

# WHISTLEBLOWER POLICY

## 1. Document Policy and Ownership

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Version	V2		

## 2. Purpose and Application

- 2.1 The purpose of this document (**Policy**) is to establish a framework for individuals or their relatives or dependents who are current or were former officers, employees, service providers (including volunteers), employees, sponsors, advisors, auditors and accountants (**Personnel**) of the Finance Brokers Association of Australia Limited (**FBAA**) to report behaviour which is covered by Part 9.4AAA of the *Corporations Act 2001* (Cth).
- 2.2 Personnel that have reasonable grounds to suspect that information that they have concerns misconduct or an improper state of affairs or circumstances of the FBAA or indicates that a director or employee of the FBAA (or its related entities):
- (a) has committed an offence or contravened the *Corporations Act 2001* (Cth), *Australian Securities and Investment Commission Act 2001* (Cth), *Banking Act 1959* (Cth), *Financial Sector (Collection of Data) Act 2001* (Cth), *Insurance Act 1973* (Cth), *Life Insurance Act 1995* (Cth), *National Consumer Credit Protection Act 2009* (Cth) or *Superannuation Industry (Supervision) Act 1993* (Cth) (**Legislation**) or any instrument made under this Legislation.
  - (b) has committed an offence of any other law of the Commonwealth punishable by imprisonment of 12 months or more; or
  - (c) represents a danger to the public or to the Australian financial system,
- (**Whistleblower**) are encouraged to disclose that information (**Protected Information**) in the manner set out in this Policy.

- 2.3 Protected Information does not include personal work-related grievances of the Personnel, except if it concerns a threat of a dismissal, injury or harm (including psychological harm), alteration of an employee's duties, discrimination of an employee, harassment, intimidation, damage or such other detriment which is specified in section 1317ADA of the *Corporations Act 2001* (Cth) (**a Detriment**) if a disclosure occurred which could include a disclosure of Protected Information or if the disclosure would have serious implications to the FBAA that do not relate to the Personnel. Examples of such excluded information can include an interpersonal conflict between Personnel, a decision relating to the engagement (including the terms, suspension or termination of an engagement), transfer, promotion or discipline of the Personnel.
- 2.4 A Whistleblower can receive protection under this policy and Part 9.4AAA of the *Corporations Act 2001* (Cth) where the Whistleblower discloses information to:
- (a) the Australian Securities and Investments Commission;
  - (b) the Australian Prudential Regulatory Authority;
  - (c) a director, officer, senior manager, auditor or member of the audit team, actuary or the below disclosure officers:

Managing Director – Mr Peter White	Phone: 0414 998 687 Email <a href="mailto:pwhite@fbaa.com.au">pwhite@fbaa.com.au</a>
Chairperson Board of Directors – Mr Tony Carter	Phone 0418 911 220 Email <a href="mailto:tcarter@fbaa.com.au">tcarter@fbaa.com.au</a>
Chairperson of Finance, Audit, Investment & Remuneration Committee – Mr Stephen Rasmussen	Phone 0412 295 875 Email <a href="mailto:srasmussen@fbaa.com.au">srasmussen@fbaa.com.au</a>
Company Secretary – Mrs. Kim Szigeti	Phone 0418 728 750 Email <a href="mailto:kszigeti@fbaa.com.au">kszigeti@fbaa.com.au</a>
PO Box 4792 Eight Mile Plains QLD 4113	Reports may also be sent via post and attention to one of the above contacts <b>PROTECTED DISCLOSURE OFFICER</b> and their name with the envelope marked <b>CONFIDENTIAL</b> and <b>URGENT ATTENTION</b> .

- 2.5 Disclosures of Protected Information can be made in accordance with this Policy by completing the report produced in Appendix A. A disclosure of Protect Information in accordance with this policy is a “**Protected Disclosure**”.

### 3. Protections Available and support provided

- 3.1 Where a Whistleblower makes a Protected Disclosure:
- (a) the Whistleblower's identity will be treated confidentially unless the disclosure would be authorised by law;
  - (b) the Whistleblower will:
    - (i) not be subject to any civil, criminal or administrative liability (including disciplinary action) for making the disclosure;

- (ii) not be exposed to any contractual or other remedy being enforced against them for making the disclosure;
    - (iii) not have that information admitted against them in any criminal proceeding except to the extent the information is false;
  - (c) the Whistleblower will be protected from the occurrence or threatened occurrence of dismissal, injury, discrimination, harassment, intimidation, harm or damage to the Whistleblower or their property, business, finances or reputation either by the FBAA, other Personnel either because or in part because of disclosure of the Protected Information (**a Detriment**).
- 3.2 The FBAA will support Whistleblowers and protect them from Detriment by providing the Whistleblower with a contact person who they can consult with confidentially if they at any time feel they may be experiencing a Detriment. That contact person can then develop a plan with the Whistleblower to help address the situation.
- 3.3 The FBAA will investigate any issues identified in the Protected Disclosure by appointing a specific investigator who will be required to:
- (a) seek further information from the Whistleblower that made the Protected Disclosure to clarify any matters which may be unclear to the investigator;
  - (b) collect and consider hard copy and electronic material (such as emails) which are owned by the FBAA;
  - (c) interview and seek material from any individuals referred to:
    - (i) in the Protected Disclosure;
    - (ii) by any clarifications provided by the Whistleblower arising under paragraph (a); and
    - (iii) in any material obtained under paragraph (b);
  - (d) interview and seek material from any individuals about whom the Protected Disclosure relates.
- 3.4 The FBAA will ensure fair treatment of any of its employees mentioned in the Protected Disclosure by:
- (a) interviewing those employees as set out in clauses 3.3(c) and 3.3(d) so that those employees can provide their perspective; and
  - (b) only taking a step during the course of an investigation to suspend that employee if that employee takes steps to interfere with such investigation.
- 3.5 This Policy is available to employees and officers of the FBAA on **the FBAA website** or on request to a disclosure officer set out in clause 2.3(c).

Please complete this form as best as possible and email to any of the preferred contacts on page 2 of the Whistleblower Policy. Attention it **URGENT** and **CONFIDENTIAL**.

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10.	Any know Financial Loss?	
11.	Details of others who may be witnesses/know about or have information to assist in this Reportable Conduct.	
12.	Did you receive this information second hand?	
13.	Are you concerned that a reprisal maybe taken against you?	
14.	Please provide as much information as you can to assist the investigation.	

**Details of Whistleblower (person lodging the Reportable Conduct) OPTIONAL**

Name:

Address:

Preferred telephone no:

Preferred email address:

1. I have made a disclosure to \_\_\_\_\_
2. I believe the information I have disclosed is true.
3. I have received a copy of Finance Brokers Association of Australia Limited (**FBAA**) Whistleblower Policy. I understand that information about my complaint is unlikely to reveal my identity or disclosed to anyone else at FBAA without my consent.

Signature

Date