

Whistleblowing Policy

Purpose

At Endeavour Group Limited (**Endeavour Group**), we strive to create a supportive environment that ensures everyone can feel safe, valued, respected and have the opportunity to thrive. We are a values-based organisation and aim to act with integrity, honesty and trust at all times. If you see or experience something that's not right, we encourage you to speak up - it's important that you raise your concerns.

We encourage you to raise any matters of concerns you have with your:

- team leader (line manager), team leader's manager (one up leader), Team Services or your People Partner / representative (if you are a **team member**); or
- buyer, category manager or procurement lead (if you are a **supplier**).

However, we understand you may not always want to raise matters through these general channels for reasons, including:

- you believe that raising the issue through these channels could result in adverse consequences;
- you believe that if you raised the matter through these channels, it may not be dealt with objectively; or
- the matter has already been raised through these channels, but you believe it has not been addressed appropriately.

The Endeavour Whistleblowing service offers an independent channel (external to Endeavour Group) where you can confidentially raise the matters of concern listed below. The Endeavour Whistleblowing service also offers the option of remaining anonymous. Further details are below.

Protected Disclosures:

- in Australia, the *Corporations Act 2001* (Cth) ("**Corporations Act**") and the *Taxation Administration Act 1953* (Cth) ("**Tax Act**") provide an additional regime for certain people ("**eligible whistleblowers**") to raise specific matters ("**disclosable matters**"); and
- in New Zealand, the *Protected Disclosures (Protection of Whistleblowers) Act 2022* (**PDA**) provides an additional regime for certain people to raise matters of "**serious wrongdoing**".

[Annexure A](#) (Australia) and [Annexure B](#) (New Zealand) of this Policy outline how these regimes work and in what circumstances they would apply. Note: the Endeavour Whistleblowing service is **not** for protected disclosures.

Who can use Endeavour Whistleblowing?

The Endeavour Whistleblowing service is available to:

- current and former team members (which includes employees, contractors, consultants) and non-executive directors who work for, or are contracted to, Endeavour Group Limited or one of its subsidiaries, as well as their associates and families, both in Australia and overseas (collectively referred to as "**team members**" in this policy); and

- any supplier, as well as their relatives and dependants, which provides goods or services to the Endeavour Group in Australia or overseas (collectively referred to as “**suppliers**” in this policy).

The above groups are referred to as **‘you’** in this policy.

What can you raise with the Endeavour Whistleblowing service?

You can use the Endeavour Whistleblowing service to raise serious matters you do not feel comfortable raising through normal internal channels, including the following matters of concerns:

- **a breach of the law**, including employment, labour, work health and safety, discrimination or anti-money laundering laws, or restrictive, unconscionable, or anti-competitive trade practices;
- **bullying, harassment** (including sexual harassment) or **discrimination**;
- **fraud, theft, bribery or corruption**;
- **human rights or modern slavery** issues;
- improper use or disclosure of **confidential information**;
- conduct in breach of the Endeavour Group **Code of Conduct** or **Policies** including the Responsible Sourcing Policy;
- issues relating to **product safety, food safety** or which may cause **harm to members of the public or the financial system** (even if it does not involve a breach of particular law);
- **dishonest or unethical behaviour and practices, abuse of influence**, or behaviour which involves a **conflict of interest**; or
- **other serious misconduct** or an **improper state of affairs or circumstances** in relation to Endeavour Group or one of its related entities.

