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POLICY

A Policy Statement

PhillipCapital is committed to the highest standards of conduct and ethical behavior and to support and promote a culture of ethical behavior's that encompass, trustworthiness, competence, honesty, fairness, diligence and corporate compliance. Often it is the people who have a working relationship with PhillipCapital that notice something is not right, however, they may not speak up for fear of appearing disloyal or being victimised or subject to reprisals for disclosing what they have seen.

PhillipCapital encourages the disclosure of any instances of suspected activity that potentially breaches our standards of conduct and ethics and our commitment to meeting all our regulatory obligations and provides protections and measured as outlined in this policy so that those persons making the disclosure may do so confidently and without fear of intimidation, disadvantage or reprisal.

This policy has been written and designed to comply with ASIC policy guidelines set out in ASIC RG270.

B Purpose

This Whistleblower Policy gives employees the confidence to speak up about identifiable or suspicions of wrongdoing, and to help deter other engaged in wrongdoing.

The Policy has been designed to provide clarity on how PhillipCapital will support you to:

- be encouraged to express your concerns;
- know how to express your concerns;
- know what will happen when you express your concerns; and
- feel safe expressing your concerns.

C Scope

This policy applies to an "eligible whistleblower", being a current or former:

- (a) Officer, Director or employee of PhillipCapital;
- (b) Contractor or supplier of services and goods to PhillipCapital, and their respective employees;
- (c) An associate of PhillipCapital including a business partner; and
- (d) A family member of an employee.

Disclosure is important and allows PhillipCapital to take all the appropriate steps to address any wrongdoing including remedying the matter through further education or supervision in an attempt to build confidence in our approach to managing wrongdoings and maintaining a confidence of our employees.

This policy applies to the PhillipCapital Australian Regulated Entities including Phillip Capital Limited (PCL), Phillip Capital Trading Pty Ltd (PCT), Phillip Asset Management Limited (PAM), and will be referred to in the policy as PhillipCapital.

PRINCIPLES

Often wrongdoing only comes to light because of individuals who are prepared to disclose it, sometimes at great personal and financial risk – this Policy explains the protections given to Whistleblowers.

1 Reportable conduct

1.1 Disclosable Matters

You are encouraged to report any behavior you may have witnessed that relates to a **Disclosable Matter** being conduct that you have **reasonable grounds to suspect** may amount to misconduct or an improper state of affairs or circumstances in relation to PhillipCapital. Conduct in relation to PhillipCapital includes:

- (a) Dishonest, fraudulent, corrupt, illegal or unethical, in breach of internal policy;
- (b) misconduct or an 'improper state of affairs or circumstances' in relation to a Whistleblower regulated entity that represents a danger to the public or financial system.

To reduce the risks and encourage disclosure of wrongdoing, the Act and Whistleblower regime has legally enforceable protections for people (Disclosers) who make disclosures.

Disclosures assist with the early detection and prosecution of misconduct in businesses and the avoidance or evasion of tax liabilities.

1.2 FASEA Code of Ethics for Financial Advisers

To comply with Standard 12 of the FASEA Code of Ethics, Financial Advisers must ensure that they:

Uphold and promote the ethical standards of the profession and hold each other accountable for the protection of the public interest.

This requires that where a Financial Adviser becomes aware of or has a suspicion that his peer/s are not acting ethically and professionally, that the activity is reported immediately to the relevant Whistleblower Recipient generally the Head of Compliance or an Officer of the Company or external Recipient such as ASIC or ATO, as set out in this Policy. This is in addition to the requirement for advisers to report any Breach, Incident or suspicious activity to Compliance and/or management.

2 Matters not disclosable under this Policy

For avoidance of doubt, disclosures that relate *solely* (does not relate to conduct about a disclosable matter) to personal work related grievances, either for current or former employment, are not disclosable matters, and must be taken up with your Supervisor or CEO in accordance with the Human Resources Policies and Fair Work Act. *CAs1317AADA(1), 1317AC, RG270.58-63*

To clarify, below are some specific examples of grievances that may be personal work-related grievances:

- (a) an interpersonal conflict between the Discloser and another employee;
- (b) a decision that does not involve a breach of workplace laws;
- (c) a decision about the engagement, transfer or promotion of the Discloser;
- (d) a decision about the terms and conditions of engagement of the Discloser; or
- (e) a decision to suspend or terminate the engagement of the Discloser, or otherwise to discipline the Discloser.

