

# Whistleblower Policy

Policy Owner: Whistleblower Program Lead

Policy Level: ANZ Group

Version 2.2

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## 1. BACKGROUND AND PURPOSE

The ANZ Group has a strong values-based culture that encourages openness, integrity, and accountability, enabling our people to succeed together and deliver what matters.

This policy has been developed so that you can freely and without fear of detriment raise concerns regarding situations where you believe that ANZ, including any of its controlled entities or related bodies corporate, globally, have acted in a way that constitutes misconduct. The policy and program are important in fostering a safe speak up culture and in helping to identify misconduct that may not have otherwise been uncovered.

This policy explains how you can report such concerns, the protections that will apply to you (and others), how your concerns will be investigated, and other sources of information that may be helpful to you.

## 2. PRINCIPLES

- 1. Speak Up and Report It!** - If you are a current employee of ANZ, please consider whether you would prefer to report your concern via another channel such as your line manager, skip line manager, the Risk, Compliance, or Talent & Culture teams (including to Employee Relations via [PeopleHub](#)). Refer to [Report It! for options](#).
- 2. Protection from Detrimental Conduct** - ANZ does not tolerate detrimental conduct, that causes or is intended to cause harm to you that you or someone else has made, or intend to make, or are suspected as having made a report (or because you or someone else might or could make a report).
- 3. Confidentiality and Consent** - ANZ will maintain confidentiality of all reports made under this Policy and your identity as a reporter in accordance with this Policy and the law. While ANZ encourages you to identify yourself to the Whistleblower Program, you can also report on an anonymous basis.

Where an officer or employee of ANZ Group becomes aware of or suspects the identity of a whistleblower, they must not make an unauthorised disclosure of confidential whistleblower information (identity of the whistleblower or information likely to lead to the identity of a whistleblower).

- 4. ANZ's expectations of you** - ANZ expects you to act honestly and ethically, and to make a report on reasonable grounds.
- 5. Investigations and Outcomes** - All investigations will be conducted in a timely manner, in accordance with the principles of fairness and natural justice and appropriately documented. Where appropriate, ANZ will update you on the status and outcome of your report.
- 6. Higher Standard** - This policy is designed to comply with ANZ's legal obligations. If anything in this policy is inconsistent with any law imposed on ANZ, including laws of any jurisdiction in which ANZ operates, that legal obligation or the 'higher standard' will prevail over this policy.

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**7. Regulators** – You have the right to communicate with regulators and law enforcement authorities at any time in relation to your concerns or any matter relating to this policy.

Some of these Principles are further explained throughout this policy.

### 3. SCOPE

#### A. CAN I MAKE A REPORT UNDER THIS POLICY?

1. You can make a report under this policy if you are a current or former:
  - a) employee of the ANZ Group;
  - b) person who is providing, or has provided goods or services to the ANZ Group, whether paid or unpaid (e.g., volunteering), and this includes contingent workers and suppliers;
  - c) employee or a sub-contractor of a person identified in (b) above;
  - d) officer or an associate of the ANZ Group, for example, a director or secretary of ANZ or of a related body corporate of ANZ;
  - e) relative or dependant of any of the individuals identified at (a) to (d) above (or a dependant of such an individual's spouse); or
  - f) employee or subcontractor of a third party intermediary, including brokers, financial planners, financial advisers, mobile lenders, and others who provide services:
    - (i) on behalf of, or to, ANZ in relation to an ANZ customer or potential ANZ customer; or
    - (ii) on behalf of, or to, an ANZ customer or potential ANZ customer, and in that capacity; AND
- i. Your concern is not one of the Excluded Matters outlined below;
- ii. You do not feel safe or comfortable to raise your concern via ANZ's other channels as outlined in Principle 1 above; AND
- iii. You have a reasonable and genuine concern about actual or suspected misconduct in relation to the ANZ Group (including by an officer or employee of the ANZ Group).

Examples of what might constitute misconduct include:

1. breaches of [ANZ's Code of Conduct](#);
2. practices or behaviours of concern relating to compliance with policies, procedures, or the law (i.e., including anything you think may be illegal);
3. unethical or unprofessional behaviour, including conduct that does not meet ANZ's commitment to do the right thing by its customers, third parties, regulators, shareholders and or the community;
4. issues of honesty or integrity, including internal fraud, theft, bribery, and corruption;
5. conflicts of interest, including those relating to outside business interests, relationships, improper payments, and donations;
6. breaches of competition law;

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7. breaches of privacy or confidentiality, including in relation to ANZ and customer information;
8. breaches of modern slavery legislation and/or human rights standards;
9. concerns that pose a risk to public safety, or the stability of, or confidence in the financial system;
10. misconduct or an improper state of affairs or circumstances (may include, but is not limited to, business behaviour and practices that cause consumer harm or systemic issues) in relation to the ANZ Group generally, including the tax affairs of the ANZ Group; and
11. a practice or behaviour of concern that relates to your current or past employment within the ANZ Group that has significant implications for the ANZ Group, presents a danger to the public or financial system, or otherwise is a breach of law.

### B. EXCLUDED MATTERS

While everyone is encouraged to speak up and report any concerns to ANZ, not everyone nor all types of concerns are intended to be covered by this Policy. Examples of the matters that are generally not intended to be covered by this Policy are:

#### **Exclusion 1: Customer Complaints**

If you are a customer and are concerned with the way ANZ has handled any matter, product, or service, including an existing complaint, please [contact ANZ](https://www.anz.com.au/support/contact-us/complaints/) with your concern (<https://www.anz.com.au/support/contact-us/complaints/>). For Suncorp Bank concerns, please contact Suncorp Bank. (<https://www.suncorpbank.com.au/contact-us/customer-relations.html>)

#### **Exclusion 2: Personal Work-related Grievances**

If you are a current or former employee of ANZ and want to report a grievance that directly affects you personally (and only you) in the context of your current or past employment, please contact ANZ's Employee Relations team (current employees may contact them via ANZ [PeopleHub](#)). Examples may include: an interpersonal conflict between you and another employee, a decision relating to your employment, transfer or promotion, a decision about the terms and conditions of your employment, and a decision to suspend or terminate your employment or otherwise discipline you based on your conduct, behaviour, or performance. These matters are excluded from the Policy as, generally speaking, they are not matters that the whistleblower laws are intended to protect, unless they have broader implications for ANZ (as described in example 11 above) or they relate to detrimental conduct (as described in section 7 of this Policy).

ANZ has other dedicated processes in place available to employees through which it may be more appropriate to report a particular concern. Please refer to Principle 1 above.

### 4. HOW DO I MAKE A REPORT OR FIND OUT MORE INFORMATION ABOUT THE PROCESS?

You can find out more information about the reporting process, or make a report via email, telephone, post, or using our external service. Whichever method you choose below, a Whistleblower Protection Officer will be assigned to your report and will work with the Whistleblower Program Team (unless conflicted) to assess your report and arrange for an investigation, if appropriate. The different ways you can make a report or find out more information, are:

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**Whistleblower Protection Officer (WPOs):** You can contact a WPO directly to make a report. A WPO is an individual within ANZ who has specific responsibilities under this Policy including protecting those who make a report and undergo role-specific training on these responsibilities. In all cases, a WPO will be assigned to your report so that it is assessed and where appropriate, investigated.

WPOs include certain senior leaders and individuals with appropriate skills and expertise to discharge their responsibilities under the Policy, including the Chief Compliance Officer, Group General Manager Internal Audit, and Whistleblower Program Lead. A current list of WPOs can be found [here](#).

**Whistleblower Program Team (WP Team):** You can contact the WP Team directly via email: [whistleblowing@anz.com](mailto:whistleblowing@anz.com). The WP Team includes the Whistleblower Program Lead and forms part of the Group Compliance function at ANZ.

**External reporting service EthicsPoint:** You can make a report through ANZ's external whistleblower reporting service EthicsPoint, which is operated by Navex Global. Navex Global specialises in worldwide whistleblowing and incident management services, governance, risk, and compliance solutions.

Reports made through this external service are directed to ANZ's dedicated WP Team. If you do not wish for your report to go to the WP Team, make your report to the Chief Compliance Officer or to the Group General Manager Internal Audit.

If you wish to remain anonymous, ensure that you **do not** include information in your report that may identify you.

You can make a confidential report (including an anonymous report) via:

**Website:** [anz.ethicspoint.com](http://anz.ethicspoint.com)

**Mobile device:** You can also use a mobile device to access the service at [anzmobile.ethicspoint.com](http://anzmobile.ethicspoint.com) or via this QR code:



**Hotline:** Australia: ☎ 1800 154 231 (Toll Free) | New Zealand: ☎ 0800 466 434 (Toll Free) | China: ☎ 4001 200 346 | India: ☎ 011 7181 7044 | Indonesia: ☎ 021 3114 1490 | Philippines: ☎ 02 8271 2168 | Singapore: ☎ 8004 922 826.

**Other Eligible Recipients (OER):** There are other individuals at ANZ who are also eligible to receive reports and who are required to handle that information in accordance with this Policy. This includes members of the Executive Committee (ExCo), officers of the ANZ Group, certain members of Group Tax and Internal Audit and internal actuaries performing actuarial services on behalf of the ANZ Group. Ultimately all reports received by OERs internal to ANZ will be referred to a WPO and the WP Team unless there are conflicts or exceptional circumstances. ANZ therefore recommends that you make your report using one of the other methods outlined above.

**Additional support for ANZ Employees:** For ANZ employees and their immediate families, who have made a report, or are thinking about making a report, and wish to seek additional support, the **Employee Assistance Program (EAP)** provides free, confidential, short term

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wellbeing support services by qualified professionals face to face, over the phone or over the internet. The program consists of a number of services which can be found [here](#).

**Additional support for non-employees:** For non-employees based in Australia, who have made a report, and wish to seek additional support, the **ANZ Whistleblower Support Program** provides free, confidential, short term wellbeing support services 24/7 by qualified professionals over the phone on this toll free number: 1300 916 539.

### 5. WHAT ARE MY PROTECTIONS UNDER WHISTLEBLOWER LAWS?

ANZ applies the standards under this Policy, however this does not extend to providing independent legal advice as to the application of the law and protections under the law for your specific circumstances. If you require further information regarding the application of the law, we encourage you to seek independent legal advice. For further information on Australian whistleblowing laws, please see the **ANZ Presence Schedule for Australia**.

