

WHISTLEBLOWER POLICY

Owner	Legal
Approved by	Managing Director
Version	1.2
Approval date	18 October 2022
Document Sensitivity	Public

PURPOSE

The purposes of this policy are to help:

- reinforce ConnectEast's commitment to identifying and responding to concerns and fostering a culture of continuous improvement;
- detect and address unacceptable behaviour;
- provide employees, past employees, suppliers, contractors and family members of those persons with a supportive working environment in which they feel able to raise concerns about unacceptable behaviour including guidance on how to raise concerns and how those concerns will be investigated;
- encourage the reporting of suspected or actual wrongdoing; and
- protect people who report unacceptable behaviour on reasonable grounds and reassure anyone who raises a concern that they can do so without fear of retaliation, even if they turn out to be mistaken.

SCOPE

- This policy applies to ConnectEast directors and employees, including past employees;
- ConnectEast contractors and suppliers and their employees;
- Family members of any of the above; and
- anyone falling into the definition of 'Eligible Whistleblower' under this policy.

This policy is available on Policies and Procedures page on the ConnectEast intranet and on the ConnectEast public website.

CONTENTS

1.	CONNECTEAST'S COMMITMENT	3
2.	REPORTING UNACCEPTABLE BEHAVIOUR	3
2.1	APPLICATION	3
2.2	EMPLOYEE REPORTS	3
2.3	MAKING A PROTECTED DISCLOSURE UNDER THIS POLICY	3
2.4	OBLIGATIONS OF A WHISTLEBLOWER	3
2.5	ANONYMITY	3
3.	WHISTLEBLOWER	3
3.1	WHISTLEBLOWER	3
3.2	ELIGIBLE WHISTLEBLOWER	3
4.	DISCLOSURES	4
4.1	PROTECTED DISCLOSURES	4
4.2	OTHER DISCLOSURES	4
5.	WHO YOU CAN DISCLOSE TO	5
5.1	PROTECTED DISCLOSURE OFFICERS	5
5.2	CONTACTING PROTECTED DISCLOSURE OFFICERS	6
5.3	EXTERNAL CONTACTS FOR DISCLOSURES	6
6.	HANDLING PROTECTED DISCLOSURES	6
6.1	ACKNOWLEDGEMENT	6
6.2	CONFIDENTIALITY	7
6.3	INVESTIGATION	7
6.4	PROTECTION FOR WHISTLEBLOWERS	7
6.5	PROTECTION FOR PERSONS SUBJECT TO A PROTECTED DISCLOSURE	7
6.6	LEGAL PROTECTIONS UNDER THE CORPORATIONS ACT	7
6.7	REPORTS TO BOARD	8
7.	TRAINING	8

1. CONNECTEAST'S COMMITMENT

ConnectEast is committed to fostering a culture of corporate compliance, ethical behaviour and good corporate governance and in which a whistleblower can raise concerns about unacceptable conduct on reasonable grounds without fear of reprisal.

2. REPORTING UNACCEPTABLE BEHAVIOUR

2.1 APPLICATION

This policy applies to a person falling within the definition of whistleblower below.

2.2 EMPLOYEE REPORTS

It is expected that employees will report unacceptable behaviour. A failure to do so could result in disciplinary action.

It is expected that most concerns may be discussed with the employee's immediate supervisor or manager or another senior supervisor in his or her department.

2.3 MAKING A PROTECTED DISCLOSURE UNDER THIS POLICY

If a person does not feel comfortable discussing a concern about unacceptable behaviour through standard communications channels and the concern is a Protected Disclosure, he or she may report the Protected Disclosure to one of ConnectEast's Protected Disclosure Officers.

2.4 OBLIGATIONS OF A WHISTLEBLOWER

A person who makes a Protected Disclosure must have reasonable grounds for believing that the information disclosed represents unacceptable behaviour. Unsubstantiated and unreasonable allegations will be viewed seriously and could result in disciplinary action.

2.5 ANONYMITY

The policy also sets out how a person may report a concern anonymously and/or confidentially, securely and outside of business hours. Anonymous Protected Disclosures are protected under the Corporations Act.

3. WHISTLEBLOWER

3.1 WHISTLEBLOWER

A whistleblower is a person who reports unacceptable behaviour to people or authorities that have the power or perceived willingness to take corrective action.