A personal work-related grievance may still qualify for protection if:

- (a) it includes information about misconduct, or information about misconduct includes or is accompanied by a personal work-related grievance (mixed report);
- (b) the entity has breached employment or other laws punishable by imprisonment for a period of 12 months or more, engaged in conduct that represents a danger to the public, or the disclosure relates to information that suggests misconduct beyond the Discloser's personal circumstances;

- (c) the Discloser suffers from or is threatened with detriment for making a disclosure (see RG 270.96–RG 270.97);
or
- (d) the Discloser seeks legal advice or legal representation about the operation of the Whistleblower protections under the Corporations Act (see RG270.72) *CA s1317AADA(2)*

2.1 Disclosing false matters

While we encourage Disclosers to report any matters whether factual or where they have a suspicion, deliberate false reporting Disclosure will incur consequences including reprimand, additional education and possible termination of employment.

3 How to make a report

3.1 How to lodge a Disclosure Report

The Process has been designed to improve transparency in relation to disclosures and to protect the disclosures in accordance with legislation and as is practical for PhillipCapital.

If you require more information before making a disclosure you may contact a member of the Whistleblowers Team by phone, email, in person, by post in accordance with the details made available by PhillipCapital as advised from time to time on the website or in the Schedule to this Policy.

To qualify for the protections as a Discloser, you must make your disclosure directly to an eligible recipient.

3.1.1 Reporting to PhillipCapital

Eligible persons can make a report using Appendix A of this policy. You have the option of reporting anonymously, or you can provide your contact details.

You have the following options to lodge a report as advised from time to time on the website to an eligible recipient:

- an email
- by phone
- in person
- via Post your report, please address to:

The Whistleblower Officer
Phillip Capital Limited
PO Box 628 Collins Street West Vic 8007

If you wish to make an anonymous report, please do not include a return address or any identification.

Employees must ensure that they do not discuss the disclosure with any other persons either internal or external (unless to obtain personal legal advice) and journalists and members of Parliament under certain circumstances.

3.1.2 Disclosures to parties external to PhillipCapital

You may lodge a disclosure with eligible recipients; eg. ASIC and follow their processes to do so.

3.1.3 Reporting to Regulators

Certain regulators require under legislation that you give your name to the specific person at the regulatory body who is authorised to receive disclosures; eg. ASIC has a dedicated Whistleblower Liaison Officer. ASIC may advise you to take the matter to a more appropriate body eg. Federal Police or ATO.

Refer for ASIC - <https://asic.gov.au/about-asic/contact-us/how-to-complain/report-misconduct-to-asic/> ; and

for ATO - <https://www.ato.gov.au/general/gen/Whistleblowers/>.

3.1.4 Incorrect disclosure

Disclosers may still qualify for protection if their disclosure turns out to be incorrect.

3.1.5 Public interest or Emergency Disclosure

Public Interest or Emergency Disclosures can be made to a journalist or a parliamentarian, if the following applies:

- (a) for both Public Interest or Emergency disclosures:
- previous Disclosure has been made to ASIC, APRA or a Commonwealth body and for public interest disclosure at least 90 days have passed;
 - the Discloser has given notice to the body to which the previous disclosure was made and that includes sufficient information to identify the previous disclosure and the intention to make a public interest disclosure or emergency disclosure as applicable.
- (i) also for Public Interest Disclosure
- If the Discloser does **not** have reasonable grounds to believe that action is being or has been taken in relation to the disclosure;
- (ii) also for Emergency Disclosure also
- where the Discloser has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment.

Note: the Discloser should seek legal advice before making either of these disclosures to ensure protection from self-incrimination etc. which may apply to a disclosure covered by this. *CA s1317AAD(1) REG270.75-76*

4 What is the Investigation Process

4.1 Review of disclosure report

The Whistleblower team will assess whether a disclosure falls within the intended scope of this policy. The team has the discretion to determine that a disclosure will not be dealt with under this policy, provided that the disclosure does not fall within the scope of applicable whistleblower legislation. All qualifying Whistleblower Disclosures will be referred to a Whistleblower Officer.

