addition to potential disciplinary action, significant penalties may apply to persons who fail to maintain whistleblower protections under Whistleblowing Legislation.



7.16 Such fines and associated liability will remain the responsibility of the employee and will not be paid by the Company.

8. Criminal or civil liability

8.1 The whistleblower is not protected from civil or criminal liability for any of his or her conduct which may be revealed by the report. However, if a whistleblower reports such conduct and actively cooperates in an investigation in which they may be implicated, there may be some cases where the fact they have made a report will be taken into account as a mitigating factor when determining actions which may be taken against them.

9. False reports

9.1 Whistleblowers must have reasonable grounds for the claims made in their disclosures.

9.2 Where it is shown that a person making a report has made malicious, false or vexatious allegations of improper conduct, then the making of that report will be considered a serious matter and may render the person concerned subject to disciplinary proceedings which may include demotion, suspension or termination of employment. However no action will be taken against an employee who makes a report, based on reasonable grounds to suspect misconduct or an improper state of affairs, which is not substantiated in a subsequent investigation.

10. Training

Employee whistleblowing training

10.1 The Company will conduct regular training for employees on this Policy and their rights and obligations under it. This training will include, but is not limited to, information on the following:

- (a) the legislative whistleblowing regime and how this Policy interacts with statutory protections;
- (b) the kinds of matters that are disclosable under this Policy and the Whistleblowing Legislation;
- (c) the process of making a disclosure (including to whom a disclosure can be made);
- (d) the Company's investigation processes; and
- (e) support that the Company offers to whistleblowers and persons who are the subject of a disclosure.



Recipient whistleblowing training

10.2 The Company will conduct regular training for those persons who may receive whistleblowing reports. This training will include, but is not limited to, the following:

- (a) how to receive reports and obtain essential information;
- (b) how best to protect the anonymity of the discloser (if an anonymous disclosure has been made) and the confidential nature of the disclosure;
- (c) how to assist with, and where appropriate, conduct the investigation process; and
- (d) how to provide continued support to whistleblowers and persons who are the subject of a disclosure.

11. Approval and Review of Policy

- 11.1 This policy was approved by the Board on 28 November 2025.
- 11.2 The Board will review this Policy periodically to ensure that it is operating effectively. This Policy may be amended by resolution of the Board.

12. Questions

- 12.1 For questions about the operation of this Policy or its application in any particular situation, please contact the Group People and Culture Officer.



ANNEXURE

Additional information about the Whistleblowing Legislation

1. Whistleblowing Legislation

- 1.1 The protections under the Whistleblowing Legislation only apply to certain types of disclosures, known as Qualifying Disclosures. Although this Policy contains a summary of the relevant sections of those laws you should refer to the law itself for more information.
- 1.2 If a whistleblower makes a Qualifying Disclosure (the requirements for which are summarised below), they will be entitled to protections under the Whistleblowing Legislation.

2. Qualifying Disclosures

- 2.1 For a whistleblower to obtain the protections set out in the Whistleblowing Legislation, the whistleblower must:
 - (a) be an eligible whistleblower. A list of eligible whistleblowers for the Company is set out above in section 3.2 of the Policy);
 - (b) be reporting on a Disclosable Matter. A Disclosable Matter is one that relates to misconduct (including fraud, negligence, default, breach of trust or duty) or an improper state of affairs in relation to the Company or any related body corporate of the Company; and
 - (c) report that Disclosable Matter to an Eligible Recipient.
- 2.2 If a whistleblower meets these three criteria they have made a Qualifying Disclosure and are entitled to protections under the Whistleblowing Legislation.

3. Protections afforded to the Whistleblower

Legal immunity

- 3.1 Whistleblowers who make a Qualifying Disclosure will not be subject to any civil, criminal or administrative liability for making the disclosure. No contractual or other remedy may be enforced against them on the basis of their disclosure.
- 3.2 There is no immunity from any action in relation to misconduct that the whistleblower was involved in, but Qualifying Disclosures will be inadmissible in relation to any such proceedings.

Confidentiality and anonymity

- 3.3 Revealing the whistleblower's identity, or any information which is likely to lead to their identification, constitutes a criminal and civil offence.

