

Policy Title	Department	Policy Number	Version
Whistleblower	Corporate	PAC06	1.0

## Purpose:

PAC Trading is committed to fostering a culture of good corporate governance and ethical behaviour. This policy sets out PAC Trading's approach to managing disclosures by whistleblowers. It is a key part of our risk management and corporate governance framework and supports our Code of Conduct.

This policy aims to:

- ensure that individuals who disclose wrongdoing can do so safely, securely and with confidence that they will be protected;
- ensure that there is a transparent process around receiving, handling and investigating disclosures; and
- encourage a culture of compliance with our legal and ethical obligations.

## 1. Scope:

This policy applies to everyone who performs work for or with PAC Trading, including:

- all employees (whether ongoing, temporary, full time, part time or casual) and including apprentices and trainees;
- directors and officers of PAC Trading;
- relatives, dependents and spouses of current employees and officers of PAC Trading;
- any person who works for PAC Trading under a contract, including a consultant, contractor, subcontractor, employee of a contractor or subcontractor or employee of a labour hire company who has been assigned to work at PAC Trading;
- former employees or officers of PAC Trading; and
- any organisation (and its employees) that has a relationship or is associated with PAC Trading as a customer, supplier, adviser, agent or otherwise.

This policy also applies to disclosures made to PAC Trading, via Stopline in relation to matters within Part 9.4AAA (protection for whistleblowers) of the Australian *Corporations Act 2001*.

## 2. Overview:

It is critical that people who become aware of possible illegal or unethical conduct are able to disclose their suspicions to an appropriate person with the knowledge that their disclosures will be investigated properly and that they will not suffer negative consequences as a result of

making a disclosure. It is equally important that potential wrongdoers know that others are encouraged to report their wrongdoing.

The Australian *Corporations Act 2001* requires that companies such as PAC Trading have appropriate whistleblower policies and systems in place for receiving, investigating and acting on certain disclosures made by an “eligible whistleblower” to a relevant person. The *Taxation Administration Act 1953* also contains whistleblower protections. This policy covers the types of disclosures protected by these Acts.

This is distinct from personal work-related grievances, which may be raised through the Appropriate Workplace Behaviour Policy.

### 3. Protections for whistleblowers:

For the purposes of this policy a whistleblower is a person who has reasonable grounds to suspect there has been misconduct or an improper state of affairs or circumstances in relation to PAC Trading and discloses that suspicion using one of the methods described below.

### 4. Reporting under this policy:

Any matter that a person reasonably believes breaches PAC Trading’s policies, or the law should be reported in accordance with this policy. Examples of misconduct or an improper state of affairs (***Disclosable Conduct***) can include:

- breaches of laws or regulations;
- unlawful, corrupt or irregular activities or practices or use of PAC Trading’s funds or property;
- illegal activities (including theft, drug sales/use, violence or threatened violence and criminal conduct);
- breaches of PAC Trading’s policies and procedures (including but not limited to the Code of Conduct);
- conduct that causes a substantial risk to public health, public safety or the environment;
- dishonest or unethical behaviour;
- financial fraud or mismanagement;
- other conduct likely to damage PAC Trading’s financial position or reputation;
- conduct that endangers the public or financial system;
- behaviour that is oppressive, discriminatory or grossly negligent;
- conduct or proposed conduct suspected to be in breach of the *Competition and Consumer Act 2010*, *Corporations Act 2001* or the *Australian Securities and Investments Commission Act 2001*;
- concealing misconduct or an improper state of affairs.

**Disclosable Conduct** must be distinguished from personal work-related grievances. A personal work-related grievance is a grievance about any matter in relation to the discloser's current or past employment that impacts the discloser personally but does not have significant implications for PAC Trading more broadly. Conflicts between employees, decisions regarding transfers and promotions and disciplinary actions will generally be personal work-related grievances. If you are not sure if an issue falls within this policy, please contact the Chief Commercial Officer for guidance.

PAC Trading is committed to the protection of whistleblowers who report Disclosable Conduct in accordance with this policy. Other than as required by law and set out in this policy, PAC Trading will not disclose the identity of whistleblowers without the whistleblower's consent to that disclosure. Australian law prohibits the disclosure of a whistleblower's identity other than as required to investigate the allegation or with the free consent of the whistleblower. All protected disclosure reports from whistleblowers will be kept confidential, except as required by law or where disclosure is necessary to regulatory authorities, law enforcement agencies or professional advisors.

The *Australian Corporations Act 2001* also provides specific protections for whistleblowers relating to:

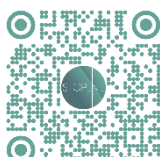
- identity protection (confidentiality);
- protection from detrimental acts or omissions;
- compensation and remedies; and
- civil, criminal and administrative liability protection.

See links further below to guidance material from the Australian Securities and Investments Commission (ASIC) and more information about these protections. Specific protections are also provided under Australian tax laws (see the link further below to information provided by the Australian Taxation Office).

## 5. Who to disclose to:

For personal grievances see the Appropriate Workplace Behaviour Policy.

You can make a whistleblower disclosure to any of the following (by phone, email, mail or in person):

Name	Title	Contact details:
Rodney O'Connell	Chief Commercial Officer	<a href="mailto:rodney@pactrading.com.au">rodney@pactrading.com.au</a> 0438891192
Cynthia Xin	Chief Executive Officer	<a href="mailto:Cynthia@pactrading.com.au">Cynthia@pactrading.com.au</a> 0425265257
Stopline (independent organisation)	Whistleblower Hotline Service	1300 30 45 50 <a href="https://www.stopline.com.au">makeareport@stopline.com.au</a> 

## **6. Support for whistleblowers:**

PAC Trading is committed to doing what it reasonably can to protect whistleblowers making a protected disclosure report in accordance with this policy from reprisal or victimisation.