### 6. WHAT IF MY CONCERNS RELATE TO CONDUCT, PEOPLE OR OPERATIONS OUTSIDE OF AUSTRALIA?

You can make a report regardless of where you are or where the conduct is occurring. If your report concerns conduct, people, or operations located outside of Australia, there may be some specific requirements, depending on which jurisdiction is involved. Please see the **ANZ Presence Schedules**. If there is no separate ANZ Presence Schedule for a jurisdiction, the general provisions of this Policy apply in full.

### 7. I HAVE MADE A REPORT UNDER THIS POLICY. WHAT NEXT?

#### A. PROTECTION FROM DETRIMENTAL CONDUCT (PRINCIPLE 2)

ANZ does not tolerate any detriment that is inflicted on you because of the fact that you or someone else has made a report, or due to someone suspecting that you or someone else might make a report, regardless of whether you have or are intending to do so. ANZ will take all reasonable steps to protect you from detrimental conduct and will take appropriate action where such conduct is identified. Examples of what may be considered detrimental conduct include:

- a) retaliation, dismissal, suspension, demotion, or having your employment or engagement with ANZ otherwise terminated;
- b) harassment, threats, or intimidation;
- c) discrimination, being subjected to current or future bias, or derogatory treatment;
- d) injury or harm, including psychological harm;
- e) damage or threats to your property, business, financial position, or reputation;
- f) revealing your identity as a Whistleblower without your consent or contrary to law; or
- g) threatening to carry out any of the above actions.

These protections apply to you regardless of whether any concerns raised in a report are substantiated, provided that you are acting honestly and ethically and made the report on reasonable grounds. These protections also apply to individuals conducting, assisting, or participating in an investigation.

If someone at ANZ, including any supplier to ANZ, engages in detrimental conduct against you, please **immediately** contact your WPO, the Whistleblower Program Lead, the [WP Team](#),

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either directly or through ANZ's external whistleblower reporting service EthicsPoint operated by Navex Global (contact details above). This includes where you have felt you:

- are disadvantaged or have suffered detriment because of the fact that you or someone else has made a report, or due to someone suspecting that you or someone else might make a report or because someone believes you have or may make a report;
- are disadvantaged or have suffered detriment for participating in or assisting an investigation; or
- have any concerns regarding your safety for having made a report or in considering making a report.

Where the detrimental conduct against you involves the WPO, you should report the matter to the ANZ Chief Compliance Officer, or the Group General Manager of Internal Audit if the WPO is the Chief Compliance Officer.

It is very important that you report any such detriment immediately, as it will help ANZ better protect you to the extent possible. Reports of detrimental conduct will be treated confidentially. Anyone engaging in detrimental conduct may be subject to serious consequences, including disciplinary action and/or termination of employment, engagements, or contracts, as applicable. They may also be subject to legal consequences in the form of civil and criminal penalties.

It is important to note, that ANZ also views the misuse of the Whistleblower channel seriously and a disclosure that is deliberately dishonest could give rise to disciplinary or other action.

### B. CONFIDENTIALITY AND CONSENT (PRINCIPLE 3)

When you make a report under this Policy or shortly after, ANZ will seek your consent in relation to how you would prefer information about your identity, including any information that is likely to identify you, to be handled (we use the term your **Identity** to refer to this information below). More information will be provided when you make a report, but in general terms, you can select one of the options below for protecting your Identity.

Regardless of the option you choose, ANZ has obligations to keep information in relation to your Identity and your report confidential in accordance with this Policy and the law.

**Confidential** - this means that you consent to the WPO and WP Team knowing your Identity and for the WPO and WP Team to disclose your Identity on a confidential basis where necessary for the purposes of:

- assessing the issues raised in your report
- conducting an investigation
- oversight and governance (including in connection with any regulatory reporting requirements)
- considering and actioning any outcomes
- keeping stakeholders updated on the status of a matter including in relation to any outcomes.

Providing confidential consent is preferred over being anonymous because ANZ will be best placed to fully investigate the matter and provide you with ongoing protection and support.

Practical steps ANZ may take to protect confidentiality may include, but are not limited to:

- referring to a reporter using gender neutral language

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- removing information that might lead to the identity of a reporter from written material
- consulting with a reporter in relation to any further measures that might be taken in order to maintain confidentiality.

**Anonymous** - this means you haven't identified yourself to ANZ, the WP Team or the WPO. You can choose to remain anonymous at the time of making a report, over the course of the investigation and after the investigation is finalised. You can refuse to answer questions that you feel could reveal your Identity at any time, including during follow-up conversations and you can omit information from your report that you are concerned may reveal your Identity.

ANZ welcomes anonymous reports when you are not comfortable to disclose your Identity, but they can present some challenges, as it may be difficult for the WP Team to assess and investigate the matter depending on the nature of your concerns.

Knowing your Identity may assist ANZ to investigate the matters you have raised, improve the effectiveness of the investigation, and enable ANZ to communicate, support and protect you better. For these reasons, if you wish to remain anonymous it is important that you maintain ongoing communication with ANZ either via the WP Team, the WPO or the EthicsPoint external reporting service so ANZ can ask follow-up questions, provide support, or provide feedback on any investigation challenges and provide you with updates.

If you make an anonymous report, ANZ will protect you in the following ways:

- maintaining communication through anonymous telephone hotlines and anonymised email addresses;
- limiting any interviews to phone interviews and information gathering to email or via the EthicsPoint external reporting service, as appropriate; and
- not taking deliberate steps to identify you during an investigation.

In some instances, if you have chosen to be anonymous, an investigation may not be able to be progressed or it may be more protective for you to share your identity with the WP Team, WPO, and the Whistleblower Investigation Team. We will discuss this with you if these circumstances arise.

Note that for legal and regulatory reasons, where your Identity is known to ANZ, ANZ may need to disclose your Identity to lawyers, regulators and or law enforcement authorities, regardless of the level of consent you have provided. In some cases, ANZ may also need to disclose information likely to identify you where it is reasonably necessary for the purposes of an investigation and where reasonable steps have been taken to protect your Identity.

To help protect you and your Identity, please don't share details of the matter, your report, or what ANZ tells you with others outside of the WP Team. Of course, you have the right to communicate with regulators and law enforcement authorities at any time (see Principle 7 in Part 2 above).

Where an officer or employee of ANZ Group become aware of or suspect the identity of a whistleblower, they must not make any unauthorised disclosure of confidential whistleblower information (Identity).

### C. INVESTIGATION AND OUTCOMES (PRINCIPLE 5)

After receiving a report from you, ANZ will:

- Assign a WPO to your report;



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- Assess your report to determine if it will be managed under this Policy;
- Determine whether and how to investigate;
- Consider any conflicts of interest prior to investigating; and
- Appoint a Whistleblower Investigator, if appropriate.

Whistleblower Investigators are predominantly from ANZ's Group Integrity and/or Employee Relations teams but may include others with the appropriate skills and subject matter expertise as required. Whistleblower Investigators are briefed on your report and their confidentiality obligations. Investigations are to be conducted in a timely, fair, and impartial manner, and investigators are required to act independently and competently and to treat all those involved in a report fairly so that each case is evaluated on its merits.

ANZ will ensure the fair treatment of individuals mentioned in reports by handling reports under this Policy confidentially and sensitively. Where appropriate, individuals who are accused of misconduct in a report (a **Respondent**) will have an opportunity to respond to allegations before any adverse findings of fact in any investigation are made and, for Employee Respondents, before any disciplinary action (if appropriate) is taken.

If you make a report about a matter that has already been investigated by or on behalf of ANZ, (for example by Employee Relations or Group Integrity) the WP Team will assess the report to determine if further investigation is necessary.

The Whistleblower Investigator may need to contact you for further information for the purpose of the investigation and, where necessary and subject to confidentiality obligations, may also need to speak to other individuals who may have relevant information regarding the matters reported. If you have not provided your consent to be contacted, or if you decline or can't provide further information, this may limit ANZ's ability to investigate the matter fully, and in some circumstances, could mean that an investigation is not possible. We will endeavour to let you know if this is the case. The method for documenting and reporting the findings of any investigation will depend on the nature of the report. The report and any investigation records will be securely retained.

For investigated reports, the WP Team or the Whistleblower Investigator will provide you with updates on progress and any investigation outcomes, where appropriate and subject to any confidentiality constraints. These updates may be written or verbal, depending on the circumstances. There may be circumstances where it is not appropriate to provide details of the outcome of the investigation to you.

As noted above, if you have made a report anonymously, it is very important that you check back in on the status of your report, as ANZ may have left messages for you in an attempt to update you on the investigation, or to let you know what further information is needed that may be critical to progressing the investigation.

Each report will have a unique identifier which will be provided to you so you can liaise with the WPO assigned to you in order to seek feedback on the status or outcome of your report.

If you are not satisfied that your report has been investigated and acted upon appropriately, you may contact the Chief Compliance Officer to request a review. Where a request to review a report is made and the WPO assigned to the report is the Chief Compliance Officer, the review will be conducted by the Group General Manager of Internal Audit.

## 8 ROLES AND RESPONSIBILITIES

The following lists some details of the main responsibilities of the key positions and teams mentioned in this Policy and what you can expect from them throughout the process:



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### A. WHISTLEBLOWER PROTECTION OFFICER (WPO)

- Receive reports and protect the interests of reporters
- Refer received reports to the WP Team
- Maintain confidentiality of Identity and reports received as required by this Policy and the law
- Immediately report concerns in relation to any detrimental conduct to the WP Team
- Oversee the investigation of reports assigned to them and ensure investigations are conducted in accordance with this Policy
- Ensure any reports involving a director or the Chief Executive Officer of ANZ are reported to the Chair of ANZ's board
- Ensure any reports involving a director or the Chief Executive Officer (or Country Head) of a related entity in the ANZ Group are, if required, reported to the Chair or country equivalent of that entity's board
- Update reporters on report progress and outcomes as appropriate in the circumstances
- Be satisfied that appropriate recommendations to act or remediate based on the WI's investigation report have been made in conjunction with other stakeholders, where appropriate
- Make recommendations to prevent future instances of reportable misconduct
- Complete any training mandated by the WP Team
- Seek to ensure the integrity of the Whistleblower Program is maintained

### B. WHISTLEBLOWER PROGRAM LEAD (POLICY OWNER)

- Develop, maintain, and communicate obligations under this policy
- Oversight implementation and effectiveness of this policy across the ANZ Group and ensuring implementation is appropriately supported
- Oversight compliance with requirements under this policy
- Review and approve related local Whistleblower Policies and/or jurisdiction-specific Policy schedules, including any amendments, in line with the Policy Governance Framework
- Approve any exemptions in relation to this Policy or any related local Whistleblower Policies