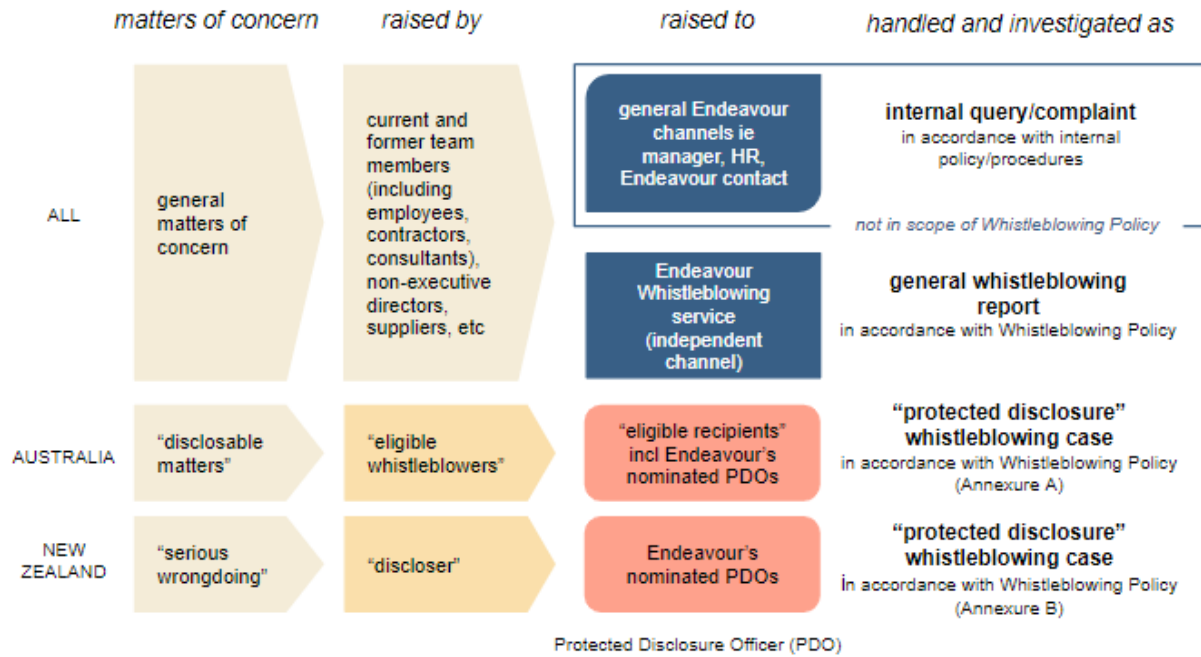
The concerns you raise should be legitimate and have a proper basis. Before contacting the Endeavour Whistleblowing service, you should have reasonable grounds to suspect that the information you will provide indicates that one of the above matters is occurring or has occurred.

As noted above, these matters of concern can also be raised via general (internal) Endeavour channels such as your line manager, Team Services or (for external people i.e. suppliers) your Endeavour contact - however, if you feel these general channels are not appropriate in the circumstances (i.e. could result in adverse consequences for you, you wish to remain anonymous, etc), the Endeavour Whistleblowing service provides an alternative, independent channel.

The Endeavour Whistleblowing service is not intended for personal work-related grievances, including interpersonal conflicts.

Note: Some of the matters listed above may also be a "disclosable matter" under the Australian Corporations Act or Tax Act, or a matter of "serious wrongdoing" under the New Zealand PDA. If so, and you meet specific requirements, you may receive additional protections under those laws and your disclosure would be a "protected disclosure". Protected disclosures cannot be made through the Endeavour Whistleblowing service. See [Annexure A](#) (Australia) and [Annexure B](#) (New Zealand) for further information on protected disclosures and how to make them to Endeavour Group.

The diagram below summarises the different options available for matters of concern to be raised:



Confidentiality and anonymity

You can choose to remain anonymous, or reveal your identity at the time of (or after) making an Endeavour Whistleblowing report. If you choose to remain anonymous, this may limit the ability for the matter to be investigated and dealt with expeditiously. If you choose to provide your details, your identity will be treated confidentially and will only be confidentiality disclosed to appropriate Endeavour Group personnel with your consent.

Any information you provide (including your identity) will be stored securely in access-controlled systems, and will not be shared without your consent.

What protections do you have if you use Endeavour Whistleblowing?

If you use the Endeavour Whistleblowing service, **we are committed to protecting you**, including **protecting you against adverse consequences or victimisation** as a result of raising a matter, and by **protecting your identity and maintaining confidentiality**. Any team member who discloses your identity inappropriately, or causes detriment to you, may face disciplinary action, up to and including termination.