3.2 ELIGIBLE WHISTLEBLOWER

A whistleblower is an 'Eligible Whistleblower' and protected under this policy and the Corporations Act if they are one or more of the following:

- (a) current or former ConnectEast director, officer or employee, including permanent, part-time, fixed term or temporary staff, contractor, intern, or secondees;
- (b) current or former ConnectEast contractor or supplier of goods or services (whether paid or unpaid) including their employees;
- (c) representative of a related body corporate (including a director or officer of the related body corporate) of ConnectEast;
- (d) family member (including relatives or dependants) of any of the above.

4. DISCLOSURES

4.1 PROTECTED DISCLOSURES

A Protected Disclosure is a report or disclosure made by an Eligible Whistleblower who has reasonable grounds to suspect or have concerns regarding misconduct or an improper state of affairs or circumstances in relation to ConnectEast or its related bodies corporate.

This means that you have a reasonable concern about actual or suspected misconduct within or by ConnectEast or its related entities, or anyone at or connected with ConnectEast and its related entities. Examples of what might constitute misconduct include conduct that:

- (a) is illegal, such as theft, drug sale or use, violence, harassment or intimidation, or criminal damage to property;
- (b) is unethical, such as dishonestly altering company records or data, adopting questionable accounting practices or wilfully breaching ConnectEast's Code of Conduct;
- (c) is a breach of ConnectEast's modern slavery policy, modern slavery legislation, or other legislation or rules;
- (d) is potentially damaging to ConnectEast or members of the public, such as unsafe work practices or unethical practices; or
- (e) involves an attempt to conceal unacceptable behaviour.

4.2 OTHER DISCLOSURES

Disclosures about misconduct that do not qualify as 'Protected Disclosures' can still be made to Protected Disclosure Officers. Even though the disclosure may not qualify for protection under the Corporations Act, it will still be treated confidentially and consistently with the processes in this policy wherever possible.

Personal work related grievances are not Protected Disclosures and are not covered under this policy. If you have a personal work related grievance, it should be reported to your manager or to the HR & Safety Manager.

Personal work related grievances are grievances that relate to a whistleblower's current or former employment that have (or tend to have) implications for the whistleblower personally but not have broader implications for ConnectEast or relate to a Protected Disclosure. Examples of personal work related grievances include:

- an interpersonal conflict between the whistleblower and another staff member;
- a decision that does not involve a breach of workplace laws;
- a decision about the engagement, transfer or promotion of the whistleblower;
- a decision about the terms and conditions of engagement of the whistleblower; or
- a decision to suspend or terminate the engagement of the whistleblower, or otherwise to discipline the whistleblower.

5. WHO YOU CAN DISCLOSE TO

5.1 PROTECTED DISCLOSURE OFFICERS

The following people are ConnectEast's Protected Disclosure Officers and able to receive Protected Disclosures and other disclosures:

- the HR & Safety Manager;
- the General Counsel;
- the Chief Financial Officer;
- the Chief Executive Officer;
- the Chairman of the Board's Audit, Risk & Compliance Committee;
- the Chairman of the Board; and
- a representative of ConnectEast's external auditors.

Appropriate contact details for the Protected Disclosure Officers are available on the Human Resources page of ConnectEast's intranet portal.

An Eligible Whistleblower making a Protected Disclosure under this policy should generally make the Protected Disclosure to a Protected Disclosure Officer who is more senior than the person who is the subject of the Protected Disclosure. The following table provides a guide but is not compulsory.

Subject of Protected Disclosure	Protected Disclosure Officer
Employee or manager	HR & Safety Manager General Counsel Chief Financial Officer Chief Executive Officer
Direct executive report to CEO	General Counsel Chief Executive Officer Chairman of the Board's Audit, Risk & Compliance Committee Chairman of the Board External auditor
CEO	General Counsel Chief Financial Officer Chairman of the Board's Audit, Risk & Compliance Committee Chairman of the Board External auditor
Director	General Counsel Chief Executive Officer

Subject of Protected Disclosure	Protected Disclosure Officer
	Chairman of the Board's Audit, Risk & Compliance Committee Chairman of the Board External auditor
Chairman of the Board's Audit, Risk & Compliance Committee	General Counsel Chief Executive Officer Chairman of the Board External auditor
Chairman of the Board	General Counsel Chief Executive Officer Chairman of the Board's Audit, Risk & Compliance Committee External auditor

5.2 CONTACTING PROTECTED DISCLOSURE OFFICERS

Employees may contact the above individuals by email, phone or in person.