4.2 Review of allegations

The Whistleblower Officer will carry out a preliminary review of the Whistleblower Disclosure and will decide whether the Allegations raised should be investigated. Whilst not all Whistleblower Disclosures will necessarily lead to an investigation, they will be assessed and a decision made as to whether they should be investigated. For example, the Whistleblower Officer may decide that the Allegations were investigated previously and that a new investigation will not be undertaken. PhillipCapital's response to a Whistleblower Disclosure will vary depending on its nature (including the amount of information provided). The Whistleblower Officer will advise you of the decision whether to investigate, unless the Whistleblower Officer has no means to contact you.

If the Whistleblower Officer decides that the Allegations will be investigated, the Whistleblower Officer will commission an investigation.

4.3 Investigation process

Investigations will follow a fair process, be conducted in as timely a manner as the circumstances allow and be independent of the person(s) about whom an Allegation has been made. The Investigation Manager or Whistleblower Officer will, as appropriate, provide you with feedback on the progress and expected timeframes of the investigation. Provided there are no restrictions or other reasonable bases for doing so, persons against

whom an Allegation has been made will be informed of the Allegation and will have an opportunity to respond to any Allegation.

4.4 Investigation Findings

The investigation may conclude with a report from the Whistleblower Officer or other investigator. The report will include findings on the Allegations and a summary of the evidence on which the findings are based. To the extent permitted under applicable laws, the Whistleblower Officer may inform you and/or a person against whom Allegations have been made by you of the findings. Any report will remain the property of PhillipCapital and will not be shared with you or any person against whom Allegations have been made.

4.5 Escalation

You should immediately inform the Whistleblower Officer if you have concerns that your disclosure has not been dealt with in accordance with this policy, including any assessment made by the Investigation Manager.

The Whistleblower Officer will consider your concerns raised and if appropriate engage with other members of the Whistleblower Team to resolve your concerns.

If you still feel your concerns have not been addressed, you can escalate directly to the Chairman of the Phillip Capital Board.

5 How we protect Whistleblowers

PhillipCapital will ensure that every eligible person who discloses information (Discloser) under this Policy will be protected in every way. PhillipCapital will ensure protection as set out below.

A Whistleblower that qualifies for protected under this Policy is entitled to the following protections:

- (a) The right to maintain anonymity – refer section 3.1 below
- (b) Confidentiality / protection of identity – refer section 3.2 below
- (c) Protection from detrimental acts or omissions – refer section 5 below
- (d) Civil, criminal and administrative liability protection – refer section 5.5.1 below.

In addition to the protections available under the Corporations Act 2001 (Cth), disclosure of information may also qualify for protection under the Tax Administration Act 1953 (Cth) and similar processes and protections apply under this legislation.

Refer also to the Definition of Legal Protections at Schedule 2.

5.1 Anonymity

When making a disclosure, you may do so anonymously. Whilst you are encouraged to share your identity when making a disclosure, as it will make it easier for PhillipCapital to address your disclosure, you are not required to do so. If you do not share your identity, PhillipCapital will assess your disclosure in the same way as if you had revealed your identity. However, there may be some practical limitations in conducting the investigation if you do not share your identity.

5.2 Confidentiality

All information received from you will be treated confidentially and sensitively. If you make a disclosure, your identity (or any information which would be likely to identify you) will only be shared if:

- you give your consent to share that information; or

- the disclosure is allowed or required by law (for example, disclosure to a lawyer to get legal advice relating to the law on whistleblowing).

In addition, in the case of information likely to identify you, if it is reasonably necessary to share the information for the purposes of an investigation, all reasonable steps should be taken to reduce the risk that you will be identified. Further, the non-identifying content of your disclosure may need to be shared in order to report a matter of significance to PhillipCapital's Board.