If you feel that you have been victimised as a result of raising an Endeavour Whistleblowing report, you may

- raise a new Endeavour Whistleblowing report for this purpose; or
- contact Endeavour Group's Whistleblowing Protection Officer (WPO) at WPOfficer@edg.com.au. The WPO is independent of the investigation process, and is equipped to review or escalate your concern.

Employee Assistance Program (for team members, and their immediate family, only) - Endeavour Group also understands that raising issues and being involved in any subsequent investigation can be stressful. Therefore, our Employee Assistance Program *Converge* is available to you. It is a free and confidential counselling service which can provide strategies on how to minimise and manage stress, or other challenges resulting from your report or its investigation. Contact details are available on page 5 of this policy.

Report handling and investigation process



Once a report is received via the Endeavour Whistleblowing service, the process is as follows:

- **Acknowledge receipt:** Endeavour Group's external whistleblowing service provider will acknowledge receipt of your report and may request further information from you if there is insufficient information to warrant an investigation.
- **Triage and allocation:** The external whistleblowing service provider will assess the report to determine applicable protections, triage, review, and allocation for investigation as appropriate. They will then provide appropriate details to the relevant approved investigator within Endeavour Group.
- **Commence investigation:** Endeavour Group will investigate the report where sufficient information is provided to warrant an investigation. One of the objectives of an investigation is to determine whether there is enough evidence to substantiate the matters reported.
- **Investigation independence:** Investigations will follow fair and due process without bias. They will typically be conducted by an investigator independent of the relevant business or persons involved, and allow any persons against whom allegations are made an opportunity to respond. In some cases, an investigator external to the Endeavour Group will be engaged (for example, due to a potential conflict of interest or the seniority of those involved).
- **Duration:** The duration of a formal investigation will depend on the circumstances, including the number of allegations, witnesses and other factors.
- **Updates and closure:** Endeavour Group's external whistleblowing service provider will provide regular progress updates. The nature of the updates will depend on the circumstances. For example, they will not provide information that may compromise the investigation or the disclosure of confidential information. You will be informed when the investigation has been completed, but will not routinely receive details on findings into each of your allegations.

Anyone involved in an investigation, whether as an investigator, witness or decision maker, must treat information related to the investigation as confidential.

Governance

The Endeavour Whistleblowing service is governed as follows:

- The Endeavour Whistleblowing Committee oversees the Endeavour Whistleblowing service. Membership of the Endeavour Whistleblowing Committee comprises the Endeavour Group Chief Legal Officer (**CLO**), the Chief People Officer (**CPO**) and other senior leaders, including a representative of Compliance. It meets regularly to review the effectiveness of the service, to help ensure consistency in process and outcomes, and make relevant recommendations. It is also consulted as required (where appropriate) to resolve disclosures.
- Reporting on the functioning of the Endeavour Whistleblowing service is also provided regularly to the Audit, Risk and Compliance Management Committee (**ARCMC**) of Endeavour Group.
- This policy is Endeavour Group's whistleblower policy for the purpose of the Corporations Act. It also applies to all related bodies corporate as defined in the Corporations Act. This policy will be published on the Endeavour Group website and reviewed periodically.

- The Owner of this Policy is authorised to make changes to the Policy which do not alter the scope, effect or operation of the Policy to maintain the currency of the Policy.

Where to get more information

For more information on Endeavour Whistleblowing:

- For **team members**: speak to your team leader / line manager, contact Team Services (visit [Endeavour Group People Portal](#) or call 1800 222 560) or contact your People Partner / representative
- For **suppliers**: visit our [Partner Hub](#)

If you wish to seek additional information before formally making a report, including any further advice about protected disclosures in the Annexures, you may contact Endeavour Group’s **Whistleblowing Protection Officer** (WPO) at WPOfficer@edg.com.au.

