

auDA Whistleblower Policy

1. Purpose

The purpose of this policy is to ensure that auDA upholds the highest standard of integrity and responsible business conduct. To maintain integrity and open communication, the company will not tolerate victimisation, discrimination or exploitation of an individual who reports or intends to report illegal, corrupt or unethical conduct to auDA or any other governing authority.

Whistleblowers, in line with this policy, will be provided a clear reporting framework and clarification of protections.

2. Scope

This Whistleblower Policy complies with both the auDA Code of Conduct and the Corporations Act 2001. The Protection and Whistleblowing framework is further outlined in the Act. All employees must comply with this policy. A reference to '**employee**' for the purpose of this policy includes all auDA directors, employees, consultants and contractors.

3. Application

3.1 What is Reportable Conduct?

Reportable Conduct is:

- Financial irregularity (including fraud against auDA or a customer or supplier)
- Corrupt conduct
- Criminal conduct
- Failure to comply with any legal or regulatory obligation
- Unfair or unethical dealing with a customer or supplier
- Unethical or other serious improper conduct, including breaches of auDA policies
- Misconduct, or an improper state of affairs or circumstances
- Danger to the public or the financial system
- Offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more.

You **must** have reasonable grounds to suspect that the information you are disclosing concerns:

- misconduct or



- an improper state of affairs or circumstances.

“Reasonable Grounds” means that a reasonable person in your position would also suspect the information indicates misconduct or a breach of the law.

3.2 Are You Protected by this Policy as a Whistleblower?

To be protected under this policy as a person who raises allegations of Reportable Conduct, the Whistleblower must:

- Make the report in accordance with this policy
- Not have engaged in serious misconduct or illegal conduct in relation to the Reportable Conduct.

3.3 Criteria for Protection as a Whistleblower

You must be a current or former:

- Employee of auDA or a related company
- Director or Company Secretary of auDA or a related company
- Contractor, or an employee of a contractor, who has supplied goods or services to auDA or a related company
- Associate of auDA such as a person with whom auDA acts in concert or
- Spouse or relative or dependant of one of the people referred to above.

While you must hold or have held one of these roles to access the protections, you do not have to identify yourself or your role, and you can raise your concerns anonymously.

4. Making a Report

If any Reportable Conduct covered in this policy is discovered or is believed to be in practice, you **must** make your report to one of the following:

- Immediate supervisor/manager
- A senior manager of auDA
- A person authorised by auDA to receive Whistleblower disclosures (for auDA this is the Company Secretary)
- An auditor, or member of the audit team of auDA or a related company or organisation
- Australian Securities & Investments Commission (ASIC)
- A legal practitioner, in order to obtain legal advice or legal representation in relation to the Whistleblower Regime; Corporations Act 2001 or
- In limited circumstances, a journalist or member of Parliament.

The report **must** be communicated in accordance with the following:

- Verbally or in writing to any of the internal channels within auDA



Email: auda@stopline.com.au

Phone: 9882 4550

Online: <https://auda.stoplinereport.com>

Mail: .au Domain Administration Ltd c/- The STOPline, PO Box 403, Diamond Creek, 3089 Victoria

- Alternatively, if you feel you cannot report/communicate through internal channels, ASIC, a legal practitioner, Member of Parliament or journalist can be contacted regarding the Reportable Conduct.
- A recommended Whistleblower Disclosure Form is available on the staff SharePoint ESS site.

5. Emergency Disclosures

You can only make an Emergency Disclosure if you have previously made a report to ASIC that satisfies the criteria for protection as a Whistleblower.

An Emergency Disclosure is where you have reasonable grounds to believe that the information in your report concerns substantial and imminent danger to health or safety of one or more people or to the natural environment.

6. Investigation Process

Although reports can be made anonymously to any of the parties listed above (in '4. Making a Report'), this may impede on being able to investigate the matter properly. Further information may be necessary to assist with the investigation of the misconduct.

The investigation of the allegation will be thorough, objective, fair and independent of you, anyone who is the subject of the Reportable Conduct, and any business unit concerned. The investigation will also have proper regard to the principles set out in the Australian Standard on Whistleblower Protection Programs.

6.1 What Are Your Protections?

The person who you make a report to under this policy may, if you agree, disclose your identity to the Whistleblower investigator, but will otherwise keep your identity confidential.

The investigator will ensure that all files relating to your report are kept secure, and that information received from you is held in confidence and is only disclosed to a person not connected with the investigation if:

- Necessary to further an investigation and you have been consulted and have consented to the disclosure or
- Required or permissible by law.



When a report is investigated it may be necessary to reveal its substance to people such as other auDA personnel, external persons involved in the investigation process and, in appropriate circumstances, law enforcement agencies. It will be necessary to disclose the facts and substance of a report to a person who may be the subject of the report as it is essential for a fair investigation.

Even though Whistleblowers may be implicated in the Reportable Conduct, they will not be subjected to any actual or threatened retaliatory action or victimisation in response to the act of making the report in accordance with this policy, provided they fall under the stated prerequisites for protection.

Although confidentiality will be maintained, in some circumstances, the source of the reported issue may be obvious to a person who is the subject of a report.

6.2 Consequences of False Claims

Anyone who knowingly makes a false report of Reportable Conduct will be subject to disciplinary action, up to and including dismissal.

7. Support

auDA understands that the process of reporting malpractice can be a complex and stressful time. As a support mechanism, you can access the Employee Assistance Program.

8. Responsibilities

The **Board** is responsible, through the **People & Culture Committee**, for reviewing this Whistleblower Policy and approving any changes to this policy.

The **People & Culture Committee** is responsible for reviewing this policy and making recommendations to the Board.

The **Chief Executive Officer** is responsible for ensuring that this policy is kept up to date and promoting and supporting compliance with this policy.

All **employees** are responsible for being aware of and complying with this policy and the Code of Conduct.

9. Related Documents

For further information regarding your rights as a Whistleblower please refer to:

- **The Corporations Act 2001:** www.legislation.gov.au/Details/C2019A00010
- **ASIC:** www.asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/
- www.legislation.gov.au/Details/F2019L01457



- auDA Code of Conduct

10. Document Control

Owner: Chief Executive Officer

Committee / Board Review Function: People & Culture Committee – Tier 1

Next Review Date: March 2023

Version	Change	Approval	Date
1	Original	Board	
2	Review & Update	Board	30 March 2021