5.3 Protecting the Identity of Whistleblower

Personal Information about any persons with whom PhillipCapital has contact or to whom we provide financial services if protected under the Privacy Act 1988, the Australian Privacy Principles and the PhillipCapital Privacy and Data Protection Policy.

We will ensure that all information about a Disclosable Matter is only accessible to parties involved in an investigation such as the Whistleblower team. The team will not give any information that could identify the Discloser whether this is; eg. to the Board or to the regulator unless required at law or unless you give written consent.

The information you provide can be disclosed without your consent if:

- the information does not include your identity;
- we have taken all reasonable steps to reduce the risk that you will be identified from the information; and
- It is reasonably necessary for investigating the issues raised in the disclosure.

5.4 Protection from detrimental acts or omission

A person cannot engage in any conduct which could be deemed as detrimental to a Whistleblower who has reported a Disclosable Matter if; the person believes or suspects what a Whistleblower has made or may have made a report of a Disclosable Matter; or the belief or suspicion is the reason (whether partially or not) for the conduct. Detrimental conduct may include (but not limited to):

- Having employment conditions changed, such as, change of position or duties to their detriment, termination or cessation of employment, being placed on a performance management program, warnings or disciplinary actions;
- Harassment on the job, workplace bullying or Discrimination;
- Harm or injury to a person, including psychological harm;
- Damage to a person's property, reputation, business or financial position; or
- Any other action that can be perceived as retaliation for making a report.

A person must not make a threat or cause detriment to a whistleblower or another person in relation to a Disclosable Matter.

5.5 Considered risk of retaliation

In the case of "considered risk of retaliation", the whistleblower believes retaliation is near or imminent, and they are targeted for retaliation. In this situation, the whistleblower should contact the Whistleblower Officer. The Whistleblower Officer will take the action they feel is appropriate as well as come up with recommendations for how the situation can be resolved. Potential steps to protect the whistleblower from a considered risk of retaliation can include:

- allow the Discloser to perform their duties from another location, reassign the Discloser to another role at the same level, make other modifications to the Discloser's workplace or the way they perform their work duties, or reassign or relocate other staff involved in the disclosable matter;
- if the Discloser is dissatisfied with any part of the process offer them an opportunity to lodge a complaint if they have suffered detriment, and respond to such complaint preferably by an officer who is not involved in dealing with disclosures; and the investigation findings to be provided to the board or audit or risk committee); and

- (c) implement interventions for protecting a Discloser if detriment has already occurred; eg. investigate and address the detrimental conduct, ie. take disciplinary action, or allow the Discloser to take extended leave, develop a career development plan for the Discloser that includes new training and career opportunities, or offer compensation or other remedies.

5.5.1 Civil, Criminal and administrative liability protection

A Court may order a person to pay the Commonwealth a pecuniary penalty if:

- (a) a declaration of contravention by the person has been made under section 1317E; and
- (b) the contravention is of subsection 1317AAE(1) (confidentiality of Whistleblower's identity) or subsection 1317AC(1), (2) or (3) (victimisation or threatened victimisation of Whistleblower).

The maximum amount that the court may order the person to pay for contravening subsection 1317AAE(1) or 1317AC(1), (2) or (3) is:

- (a) Individuals - \$1.5 million (5,000 penalty units); or
- (b) Companies - \$10.5 million (50,000 penalty units).

5.5.2 Taxation Administration Act penalties at January 2020.

- (a) Victimization - Criminal penalties of up to 2 years prison and/or a fine of \$50,400 for individual and, \$252,000 for body corporate
- (b) Breach of Confidentiality of tax Whistleblower penalty up to 6 months prison and/or \$12,600 – individual and \$63,000 body corporate.

6 Roles and Responsibilities

6.1 Roles

PhillipCapital has established the following roles within its Whistleblowing program:

- Whistleblowing Officer (Eligible Recipient)
- Whistleblowing Team (Eligible Recipients)
- Investigation Officer (who may also be an Eligible Recipient)
- PhillipCapital Board

6.2 Responsibilities

Whistleblower Officer: This individual owns the entire program. This includes ensuring employees receive training that facilitates them to know and understand the program, an easy process of making a report, investigating reports, as well as being a point of escalation for any concerns or retaliation that has taken place. The results of their work goes directly to the Board of Directors.