Depending on the nature of the allegation and the people involved, in order to protect a whistleblower PAC Trading may:

- monitor or manage the behaviour of employees;
- relocate employees;
- offer the whistleblower a leave of absence or flexible work during the investigation; or
- rectify any detriment that the whistleblower may have suffered.

All employees, including whistleblowers, can also access PAC Trading's employee assistance program.

PAC Trading will look for ways to support all whistleblowers but will not be able to provide non-employees with the same type and level of support it provides to employees. PAC Trading will take all reasonably practicable steps to protect non-employee whistleblowers.

A whistleblower who believes they, or any other person, have been subject to victimisation or harassment as a result of having made a disclosure under this policy, should immediately report the matter to the Chief Commercial Officer. Where such an incident occurs, the Appropriate Workplace Behaviour Policy will apply.

## **7. Investigation of disclosures:**

An investigation will be undertaken by an independent investigator. Depending on the nature of the allegation, the investigator may be someone internal to PAC Trading or an external party such as an external lawyer or accountant or other investigator as appropriate.

The investigator will usually follow the procedure set out in the Appropriate Workplace Behaviour Policy which provides for fact finding undertaken in a timely, confidential, fair and objective manner resulting in a report to the appropriate decision maker. The decision maker will then consider the report and decide what, if any, action is required.

Either the recipient of the disclosure or another appropriate person will keep the whistleblower informed of the progress of the investigation and outcome. The detail provided to the whistleblower will reflect the nature of the allegations and the rights of others involved and therefore may be limited.

## **8. Protection against victimisation:**

A whistleblower making a protected disclosure report will be protected from reprisal or victimisation in response to making a complaint under this policy. PAC Trading will not tolerate victimisation of whistleblowers or others who raise complaints. The Appropriate Workplace Behaviour Policy relevantly provides:

- Victimisation involves punishing or retaliating against someone because they have made a complaint or are involved in a complaint process.

- No one is to retaliate or treat anyone detrimentally who raises genuine complaints of unacceptable behaviour under this policy or another policy.
- PAC Trading does not retaliate or treat employees detrimentally who raise genuine complaints of unacceptable behaviour.

Victimisation of a whistleblower by another employee (however senior) will be investigated as a breach of the Appropriate Workplace Behaviour Policy and may result in disciplinary action up to and including termination.

#### **9. Breaches of this policy:**

Breaches of this policy will be taken seriously by PAC Trading. PAC Trading reserves the right to take appropriate disciplinary action up to and including termination for employee non-compliance with this policy.

#### **10. False reports:**

Whistleblowing is about reporting incidences of real or perceived improper conduct and is not about settling a grievance. A report under this policy may damage the reputation or career prospects of people who are the subject of the allegations. Therefore, it is important that those who report Disclosable Conduct do so in good faith and with reasonable grounds for believing the information is correct or likely to be correct. PAC Trading takes all reports seriously but will look unfavourably on any false reports or claims. Disciplinary action may be taken against any employee who knowingly makes a false report.

#### **11. Availability and monitoring of this policy:**

This policy will be made available to employees and as part of new employee induction and refresher training for existing employees.

In all instances, the recipient of the disclosure will report the disclosure to the Chief Commercial Officer and the Chief Executive Officer or Chief Financial Officer. The Chief Commercial Officer will maintain a register of disclosures, the outcome of investigations and any required remediation. This register is strictly confidential and the information in it will not be disclosed to anyone outside of the Finance Department without the express approval of the CFO.

The Finance Department may provide high level, anonymised reports to the Board.

At all times in recording and reporting on disclosures under this policy PAC Trading will do everything reasonably practicable to protect the whistleblower and their identity.

#### **12. Other resources:**

##### *Employee Assistance Program*

PAC Trading offers an employee assistance program provided through Mindfit At Work. The service is free and confidential and is available to all employees. It is designed to help individuals cope with a wide range of issues they may face, including any work-related issues.

If you need to use this service the number to call is 1800 862 042 to organize a session with a trained psychologist - who is bound by a code of ethics, which prevents them from divulging any information revealed within the counselling sessions.

### ASIC whistleblower resources

ASIC has information regarding whistleblowing available from its website at: <https://asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/>

In relation to rights and protections for whistleblowers, see Information Sheet 238 Whistleblower rights and protections: <https://asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/whistleblower-rights-and-protections/>

For information for recipients of disclosures, see Obligations on company officers: <https://asic.gov.au/for-business/running-a-company/company-officeholder-duties/whistleblowers-company-officeholder-obligations/>

### ATO whistleblower resources

The Australian Taxation Office (ATO) introduced new arrangements to protect whistleblowers in July 2019, information is available from: <https://www.ato.gov.au/general/gen/whistleblowers/>.

### 13. Document Control:

This Whistleblowers Policy is subject to periodic review and updates as necessary to ensure compliance with changes in Australian legislation, organizational needs, and best practices. The responsibility for reviewing and updating this policy lies with the People & Culture Leader in collaboration with relevant stakeholders.

### 14. Version Control:

Document prepared by : Rodey O'Connell	Job Title : Chief Commercial Officer	Signature : <i>Rodney oconnell</i>	Date : 03.04.2024
Reviewed by subject matter expert : Claire Mawn	Job Title : People & Culture Leader	Signature : <i>Claire Mawn</i>	Date : 03.04.2024
Document Version : 1.0			
Document Review Date : 03.04.2024 (original date of review)			

### 15. Revision History:

Revision	Modified By	Description of changes
1		
2		
3		