How to get confidential coaching and support (for team members, and their immediate family, only): for strategies on how to minimise and manage stress, or other challenges resulting from your report or its investigation, you can contact our **Employee Assistance Program** *Converge* on:

- **Telephone**: 1300 774 195 (Australia) 0508 664 981 (New Zealand)
- **Online**: <https://convergeinternational.com.au/login/> (Username: endeavougroup; Password: ews)

How to make an Endeavour Whistleblowing report

Telephone: 1800 952 910 (Aust) / 0800 005 960 (NZ)
(available 24 hours)

Online: www.endeavourwhistleblowing.deloitte.com.au
(available 24 hours)

Related documents

Legislation/regulations

Corporations Act 2001 (Cth)
Taxation Administration Act 1953 (Cth)
Protected Disclosures (Protection of Whistleblowers) Act 2022 (NZ)

Internal documents

N/A

Policy governance

Document Type	Approver	Reviewer	Owner	Exception Authority	Review Cycle
Group Policy	Board	ARCMC	Chief Legal Officer	Whistleblowing Committee	Every two years
Contact					

Material policy revisions

Version	Approval Date	Effective Date	Details
1.0	21/06/2021	23/06/2021	New policy
2.0	13/12/2023	13/12/2023	Updates to policy

Annexure A - Legal protections for “protected disclosures” under the Corporations Act and Tax Act in Australia

In Australia, you can make a “protected disclosure” if:

1. you are an “eligible whistleblower” (**eligible whistleblower**);
2. you make a disclosure directly to a person or entity who is eligible to receive a protected disclosure (**eligible recipient**); and
3. you have reasonable grounds to suspect your disclosure is about a “disclosable matter” (**disclosable matter**).

Protected disclosures are also disclosures of information to a legal practitioner for the purposes of obtaining legal advice or legal representation about the operation of the whistleblower provisions in the *Corporations Act 2001 (Cth)* (“**Corporations Act**”) and the *Taxation Administration Act 1953 (Cth)* (“**Tax Act**”).

Making a “protected disclosure” means that you will qualify for relevant legal protections under the Corporations Act or Tax Act (where applicable) from the time you make the disclosure, in addition to the protections that you would receive under this policy if you use Endeavour Whistleblowing. The protections apply even if you make your disclosure anonymously, and also apply if your disclosure turns out to be unsubstantiated, as long as you had reasonable grounds to suspect the subject of the disclosure at the time you made it.

Note that the protections do not grant immunity for any misconduct you have engaged in that is revealed in your disclosure or subsequently discovered.

The remainder of this annexure explains:

- A. [what a protected disclosure is](#);
- B. [what legal protections apply if a protected disclosure is made](#); and
- C. [how a protected disclosure is handled and investigated](#),

as summarised in the below diagram.



A. What is a protected disclosure?

The **3 requirements** for making a protected disclosure, on or after 1 July 2019 under the Corporations Act or Tax Act, are set out below. A disclosure must meet all 3 requirements for the disclosure to qualify for relevant protections.

1. Disclosure is made by an "eligible whistleblower"

An "**eligible whistleblower**" who may make a protected disclosure under the Australian whistleblower laws is anyone who is or has been, in respect of an Australian Endeavour Group company:

- a. an officer;
- b. an employee;
- c. an individual who supplies goods or services, and employees of such suppliers, whether paid or unpaid;
- d. an individual who is an associate of the company; or
- e. either:
 - for a disclosure under the Corporations Act, a spouse or relative, dependent, or dependent of a spouse of any of the above individuals; or
 - for a disclosure under the Tax Act, a spouse, child, dependent, or spouse of a dependent, of any of the above individuals.

2. Disclosure is made to someone eligible to receive a protected disclosure

The Endeavour Whistleblowing service is not an authorised way of making a protected disclosure. Protected disclosures must be made to a person or entity that is an **eligible recipient** which includes:

- people within Endeavour Group; and
- people/entities outside Endeavour Group (in specific circumstances), as outlined below.

Reporting within Endeavour Group

Endeavour Group encourages protected disclosures to be made to one of the below appointed **Protected Disclosure Officers** in the first instance.