Investigation Officers: Investigation officers are assigned reports by the Whistleblower Officer and their role is to investigate these reports. This includes interacting and asking questions of Whistleblowers, as well as using the information provided to investigate the report submitted. Their goal is to gather the facts and put forth a final report to the Whistleblower Officer on what happened and what action they feel needs to take place.

Whistleblower Team : must inform the Whistleblower Officer as promptly as possible of the receipt of a report on a Disclosable Matter.

Each person involved in receiving a report of, or investigating a Disclosable Matter must comply with this Policy. Unauthorised disclosure of a Whistleblower's identity by any person may result in that person committing a criminal offence.

Policy Governance

Policy Ownership

PG Owner	Head of Compliance	Version Control	
Approved by:	Board of Directors	Policy No.	25
Review Frequency	Annual	Original Version	V1: 20200101
Review Month	October	Current Revision Version No.	

Roles and Responsibilities

Position / Title	Roles and Responsibilities for Policy
Head of Department/ Manager / Supervisor	Monitoring and supervising Representatives and employees as applicable to manage the compliance of standards of conduct which are consistent with this Policy; Maintaining relevant Procedures to complement the Policies Demonstrate leadership by modelling appropriate behaviour in relation to this Policy Promote the principles of this policy If applicable, comply with all obligations as a Responsible Manager
Head of Operations	Managing Account application and changes to comply with the Policy
CFO	Reporting to ATO & ors. as applicable
Compliance Officers	Update maintenance on regulatory or internal Policy amendments Monitor breaches of Policy and report to HoC
Head of Compliance	Ensure relevant training depending on the employee's role Oversight of Policy implementation and reporting to regulators

Revision Authorisation for Revision Control

Role	Type of Approval	Approval required
Head of Compliance	Significant Amendments to Policy	Compliance Committee
Compliance Officers	General Amendments to Policy	Head of Compliance
Compliance Committee	Recommendation for approval of Amendments	Board of Directors

Revision Control

Revision Date	Summary of changes made	Revision Conducted by	Authorised by:
	1. Section in Policy 2. Basis – legislation, internal rules etc		

Schedule 1 References

Corporations Act: 2001

Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019

Corporations Act Pt.9.4AAA Consolidated Whistleblower protection regime

Taxation Administration Act 1953

ASIC Act

Financial Sector (Collection of Data Act)

ASIC RG270 Whistleblower Policies Nov 2019

ASIC RG103 Confidentiality and release of information

ASIC Info153 How ASIC deals with reports of misconduct

ASIC Info238 Whistleblower rights and protections

ASIC Info239 How ASIC handles Whistleblower reports

Privacy Act

FASEA Code of Ethics

PhillipCapital Policies

Prohibited Conduct – Conflicts of Interest;

Privacy and Data Breach Management

Confidentiality

Breach, Incident and Suspicious Activities Reporting

Qualification, Accreditation and CPD

Records Management

Schedule 2 Definitions

While the definitions are based on legislation they have been modified to suit PhillipCapital