### C. WHISTLEBLOWER PROGRAM TEAM (WP TEAM)

- Act as WPOs on certain whistleblower matters
- Determine whether a report falls within the scope of the Policy
- Determine whether a report should be investigated and appoint a WI where appropriate
- Maintain confidentiality of Identity, reports, and investigations in accordance with this Policy and the law
- Assist the WPO, where applicable, in complying with their responsibilities listed above, including the assessment and oversight of reports and escalation as required
- Assist the Whistleblower Program Lead in the administration of this Policy
- Provide advice and support to Other Eligible Recipients
- Provide support and updates to reporters on the progress of a matter and outcomes where possible and appropriate
- Provide advice, where appropriate, to First Line Risk Owners and to Business Governance and Controls
- Maintain a secure and restricted record of all reports made under this Policy
- Report regularly to the Chief Compliance Officer and Chief Risk Officer on reports active in the preceding period, including de-identified details of reports made and actions taken
- Report to the ANZ Board Ethics, Environment, Social and Governance (EESG) Committee on a quarterly basis, including reporting on material incidents raised under the Policy

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- Report to ANZ's Operational Risk Executive Committee (OREC) twice annually
- Report to any other boards and committees of the ANZ Group in a manner agreed between the Whistleblower Program and the relevant board, as appropriate
- Arrange role-specific training as and when required
- Conduct an annual review of this Policy

### D. WHISTLEBLOWER INVESTIGATORS (WI)

- Maintain confidentiality of Identity, reports, and matters they are investigating in accordance with this Policy and the law
- Immediately report concerns in relation to any detrimental conduct to the nominated WPO and the WP Team
- Investigate reports in accordance with their appointment and this Policy
- Plan the investigation of matters relating to the report and (within the period agreed with the WP Team) advise the WP Team and WPO of the proposed investigation approach
- Advise the WP Team and WPO if, at any time, immediate consideration or action is required to stop, prevent, or mitigate the reported misconduct or any other identified concerns
- Take steps to protect or preserve evidence such as documents, materials, and equipment
- Gather documents, information and evidence relating to the matters being investigated
- Provide regular updates to the WP Team and WPO on investigation progress as required
- Draw conclusions based on an objective and fair assessment of the evidence gathered during the investigation
- Maintain comprehensive records of the investigation
- Make recommendations to the WP Team and WPO, where appropriate, in relation to any disciplinary actions or contractual actions with respect to any respondent(s) and how to stop, prevent or mitigate future misconduct
- Complete any training mandated by the WP Team

### E. OTHER ELIGIBLE RECIPIENTS (OER)

- Receive reports and obtain consent from the reporter where possible or relevant and refer the report to the WP Team for assessment and, if appropriate, investigation
- Maintain confidentiality about Identity, reports they receive in accordance with this Policy and any subsequent investigation in accordance with this Policy and the law
- Immediately report any concerns in relation to any detrimental conduct to the nominated WPO and the WP Team
- Complete any training mandated by the WP Team

### F. ALL OFFICERS AND EMPLOYEES OF ANZ GROUP

- An officer or employee of ANZ Group must not:
  - if they become aware of or suspect the identity of a whistleblower, make an unauthorised disclosure of confidential whistleblower information (identity of the whistleblower or information likely to lead to the identity of a whistleblower)
  - engage in detrimental conduct that causes or is intended to cause harm to a whistleblower for having made, suspected of having made or proposing to make a whistleblower report.
- An officer or employee of ANZ Group must complete any training mandated by the WP Team.

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### 9. OTHER INFORMATION ABOUT THIS POLICY

#### A. BREACH OF THIS POLICY

A breach of this Policy must be immediately escalated to the Policy Owner (ANZ Whistleblower Program Lead). A breach of this Policy is considered a breach of the ANZ Code of Conduct, and may have serious consequences including termination of employment, engagement, or services, where appropriate. Any incidents and alleged potential or actual breaches in relation to this policy must be managed in accordance with the ANZ [Operational Risk and Compliance Framework](#) or Suncorp Bank Risk Management Framework as applicable. ANZ will apply the [Performance Improvement and Unacceptable Behaviour Policy](#) to employees in determining the consequences of the breach.

#### B. LEGAL OBLIGATIONS

If, in performing duties under or otherwise complying with this policy, you identify a legal obligation that is inconsistent with this policy, you must report this inconsistency to the Policy Owner.

#### C. EXEMPTIONS TO THIS POLICY

All Policy Exemption requests, including country/jurisdiction level exemptions, must be submitted for approval to the Policy Owner (or delegate) using the [Policy Exemption Form](#). Approvals will not be granted for retrospective exemptions, or exemptions that do not comply with applicable laws.

#### D. DEFINITIONS

The [Policy Glossary](#) contains standard terms.

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## ANZ Presence Schedules

**1 Australia**

- A.** This schedule sets out a summary of the legal protections that may be available under Australian law. ANZ will apply the standards set out in the Policy. Some aspects of the Policy may be broader than the legal protections available under Australian law. ANZ is unable to advise you on how the law will apply to your specific circumstances. If you require further information on the application of the law, please seek independent legal advice.

**B. ELIGIBILITY FOR STATUTORY PROTECTIONS UNDER AUSTRALIAN LAW**

The *Corporations Act 2001 (Cth)* and *Taxation Administration Act 1953 (Cth)* provide special protections to eligible whistleblowers who make disclosures that qualify for protection **(Statutory Protections)**.

**Eligibility for protections under Australian law**

The Statutory Protections will be available in Australia if each of the following conditions are satisfied:

A) You are one of the following:

- i. employee of the ANZ Group;
- ii. person who is providing, or has provided goods or services to the ANZ Group, whether paid or unpaid (e.g., volunteering), and this includes contingent workers and suppliers;
- iii. employee of a person identified at (ii) above;
- iv. officer or an associate of the ANZ Group, for example, a director or secretary of ANZ or of a related body corporate of ANZ; or
- v. relative or dependant of any of the individuals identified at (i) to (iv) above, or a dependant of such an individual's spouse.

B) Your report is made to any of the following:

- i. A person nominated by ANZ to receive reports, this includes the WPOs, the external whistleblower reporting service EthicsPoint operated by Navex Global and the WP Team inbox;
- ii. Directors and secretaries of entities in the ANZ Group;
- iii. Senior managers of entities in the ANZ Group (this is the *Corporations Act* definition, not a reference to the ANZ role title);
- iv. Identified senior managers of Group Tax (Group General Manager Taxation; Head of Tax Operations; Head of Tax Advisory; Head of Tax Institutional; Manager Tax Hubs; Tax Specialist (Head of Customer Tax Transparency); Head of Tax Group Functions; and Head of Australia Indirect Taxes) or a registered tax agent or BAS agent who provides tax agent or BAS services to ANZ;
- v. An internal or external auditor of ANZ Group, including a member of the Internal Audit team in the ANZ Group (other than administrative assistants);
- vi. An internal or external actuary of the ANZ Group; and

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- vii. ASIC, APRA, or another Commonwealth body prescribed by regulation Further information is publicly available on the relevant bodies' websites.
- viii. In respect of tax-related disclosures to the Commissioner of Taxation, the Tax Practitioners Board, the Inspector General of Taxation, prescribed entities of which the discloser is a member or a medical practitioner or psychologist for purposes of obtaining or providing assistance in relation to the disclosure. Further information is publicly available on the relevant bodies' websites.

C) You have reasonable grounds to suspect that the information you disclose concerns misconduct, or an improper state of affairs or circumstances, in relation to the ANZ Group (including by an officer or employee of the ANZ Group), and the report does not concern an Excluded matter. (At Part 3-A of the Policy, ANZ has set out the kinds of conduct that it will treat as within scope of the Policy. However, not all matters within the scope of Part 3-A will necessarily qualify for the Statutory Protections).

Disclosures that do not concern misconduct or an improper state of affairs or circumstances will not qualify for the Statutory Protections, however they may be protected under other legislation such as the *Fair Work Act 2009 (Cth)*. A report that contains a mix of allegations of personal work-related grievances and misconduct or an improper state of affairs or circumstances will qualify for the Statutory Protections.

You will also be protected if you make a disclosure to a lawyer for the purposes of receiving legal advice or representation in relation to the Statutory Protections (even if the legal practitioner concludes that the Statutory Protections are not available, for example if your concern is a personal work-related grievance). Where you are seeking legal advice, please approach an independent lawyer and not a lawyer who works for ANZ Group.

If you meet the above criteria, the Statutory Protections are available to you even if you make the report anonymously.

### Public interest and emergency disclosures

Statutory Protections may also be also available if you make a public interest or emergency disclosure to a journalist or member of Parliament. It is important to understand the criteria for making a public interest or emergency disclosure, which is set out below:

PUBLIC INTEREST DISCLOSURE	EMERGENCY DISCLOSURE
A previous report has been made to ASIC, APRA, or a prescribed Commonwealth body	
90 days has passed since making the report	(No wait period)
You have reasonable grounds to believe that...	
...making a further disclosure of the information would be in the public interest	...the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment
You give the body to which the previous disclosure was made a written notification that includes sufficient information to identify the previous disclosure and states that you intend to make a disclosure	
You then make a disclosure to a journalist, a member of the Parliament of the Commonwealth, the Parliament of a State, or the legislature of a Territory	
The extent of the information disclosed is no greater than is necessary to inform the recipient of the...	
...misconduct or improper state of affairs or circumstances	...substantial and imminent danger

## WHISTLEBLOWER POLICY

You should seek independent legal advice before making a public interest or emergency disclosure.

### C. STATUTORY PROTECTIONS PROVIDED

Where a report is protected under Australian law, the Statutory Protections are as follows:

- a) anyone who engages in detrimental conduct as described at Part 7-A of the Policy may be guilty of an offence and may be liable for damages;
- b) a person who receives the report commits an offence if they disclose your identity or information likely to lead to your identification unless one of the following exceptions applies:
  - i you consent to the disclosure of your identity;
  - ii the disclosure of details likely to lead to your identification is reasonably necessary for the effective investigation of the matter and all reasonable steps are taken to reduce the risk of your identification;
  - iii the concern is reported to ASIC, APRA, the AFP or a person or body prescribed by regulation
  - iv tax-related disclosures are reported to the Commissioner of Taxation, the Tax Practitioners Board, the Inspector-General of Taxation, the Commissioner of the Australian Charities and Not-for-profits Commission and any other prescribed entities;
  - ;
  - v the concern is raised with a lawyer for the purpose of obtaining legal advice or representation;
- c) you are protected from civil liability for making the report (e.g., any legal action against you for breach of an employment contract, duty of confidentiality or another contractual obligation)
- d) you are protected from criminal liability for making the report (e.g., attempted prosecution of you for unlawfully releasing information, or other use of the disclosure against you in a prosecution, other than for making a false disclosure)
- e) you are protected from administrative liability for making the report (e.g., disciplinary action for making the disclosure).