Title	Name	Email
Chief Legal Officer (CLO) - Endeavour Group	Peter Atkin	PDO.clo@edg.com.au
Chief People Officer (CPO) - Endeavour Group	Alison Merner	PDO.cpo@edg.com.au

However, if you feel uncomfortable reporting a matter to one of the above persons, protected disclosures may also be made to Endeavour Group through one of the following in person, via email or telephone:

- a. an officer or senior manager of an Australian Endeavour Group company;

Note: 'officers' include an Endeavour Group director or company secretary; and a 'senior manager' who is a person whose decisions affect at least a substantial part of Endeavour Group, or have the capacity to significantly affect Endeavour Group's financial standing (e.g. the Executive or Exco).
- b. an auditor, or a member of an audit team conducting an audit, of an Endeavour Group company; or
- c. an actuary of an Endeavour Group company.

In addition to the above, for disclosures under the Tax Act only:

- d. any other employee or officer of an Endeavour Group company who has functions or duties that relate to the tax affairs of the Endeavour Group company; or
- e. a registered tax agent or Business Activity Statement (BAS) agent who provides tax agent services or BAS services to an Endeavour Group company.

Reporting outside of Endeavour Group

While Endeavour Group encourages eligible whistleblowers to make disclosures internally, there are recipients/channels outside Endeavour Group to whom an eligible whistleblower may also make a protected disclosure:

- a. under the Corporations Act, to the *Australian Securities and Investments Commission (ASIC)*, the *Australian Prudential Regulation Authority (APRA)* or a *prescribed Commonwealth authority*;
- b. under the Tax Act, to the *Commissioner of Taxation*;
- c. under the Corporations Act and Tax Act, to *legal practitioners* in order to obtain legal advice or legal representation in relation to the whistleblower provisions in that legislation;
- d. under the Corporations Act, to *journalists* or *members of Parliament* if the disclosure is a 'public interest disclosure' that meets the following strict requirements:
 - i. the eligible whistleblower must have first made a qualifying disclosure under the Corporations Act to ASIC, APRA, or a prescribed Commonwealth authority;
 - ii. at least 90 days has passed since the above qualifying disclosure was made;
 - iii. the eligible whistleblower does not have reasonable grounds to believe that action is being, or has been, taken to address the matters to which the qualifying disclosure related;
 - iv. the eligible whistleblower has reasonable grounds to believe that making a public interest disclosure would be in the public interest;
 - v. after 90 days has passed, the eligible whistleblower must give the body to which the qualifying disclosure was originally made, a written notification that:
 - o includes sufficient information to identify the qualifying disclosure; and
 - o states that the eligible whistleblower intends to make a public interest disclosure; and
 - vi. the extent of the information disclosed in the public interest disclosure is no greater than to inform the journalist or member of Parliament of the misconduct or improper state of affairs or circumstances, or other conduct falling within the scope of the protected disclosures scheme;
- e. under the Corporations Act, to *journalists* or *members of Parliament* if the disclosure is an 'emergency disclosure' that meets the following strict requirements:
 - i. the eligible whistleblower must have first made a protected disclosure under the Corporations Act to ASIC, APRA or a prescribed Commonwealth authority;
 - ii. the eligible whistleblower has reasonable grounds to believe that information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment;
 - iii. the eligible whistleblower gave notice to the body to which the qualifying disclosure was made that states:
 - o that they intend to make an emergency disclosure; and
 - o includes sufficient information to identify the qualifying disclosure; and
 - iv. the extent of the information disclosed in the emergency disclosure is no greater than is necessary to inform the journalist or member of Parliament of the substantial and imminent danger.

3. Disclosure is about a "disclosable matter"

Only disclosures of certain types of information will qualify for protection under the Australian whistleblower laws.

Disclosable matter under the Corporations Act

Information is a "**disclosable matter**" under the Corporations Act if the eligible whistleblower has reasonable grounds to suspect that the information disclosed:

- a. concerns misconduct or an improper state of affairs or circumstances in relation to an Endeavour Group company, this may include:
 - i. illegal conduct by Endeavour Group, such as theft, dealing in, or use of illicit drugs, violence or threatened violence, and criminal damage against property;
 - ii. fraud, money laundering or misappropriation of funds;
 - iii. offering or accepting a bribe;
 - iv. financial misstatement or irregularities;
 - v. failure to comply with, or breach of, legal or regulatory requirements; and
 - vi. engaging in or threatening to engage in detrimental conduct against a person who has made a disclosure or is believed or suspected to have made, or be planning to make, a disclosure; or
- b. indicates that an Endeavour Group company or any employee or officer has engaged in conduct that:
 - i. constitutes an offence against, or a contravention of, a provision of any of the following:
 - o the Corporations Act;
 - o the *Australian Securities and Investments Commission Act 2001*;
 - o the *Banking Act 1959*;
 - o the *Financial Sector (Collection of Data) Act 2001*;
 - o the *Insurance Act 1973*;
 - o the *Life Insurance Act 1995*;
 - o the *National Consumer Credit Protection Act 2009*;
 - o the *Superannuation Industry (Supervision) Act 1993*;
 - ii. constitutes an offence against any other law of the Commonwealth that is punishable by at least 12 months' imprisonment;
 - iii. represents a danger to the public or the financial system; or
 - iv. is prescribed by any regulations made under the Corporations Act.

Except in certain circumstances, '**personal work-related grievances**' will not be protected under the Corporations Act unless they relate to victimisation (see below section B.3. *Prohibition against victimisation*). A disclosure is a 'personal work-related grievance' if:

- a. it concerns the whistleblower's employment and has implications for them personally; and
- b. the information:
 - i. does not have significant implications for an Australian Endeavour Group company, or another regulated entity, that do not relate to the eligible whistleblower; and
 - ii. does not concern conduct, or alleged conduct, referred to above in the definition of "disclosable matter".

Examples of personal work-related grievances that do not qualify for protection may include:

- the whistleblower having an interpersonal conflict within the workplace;
- the whistleblower being subjected to discipline or not receiving a promotion;
- a decision related to the contract / terms of engagement of the whistleblower; or

- any matters that do not have significant implications for Endeavour Group as a whole, unless they relate to the whistleblower being victimised for making a previous protected disclosure.

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

- it relates to a disclosable matter and a personal work related grievance (i.e. it is a mixed disclosure); or
- the eligible whistleblower makes the disclosure to a legal practitioner for legal advice or legal representation in relation to the operation of the whistleblower protections under the Corporations Act.

Note: we still take personal work-related grievances seriously. However, team members should generally raise these with their team leader (line manager), their team leader's manager (one up leader), TeamServices or their People Partner / representative.

Disclosable matter under the Tax Act

Information is a “**disclosable matter**” under the Tax Act if:

- a. the eligible whistleblower has reasonable grounds to suspect that the information concerns misconduct or an improper state of affairs or circumstances in relation to tax affairs of an Endeavour Group company or an associate of an Endeavour Group company; or
- b. the eligible whistleblower considers that the information may assist the eligible recipient to perform functions or duties in relation to the tax affairs of an Endeavour Group company or an associate of an Endeavour Group company.

B. What legal protections apply if a protected disclosure is made?

If you have made a protected disclosure under the Australian whistleblower laws, the protections outlined in the Whistleblowing Policy will apply as well as the following 3 additional legal protections:

1. Protection from Legal Action

Eligible whistleblowers who make a protected disclosure under the Australian whistleblower laws are protected from certain legal action in relation to having made the disclosure, including:

- any civil, criminal, and administrative (including disciplinary) action against the whistleblower; and
- contractual action, including termination of a contract on the basis that making a disclosure is a breach of that contract.

Any information that is disclosed as part of a protected disclosure to either:

- ASIC, APRA or a prescribed Commonwealth authority, under the Corporations Act; or
 - the Commissioner of Taxation, under the Tax Administration Act,
- will not be admissible in evidence against the whistleblower in criminal proceedings or in proceedings for the imposition of a penalty, except for proceedings in respect of the falsity of the information.

2. Protection of your identity

If you make a protected disclosure, and in doing so, reveal your identity (or information by which you can likely be identified), a person must not disclose your identity or identifying information without your consent (subject to the exceptions set out below).

Note: if an eligible whistleblower makes a protected disclosure, it is likely that the eligible whistleblower will be asked to provide consent to the disclosure of their identity. This would be to

facilitate any investigation and/or resolution of the matter. If consent is withheld, it may not be possible to adequately investigate and respond (if at all) to the disclosure.