Title	Meaning for purposes of this Policy	Legislation
Confidentiality of Whistleblower's identity	<p>(1) A person (the first person) contravenes the legislation if:</p> <ul style="list-style-type: none"> (a) another person (the Discloser) makes a disclosure of information (the qualifying disclosure) that qualifies for protection under this Part; and (b) the first person discloses any of the following (the confidential information): <ul style="list-style-type: none"> (i) the identity of the Discloser; (ii) information that is likely to lead to the identification of the Discloser; and (c) the confidential information is information that the first person obtained directly or indirectly because of the qualifying disclosure; and (d) the disclosure referred to in paragraph (b) is not authorised under subsection (2) or (3). <p>(2) A disclosure referred to in paragraph (1)(b) is authorised under this subsection if it:</p> <ul style="list-style-type: none"> (a) is made to ASIC; or (b) is made to APRA; or (c) is made to a member of the Australian Federal Police (within the meaning of the <i>Australian Federal Police Act 1979</i>); or (d) is made to a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to the operation of this Part; or (e) is made to a person or body prescribed by the regulations for the purposes of this paragraph; or (f) is made with the consent of the Discloser. <p>(3) Without limiting subsection (2), a disclosure referred to in paragraph (1)(b) is authorised under this subsection if it:</p> <ul style="list-style-type: none"> (a) is made by ASIC, APRA or a member of the Australian Federal Police (within the meaning of the <i>Australian Federal Police Act 1979</i>); and (b) is made to a Commonwealth authority, or a State or Territory authority, for the purpose of assisting the authority in the performance of its functions or duties. <p>(4) Subsection (1) does not apply if:</p> <ul style="list-style-type: none"> (a) the disclosure referred to in paragraph (1)(b): <ul style="list-style-type: none"> (i) is not of the identity of the Discloser; and (ii) is reasonably necessary for the purposes of investigating a matter referred to in subsection 1317AA(4) or (5) to which the qualifying disclosure relates; and (a) the first person takes all reasonable steps to reduce the risk that the Discloser will be identified as a result of the disclosure referred to in para (1)(b). <p>Note In a prosecution for an offence, a defendant bears an evidential burden in relation to the matter in subsection (4): see subsection 13.3(3) of the <i>Criminal Code</i>.</p>	
Detriment	<p>Means given in s1317ADA of Corporations Act and s14ZZZAA Tax Administration Act and includes (without limitation) any of the following:</p> <ul style="list-style-type: none"> (a) dismissal of an employee; (b) injury of an employee in his or her employment; (c) alteration of an employee's position or duties to his or her disadvantage; (d) discrimination between an employee and other employees of the same employ (e) harassment or intimidation of a person; (f) harm or injury to a person, including psychological harm; (g) damage to a person's property; (h) damage to a person's reputation; (i) damage to a person's business or financial position; (j) any other damage to a person. 	CA s1317ADA TA s14ZZZAA

Disclosable matter	Information to which the Whistleblower protections apply refer RG270.50-57 and CAs1317AA	CA s1317AA
Discloser	An individual who discloses wrongdoing or an eligible Whistleblower	
Disclosures qualifying for protection	Disclosure pertaining to tax matters are referred to as 'disclosures qualifying for protection s14ZZT Tax administration Act	TA s14ZZT
Eligible Whistleblower	<p>An individual is an eligible Whistleblower for PhillipCapital if the individual is, or has been, any of the following:</p> <ul style="list-style-type: none"> (a) an officer; (b) an employee; (c) an individual who supplies services or goods to PhillipCapital (whether paid or unpaid); (d) an employee of a person that supplies services or goods to PhillipCapital (whether paid or unpaid); (e) an individual who is an associate of the regulated entity; (f) for a regulated entity that is a superannuation entity: <ul style="list-style-type: none"> (i) an individual who is a trustee (within the meaning of the <i>Superannuation Industry (Supervision) Act 1993</i>), custodian (within the meaning of that Act) or investment manager (within the meaning of that Act) of the superannuation entity; or (ii) an officer of a body corporate that is a trustee, custodian or investment manager of the superannuation entity; or (iii) an employee of an individual referred to in subparagraph (i) or a body corporate referred to in subparagraph (ii); or (iv) an individual who supplies services or goods to an individual referred to in subparagraph (i) or a body corporate referred to in subparagraph (ii) (whether paid or unpaid); or (v) an employee of a person that supplies services or goods to an individual referred to in subparagraph (i) or a body corporate referred to in subparagraph (ii) (whether paid or unpaid); (g) a relative of an individual referred to in any of paragraphs (a) to (f); (h) a dependant of an individual referred to in any of paragraphs (a) to (f), or of such an individual's spouse; (i) an individual prescribed by the regulations for the purposes of this paragraph in relation to the regulated entity. 	CA1317AAA
Eligible Recipients	<p>Persons who are generally internal to the entity about which the disclosure is made or have a relationship with that entity that is relevant to its governance and tax affairs including the following :</p> <ul style="list-style-type: none"> - an auditor, or a member of an audit team conducting an audit of the entity - a registered tax agent or BAS agent who provides services to the entity - a person authorised by PhillipCapital in relation to the operation of the Whistleblower regime - a person or body prescribed in the regulations - a director, secretary or senior manager of a PhillipCapital company or other employee or officer who has functions or duties in relation to our tax affairs (<i>Note: Senior Manager is defined in C Act</i>) 	CA 1317AAC
Emergency Disclosure	<p>(1) A disclosure of information (the emergency disclosure) by an individual (the Discloser) qualifies for protection under this Part if:</p> <ul style="list-style-type: none"> (a) the Discloser has previously made a disclosure of that information (the previous disclosure) that qualifies for protection under this Part under subsection 1317AA(1); and (b) a reasonable period has passed since the previous disclosure was made; and 	CA 1317AA