A person who is not an employee may telephone EastLink on 03 9955 1400 and ask to speak to one of the Protected Disclosure Officers listed above.

5.3 EXTERNAL CONTACTS FOR DISCLOSURES

An Eligible Whistleblower may also make a Protected Disclosure (and rely on the protections under the Corporations Act) to:

- (a) a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to the operation of the whistleblower provisions in the Corporations Act;
- (b) ASIC, APRA or another Commonwealth body prescribed by regulation; or
- (c) a journalist or parliamentarian regarding an emergency or public interest.

A whistleblower should contact an independent legal adviser before making an emergency or public interest disclosure.

6. HANDLING PROTECTED DISCLOSURES

6.1 ACKNOWLEDGEMENT

A Protected Disclosure Officer will acknowledge receipt of a Protected Disclosure, except where it has been made anonymously.

6.2 CONFIDENTIALITY

Protected Disclosures about unacceptable behaviour are treated confidentially, and the Eligible Whistleblower may choose to remain anonymous while making a Protected Disclosure, over the course of the investigation and after the investigation is finalised. An Eligible Whistleblower can refuse to answer questions that they feel could reveal their identity at any time, including during follow-up conversations.

6.3 INVESTIGATION

- a) All Protected Disclosures will be investigated on a timely, objective and fair basis. Corrective action will also be taken on a timely basis where warranted by the investigation.
- b) The whistleblower will be kept appropriately informed of the progress and outcome of the investigation and any corrective actions taken. The extent to which the whistleblower can be kept informed will vary according to the circumstances of each case, including privacy requirements and whether the Protected Disclosure was made anonymously.

6.4 PROTECTION FOR WHISTLEBLOWERS

- a) ConnectEast will ensure that reasonable measures are taken to protect whistleblowers from reprisals as a result of making a Protected Disclosure under this policy, even if the disclosure is found to be incorrect or unsubstantiated. It is unacceptable for a whistleblower to be dismissed, demoted, suspended, threatened, harassed or in any other way discriminated against as a result of the whistleblower having made a Protected Disclosure under this policy.
- b) ConnectEast will ensure that reasonable measures are taken to protect from reprisals any employees who are requested to participate in investigation of a Protected Disclosure.
- c) Any employee who retaliates against a whistleblower or against an employee who participates in an investigation of a Protected Disclosure will be subject to disciplinary action.

6.5 PROTECTION FOR PERSONS SUBJECT TO A PROTECTED DISCLOSURE

A person who is the subject of a Protected Disclosure that is being investigated will:

- a) be given a reasonable opportunity to respond to the investigation; and
- b) be informed of the substance of any adverse findings arising out of the investigation.

6.6 LEGAL PROTECTIONS UNDER THE CORPORATIONS ACT

Without limiting the terms of this policy, ConnectEast is committed to compliance with the provisions for protection of Eligible Whistleblowers under the Corporations Act and this policy endorses those protections.

The Corporations Act provides a broad and robust protection regime in relation to Protected Disclosures made by Eligible Whistleblowers, including that:

- a) Eligible Whistleblowers have a right to make anonymous disclosures and to have their identity protected. ConnectEast has a legal obligation to protect the confidentiality of an Eligible Whistleblower and cannot disclose the identity of an Eligible Whistleblower or information that is likely to lead to the identification of the Eligible Whistleblower. Disclosure of an Eligible Whistleblower's identity without consent can result in fines of up to \$1,050,000 for an individual and \$10,500,000 for a company;
- b) Eligible Whistleblowers are protected from conduct that causes detriment to them, such as dismissal, alteration of their job position to their disadvantage, discrimination against them or harassment or intimidation;

- c) Eligible Whistleblowers may seek compensation and other remedies through legal means if they suffer loss, damage or injury because of a Protected Disclosure and ConnectEast has failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct; and
- d) Eligible Whistleblowers are not subject to any civil, criminal or administrative liability for making the disclosure.

Additional legislative protections and remedies may also be available.

These protections apply to Protected Disclosures made to Protected Disclosure Officers as well as external disclosures outlined in section 3.3(d) above.

6.7 REPORTS TO BOARD

A summary of Protected Disclosures received will be provided to the Board or its nominated committee on at least an annual basis. Confidentiality and anonymity requirements will be maintained.

7. TRAINING

This policy will be included in the induction program for new employees and ongoing training will be provided throughout the course of employment as part of ConnectEast's suite of governance training.