Exceptions to the protection of identity

If an eligible whistleblower does not consent to their identity being disclosed, it will still be lawful to disclose their identity to:

- ASIC, APRA, the Australian Federal Police (AFP) or the Commissioner of Taxation (in relation to protected disclosures under the Tax Act);
- a legal practitioner for the purposes of obtaining legal advice or legal representation about the disclosure; or
- a body prescribed by the Corporations Regulations,

and, ASIC, APRA or the AFP can disclose the identity of an eligible whistleblower, or information that is likely to lead to the identification of the eligible whistleblower, to a Commonwealth, State or Territory authority to help the authority in the performance of its functions or duties. It will also be lawful to disclose information (other than your identity) which you share that may lead to your identity becoming known if it is reasonably necessary in order to investigate the issues raised, in which case we will take all reasonable steps to protect your identity.

Endeavour Group seeks to protect the confidentiality of an eligible whistleblower's identity, including by:

- storing information about a disclosure securely;
- redacting the whistleblower's identity from relevant documents; and
- only sharing the whistleblower's identity with those who have a legitimate need to know, subject to the consent provided by the whistleblower.

3. Prohibition against victimisation

It is unlawful for a person or a company to:

- engage in any conduct that causes, or will cause, any detriment; or
- make a threat to cause any detriment (whether express, implied, conditional or unconditional), to an eligible whistleblower or another person because the person engaging in the conduct believes or suspects that the other person or a third person made, may have made, proposes to make, or could make, a protected disclosure. This includes where such belief/suspicion was only part of the reason why the action is taken.

"Detriment" includes dismissal, disciplinary action, harassment, discrimination, property damage, reputational damage and other types of damage to a person. "Detriment" does not include administrative action that is reasonable to protect you from detriment (e.g. when the disclosure relates to wrongdoing in your immediate work area). Protecting you from detriment also does not prevent Endeavour Group from managing unsatisfactory work performance.

To protect you from the risk of detriment, eligible recipients have been trained to ensure they are aware of their responsibilities to seek to ensure your confidentiality and that you are not victimised for making the disclosure. Additionally, Endeavour Group may, on a case-by-case basis, allow you to: perform your duties from another location or in another role at the same level, or make other modifications to your workplace or the way you perform your work duties, or reassign or relocate other staff involved in the disclosable matter.

Endeavour Group will investigate allegations of detriment, and, penalties, disciplinary action and/or other liabilities may apply for any person found engaging in victimisation.

If detriment is found to have occurred, Endeavour Group may, on a case-by-case basis, allow you to take extended leave, develop an alternative career development plan, or offer compensation or other remedies. Courts also have broad scope to make orders remedying a detriment or threatened detriment, including injunctions, compensation orders (including against individual employees and their employer), reinstatement, exemplary damages and the making of apologies. Civil and criminal sanctions also apply to breaches of the Corporations Act and Tax Act.

If you believe you suffer, or are threatened with, detriment in contravention of the Australian whistleblower laws, you may

- raise a further protected disclosure by following the steps set out above;
- raise an Endeavour Whistleblowing report for this purpose (note, disclosures made to the Endeavour Whistleblowing service are not protected disclosures); or
- contact Endeavour Group's Whistleblowing Protection Officer (**WPO**) at WPOfficer@edg.com.au. The WPO is independent of the investigation process, and equipped to review or escalate your concern.

C. How is a protected disclosure handled and investigated?

If a protected disclosure is made, it will be provided to the Endeavour Whistleblowing Coordinator, or their delegate, subject to applicable confidentiality requirements. Protected disclosures will be investigated in the same way as other disclosures made under this Policy (see 'Report handling and investigation process' on page 4). The timeframe for investigations of protected disclosures will be different depending on the nature and scope required. However, Endeavour Group's intent is to complete an investigation as soon as practicable.

Where appropriate, Endeavour Group will report the findings of an investigation to the Chief Legal Officer and the ARCMC. The method for documenting and reporting the findings of an investigation will depend on the nature of the disclosure and the circumstances. Reporting of findings will have regard to applicable confidentiality requirements.

