Lineage®

Whistleblower Protections – Australia

In Australia, certain individuals may qualify for legislative protections where they make particular types of disclosures. This document is part of Lineage's Global Speak Up Policy (**Policy**), related procedures and framework, and it sets out the types of disclosures that qualify for whistleblower protections, how such disclosures can be made and the types of protections available under Whistleblower Laws.

Lineage's Speak Up policies and information on its Speak Up framework are made available to all employees and officers of Lineage in Australia via a link on Lineage Australia's intranet, Lineage's global internal Sharepoint Hub, Lineage's external website and in physical form upon request.

Who is eligible to be a whistleblower?

An individual is eligible to be a whistleblower if they are, or have been:

- a director, officer or employee of Lineage;
- a supplier or service provider to Lineage (or an employee of such a supplier or service provider);
- an associate of Lineage; or
- a relative, dependent or spouse of an individual referred to above.

An eligible whistleblower qualifies for protection under Whistleblower Laws if they have disclosed information relating to a disclosable matter directly to an eligible recipient or relevant regulator. Disclosures that are not about disclosable matters do not qualify for protection under Whistleblower Laws.

What is a disclosable matter?

A disclosable matter is information which the discloser has reasonable grounds to suspect:

- concerns misconduct or an improper state of affairs or circumstances at Lineage or a related company;
- indicates that Lineage (or an officer or employee of Lineage) has engaged in conduct that:
    - represents a danger to the public or the financial system;
    - constitutes an offence against any Commonwealth Act that is punishable by imprisonment for a period of 12 months or more;
    - constitutes an offence or contravention of Relevant Legislation; or
    - is otherwise prescribed by regulations under Relevant Legislation to be a disclosable matter,

  (together, **Conduct**); or
- may assist Lineage in performing its functions or duties in relation to its tax affairs.

Examples of disclosable matters include:

- cartel behaviour, or other forms of anti-competitive conduct prohibited under competition laws;
- insider trading, fraud, money laundering, misappropriation of funds, bribery;

- other illegal conduct such as theft, criminal damage to property or breaches of work health and safety laws.

Personal work-related grievances are generally not disclosable matters unless the grievance:

- has significant implications for Lineage and the information indicates Conduct; or
- relates to potential or actual detrimental treatment of a whistleblower who has reported a disclosable matter.

Examples of personal work-related grievances that are not disclosable matters include:

- interpersonal conflict between a whistleblower and another employee;
- decisions relating to the engagement, transfer or promotion of the whistleblower;
- decisions relating to the terms and conditions of employment/engagement of the whistleblower;
- decisions relating to the disciplinary treatment, suspension or termination of employment/engagement of the whistleblower.

Who do whistleblowers report to?

Not all persons who are able to receive disclosures under the Policy are eligible recipients for the purposes of whistleblower disclosures. In order to qualify for protections under Whistleblower Laws, a whistleblower must make their disclosure directly to an eligible recipient.

Eligible recipients include officers and senior managers of Lineage. However, Lineage's preferred channels for whistleblower disclosures are those listed below. Disclosures can be made via these channels in person, by phone or in writing (including but not limited to by email), during or outside business hours. Please refer to the Policy (*"What kind of information do I need to provide?"*).

- General Counsel – Asia Pacific
  Katrina Bobeff
  kbobeff@onelineage.com
  +61 461 423 048

- Vice President, Human Resources – Asia Pacific
  Phil Caris
  pcaris@onelineage.com
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- Lineage Ethics Hotline (details of which are set out in the Policy)

Whilst Lineage encourages whistleblowers to report disclosable matters internally to an eligible recipient, or via the Ethics Hotline, such disclosures will also be protected if made to:

- Lineage's auditor or actuary;
- a relevant regulator (e.g. ASIC, APRA, the AFP or the ATO);
- a legal practitioner, for the purposes of obtaining legal advice or legal representation in relation to the operation of the whistleblower provisions in Whistleblower Laws; or
- a journalist or parliamentarian where the disclosure amounts to a "public interest disclosure" or "emergency disclosure".

