

ABAC Whistleblower Policy

Approved by The ABAC Scheme Limited Management Committee on 28 September 2022.

This policy and any updates will be:

- published to the ABAC website; and
- included with all ABAC employee, contractor and officer training/induction manuals.

A. Introduction

The ABAC Scheme Limited (ABAC) is committed to the highest standards of conduct, ethical behaviour and sound corporate governance and does not tolerate improper conduct. These values and principles also mean that ABAC is committed to a culture of corporate compliance and ethical behaviour. This includes providing all eligible parties with the opportunity to report any actual or suspected wrongdoing or any other issue. The Whistleblowing Policy (the Policy) is an important tool to help ABAC identify wrongdoing that may not be uncovered unless there is a safe and secure means for disclosing wrongdoing.

B. Purpose

The purpose of the Policy is to:

- encourage and support the reporting of actual and suspected wrongdoing and misconduct;
- to help deter wrongdoing and misconduct;
- to ensure individuals who disclose wrongdoing can do so safely, securely and with confidence that they will be protected and supported;
- to ensure disclosures are dealt with appropriately and on a timely basis;
- to provide transparency around the entity's framework for receiving, handling and investigating disclosures;
- to support the entity's long-term sustainability and reputation; and
- to meet the entity's legal and regulatory obligations.

C. Application of this Policy

This policy relates to ABAC and applies to all current and former employees, directors (officers), contractors, consultants, business partners, and third parties (suppliers), associates and their employees as well as the relatives, spouses and dependents of those individuals. A person who speaks up to report wrongdoing or misconduct under this policy, that is a disclosable matter as described in Part D (Disclosable Matters), is known as an eligible whistleblower. An eligible whistleblower has legal rights under the Corporations Act and other legislation (tax laws). This policy does not override those rights.

Disclosures that are not Disclosable Matters do not qualify for protection under the Corporations Act, but may be protected under other legislation, such as the *Fair Work Act 2009*.

D. Disclosable Matters

You are encouraged to speak up if you have reasonable grounds to suspect any misconduct, or an improper state of affairs or circumstances involving ABAC, or its employees. This includes any breaches of the law, or anything else you feel may be impacting ABAC, its employees, customers, or stakeholders. Making a report under this policy may be protected, even if the disclosure turns out to be incorrect.

Disclosable Matters may include:

- Fraud, money laundering or misappropriation of funds;
- Dishonest conduct (including falsification of records);

- Bribery or corruption;
- Illegal conduct, such as theft, dealing in, or use of illicit drugs, violence or threatened violence and criminal damage against property;
- Financial irregularities;
- Failure to comply with, or breach of, legal or regulatory requirements;
- Conduct that represents a danger to the public or the financial system;
- Breach of an internal policy (e.g. Code of Conduct or Conflicts of interest);
- Breaches of confidentiality and disclosure of confidential information;
- Engaging in or threatening to engage in detrimental conduct against a person who has made a disclosure or is believed or suspected to have made, or be planning to make, a disclosure; and
- Any other inappropriate behaviour, misconduct or improper state of affairs.

Personal work-related grievances do not qualify for protection under the *Corporations Act 2001* unless:

- Information about misconduct is accompanied by a personal work-related grievance;
- ABAC has breached employment or other laws punishable by imprisonment for a period of 12 months or more, engaged in conduct that represents a danger to the public, or the disclosure relates to information that suggests misconduct beyond the discloser's personal circumstances;
- The discloser suffers from or is threatened with detriment for making a disclosure; or
- The discloser seeks legal advice or representation about the operation of the whistleblower protections under the Corporations Act.

Personal work-related grievances include, but are not limited to, interpersonal conflicts between employees, work performance issues, or a decision relating to the engagement, transfer, or promotion of an employee. Personal work-related grievances should be advised to the ABAC Executive Officer or the Chair of the ABAC Management Committee.

E. How to Report a Disclosable Matter

We encourage you to speak up and report any actual or suspected issues of wrongdoing or misconduct. We are committed to fostering a safe speak up culture and we will protect you when you speak up. You can choose to provide your details or remain anonymous, and in all circumstances, we will treat your identity, and the information you provide, in the strictest of confidence. We will only share your name and the information you provide with your consent or if the law requires it.

ABAC would like to identify and address any wrongdoing as early as possible. We encourage you to disclose any suspected or actual wrongdoing or illegal activity to the ABAC Executive Officer in the first instance. If you do not wish to report to the Executive Officer, you may disclose to the ABAC External Auditor.

You can also make a disclosure direct to regulatory bodies, such as ASIC or other external parties about a Disclosable Matter and qualify for protection under the Corporations Act without making a prior disclosure to ABAC.

A disclosure can be made to a journalist or a parliamentarian and qualify for protection where at least 90 days have passed since the disclosure to ASIC or another Commonwealth body prescribed by regulation, you have no reasonable grounds to believe action is or has been taken in relation to the disclosure, you have reasonable grounds to believe that making a further disclosure of the information is in the public interest, and you have given written notice to ASIC or other of your intentions.

Disclosures to a legal practitioner for the purposes of obtaining legal advice or legal representation in relation to the operation of the whistleblower provisions in the Corporations Act are protected (even in the event that the legal practitioner concludes that a disclosure does not relate to a Disclosable Matter).