Protection from detrimental conduct

- 3.4 Causing 'detriment', or threatening such conduct, to any person because it is believed that a disclosure has been made under this Policy, constitutes a criminal and civil offence.



3.5 Under the Whistleblowing Legislation, 'detriment' is defined to include, without limitation, any of the following:

- (a) dismissal;
- (b) injuring an employee in their employment (for example, not giving an employee legal entitlements such as pay or leave);
- (c) changing an employee's job to their disadvantage;
- (d) offering a potential employee different (and unfair) terms and conditions for the job, compared to other employees;
- (e) discriminating between employees to the disadvantage of a whistleblower;
- (f) harassment or intimidation of a person;
- (g) harm or injury to a person, including psychological harm;
- (h) not hiring someone because they have been a whistleblower;
- (i) damage to a person's property, reputation, business or financial position; or
- (j) any other damage to a person.

3.6 Reasonable management actions, such as performance reviews or protective relocations are not considered a detriment.

3.7 To the extent it is reasonable and practical to do so, we will monitor and manage the behaviour of any people who are involved in your report.

3.8 We will take all reasonable precautions to ensure that you (and your colleagues and relatives) are not harmed, injured, intimidated, harassed, bullied or victimised by any of our employees, officers, contractors, suppliers, consultants and directors.

3.9 We will consider any reasonable requests for additional protections that you may make or we consider necessary for your protection (for example, leave of absence during any investigation).

Compensation and other remedies

3.10 A whistleblower may seek compensation and other remedies through courts if they suffer loss, damage or injury because of a disclosure, or if the Company fails to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.

3.11 A Whistleblower may seek independent legal advice or contact regulatory bodies, such as ASIC, APRA or the ATO, if they believe they have suffered loss, damage or injury because they reported a Disclosable Matter.

4. Public interest and emergency disclosures

4.1 Under the Whistleblowing Legislation there are two categories of protected disclosures which will protect whistleblowers who report to a journalist or a member of parliament. Except for these protected disclosures, disclosures to journalists or parliamentarians are not permitted unless expressly authorised by the Whistleblower Protection Officer.



- 4.2 For both Public Interest and Emergency Disclosures, the extent of the information disclosed must be no greater than is necessary to appropriately inform the recipient of the relevant misconduct or substantial imminent danger.
- 4.3 A discloser should contact an independent legal adviser before making a public interest disclosure or an emergency disclosure.

Public interest disclosure

- 4.4 This category allows a whistleblower to make a disclosure to a journalist or parliamentarian if:
 - (a) the whistleblower has previously made a disclosure to ASIC, APRA or any other prescribed Commonwealth authority;
 - (b) at least 90 days have passed since the disclosure was made to ASIC, APRA or any other prescribed Commonwealth authority;
 - (c) the whistleblower does not have reasonable grounds to believe that action is being taken to address the matters to which the previous disclosure related;
 - (d) the whistleblower has reasonable grounds to believe that making a further disclosure of the information would be in the public interest; and
 - (e) following the end of the 90 day period, the whistleblower gives the body to which the previous disclosure was made a written notification that includes sufficient information to identify the previous disclosure and states that the whistleblower intends to make a public interest disclosure.

Emergency disclosure

- 4.5 This category allows a whistleblower to make a disclosure to a journalist or a parliamentarian if:
 - (a) the whistleblower has previously made a disclosure to ASIC, APRA or any other prescribed Commonwealth authority;
 - (b) the whistleblower has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment; and
 - (c) the whistleblower gives the body to which the previous disclosure was made a written notification that includes sufficient information to identify the previous disclosure and states that the whistleblower intends to make an emergency disclosure.
- 4.6 For both Public Interest and Emergency Disclosures, the extent of the information disclosed must be no greater than is necessary to appropriately inform the recipient of the relevant misconduct or substantial imminent danger.

5. Penalties

- 5.1 Under the Whistleblowing Legislation, a person may bring civil proceedings for a compensation order or pursue civil penalties even when a criminal prosecution has not been, or cannot be, pursued.

Commented [GL2]: We do not recommend that a penalty table be included as this will need to be regularly monitored for updates.