Annexure B - Legal protections for “protected disclosures” under the Protected Disclosures (Protection of Whistleblowers) Act in New Zealand

In New Zealand, making a "protected disclosure" means that you will qualify for relevant legal protections under the *Protected Disclosures (Protection of Whistleblowers) Act 2022* (“PDA”).

What is a protected disclosure?

Information disclosure is a "protected disclosure" under the PDA if the **discloser**:

- believes on reasonable grounds that there is, or has been, **serious wrongdoing** in or by their organisation;
- discloses the information in accordance with the **reporting requirements** set out in this Annexure; and
- **does not disclose it in bad faith.**

A “**discloser**” under New Zealand laws means an individual who is (or was formerly) in respect of Endeavour Group:

- a. an employee of the organisation;
- b. a secondee to the organisation;
- c. engaged or contracted under a contract for services to do work for the organisation;
- d. concerned in the management of the organisation; or
- e. a volunteer working for the organisation without reward or expectation of reward for that work.

A “**serious wrongdoing**” includes any act, omission, or course of conduct in (or by) Endeavour Group that is one or more of the following:

- a. an offence;
- b. a serious risk to public health, public safety, the health or safety of any individual, or, the environment;
- c. a serious risk to the maintenance of law, including:
 - i. the prevention, investigation, and detection of offences; or
 - ii. the right to a fair trial;
- d. an unlawful, corrupt, or irregular use of public funds or public resources; or
- e. oppressive, unlawfully discriminatory, or grossly negligent, or that is gross mismanagement, and is done (or is an omission) by an employee (if the organisation is a public sector organisation) or 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.

How to report a disclosure

To make a protected disclosure under the PDA, the disclosure must be made in accordance with the reporting requirements below. In addition, a discloser has the option to make a protected disclosure to an appropriate authority at any point in time, even if they have previously made a protected disclosure to Endeavour Group or another appropriate authority.

Reporting within Endeavour Group

Endeavour Group encourages protected disclosures to be made to one of the below appointed **Protected Disclosure Officers** in the first instance.

Title	Name	Email
Chief Legal Officer (CLO) - Endeavour Group	Peter Atkin	PDO.clo@edg.com.au
Chief People Officer (CPO) - Endeavour Group	Alison Merner	PDO.cpo@edg.com.au

Protections

The PDA grants the following protections to a discloser who makes a protected disclosure:

1. Protection against retaliation and victimisation

Individuals who report (or intend to report) protected disclosures should be protected from retaliation or victimisation. If they do face retaliation or victimisation, they may be eligible to file a personal grievance or pursue legal action. Retaliation includes actions such as dismissal, demotion, harm, or disadvantage. Victimisation pertains to receiving unfavourable treatment linked to their disclosure or intention to disclose.

2. Legal protections from civil, criminal, and disciplinary actions

Once a protected disclosure has been made or referred, the PDA prevents legal actions, whether civil, criminal, or disciplinary, from being initiated against the discloser on the grounds of having made or referred a protected disclosure.

3. Confidentiality

Best endeavours must be used to keep the identity of individuals who report protected disclosures confidential unless the discloser consents otherwise or there are reasonable grounds to believe that the identifying information is essential for investigation, public health/safety, natural justice, or law enforcement. New Zealand protected disclosures are managed according to legal obligations under the PDA and *Privacy Act 2020* (NZ).

Anyone who discloses information in support of, or relating to, a protected disclosure may also be entitled to protection under the PDA.

A discloser is entitled to the above protections even if the discloser:

- is mistaken and there is no serious wrongdoing;
- does not refer to the PDA when making the disclosure;
- technically fails to comply with the requirements for making a protected disclosure in sections 11 or 14 of the PDA (as long as they have substantially complied); or
- also makes the disclosure to another person on a confidential basis for the purposes of seeking advice about whether or how to make a protected disclosure in accordance with the PDA.

However, a discloser is not protected by the PDA if they knowingly make a false allegation or disclose in bad faith.