Primary Contact details:

ABAC Executive Officer (Jayne Taylor)
 Email jtaylor@abac.org.au
 Phone 0411 700 225
 Mail via PO Box 519, Stirling SA 5152

Secondary Contact details:

ABAC External Auditor (Fiona Gordon)
 Email FGordon@perks.com.au
 Phone 08 8273 9244
 Mail via 8/81 Flinders St, Adelaide SA 5000

F. Confidentiality & Anonymity

You can choose to remain anonymous, adopt a pseudonym or reveal your identity when speaking up about a Disclosable Matter and can refuse to answer questions you feel could reveal your identity. If you wish to remain anonymous, we encourage you to submit your report via ABAC's external auditor (Contact details in Part E).

If you submit a report via ABAC's external auditor, and choose to remain anonymous, you can elect to receive updates on your report, provide more information and check on the status of your report by supplying your email address. Should you supply your email address, it will not be accessible or visible to anyone from within ABAC. This enables you to communicate safely and securely with those who are responsible for reviewing or investigating your report whilst remaining anonymous.

G. How Reporters are Protected

The ABAC Scheme Limited is committed to protecting anyone that reports a Disclosable Matter via any of the avenues identified in Part E:

- **Protecting your identity**: it is illegal for us to share your identity, or information that is likely to lead to your identity being known, unless you give your consent, or it's allowed by law. All personal information will be redacted and the discloser will be referred to in a gender-neutral context. We will always ask for your consent before disclosing your identity or any of the information you provide to another party. Access to information will be limited to those directly involved in managing and investigating the disclosure. A complaint can be made about a breach of confidentiality through any of the avenues outlined in Part E;
- **Protection from detrimental acts or omissions**: ABAC will not engage in conduct that causes detriment or an express, implied, conditional or unconditional threat to cause detriment to you on the basis of a suspicion or belief that the person has or will report a Disclosable Matter. Examples of detrimental conduct include, dismissal of an employee, injury of an employee in his or her employment, harassment or intimidation and damage to a person's business. Actions that are not detrimental conduct could include, managing your unsatisfactory work performance if the action is in line with the entity's performance management framework or administrative action that is reasonable for the purpose of protecting you from detriment. Independent advice can be sought about potential detrimental acts or omissions through the avenues outlined in Part E;
- **Compensation and other remedies**: Compensation and other remedies can be sought through the courts if you suffer loss, damage, or injury because of a disclosure of a Disclosable Matter and ABAC failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct. In this case legal advice should be sought;
- **Civil, criminal and administrative liability protection**: You are protected from civil, criminal or administrative liability in relation to a disclosure of a Disclosable Matter. However, the protections do not grant immunity for any misconduct you engaged in that is revealed in your disclosure.
- **Ensuring Fairness**: we are committed to ensuring you are treated fairly and that you are not disadvantaged or discriminated against as a result of speaking up. We will assess your report and take all reasonable and appropriate actions to consider, investigate and resolve the issues raised. Each report will be treated on its own merits in terms of the appropriate action or response but in all circumstances, we are committed to ensuring fairness to all parties involved;
- **Providing Support**: we understand and acknowledge that speaking up can be difficult and we are committed to providing support to you, and any other impacted party, throughout the process. As part of that commitment, you will have access to ABAC's Executive Officer who is responsible for ensuring protections under this policy are enforced and maintained.

If you have any questions or concerns regarding the protections that apply to you, and the support being provided, you are encouraged to contact the ABAC Executive Officer via the contact details set out in Part E.

H. Report Handling & Investigation Process

Upon receipt of a report, ABAC's Executive Officer or external auditor will assess the report and obtain as much information as possible. All information will be documented and, if anonymity is requested will be de-identified and contained in a secure file to ensure confidentiality of your report and protect your identity. ABAC's Executive Officer or external auditor will take the time required to build rapport, display empathy, and elicit the appropriate amount of information from you. The more information you can provide during the reporting process the better, as this will enable ABAC to make an informed and considered assessment of the most appropriate response once the report is referred to us. You will be provided with access to your report.

Upon receipt of the report, ABAC will assign the report to the most appropriate person based on the issue being raised. In doing so, your report will be further assessed to determine if it qualifies as a protected disclosure. All protected disclosures are assessed by our Executive Officer.

Depending on the issue being raised, an investigation may be required. If an investigation is required, the ABAC Executive Officer will be responsible for overseeing or conducting the investigation and will be your point of contact for ensuring you are protected and supported throughout the process. In some cases, the ABAC Executive Officer may appoint an external investigator to undertake an investigation on our behalf. The duration of a formal investigation will depend on the circumstances including the number of allegations, witnesses, and other factors.

You can receive updates, provide more information and ask questions regarding your report and the investigation by contacting ABAC's Executive Officer or external auditor. The method for documenting and reporting findings will depend on the nature of the disclosure. There may be circumstances where it may not be appropriate to provide details of the outcome to you.

If you are not satisfied with the outcome of the investigation you may lodge a complaint with a Director of ABAC, who will review whether ABAC's policies, procedures and processes had been adhered to and will provide their findings to the Board of Directors. If you are still unsatisfied you may lodge a complaint with a regulator, such as ASIC.