6. Key terms

6.1 In this policy:

Term	Meaning in this policy
APRA	Australian Prudential Regulation Authority.
ASIC	Australian Securities and Investments Commission.
ATO	Australian Taxation Office.
BAS	Business Activity Statement.
Corporations Act	<i>Corporations Act 2001</i> (Cth), including regulations made for the purposes of that Act.
Detriment	Has the meaning given in s1317ADA of the Corporations Act. Note: Also see s14ZZAA of the Taxation Administration Act.
Detrimental conduct	Conduct, or a threat to engage in conduct, that causes detriment to a discloser.
Disclosable matter	Information to which the whistleblower protections apply. Note: See RG 270.50–RG 270.57 and s1317AA of the Corporations Act.
Discloser	An individual who discloses wrongdoing or an eligible whistleblower disclosure.
Disclosure	A disclosure of information relating to wrongdoing or a disclosable matter.
Eligible recipient	An individual who can receive a disclosure. Note: See s1317AAC(1)–(2) of the Corporations Act. Also see s14ZZV of the Taxation Administration Act, which includes prescribed bodies.
Eligible whistleblower	An individual to whom the whistleblower protections apply. Note: See RG 270.43–RG 270.44 and s1317AAA of the Corporations Act. Also see s14ZZU of the Taxation Administration Act.



Emergency disclosure	<p>The disclosure of information to a journalist or parliamentarian, where the discloser has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment.</p> <p>Note: The disclosure must meet a number of other criteria to qualify. See RG 270.76 and s1317AAD(2) of the Corporations Act.</p>
Journalist	Has the meaning given in s1317AAD(3) of the Corporations Act.
Legal practitioner	Means a duly qualified legal practitioner and, in relation to a person, such a practitioner acting for the person.
Officer	Has the meaning given in s9 of the Corporations Act.
Parliamentarian	A member of the Commonwealth, state or territory.
Personal information	<p>Information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether:</p> <ul style="list-style-type: none">• true or not; and• recorded in a material form or not. <p>Note: See s6(1) of the <i>Privacy Act 1988</i> (Cth).</p>
Personal work-related grievance	<p>A disclosure that relates to the discloser's current or former employment, which has implications for the discloser personally, but does not:</p> <ul style="list-style-type: none">• have any other significant implications for the entity (or another entity); or• relate to conduct, or alleged conduct, about a disclosable matter. <p>Note: See s1317AADA(2) of the Corporations Act.</p>
Public interest disclosure	<p>The disclosure of information to a journalist or a parliamentarian, where the discloser has reasonable grounds to believe that making a further disclosure of the information is in the public interest. The disclosure must meet a number of other criteria to qualify.</p> <p>Note: See RG 270.75 and s1317AAD(1) of the Corporations Act.</p>



Related body corporate	<p>A body corporate that is a:</p> <ul style="list-style-type: none"> holding company of another body corporate; subsidiary of another body corporate; or subsidiary of a holding company of another body corporate. <p>Note: See s50 of the Corporations Act.</p>
Senior manager	<p>In relation to a corporation, a person (other than a director or secretary of the corporation) who:</p> <ul style="list-style-type: none"> makes or participates in making decisions that affect the whole, or a substantial part, of the business of the entity; or has the capacity to significantly affect the entity's financial standing. <p>They are generally a senior executive within the entity.</p> <p>Note: See s9 of the Corporations Act.</p>
Tax affairs	<p>Affairs relating to any tax imposed by or under, or assessed or collected under, a law administered by the Commissioner of Taxation.</p> <p>Note: See s14ZZT(4) of the Taxation Administration Act.</p>
Taxation Administration Act	<p><i>Taxation Administration Act 1953</i> (Cth), including regulations made for the purposes of that Act.</p>
Whistleblower	<p>A discloser who has made a disclosure that qualifies for protection under the Corporations Act.</p> <p>Note: See s1317AA, 1317AAA, 1317AAC, and 1317AAD of the Corporations Act. Also see s14ZZT, s14ZZY, s14ZZV of the Taxation Administration Act for a discloser that qualifies for protection under that Act.</p>
Whistleblower Protection Officer	<p>The role under an entity's whistleblower policy that is responsible for protecting or safeguarding disclosers and ensuring the integrity of the reporting mechanism.</p>
Whistleblowing Legislation	<p>Corporations Act and sections 14ZZT to 14ZZE of the Taxation Administration Act.</p>