The Statutory Protections do not grant immunity for any misconduct you have engaged in that is revealed in your disclosure.

### Compensation for detrimental conduct

You (or any other employee or person) may be able to seek compensation and other remedies through the courts if you (or any other employee or person) suffer loss, damage, or injury because of detrimental conduct (described at Part 7-A of the Policy) and ANZ failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.

## 2 Fiji

### A. FURTHER REQUIREMENTS

In addition to the Policy, please note the following if you are reporting from Fiji, or your concern or report relates to the ANZ Group's business in Fiji:

#### **Part 2 (Principles), Principle 7 (Regulators)**

A reminder that you are entitled to escalate your report or raise your concern directly to the below regulators/agencies at any time:

**Reserve Bank of Fiji (RBF):** Phone: (679) 331 3611| Email: [info@rbf.gov.fj](mailto:info@rbf.gov.fj) |Website: <https://www.rbf.gov.fj/Contact-Us-Feedback>

**FIJI FINANCIAL INTELLIGENCE UNIT:** Phone: (679) 322 3333| Email: [info@fijifiu.gov.fj](mailto:info@fijifiu.gov.fj) | Web site: <https://www.fijifiu.gov.fj/Contact-Us.aspx>

#### **Fiji Independent Commission Against Corruption**

Phone: (679) 331 0290| Email: [info@ficac.org.fj](mailto:info@ficac.org.fj) | Website: <https://ficac.org.fj>

### B. FIJI POLICY ADMINISTRATION

Copies of this Policy and any revisions will be submitted to the RBF within 30 days after the changes have been approved by the ANZ Board.



### 3 France

#### A. FURTHER REQUIREMENTS

In addition to the Policy, please note the following if you are reporting from France or your concern or report relates to the ANZ Group's business in France (**ANZ France**):

##### **Part 2 (Principles), Principle 7 (Regulators)**

A reminder that you are entitled to raise your concerns and make a report directly to the French banking supervisor, the ACPR at any time regardless of whether you have already made a report under this Policy.

Reports made in written form and accompanied by any supporting information of the reported facts, may be sent by post to the following dedicated address to the service designated by ACPR's Secretary General to ensure the receipt and follow-up of reports, as well reporter communications:

**SAIDP – Signalements Direction des affaires juridiques du Secrétariat général de l'Autorité de contrôle prudentiel et de résolution**

4, place de Budapest – CS 92459

75436 PARIS CEDEX 09 Reports can be submitted via email : 2780-SIGNALEMENTS-UT@acpr.banque-france.fr

In addition to the examples of misconduct provided in the Policy, in France, the other reportable events are as follows:

##### **A Reportable Concern to the Whistleblowing channel is:**

A possible malfunction in the effective implementation of:

- obligations specific to banking and financial activities, whether legislative or regulatory; national or directly applicable European regulation;
- professional and ethical standards; or
- specific instructions/directions from the supervisory body by effective managers.

##### **A Reportable Concern (breach or violation) to the Autorité de Contrôle Prudentiel et de Résolution (ACPR) is:**

A potential and proven breach of the obligations defined by:

- European regulations; and
- the French Monetary and Financial Code (MFC) for banking service providers

##### **Part 6 (What if My Concerns Relate to Conduct, People, or Operations Outside of Australia?)**

Please be aware that reports made from France via the whistleblowing channel are subject to French law and the guidelines of the data protection authority, Commission Nationale de l'informatique et des Libertés (**CNIL**) guidelines, and must comply with the following requirements:

- a) You must use the whistleblowing channel in an unbiased manner;
- b) The whistleblowing channel must be used in good faith. Consequently, a malicious

## WHISTLEBLOWER POLICY

report may result in disciplinary action and civil and/or criminal prosecution. Conversely, the mere fact that a concern reported proves to be unfounded, inaccurate or is not further processed or investigated, will not expose the whistleblower to such action if the report has been submitted in good faith.

c) Further to Principle 4 set out in Part 2 of the Policy (ANZ's expectations of you), whereby ANZ expects you to act honestly and ethically and make a report on reasonable grounds, in France, there are further requirements that dictate what types of reports will be considered. These are reports that, where possible:

i. requires all necessary precautions to be taken in order to preserve the confidentiality of your identity, and that of any person involved in the matter; and

d) requires to be reported on in an objective manner. No one will face any consequences for not using the whistleblowing channel.

e) While anonymous reporting is generally not encouraged in France, the CNIL recommends that an anonymous report can be dealt with under the following conditions:

- i the seriousness of the facts is established; and
- ii the report is sufficiently documented.

If these conditions are met, your report will be handled with special precautions under French law. If an anonymous report is found to be malicious, this may result in disciplinary action and prosecution as per item b) listed above.

Notwithstanding the fact that anonymous reporting may not be allowed in your specific case, your identity will of course be processed and kept confidential by the individuals specifically in charge of receiving and investigating the reports within ANZ and its provider as set out in the Policy. Those individuals are limited in number, specifically trained to receive, and investigate those reports, and subject to strong contractual confidentiality obligations.

f) In any case, your identity as a whistleblower will not be disclosed without your consent, except to a judicial authority.

The same confidentiality obligations apply to the identity of any other individuals concerned in a report and will only be disclosed to the judicial authority, where appropriate.

Note, however, that Navex Global, in its capacity as data processor and service provider managing a whistleblowing channel for ANZ, will have access to the identity of the whistleblower and of the other individuals concerned by a report, to the extent necessary to carry out its work in relation to the management of the whistleblowing channel and in accordance with its confidentiality obligations.

### Your Personal Data

For further information in relation to how your personal data will be handled, please contact ANZ's Data Protection Representative:

- By email: [gdpereurope@anz.com](mailto:gdpereurope@anz.com)
- By telephone: +44 (0) 203 229 2121
- By post: Australia and New Zealand Banking Group Ltd, Level 12, 25 North Colonnade, Canary Wharf, London E14 5HZ

## B. FRANCE POLICY ADMINISTRATION

The ANZ Paris branch will communicate this Policy to the ACPR with the annual Internal Control Report.

## WHISTLEBLOWER POLICY

## 4 Germany

### FURTHER REQUIREMENTS

In addition to the Policy, please note the following if you are reporting from Germany or your concern or report relates to the ANZ Group's business or branch in Germany (**ANZ Germany**), you may be eligible for statutory protections under German law, including the German Whistleblower Protection Act 2023.

This Germany Schedule sets out certain aspects of the protections that may be available under German law, where these differ to the protections outlined in this Policy. If you require further information on the application of the law, please seek independent legal advice.

### Part 2 (Principles), Principle 7 (Regulators)

You are entitled to escalate your report to the German banking regulator, **Federal Financial Supervisory Authority (BaFin)** directly at any time:

Phone: +49 (0) 22 84 10 82 355

Email: [https://www.bafin.de/SharedDocs/KontaktDaten/EN/BaFin/Kontakt/kontakt\\_baf\\_in\\_hinweisgeberstelle\\_en.html?nn=8119390](https://www.bafin.de/SharedDocs/KontaktDaten/EN/BaFin/Kontakt/kontakt_baf_in_hinweisgeberstelle_en.html?nn=8119390)

Post: Bundesanstalt für Finanzdienstleistungsaufsicht

Hinweisgeberstelle

Graurheindorfer Straße 108

53117 Bonn

By electronic whistleblowing system: <https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=2BaF6&language=eng>

### Part 3 (Scope), Section A (Can I make a report under this Policy?)

This Policy contains examples of what might constitute reportable misconduct. This list is not intended to be exhaustive and there may be other examples. Specific legal protections apply in Germany, under the German Whistleblower Protection Act, in relation to reports of potential violations outlined in the Act.

In addition to the categories of eligible reporters covered by 3.A (scope), you can also make a report under this Policy if you are:

- (a) Applying for a job at ANZ and have obtained information about a potential violation detailed in the German Whistleblower Protection Act
- (b) Your employment relationship with ANZ has not commenced and you have obtained information about a potential violation detailed in the German Whistleblower Protection Act during the recruitment process.

### Part 4 (How do I Make a Report or Find out More Information about the Process?)

The persons responsible for receiving reports will document all incoming reports in a permanently retrievable manner in compliance with the principle of confidentiality.

Where you make a report by telephone or any other type of voice transmission, a written summary of the report will be prepared. Any permanently retrievable audio recording or written transcription of the conversation may only be made with your consent.

## WHISTLEBLOWER POLICY

You shall be given the opportunity to review the written record, make corrections if necessary and confirm them by signature or in electronic form. Retention of data, including whistleblower data, is managed in line with applicable ANZ Policies, regulations, and laws. At your request, a personal meeting will be arranged with a person responsible for receiving a report (or delegate) within a reasonable time. The meeting may take place by video conference if you consent.

### **Part 7 (I Have Made A Report Under This Policy. What Next?) Section A (Protection from Detrimental Conduct)**

In addition to the obligations set out in section 7.A, obstructing or attempting to obstruct a whistleblower report or communication between you and the Whistleblower Program Team or any other authorised or eligible recipient of whistleblower reports following a report is expressly prohibited.

### **Part 7 (I Have Made A Report Under This Policy. What Next?) Section B (Confidentiality and Consent)**

In addition to the process set out in the Policy after you have made a report,

- if you are reporting from Germany, you will receive an acknowledgement of receipt of the report within seven days.
- In principle and where possible, you will receive a response from the whistleblower program within three months of the acknowledgement of receipt, unless it may impact internal inquiries or investigation or may prejudice the rights of the persons who are the subject of a report or who are named in the report. Further, if ANZ needs to disclose your identity for legal reasons (for example, in response to a court order), ANZ must inform you in advance of the disclosure and its reasons, unless ANZ was informed by the relevant competent authority that the information would jeopardise the investigation, inquiries or court proceeding.

### **Roles and Responsibilities**

#### **A. Whistleblower Protection Officer (WPO)**

In addition to the roles and responsibilities set out in the internal Policy and subject to any conflicts, the WPO must notify the:

- Head of Compliance (or delegate) for ANZ Frankfurt as soon as reasonably practicable, of any report containing allegations relating to insider trading and market abuse
- Money Laundering Reporting Officer (or delegate) for ANZ Frankfurt as soon as reasonably practicable, of any report containing allegations relating to money laundering or terrorism financing.