Journalist	<ul style="list-style-type: none"> (c) the Discloser has reasonable grounds to believe that there is an imminent risk of serious harm or danger to public health or safety, or to the financial system, if the information is not acted on immediately; and (d) after the end of the period referred to in paragraph (b), the Discloser gave the body to which the previous disclosure was made a written notification that: <ul style="list-style-type: none"> (i) includes sufficient information to identify the previous disclosure; and (ii) states that the Discloser intends to make an emergency disclosure; and (e) the emergency disclosure is made to: <ul style="list-style-type: none"> (i) a member of the Parliament of the Commonwealth, a State or a Territory; or (ii) a journalist. <p>(2) journalist means a person who is working in a professional capacity as a journalist for any of the following:</p> <ul style="list-style-type: none"> (a) a newspaper or magazine; (b) a radio or television broadcasting service; (c) an electronic service (including a service provided through the internet) that: <ul style="list-style-type: none"> (i) is operated on a commercial basis; and (ii) is similar to a newspaper, magazine or radio or television broadcast. 	<p>CA ss1317AB(1) s1317AI(5)(a) (c)</p>
Legal Protections	<p>If a person makes a disclosure that qualifies for protection the following legal protections will apply to the Discloser:</p> <ul style="list-style-type: none"> (b) protection of the identity of the Discloser and maintaining confidentiality to the extent possible at law except where Discloser consents to their identity being disclosed; and (b) will not be subject to any civil, criminal or administrative liability (including disciplinary action) for making the disclosure; and (b) no contractual or other remedy may be enforced, and no contractual or other right may be exercised, against the person on the basis of the disclosure; (c) compensation and remedies will be available; and (d) if the disclosure qualifies for protection under the Act [ss1317AA(1) or ss1317AAD], the information is not admissible in evidence against the person in criminal proceedings or in proceedings for the imposition of a penalty, other than proceedings in respect of the falsity of the information. <p>Note: Except as in (d) above, this subsection does not prevent the person being subject to any civil, criminal or administrative liability for conduct of the person that is revealed by the disclosure</p>	
FASEA	<p>Financial Adviser Standards and Ethics Authority Limited which is the standards body under CA s921X.</p>	
Personal work-related grievance	<p>A disclosure that relates to the Discloser’s current or former employment, which has implications for the Discloser personally, but does not:</p> <ul style="list-style-type: none"> - Have any other significant implications for PhillipCapital; or - Relate to conduct, or alleged conduct, about a disclosable matter) 	<p>CAs1317AAD A(2)</p>
Regulated Entity	<p>PhillipCapital is a Regulated Entity under (a) below and the following are a regulated entity:</p> <ul style="list-style-type: none"> (a) a company; (b) a corporation to which paragraph 51(xx) of the Constitution applies; (c) an ADI (within the meaning of the <i>Banking Act 1959</i>), an authorised NOHC (within the meaning of that Act) or a subsidiary of an ADI or an authorised NOHC 	<p>CA1317AAB</p>
Senior manager	<p>In relation to PhillipCapital, a person (other than a director or secretary) who:</p> <ul style="list-style-type: none"> - Make or participates in making decisions that affect the whole or a substantial part of the business of PhillipCapital; or - Has the capacity to significantly affect PhillipCapital’s financial standing. 	
Whistleblower Also refer to Eligible Whistleblower	<p>A person who discloses - reports misconduct or dishonest (unethical or not illegal) or illegal activity that has occurred within PhillipCapital. The reports may be to regulators, Government bodies or authorised persons within PhillipCapital.</p>	<p>CAs1317AA – AAD; TAA s14ZZT, Y, V</p>

The Misconduct would generally refer to a breach of PhillipCapital’s Policies or rules or legislation with which PhillipCapital must comply and includes a direct threat to the interest of PhillipCapital or public interest.