It is important to understand the criteria for making a public interest or emergency disclosure, given they can only be made in limited circumstances. Legal advice should be sought before seeking to make such a disclosure.

Disclosures can be made anonymously and still be protected under Whistleblower Laws.

What happens when a disclosable matter is reported?

Please refer to the Policy ("*What happens during the investigation process?"*).

Protections for whistleblowers

The protections for whistleblowers are summarised below. A whistleblower can still qualify for protection even if the information the subject of their disclosure turns out to be incorrect, provided the disclosure was not knowingly false or misleading.

General protections

Lineage will endeavour to:

- conduct inquiries or investigations of whistleblower reports on a confidential basis;
- monitor and manage the behaviour of other persons involved with the disclosable matter; and
- protect the whistleblower from detrimental treatment (or threats of detrimental treatment) because the whistleblower has made, is proposing to make, or is able to make a report relating to a disclosable matter (see the Policy: "*How will I be protected from retaliation if I speak up?"*).

Confidentiality protections

Whistleblowers can choose to remain anonymous while making a protected disclosure, over the course of any investigation and after the investigation is finalised.

Lineage will endeavour not to disclose the identity of the whistleblower unless:

- the whistleblower consents to the disclosure;
- the disclosure is made to ASIC, APRA, a member of the AFP, the ATO (if tax-related) or another prescribed body;

- the disclosure is made to a legal practitioner for the purposes of Lineage obtaining legal advice or representation in relation to Whistleblower Laws;
- a court or tribunal finds it is necessary in the interests of justice; or
- where the disclosure is otherwise required or permitted by law.

Lineage will endeavour to not disclose information that is likely to lead, directly or indirectly, to the identification of the whistleblower unless:

- it is permitted to disclose the whistleblower's identity (as above); or
- the disclosure of that information is reasonably necessary for purposes of investigating the disclosable matter and Lineage takes all reasonable steps to reduce the risk that the whistleblower will be identified as a consequence of the disclosure.

It is unlawful for a person to identify a whistleblower, or disclose information that is likely to lead to the identification of the whistleblower, outside the exceptions described above.

A whistleblower's identity may be protected by Lineage redacting information from certain documents, referring to the whistleblower using language that does not identify their gender, age or role and security storing all materials relating to the protected disclosure.

Protections and immunities under Whistleblower Laws

If a whistleblower makes a report of a disclosable matter, the whistleblower may be eligible for protection under Whistleblower Laws. The whistleblower may have rights to compensation for loss, damage or injury and other remedies if the whistleblower's identity has been disclosed or where the whistleblower has been subjected to detrimental treatment.

The whistleblower may also be entitled to certain immunities, including:

- not being subject to any civil, criminal or administrative liability;
- having no contractual or other remedy or right enforced against the whistleblower on the basis of the disclosure;
- the report of the disclosable matter not being admissible in evidence against the whistleblower in criminal proceedings for the imposition of a penalty (except in relation to disclosure of false information).

Linage encourages whistleblowers to seek legal advice about these protections.

Whistleblower support

Please refer to the Policy ("*What to expect from Lineage?*").

Lineage also supports whistleblowers by providing access to a confidential support and counselling service, the Employee Assistance Program (EAP). Information on Lineage's EAP is available on https://www.advantageengagement.com/1006/login_company_global.php - company code is 'Lineage'.

Definitions

Relevant Legislation means the *Australian Securities and Investments Commission Act 2001* (Cth), the *Banking Act 1959* (Cth), the *Corporations Act 2001* (Cth), the *Financial Sector (Collection of Data) Act 2001* (Cth), the *Insurance Act 1973* (Cth), the *Life Insurance Act 1995* (Cth), the *National Consumer Credit Protection Act 2009* (Cth), the *Superannuation Industry (Supervision) Act 1993* (Cth); the *Taxation Administration Act 1953* (Cth) and any instrument made under any of these Acts.

Whistleblower Laws means the *Corporations Act 2001* (Cth) and the *Tax Administration Act 1953* (Cth).