The Head of Compliance (or delegate) or Money Laundering Reporting Officer (or delegate) for ANZ Frankfurt will work with the WPO to determine if the matter needs to be reported to the relevant regulator/s or any other relevant internal/external stakeholder as required.

### **Your Personal Data**

For further information in relation to how your personal data will be handled, please contact ANZ's Data Protection Representative:

- By email: [gdp@anz.com](mailto:gdp@anz.com)
- By telephone: +44 (0) 203 229 2595
- By post: ANZ Bank, 40 Bank Street, London E14 SEJ

## 5 Hong Kong (HK)

### A. FURTHER REQUIREMENTS

In addition to the Policy, please note the following if you are reporting from Hong Kong, or your concern or report relates to the ANZ Group's business in HK:

#### Roles and Responsibilities

##### A. Whistleblower Protection Officer (WPO)

In addition to the roles and responsibilities set out in the internal Policy:

- Where a report relates to fraud, deception, theft, forgery, corruption, or other illegal activity, the WPO must contact the HK Compliance team (or alternatively the Hong Kong Legal team) immediately (to the extent permitted by law); and the HK Compliance team (or Hong Kong Legal Team) will work with the WPO to determine if the matter needs to be reported to the HK regulator, the Hong Kong Monetary Authority (**HKMA**); and
- Where a report contains allegation in relation to suspected external or internal fraud, and/or where an investigation confirms or suspects external or internal fraud, that could lead to material potential financial loss to ANZ, its customers, or have significant impact on ANZ's reputation, the WPO must notify the HK Compliance Head (or Hong Kong Legal Head) immediately (to the extent permitted by law), who may in turn be required to notify the HKMA on the same day.

## WHISTLEBLOWER POLICY

## 6 Indonesia

### A. FURTHER REQUIREMENTS

In addition to the Policy, please note the following if you are reporting from Indonesia, or your concern or report relates to the ANZ Group's business in Indonesia:

#### Part 2 (Principles), Principle 7 (Regulators)

A reminder you are entitled to escalate your report to the Indonesian Financial Services Authority, Otoritas Jasa Keuangan (OJK) directly at any time if your concern relates to:

- (i) disputes between consumers and PT Bank ANZ Indonesia; or
- (ii) offences to laws and regulations in the financial services sectors by PT Bank ANZ Indonesia, pursuant to Article 9 of OJK Regulation No. 31/POJK.07/2020 on the Implementation of Consumer and Public Services in the Financial Services Sector by the Financial Services Authority and subsequently amended by OJK Regulation No. 22 Year 2023 on Consumer and Public Protection in The Financial Services Sector.

**Phone:** +6221 157

**Email:** konsumen@ojk.go.id

**Post:** Radius Prawiro Tower, 2<sup>nd</sup> Floor, Bank Indonesia Office Complex, Jl.MH. Thamrin No.2, Central Jakarta 10350

### Roles and Responsibilities

#### A. Whistleblower Protection Officer (WPO)

- Where a report contains allegations relating to fraud, bribery or corruption, the President Director of PT Bank ANZ Indonesia will appoint a WPO who is responsible for handling such matters within PT Bank ANZ Indonesia (i.e., Head of Compliance or Head of Financial Crime of PT Bank ANZ Indonesia or any other appropriate officer within the Financial Crime Unit of PT Bank ANZ Indonesia). The assigned WPO will work with the Whistleblower Program Team to determine if the matter needs to be reported to the Indonesian Financial Services Authority, *Otoritas Jasa Keuangan (OJK)* as governed under PT Bank ANZ Indonesia's Anti-Fraud Policy & Procedure.

#### Part 6 (What if My Concerns Relate to Conduct, People, or Operations Outside of Australia?)

- Please be aware that reports made from Indonesia, or where the concern or report relates to the ANZ's Group's business in Indonesia, specifically if related to any fraud (including any fraud as described under OJK Regulation No. 12 of 2024 concerning Implementation of Anti-Fraud Strategy For Financial Service Institutions), can also be reported under applicable local policy as well as this Policy.

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## 7 New Zealand

### A. FURTHER REQUIREMENTS

In addition to the Policy, please note the following if you are reporting from New Zealand or your concern or report relates to the ANZ Group's business in New Zealand i.e., ANZ Bank New Zealand Limited (**ANZNZ**); ANZ New Zealand Investments Limited; or ANZ Investments Services (New Zealand) Limited (together, the **ANZNZ Group**):

If you are reporting a concern from New Zealand or your concern or report relates to the ANZNZ Group, you may be eligible for statutory protections under New Zealand law, including the Protected Disclosures (Protection of Whistleblowers) Act 2022 (**Protected Disclosures Act**).

This New Zealand Schedule sets out a summary of certain aspects of the protections that may be available under New Zealand law, where these differ to the protections outlined in this Policy. If you require further information on the application of the law, please seek independent legal advice.

#### Part 2 (Principles), Principle 7 (Regulators/Appropriate Authorities)

In addition to raising your concerns in accordance with this Policy and schedule, you are entitled to report your concerns to an appropriate authority at any time, including any of the below authorities:

##### a) Reserve Bank of New Zealand

Phone: +64 4 471 3657 | Email: [whistleblowing@rbnz.govt.nz](mailto:whistleblowing@rbnz.govt.nz) | Write: PO Box 2498, Wellington 6140, New Zealand

##### b) Financial Markets Authority

Phone: 0800 434 567, +64 4 472 9830 | Email: [questions@fma.govt.nz](mailto:questions@fma.govt.nz) | Write: PO Box 1179, Wellington 6140, New Zealand.

##### c) Commerce Commission

Phone: 0800 943 600 | Email: <https://report.whistleb.com/en/comcom> | Write: PO Box 2351, Wellington 6140, New Zealand.

##### d) Banking Ombudsman Scheme

Phone: 0800 805 951 | Email: [sing.out@bankwb.org.nz](mailto:sing.out@bankwb.org.nz) | Write: Freepost 218002 or PO Box 25327, Wellington 6146, New Zealand.

There are also options to report, refer, or escalate your concerns to other appropriate authorities or contacts in some situations.

Where you report a concern to an appropriate authority, that authority will only be required to handle that concern in accordance with the Protected Disclosures Act where the relevant statutory requirements are satisfied. An appropriate authority may also refer your disclosure to another appropriate authority or to ANZ, following consultation with you.

#### Part 3 (Scope) Section A (Can I Make a Report Under this Policy?)

This Policy contains examples of what might constitute reportable misconduct. This list is not intended to be exhaustive and there may be other examples. Specific legal protections apply in New Zealand, under the Protected Disclosures Act, in relation to reports of "serious



## WHISTLEBLOWER POLICY

wrongdoing” which includes any acts, omissions, or courses of conduct in or by the ANZNZ Group that are or could be one or more of the following:

1. An offence
2. a serious risk to public health, public safety, the health or safety of any individual, or the environment;
3. a serious risk to the maintenance of New Zealand law, including the prevention, investigation, and detection of offences and the right to a fair trial;
4. unlawful, corrupt, or irregular use of public funds or resources; or
5. oppressive, unlawfully discriminatory, grossly negligent or that constitutes gross mismanagement, and is done by a person performing (or purporting to perform) a function or duty or exercising (or purporting to exercise) a power on behalf of a public sector organisation or the Government.

The specific legal protections that apply to reports of “serious wrongdoing” only apply to persons who fall within the definition of “discloser”, and who make a “protected disclosure” in accordance with the Protected Disclosures Act.

### Part 3 (Scope) Section B (FIJI Matters)

#### Exclusion 1: Customer complaints

If you are a customer and are concerned with the way that ANZNZ or any company within the ANZNZ Group has handled any matter, product, or service, including an existing complaint, please contact ANZNZ: [https://help.anz.co.nz/app/answers/detail/a\\_id/117/~/\\_lodge-a-complaint](https://help.anz.co.nz/app/answers/detail/a_id/117/~/_lodge-a-complaint)

#### Exclusion 2: Personal Work-related Grievances

As described in the Policy, personal work-related grievances are generally excluded under the Policy. However, if the matter said to give rise to any such grievance also amounts to “serious wrongdoing” under the Protected Disclosures Act, and is made in accordance with the required process, the legal protections may apply.

If you are considering making a report you may wish to seek independent legal advice, in relation to the options available for raising concerns of this nature. For further information relating to raising personal work-related grievances through other reporting channels at ANZ, please contact ANZ’s Employee Relations team via ANZ [PeopleHub](#).

#### Exclusion 3: Legal Professional Privilege

Nothing in the Policy authorises a person to disclose information that is protected by legal professional privilege. A disclosure of such information is not protected under the Policy and is not a “protected disclosure” under the Protected Disclosures Act.

### Part 7 (I Have Made A Report Under This Policy. What Next?) Section A (Protection from Detrimental Conduct)

In addition to the examples of detrimental conduct set out in the Policy, victimisation is strictly prohibited.

Victimisation means any situation where you receive actual or threatened unfavourable treatment because of making, or intending to make, encouraging, or giving, information in support of a report under the Policy.

## WHISTLEBLOWER POLICY

Should you be treated less favourably, or experience retaliation or victimisation, upon making a report of “serious wrongdoing” under this Policy, you may be entitled to various protections under New Zealand law (including but not limited to the Protected Disclosures Act, Employment Relations Act 2000, Human Rights Act 1993, and/or Privacy Act 2020).

### **Part 7 (I Have Made A Report Under This Policy. What Next?) Section B (Confidentiality and consent)**

The Policy lists particular circumstances in which ANZ may need to disclose your Identity (even where you have sought anonymity).

In addition to these particular circumstances, where a report of “serious wrongdoing” is made in accordance with the Protected Disclosures Act, ANZ may disclose your Identity if it has reasonable grounds to believe that disclosing the identifying information is essential:

- for the effective investigation of a disclosure;
- to prevent a serious risk to public health, public safety, the health, or safety of any individual or the environment; or
- to comply with the principles of natural justice.

Any disclosure of your Identity will be managed in accordance with ANZ’s obligations under New Zealand law.

In addition to the protections outlined in the Policy, if you are an employee of the ANZ business to which a report relates, or another “discloser” for the purposes of the Protected Disclosures Act, and you provide supporting information in relation to that report so that the report can be investigated, both the information and your identity will be protected under this Policy, where you disclose that information in accordance with ANZ policy and New Zealand law.

If you are dissatisfied with the way ANZ investigated or acted upon the report, you are entitled to raise this with an appropriate authority, including one of the authorities noted in Part 2 of this schedule.