Whistleblower
investigation officer

Role in this Policy who is responsible for investigating disclosures

Whistleblower Officer
and Team

Role in this Policy who is responsible for protecting and safeguarding Disclosers and ensuring the integrity of the reporting mechanism

SCHEDULE 3 Who to Contact - Whistleblowers officers and eligible recipients

The following are your contacts in the event that you need to lodge a disclosure or to obtain further information

1. Whistleblower Officers

Chief Executive Officer

Head of Compliance

Officers and senior managers of any of PhillipCapital Australian entities are also Eligible Recipients.

2. **ASIC** <https://asic.gov.au/about-asic/contact-us/how-to-complain/report-misconduct-to-asic/>

3. **ATO** <https://www.ato.gov.au/general/gen/Whistleblowers/>

4. **Legal counsel** You may select an appropriate legal counsel for advice

Contact Details

1. **Email** [Refer to the PhillipCapital website](#) if you wish to restrict the matter

OR to an Officer or senior manager of any of PhillipCapital Australian entity.

2. **Phone** refer to the company contacts list

3. **Post** If lodging with anonymity – we recommend you type your matter advising that you do not consent to your identity being disclosed, mark it and the envelope “In Confidence – for recipients eyes only” and post it to Head of Compliance, PhillipCapital, GPO Box 628 Collins Street West, Vic 8007. *Obviously we will not be able to respond to you or advise you of the status of your disclosure during or on finalization of investigation.*

ANNEXURE 1 WHISTLEBLOWER REPORTING FORM

PhillipCapital Australia

1. Name of Eligible Recipient of Whistleblower Disclosure

Name of person to whom the Disclosure is being made on this Form _____

If the name of the Discloser is to be available to all Whistleblower Team indicate above

- Tick this box if you wish to **remain anonymous** and do not complete Name of person above and 2. below
- Tick this box if you wish that only the person to whom you direct this form is to know your identify
- Tick this box if you **do not** wish to remain anonymous

2. Whistleblower Information

If you are consenting to be identified please complete below

Name of Discloser: _____

Position/ Role _____

Company / Department _____

Phone _____ Email _____

3. Information about the person/s who are the subject of the Disclosure

First person Name : _____

Position/ Role _____

Company / Department _____

Phone _____ Email _____

Second Person Name : _____

Position/ Role _____

Company / Department _____

Phone _____ Email _____

Attach a separate page if more than two persons are party to the Disclosure noting that it is Part of the Reporting Form.

4. Information about the Disclosure

Detail the wrongdoing or improper activity

Detail how you became aware of the activity

Are you providing supporting documents as evidence? Yes No

List the documents:

Attestation by the Whistleblower who has Disclosed the information above:

I attest to the fact that I am reasonably sure of the information disclosed in this Disclosure and that all statement that I have made are true and information I have provided is as accurate as reasonably possible.

I understand that if I have not consented to have my name disclosed that this will remain confidential, or it will only be made available to the person or persons that I have nominated to receive this Disclosure.

Further, I understand that because I have requested anonymity that I will not receive regular reports on the status of the investigation.

I understand that if I make a deliberate false Disclosure, I will incur consequences including reprimand, additional education and possible termination of employment.

If I have elected to have my name identified to the Whistleblower Team I will receive regular reports on the status of the investigation to the extent that the investigation information is not confidential.

I have read and understood the PhillipCapital Whistleblower Policy and where required I have requested clarification either from PhillipCapital or from an external consultant.

Name of Discloser	Signature of Disclosure	Date

Acknowledgement of Receipt of Disclosure

I acknowledge receipt of this Disclosure and will comply with the Whistleblower Policy in investigating and reporting the Disclosure accordingly.

Name of Eligible Recipient	Signature of Eligible Recipient	Date