



WHISTLEBLOWER POLICY

Purpose

The purpose of this policy is to encourage reporting of misconduct that is of legitimate concern and to

1.3 Improper Conduct

For the purpose of this policy, improper conduct is defined as:

- corrupt or unethical conduct.
- fraudulent, dishonest, negligent and illegal activity.
- bribery or breach of any of the Manufacturing Alliance policies.
- a substantial mismanagement or loss of the Manufacturing Alliance's resources.
- conduct involving substantial risk to public or employee health or safety including harassment, bullying or discrimination; or
- conduct involving substantial risk to the environment.

that would, if proven, constitute by the Manufacturing Alliance or its personnel:

- a criminal offence.
- reasonable grounds for dismissing or dispensing with, or otherwise terminating, the services of the Manufacturing Alliance personnel who was, or is, engaged in that conduct; or
- reasonable grounds for disciplinary action.

and, for the avoidance of doubt, includes all conduct of the kind described in section 1317AA(5)(c), (d) and (e) of the *Corporations Act 2001* (Cth).

1.4 Protected Disclosure

For the purpose of this policy, protected disclosure is defined as:

"Any communication based on reasonable grounds that discloses or demonstrates an intention to disclose information that may evidence an improper conduct."

Not all matters qualify for protection under this policy and some matters could be protected under other legislation such as the *Fair Work Act 2009*. Protection is afforded to an Eligible Whistleblower who reports a Disclosable Matter which is made:

- directly to an Eligible Recipient or to the Australian Securities and Investments Commission (ASIC), the Australian Prudential Regulation Authority (APRA) or another Commonwealth body prescribed in the *Corporations Act 2001* (Cth).
- to a legal practitioner for the purposes of obtaining legal advice or legal representation about the operation of the whistleblower provisions in the *Corporations Act 2001* (Cth); or

This policy requires that all The Manufacturing Alliance personnel:

- (a) refrain from any activity that is, or could be perceived to be, victimisation or harassment of a person who makes a protected disclosure; and
- (b) take all reasonable steps to attempt to maintain the confidentiality of a person they know or suspect to have made a disclosure.

1.6 Confidentiality

The Manufacturing Alliance's may only disclose the identity of a Whistleblower:

- (a) to ASIC, APRA or a member of the Australian Federal Police (AFP);
- (b) to a legal practitioner (for the purposes of obtaining legal advice in relation to the whistleblower provisions in the *Corporations Act 2001* (Cth)); or
- (c) with the consent of the Whistleblower.

What happens to the Whistleblower?

The Manufacturing Alliance acknowledges that there may be substantial personal costs to a person who makes serious disclosures outside the normal lines of management. The Manufacturing Alliance is committed to minimising those costs for the benefit of the Manufacturing Alliance as a whole. The Manufacturing Alliance forbids any member of staff from acting in a way which penalises any person who has made protected disclosures within the scope of this policy. This includes any reprimand, reprisal, change in work duties, change in employment amenities, change in reporting requirements, damage to career prospects or reputation, threats to do any of these or deliberate omissions which have the effect of damaging the person.

A person who makes material protected disclosures within the scope of this policy is entitled to request that the Manufacturing Alliance:

- (a) grants the person paid leave of absence during the investigation;
- (b) relocates the person to a position of equivalent pay and seniority at a different location or in a different department; and
- (c) provides independent professional counselling to the person for the distress caused by the matters which led to the protected disclosures.

The Manufacturing Alliance will grant such requests wherever it is reasonably practicable to do so. The Manufacturing Alliance will also take any steps reasonably requested by the person to ensure that the person is not the subject of victimisation or reprisals as a result of making a protected disclosure.

While the Manufacturing Alliance will do all it reasonably can to protect Whistleblowers from the consequences of making a disclosure, including protecting them from victimisation or harassment, that protection is not absolute. Whistleblowers are not otherwise protected from the consequences of their own conduct, whether that comes to light as a consequence of an investigation arising from their disclosure (see *Whistleblowers implicated in improper conduct*, below) or it is conduct unrelated to their disclosure. Ordinary conduct standards and disciplinary procedures still apply in relation to Whistleblowers' employment.

Protecting the identity of a Whistleblower

One of the key ways to protect someone making protected disclosures from reprisals or victimisation is to keep their identity confidential. Eligible Recipients, any other person to whom a protected disclosure was reported, and the WIO are required to do everything reasonably possible to ensure that the identity of any person who has made disclosures to them is kept secret during the course of any investigation and until the outcome is reported.

Disclosure by a Whistleblower to third parties

Persons considering making a protected disclosure should consider carefully before telling any person of their intentions. While the Manufacturing Alliance is committed to protecting the identity of people who make protected disclosures, there will be rare occasions when this is not possible. For example,

where the investigation leads to charges being made in court, where the nature of the allegations is such that the identity of the person can be deduced, or where the person is given special treatment such as leave of absence.

As soon as possible after the first contact by a person, the recipient of the disclosure will discuss the issue of confidentiality with the person and the degree of risk that their identity will become known. Change which affects the Manufacturing Alliance's ability to protect the person's identity will be reported promptly to the Whistleblower.

Does it matter why a person makes a disclosure?

The Manufacturing Alliance recognises that people can be motivated to make disclosures about non-compliance affecting the Manufacturing Alliance for many reasons. Some of those reasons may not be as admirable as others. The Manufacturing Alliance will instruct the WIO to ignore the motives of the person making disclosures in any investigation of disclosures – the accuracy of the disclosures is not an issue which can be affected by the motives of that person.

Feedback to the Whistleblower

If the Whistleblower requests, they will be provided with feedback following investigation of any Whistleblower complaint.

Managing the Welfare of the Whistleblower

The Manufacturing Alliance is committed to the protection of genuine whistleblowers against action taken in reprisal for the making of protected disclosures.

A person shall not:

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All persons will be treated consistently without regard to position held, past performance or length of service, together with due regard to natural justice and procedural fairness.

Assignment of a Whistleblower Protection Officer

Should the identity of a Whistleblower become known, the Company Secretary, CEO or the Board will assign a Whistleblower Protection Officer (WPO) with the responsibility for ensuring the general welfare of the Whistleblower. The WPO will be the Company Secretary or another person appointed by the CEO or the Board.

The responsibility of the WPO in this regard is to:

- (a) examine the immediate welfare and protection needs of a Whistleblower who has made a disclosure and seek to foster a supportive work environment;
- (b) advise the Whistleblower of the legislative and administrative protections available to him or her;
- (c) listen and respond to any concerns of harassment, intimidation or victimisation in reprisal for making a disclosure; and
- (d) ensure the expectations of the Whistleblower are realistic.

Documenting and Storage

All documents relating to ongoing and past investigations, and any preliminary discussions regarding potential investigations, will remain confidential and stored in a secure location with due regard to the whistleblower protection and legal requirements of disclosure.

Whistleblowers implicated in improper conduct

The Manufacturing Alliance acknowledges that the act of whistleblowing should not shield whistleblowers from the reasonable consequences flowing from any involvement in improper conduct. A person's liability for his or her own conduct is not affected by the person's disclosure of that conduct. However, in some circumstances, an admission may be a mitigating factor when considering disciplinary or other action.

Whistleblowers are protected from any civil, criminal and administrative liability, in relation to their disclosure. However, this protection does not grant immunity for any misconduct a Whistleblower has engaged in that is revealed in their disclosure.