### **Roles and Responsibilities Whistleblower Program Team**

The manner in which ANZ NZ whistleblower disclosures are reported for ANZ NZ is:

1. De-identified reports for high or extreme (or other material) risks (by reference to ANZ’s Operational Risk and Compliance framework) and table of outcomes for substantiated/partially substantiated matters for the period, to the nominated NZ Board committee, or as requested by the NZ Board, and general reporting, including de-identified table of outcomes for substantiated/partially substantiated matters, to the nominated NZ Executive Management committee as required.

### **B. NEW ZEALAND POLICY ADMINISTRATION**

The Board of ANZNZ is committed to noting the body of the Policy and approving material changes to this New Zealand Schedule to the Policy.

## 8 Papua New Guinea (PNG)

### A. FURTHER REQUIREMENTS

In addition to the Policy, please note the following if you are reporting from PNG, or your concern or report relates to Australia and New Zealand Banking Group (PNG) Limited (**ANZPNG**):

#### Part 2 (Principles), Principle 7 (Regulators)

A reminder you are entitled to escalate your report to the financial regulator directly at any time regarding your concern: **Bank of Papua New Guinea (BPNG)**

Phone: +675 322 7200 | Fax: +675 321 1617 | Write: PO Box 121, Port Moresby 111, National Capital District, Papua New Guinea | Website (online contact form): <https://www.bankpng.gov.pg/about-us/contact-us/>

#### Part 3 (Scope) Section A (Can I Make a Report Under this Policy?)

While we encourage any of the persons listed in Part 3.1.A of the Policy to speak up if they have concerns relating to ANZPNG, it is important to note that only employees of ANZPNG are eligible to make reports which qualify for protection under PNG's Whistleblower Act 2020 (**the PNG Act**).

The PNG Act applies to disclosures of 'impropriety' in the workplace by employees. In addition to the examples listed in Part 3.A.2 of the Policy, the following would amount to impropriety under the PNG Act:

- a) a miscarriage of justice;
- b) endangering the health or safety of an individual;
- c) environmental damage;
- d) unfair discrimination; and
- e) deliberately concealing any of the above conduct.

Further, in order for a disclosure to qualify as a 'protected disclosure' under the PNG Act, the disclosure must be made in good faith. It is an offence to make an intentionally false or misleading disclosure and may be subject to a fine of up to K10,000.00 or six months' imprisonment with hard labour. A disclosure will also not be protected if you commit an offence by making it.

#### Part 4 (How do I Make a Report or Find out More Information about the Process?)

In addition to the subject matter and good faith requirements noted above, in order for a report to qualify as a protected disclosure under the PNG Act, it must be made to:

- a) a lawyer who holds a current practising certificate issued under the PNG Lawyers' Act 1986; or
- b) any of the persons or channels set out in Part 4 of the Policy.

## WHISTLEBLOWER POLICY

### Part 7 (I Have Made a Report under this Policy, What Next?) Section A (Protection from Detrimental Conduct)

In addition to the protections set out in Part 7.A of the Policy, under the PNG Act an employer must not subject an employee to 'occupational detriment' as a result, or partly as a result, of the employee making a protected disclosure. Occupational detriment means being:

- a) subjected to any disciplinary action;
- b) dismissed, suspended, demoted, harassed, or intimidated;
- c) transferred to a different position against your will;
- d) refused transfer or promotion;
- e) subjected to a term or condition of employment or retirement which is altered to your disadvantage;
- f) refused a reference or being provided with an adverse reference;
- g) denied appointment to any employment or office;
- h) threatened with any of the above; or
- i) adversely affected in respect of your employment, profession, or office in any other way.

Under the PNG Act, if you have made a protected disclosure and you reasonably believe that, as a result of making that disclosure, you have or will be subject to occupational detriment, you may request a transfer to another position within ANZPNG in which you will not be subject to occupational detriment. ANZPNG must comply with that request if it is reasonably practicable to do so.

If you have been subjected to occupational detriment as a result of making a protected disclosure, you may apply to a competent PNG court for appropriate relief.

### Roles and Responsibilities

#### A. Whistleblower Protection Officer (WPO)

In addition to the roles and responsibilities set out in the internal Policy, the WPO must inform the Chair, the Chair of the Audit Committee or Audit and Risk Committee. The Chair (or such other appropriate person) must report to the BPNG any matter where:

- a) there are serious prudential concerns; or
- b) where the illegal, unethical, or questionable practices related to the Chair or senior staff.

#### B. PNG POLICY ADMINISTRATION

The Board of ANZPNG is committed to noting the body of the Policy and approving this PNG Schedule to the Policy.

## 9 Singapore

### A. FURTHER REQUIREMENTS

In addition to the Policy, please note the following if you are reporting from Singapore or your concern or report relates to the ANZ Group's business in Singapore:

#### **Part 7 (I Have Made A Report Under This Policy. What Next?)**

You should know that in addition to the confidentiality and consent processes set out in the Policy, ANZ is required to comply with certain obligations, including but not limited to, Section 47 of the Banking Act 1970 – Privacy of Customer Information and the Personal Data Protection Act 2012. The WPO assigned to your matter will handle the information as set out below.

#### **Roles and Responsibilities**

##### **A. Whistleblower Protection Officer (WPO)**

In addition to the roles and responsibilities of the WPO set out in the internal Policy, where ANZ would need to disclose any customer data or employee data to third parties for the purposes of managing or investigating a report (for example, ANZ being required to disclose such information for the purposes of obtaining legal advice or otherwise required by a regulator), WPO will consult with ANZ Singapore Compliance and Legal teams with respect to such proposed disclosure to ensure that any obligations imposed on ANZ Singapore under applicable legislation by the Monetary Authority Singapore (**MAS**) and/or any other regulator are met.

## 10 South Korea

### A. FURTHER REQUIREMENTS

In addition to the Policy, please note the following if you are reporting from South Korea or your concern or report relates to the ANZ Group's business in South Korea:

#### Roles and Responsibilities

##### A. Whistleblower Protection Officer (WPO)

In addition to the roles and responsibilities of the WPO set out in the internal Policy, where the WPO considers a report may constitute an illegal or wrongful act that may have a material impact on ANZ Seoul, the WPO will consult with the ANZ Seoul Compliance team (or alternatively ANZ Seoul Talent & Culture team) as soon as possible, so an assessment can be made to determine whether the matter must be reported to the Financial Supervisory Service (FSS). Where appropriate, a representative of the ANZ Seoul Compliance team (or alternatively ANZ Seoul Talent & Culture) will assist the WPO in oversight and management of a matter relating to ANZ Seoul.

#### An illegal or wrongful act:

An illegal or wrongful act that may have a material impact on ANZ Seoul and is required to be reported to the Financial Supervisory Service (FSS) includes:

- i a financial incident resulting in a financial loss of 300 million KRW or more
- ii any matter that is assessed as a High or Extreme risk to ANZ as defined under the Non-Financial Risk Impact Scale.
- iii any matter relating to internal or external fraud
- iv any incident that results in a decline of public confidence of ANZ
- v any incident that impacts the stability of, or confidence in the financial services industry

Failure to report an illegal and or wrongful act that may have a significant impact on ANZ may result in disciplinary action for ANZ Seoul employees or officers.

# WHISTLEBLOWER POLICY

## 11 Taiwan

### A. FURTHER REQUIREMENTS

In addition to the Policy, please note the following if you are reporting from Taiwan, or your concern or report relates to the ANZ Group's business in Taiwan:

#### **Roles and Responsibilities**

##### **A. Whistleblower Protection Officer (WPO)**

In addition to the roles and responsibilities set out in the internal Policy, where the WPO considers a report may potentially constitute a material reportable event or illegal activity, the WPO must contact Taiwan Compliance team (or alternatively Taiwan Talent & Culture) and the Taiwan Compliance team (or alternatively Taiwan Talent & Culture) will work with the WPO to determine if the matter needs to be reported to the Financial Supervisory Commission, Central Bank of the R.O.C., Central Deposit Insurance Corporation and/ or other concerned authority.

For a material reportable event, the amount of financial loss is not the absolute determinant of Material Reportable Events. Any incident that endangers the normal operation of a financial institution and impact the order of financial industry is considered a material reportable event. For examples of what constitutes a material reportable event please seek further guidance from the Taiwan Compliance Team.



## WHISTLEBLOWER POLICY

## 12 Thailand

### A. FURTHER REQUIREMENTS

In addition to the Policy, please note the following if you are reporting from Thailand, or your concern or report relates to the ANZ Group's business in Thailand:

#### Roles and Responsibilities

##### A. Whistleblower Protection Officer (WPO)

In addition to the roles and responsibilities set out in the Policy, the WPO must also inform the Head of Compliance (or delegate) of ANZ Bank (Thai) Public Company Limited (**ANZ Thailand**) or alternatively the Head of Legal Asia, where a report relates to:

- The Thai Overnight Repurchase Rate (THOR) reference rate submission.**  
 Subject to any conflicts, the WPO must notify the Head of Compliance (or delegate) of ANZ Thailand or alternatively the Head of Legal Asia, as soon as reasonably practicable of any report containing allegations relating to a potential violation of the Bank of Thailand 'Operating Standards for Commercial Banks and Specialised Financial Institutions in Submitting the Transaction Information for Preparing the Thai Overnight Repurchase Rate (THOR)' or potential manipulation of the THOR. The Head of Compliance (or delegate) of ANZ Thailand or alternatively, the Head of Legal Asia, will work with the WPO to determine if the matter needs to be reported to the Bank of Thailand (**BOT**). Where an allegation relating to a potential violation of the Bank of Thailand 'Operating Standards for Commercial Banks and Specialised Financial Institutions in Submitting the Transaction Information for Preparing the Thai Overnight Repurchase Rate (THOR)' or potential manipulation of the THOR is substantiated, the Bank of Thailand must be notified within 15 business days from the date of investigation completion.
- Thai Baht Interest Rate Fixing (THBFIX)** – Subject to any conflicts, the WPO must notify the Head of Compliance (or delegate) of ANZ Thailand or alternatively Head of Legal Asia as soon as reasonably practicable of any report containing allegations relating to a potential violation of the Bank of Thailand 'Operating Standards for Commercial Banks and FX Brokers in Submitting Data for Compiling Thai Baht Interest Rate Fixing (THBFIX)' or potential manipulation of the THBFIX contribution. The Head of Compliance (or delegate) of ANZ Thailand or alternatively the Head of Legal Asia, will work with the WPO to determine if the matter needs to be reported to the Bank of Thailand (**BOT**). Where an allegation relating to a potential violation of the Bank of Thailand 'Operating Standards for Commercial Banks and FX Brokers in Submitting Data for Compiling Thai Baht Interest Rate Fixing (THBFIX)' or potential manipulation of the THBFIX contribution is substantiated, the Bank of Thailand must be notified within 15 business days from the date of investigation completion.
- Financial Crime** – Subject to any conflicts, the WPO must notify the Head of Compliance (or delegate) or Head of Financial Crime for ANZ Thailand as soon as reasonably practicable, of any report containing allegations relating to fraud, money laundering, or terrorism financing. The Head of Compliance (or delegate) or Head of Financial Crime of ANZ Thailand will work with the WPO to determine if the matter needs to be reported to the Bank of Thailand (**BOT**) or any other relevant internal/external stakeholder.

## WHISTLEBLOWER POLICY

### **Part 6 What if My Concerns Relate to Conduct, People, or Operations Outside of Australia?**

Where ANZ is required to disclose any Thailand customer data or Thailand employee data to a third party (i.e. obtaining legal advice from an external law firm or otherwise required by a regulator for the purposes of managing or investigating a report), subject to any conflicts, the WPO must consult with the Head of Compliance (or delegate) of ANZ Thailand or alternatively the Head of Legal Asia, prior to disclosing any information/data to ensure compliance with applicable legal and regulatory requirements under the Bank of Thailand (**BOT**), Personal Data Protection Commission (**PDPC**) and/or any other relevant regulators.

### **Roles and Responsibilities Whistleblower Program Team**

The manner of reporting for ANZ Bank (Thai) Public Company Limited to the Audit Committee or Board of Directors, at least annually and as agreed with the respective Board.

## 13 United Arab Emirates (UAE)

### A. FURTHER REQUIREMENTS

In addition to the Policy, please note the following if you are reporting from Dubai international Financial Centre (DIFC) or your concern or report relates to the ANZ Group's business in Dubai International Financial Centre (DIFC):

- (i) A whistleblower may prefer, to report the concerns directly to the DFSA or to another relevant authority.
- (ii) ANZ must maintain a written record of each regulatory concern reported to it by a whistleblower, including appropriate details of the regulatory concern and the outcome of its assessment of the reported concern. The records under Rule should include:
  - a. the date the report was received;
  - b. a summary of the concerns raised;
  - c. steps taken by the authorised person in relation to the report until the matter is resolved;
  - d. any steps taken to maintain the confidentiality of the whistleblower and to ensure fair treatment of the whistleblower;
  - e. the list of persons who have knowledge of the report;
  - f. the outcome of the assessment of the report including the rationale for the outcome and any decision on whether or not to disclose the report to the DFSA or any other relevant authority; and
  - g. references or links to all documentation and review papers in relation to the report.

# WHISTLEBLOWER POLICY

## 14 United Kingdom

### A. FURTHER REQUIREMENTS

In addition to the Policy, please note the following if you are reporting from the United Kingdom (**UK**) or your concern or report relates to the ANZ Group's business in the UK (**ANZ UK**).

#### Part 2 (Principles), Principle 7 (Regulators)

You are entitled to escalate your report to the following regulators directly at any time provided the concern or report constitutes a 'Reportable Concern' (as defined below). Note you may report either to the FCA or PRA without first reporting internally or through utilising ANZ's internal whistleblowing arrangements. You may also report to both regulators simultaneously and consecutively.

#### a) Financial Conduct Authority (FCA)

Ph: +44 (0)20 7066 9200 | Email: [whistle@fca.org.uk](mailto:whistle@fca.org.uk) | Write: Intelligence Department (Ref PIDA), Financial Conduct Authority, 12 Endeavour Square, London, E20 1JN | [FCA Online Report Form for whistleblowers](#)

#### b) Prudential Regulation Authority (PRA)

Ph: +44 (0)203 461 8703 | Email: [whistleblowing@bankofengland.co.uk](mailto:whistleblowing@bankofengland.co.uk) | Write: IAWB (Legal Directorate), Bank of England, Threadneedle Street, London, EC2R 8AH

#### A Reportable Concern is:

a) anything that would be a "UK Protected Disclosure", which is a disclosure made on reasonable grounds and on the basis that the person making the disclosure believes it to be substantially true, it is in the public interest, and contains information that one or more of the following has been, is being, or is likely to be, committed:

- vi a criminal offence;
- vii a failure to comply with any legal obligation;
- viii a miscarriage of justice;
- ix the putting of the health and safety of an individual in danger;
- x damage to the environment; or
- xi deliberate concealment relating to any of (i) to (v); or

b) anything that is a breach of ANZ's policies and procedures; or

c) behaviour that harms or is likely to harm the reputation or financial well-being of ANZ.

A reportable concern can relate to a matter that occurred, occurs, or would occur in the UK or another jurisdiction.

#### Roles and Responsibilities

In addition to the responsibilities set out for the WPO in the internal Policy, the WPO has the following additional responsibilities with respect to disclosures arising from or in relation to the ANZ Group's business in the UK.

## WHISTLEBLOWER POLICY

### A. Whistleblower Protection Officer (WPO)

- Report at least annually to the ANZ Europe Executive Committee where a Report has been made by an UK-based employee or contingent Worker;
- Ensure ANZ London Branch reports to the FCA about each case brought by a UK-based employee that was contested but lost before an employment tribunal where the claimant successfully based all or part of their claim on detriment suffered as a result of making a Protected Disclosure (UK);
- Where a report relates to an employee of ANZ UK, advise the Head of Non-Financial Risk, Europe or Head of Compliance, UK (or delegate) as soon as a report is made, so an assessment can be conducted to determine whether the matter must be reported to the FCA and/or PRA. In the event of a conflict, the Chief Risk Officer, UK & Europe or the Chief Risk Officer, International should be notified.

In addition to the Roles and Responsibilities in the internal Policy, there is also the following roles applicable in the ANZ London branch.

### B. Whistleblower Champion (UK)

The Whistleblower Champion for the ANZ London branch has the following roles and responsibilities:

- Ensuring and overseeing the integrity, independence, and effectiveness of the whistleblowing policy applicable to the ANZ London Branch;
- Where appropriate, ensuring that the Whistleblower Program Lead reports at least annually to the governing body of ANZ London Branch (ANZ Europe Executive Committee) where a report has been made by a UK based employee or contingent worker, if appropriate; and
- Ensuring that ANZ London Branch reports to the FCA about each case brought by a UK based Employee that was contested but lost before an employment tribunal where the claimant successfully based all or part of their claim on detriment suffered as a result of making a UK Protected Disclosure.

While the Whistleblower Champion does not need to have a day-to-day operational role in handling disclosures from whistleblowers or commencing investigations, he or she must have a level of independence and access to independent legal advice and sufficient information to carry out their responsibilities.

### C. UK LINE MANAGERS (UK-BASED MANAGERS & MANAGERS OF UK-BASED EMPLOYEES)

All UK-based line managers and line managers of UK-based employees must undergo appropriate training specifically on:

- a) how to recognise when there has been a disclosure of a reportable concern by a whistleblower;
- b) how to protect whistleblowers and ensure their confidentiality is preserved;
- c) how to provide feedback to a whistleblower, where appropriate;
- d) steps to ensure fair treatment of any person accused of wrongdoing by a whistleblower; and
- e) sources of internal and external advice and support on the matters referred to in (a) to (d).

## WHISTLEBLOWER POLICY

### Your Personal Data

For further information in relation to how your personal data will be handled, please contact ANZ's Data Protection Representative:

- By email: [gdpereurope@anz.com](mailto:gdpereurope@anz.com)
- By telephone: +44 (0) 203 229 2595
- By post: ANZ , Level 12, 25 North Colonnade, Canary Wharf, London E14 5HZ

### B. UNITED KINGDOM POLICY ADMINISTRATION

Internal Approval Body	The Whistleblower Champion for ANZ's London Branch (for oversight of preparation of the UK Annual Whistleblowing Report).
External Approval Body	ANZ's London Branch is required to prepare a Whistleblowing activity report ( <b>UK Annual Whistleblowing Report</b> ) to the ANZ Europe Executive Committee which must also be made available to the FCA or PRA on request, but not made public.

## 15 United States (U.S.)

### A. FURTHER REQUIREMENTS

In addition to the Policy, please note the following if you are reporting from the U.S. or your concern or report relates to the ANZ Group's business or branch personnel in the U.S.

Employees located in ANZ's New York office have whistleblower and anti-retaliation protections under a number of U.S. federal, state, and local laws (**U.S. Whistleblower Laws**), including laws that relate specifically to securities and financial services organizations.

#### New York State Specific Requirements - Principle 2 item 2

Under New York State Labor Law Section §740 ANZ New York Branch staff as private sector employees, are afforded a "reasonable belief" standard under the law and when filing a whistleblower complaint, need only demonstrate that they reasonably believed that their employer's practices violated any federal, state, or local statute, rule, or regulation regardless of the subject matter.

ANZ New York Branch staff (e.g., employees) must still make a good faith effort to notify ANZ about the violation "prior to" making an external notification. However, such notification is not required by staff where:

- there is an imminent and serious danger to the public health or safety;
- where the employee reasonably believes that reporting would result in a destruction of evidence or other concealment of the activity, policy, or practice;
- such activity, policy or practice could reasonably be expected to lead to endangering the welfare of a minor;
- the employee reasonably believes that reporting to the supervisor would result in physical harm to the employee or any other person; or
- the employee reasonably believes that T&C, a supervisor, legal or Compliance is already aware of the activity, policy or practice and will not correct such activity, policy, or practice.

The definition of "employee(s)" under also includes current and former employees and independent contractors.

The definition of "law, rule or regulation" is defined as: (i) any duly enacted federal, state, or local executive order; (ii) any rule or regulation promulgated pursuant to any such executive order; or (iii) any judicial or administrative decision, ruling or order.

The definition a "retaliatory action" includes: An adverse action taken by ANZ as an employer to discharge, threaten, penalize, or in any other manner discriminate against any employee or former employee exercising his or her rights under [§ 740], including:

- adverse employment actions or threats to take such adverse employment actions against an employee in the terms of conditions of employment, including, but not limited to, discharge, suspension, or demotion;



## WHISTLEBLOWER POLICY

- actions or threats to take such actions that would adversely impact a former employee's current or future employment; or
- threatening to contact or contacting United States immigration authorities or otherwise reporting or threatening to report an employee's suspected citizenship or immigration status or the suspected citizenship or immigration status of an employee's family or household member, as defined in subdivision two of section four hundred fifty- nine-a of the social services law, to a federal, state, or local agency.

Threats to take actions that would adversely impact the employee's current or future employment are considered retaliatory, along with an employee's demotion or termination or suspensions and are prohibited by any ANZ employee, director, or officer.

The statute of limitations for claims brought under § 740 is two (2) years and employees are expressly entitled to additional remedies such as trial by jury, recovery of front pay, civil penalties not to exceed \$10,000, and punitive damages. Prevailing plaintiffs are also entitled to injunctive relief, reinstatement, compensation for lost wages, benefits, and other remuneration, and reasonable costs and attorney's fees. Notably however, employees should note that if a court finds that a retaliation claim was brought "without basis in law or in fact", a court may award reasonable attorney's fees and court costs and disbursements to ANZ as the employer.

ANZ NY Branch employees may find all protections, rights and obligations afforded to them under § 741 and posted in designated posting area by T&C or refer to the below link.

[https://dol.ny.gov/system/files/documents/2022/02/ls740\\_1.pdf](https://dol.ny.gov/system/files/documents/2022/02/ls740_1.pdf)

### Part 2 (Principles), Principle 7 (Regulators)

A reminder that if you are reporting from the U.S. or your concern or report relates to the ANZ Group's business or branch in the U.S., you are entitled to escalate your report to the following regulators directly at any time (this includes cooperating with, responding to any inquiry from or providing testimony to any regulatory or investigatory agency or authority), and you are entitled to remain anonymous in doing so. The Whistleblower laws enforced by the various agencies prohibit ANZ as an employer from retaliating against employees for engaging in activities protected under those laws.

a) **Financial Industry Regulatory Authority (FINRA) Office of the Whistleblower**

Phone: 1-866-96-FINRA (1-866-963-4672) | Website: [www.finra.org/whistleblower](http://www.finra.org/whistleblower)

FINRA encourages individuals with information about potentially fraudulent, illegal or unethical activity to submit a regulatory tip.

b) **United States Department of Labor: Occupational Safety and Health Administration (OSHA)**

Phone: 1-800-321-OSHA (6742) | Website: <https://www.osha.gov/whistleblower/WBComplaint.html>

OSHA administers more than twenty whistleblower protection laws, including Section 11(c) of the Occupational Safety and Health (OSH) Act, which prohibits retaliation against employees who complain about unsafe or unhealthful conditions or exercise other rights under the Act. Each law has a filing deadline, varying from 30 days to 180 days, which starts when the retaliatory action occurs.

## WHISTLEBLOWER POLICY

### c) **United States Securities and Exchange Commission (SEC) Office of the Whistleblower**

Phone: (202) 551-4790 | Website: <https://www.sec.gov/whistleblower/submit-a-tip>

Through the SEC Whistleblower Program, qualified whistleblowers, individuals who voluntarily provide the SEC original information that leads to a successful enforcement action, are entitled to a monetary award of 10-30% of funds recovered by the government.

### d) **New York State Department of Labor**

Phone: (888) 581-5812 | Website: <https://dol.ny.gov/system/files/documents/2021/03/ls223.pdf>

Please refer to The New York State Department of Labor (NYSDOL) Notice of Employee Rights, Protections, and Obligations under [Labor Law Section 740](#).

### e) **U.S. Commodity Futures Trading Commission**

Phone: (866) 873-5675 | Website: <https://www.whistleblower.gov/overview/submitatip/>

You can submit a tip to the Division of Enforcement by filing a Form TCR through the CFTC's whistleblower program. Individuals who submit a Form TCR receive privacy, confidentiality, and anti-retaliation protections under the Commodity Exchange Act and may be eligible for monetary awards. Whistleblowers can file a Form TCR anonymously but must provide a way for the Division of Enforcement to contact them.

### **Part 3 (Scope), Section A (Can I Make A Report Under This Policy?)**

There may be additional persons who may be a whistleblower under the U.S. Whistleblower Laws. Please contact FINRA for further information.

### **Part 3 (Scope), Section B (Excluded Matters)**

#### **Exclusion 2: Personal Work Related Grievances**

There are also a number of U.S. Whistleblower Laws related to your personal-work related grievances that are covered in separate policies. To the extent that there are any inconsistencies between this Policy, and the U.S. Whistleblower Laws, the U.S. Whistleblower Laws will apply, as stated in Principle 6 of this Policy.

### **Part 7 (I Have Made A Report Under This Policy. What Next?), Section A (Protection from Detrimental Conduct)**

The U.S. Whistleblower Laws recognise that retaliation is one of the primary risks associated whistleblowing. In addition to ANZ's prohibition on detrimental conduct which includes retaliation (in any form, including among others, demotion, discharge, suspension, or harassment against any staff who makes a report internally or externally), there may be further protections provided to the whistleblower under the U.S. Whistleblower Laws.

Under U.S. law, you have a private right of action if you feel you have suffered retaliation because of any lawful act of making a whistleblower report. You may contact the applicable agency directly under your Legally Protected Communication rights (see below).

## WHISTLEBLOWER POLICY

### a) **Legally Protected Communications**

In general, no offer letter, employment, severance, arbitration (in certain cases), confidentiality or other agreement may prevent, restrict, limit, impede or otherwise interfere with your rights to:

- engage in legally protected employee communications, including without limitation protections for non-supervisory employees under Section 7 of the U.S. National Labor Relations Act;
- file a charge or complaint or initiate an investigation with the applicable government agency;
- make other disclosures that are protected under U.S. Whistleblower Laws, including for example, to the extent applicable, reporting possible violations of law in accordance with Section 21F of the U.S. Securities Exchange Act of 1934 and related rules;
- respond to a lawful subpoena;
- comply with any other legal obligation;
- communicate with any government agency or otherwise participate in any investigation or proceeding that may be conducted by any government agency, including providing documents or other information, without notice to or permission by ANZ; or
- receive any award for information provided to any government agency.

### b) **Protections under the Sarbanes Oxley Act of 2002 (SOX)**

SOX provides certain legal protection to covered whistleblowers. The following applies to companies' subject to SOX and their officers and employees:

- SOX Section 806 contains the first federally-imposed, broad-based whistleblower protection. Any company with securities registered under Section 12 of the Securities Exchange Act is subject to civil penalties if an employee is discharged, demoted, suspended, threatened, harassed, or otherwise discriminated against because such employee provided information, caused information to be provided or otherwise assisted with an investigation related to fraudulent acts. SOX Section 1107 provides criminal penalties of up to 10 years' imprisonment plus a fine for any retaliation resulting from the cooperation with a law enforcement officer for providing truthful information relating to the commission or possible commission of any federal offense.
- In addition, vendors, suppliers, and agents cannot discharge, demote, suspend, threaten, harass, or in any other manner discriminate or retaliate against employees who provide information in investigations – including internal investigations – into certain types of violations of the securities laws and regulations, or who file proceedings relating to similar violations. Also, under SOX Section 1107, any person who knowingly, with the intent to retaliate, takes any action harmful to any person, including interference with the lawful employment or livelihood of any person, for providing a law enforcement officer any truthful information relating to the commission or possible commission of any federal offense, may be fined under such title, or imprisoned not more than 10 years, or both. SOX Whistleblower Protections do not apply to employees who work outside the U.S.

## B. **U.S. POLICY ADMINISTRATION**

This Policy has been reviewed and approved by ANZ, and this U.S. ANZ Presence Schedule has been reviewed and approved by the US Head of Compliance and ANZSI's Supervisory Management Group and will be periodically reviewed and approved thereafter. ANZ's independent auditors will make a quarterly report to the appropriate ANZSI committee of:

## WHISTLEBLOWER POLICY

- (1) the number of disclosures made;
- (2) the number of investigations commenced in response to disclosures;
- (3) the number of wrongdoings discovered; and
- (4) all disciplinary actions taken in response to matters discovered through disclosures.

<b>U.S. Annexure Owner</b>	<b>US Head of Compliance</b>
<b>Related policies</b>	ANZ Whistleblower Policy
<b>Schedule Version</b>	3.0
<b>Supporting guidelines to U.S. Annexure</b>	FINRA Rule 13201 Section 11(c) of the OSH Act Section 748 and 922 of the Dodd-Frank Wall Street Reform and Consumer Protection Act. SEC Rule 21F-2(b)(1)(iii) Section 740 of the New York Labor Law Sections 806 & 1107 of Sarbanes-Oxley Act - SOX Section 23 Commodity Futures Trading Commission – CFTC Section 7 of the U.S. National Labor Relations Act

## 16 VANUATU

### C. FURTHER REQUIREMENTS

In addition to the Policy, please note the following if you are reporting from Vanuatu, or your concern or report relates to ANZ Bank (Vanuatu) Limited.

#### Part 7 (I Have Made a Report Under This Policy. What Next?)

You should know that in addition to the confidentiality and consent processes set out in the Policy, ANZ is required to comply with certain requirements, under the Anti-Money Laundering and Counter-Terrorism Financing Act and Official Secrets Act CAP 111. The WPO assigned to your matter will handle the information as set out below.

#### Roles and Responsibilities

##### A. Whistleblower Protection Officer (WPO)

In addition to the roles and responsibilities set out in the internal Policy:

1. The WPO must inform ANZ Vanuatu Compliance (or where appropriate the ANZ Vanuatu Chief Risk Officer) where a report is related to suspicious transactions or activity involving a customer, fraud, bribery, and corruption; and/or
2. The WPO will consult with ANZ Vanuatu Compliance (or where appropriate the ANZ Vanuatu Chief Risk Officer) where information contains 'classified material' as defined under the Official Secrets Act CAP 111 to ensure compliance to the Official Secrets Act.

ANZ Vanuatu Compliance are responsible for official reporting to the regulators as required and/or ensure that any obligations under the Official Secrets Act or the Anti-Money Laundering and Counter-Terrorism Financing Act are met.

Term	Definition under the Official Secrets Act CAP 111
Classified material	<p>(a) any official code, plan, article, or document relating to the affairs of the Government,</p> <p>(i) which is classified for security purposes by the appropriate department or authority within the Government as top secret, secret, confidential or restricted material; or</p> <p>(ii) the use or possession of which without lawful authority would or might, by virtue of the contents or nature of the material, directly or indirectly prejudice the safety or interests of the Government or the Republic;</p> <p>(b) any official information, of a secret, confidential or restricted nature relating to the affairs of the Government and which if contained in a document would properly be classified as in paragraph (a)(i) of this definition;</p> <p>(c) any confidential material or information lodged or registered in accordance with any law;</p>
Code	a code, code word, cipher or any group of letters or figures or both constituting part of a code
Government	the Government of the Republic of Vanuatu