

Whistleblower Policy

ACEN Australia Pty Ltd (ACN 616 856 672) together with its subsidiaries (“**ACEN**”) is committed to conducting business with honesty, integrity, and in accordance with its values and standards of expected behaviour. We encourage an environment in which matters of concern and suspected wrongdoings within ACEN which constitute Reportable Conduct are reported. ACEN promotes a workplace environment in which everyone feels safe, supported and encouraged to speak up and we aim to protect persons disclosing such conduct against reprisals, discrimination, harassment, victimisation, or future bias towards their career for speaking up.

This policy applies to all directors, officers, employees, consultants, advisers, suppliers, contractors, stakeholders, or any member of the public who wishes to report any concerns or issues with the behaviour of ACEN or its representatives. This policy provides assurance that any person making such a report (the “Whistleblower”) shall be protected from retaliation, reprisals, harassment or disciplinary action or victimization for whistleblowing, and assurance that the identity of the Whistleblower shall be protected from unauthorized disclosure to the extent allowed by law or regulation.

This policy aims to encourage people to speak up if they become aware of Reportable Conduct. It covers:

1. Reportable Conduct
2. Protected disclosures
3. Personal work-related grievances
4. Reporting channels
5. Statutory protections and remedies
6. Protection of a discloser’s identity
7. Anonymous report
8. ACEN response to reports of misconduct
9. False disclosure
10. Dissemination of the policy

1. Reportable Conduct

Reportable Conduct is any conduct that the Whistleblower has reasonable grounds to suspect that amounts to serious misconduct, or an improper situation in relation to ACEN.

Any conduct that the Whistleblower has reasonable grounds to suspect amounts to ACEN (or an officer or employee of ACEN) engaging in conduct which includes:

- Breaches of the Corporations Act or any other Commonwealth law that is punishable for a period of 12 months or more;
- An unsafe work practice which endangers the health and safety of employees or the public; or causes damage to the environment;
- Serious breaches of the Code of Conduct or other internal policies;
- Bribery or Corruption;
- Financial fraud or mismanagement;
- Victimisation or harassment;
- Misuse or misappropriation of ACEN’s assets;
- Any conflict of interest situation;
- Any unethical or illegal conduct;
- Any concealment, or attempt to conceal any of the above; and
- Any other conduct similar or related to the foregoing.

2. Protected disclosures

Certain information that is disclosed to certain people or organisations is protected by law. In order to be a protected disclosure and qualify for the statutory protections a report must meet each of the following criteria:

- The report must be made by an eligible whistleblower. Eligible Whistleblowers include current or former employees or officers, suppliers, contractors, spouses and family members.
- The eligible whistleblower must have objectively reasonable grounds to suspect the report discloses a disclosable matter (being one of the matters in the below table, a public interest disclosure or emergency disclosure).
- The report must be made to an eligible recipient as specified in table 2.1 of this Section 2.
- It must not be a “personal work-related grievance” as specified in Section 3 below.

Table 2.1

Information reported or disclosed	Recipient of disclosed information
General disclosable matters	Recipients for any general disclosable matter
<ul style="list-style-type: none"> • Information about actual or suspected misconduct, or an improper situation or circumstances in relation to ACEN. • Information that ACEN or any officer or employee has engaged in conduct that: <ol style="list-style-type: none"> 1. Contravenes or constitutes an offence against certain legislation (e.g., the Corporations Act). 2. Represents a danger to the public or the financial system. 	<ul style="list-style-type: none"> • A person authorised by ACEN to receive protected disclosures (i.e., Recipients under this Policy, see section 4. below). • An officer or senior manager of ACEN. • An auditor, or a member of a team conducting an audit of ACEN. • ASIC or APRA. • A legal practitioner to obtain legal advice or representation.

<p>3. Constitutes an offence against any law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more.</p> <p>Note that “personal work-related grievances” are not protected disclosures under the law, except as noted in Section 3 below.</p>	<ul style="list-style-type: none"> ACEN’s independent dedicated whistleblower service: <p>Website: https://acenrenewables.stoplinereport.com/ Email makeareport@stopline.com.au Phone Number – 1300 30 45 50 Webform https://sldisclosures.typeform.com/to/cDMG9s3x</p>
<p>Tax-related Disclosable matters</p>	<p>Recipients for any tax-related disclosable matters</p>
<ul style="list-style-type: none"> Information about misconduct, or an improper situation or circumstance, in relation to the tax affairs of ACEN which the employee considers may assist the recipient in performing functions or duties in relation to the tax affairs of ACEN. 	<ul style="list-style-type: none"> A person authorised by ACEN to receive reports of tax-related disclosable matters. An auditor, or a member of an audit team conducting an audit of ACEN. A registered tax agent.

The Whistleblower shall be protected from any form of retaliation, reprisals, harassment or disciplinary action or victimization in connection with any Disclosure made in good faith, with a belief in the truth of the Disclosure that a reasonable person in the Whistleblower’s situation could have believed based upon the facts. A Disclosure is not in good faith if made with reckless disregard, or wilful ignorance of facts that would disprove the disclosure. A Disclosure need not be proven true to be deemed to have been made in good faith.

Any harassment or retaliatory action shall be subject to disciplinary or legal action pursuant to relevant policies and procedures of ACEN, and any applicable laws.

3. Personal work-related grievances

Legal protection for disclosures about solely personal employment related matters are only available under the law in limited circumstances. A disclosure of a personal work-related grievance will remain protected if:

- It concerns detriment to you because you have or may be considering speaking up.
- It is made to a legal practitioner for the purposes of obtaining legal advice or legal representation in relation to the operation of the law about whistleblowers.
- Under applicable law, a grievance is not a “personal work-related grievance” if it:
 - Has significant implications for an entity regulated under the law that does not relate to the discloser;
 - Concerns conduct, or alleged conduct, in contravention of specified corporate and financial services laws, or that constitutes an offence punishable by 12 months or more imprisonment under any other Commonwealth laws;
 - Concerns conduct that represents a danger to the public or financial system; or
 - Concerns conduct prescribed by regulations.

4. Reporting channels

ACEN encourages eligible whistleblowers to make a disclosure internally as the first port of call so that wrongdoing can be identified and addressed in a timely manner.

The following service or individuals can receive a disclosure:

- The Stopline service. ACEN has engaged an independent whistleblowing service provider, Stopline, to receive whistleblowing disclosures. Stopline can be the first port of call for an eligible whistleblower via the following:

Website: <https://acenrenewables.stoplinereport.com/>

Email: makeareport@stopline.com.au

Telephone: **1300 30 45 50**

Webform: <https://sldisclosures.typeform.com/to/cDMG9s3x>

- Any one of the following ACEN individuals to qualify for protection:

Disclosure Officers: Claudia Parsons – Head of Corporate Services

Jenny Faulkner – Company Secretary & Governance Officer

5. Statutory protections and remedies

Protected disclosures which meet the requirements under whistleblowing laws are afforded some specific legal protections and remedies. These include, but are not limited to:

- Compensation for loss, damage or injury suffered because of detrimental conduct;
- An injunction to prevent, stop or remedy the effects of the detrimental conduct;
- An order requiring an apology for engaging in the detrimental conduct;
- If the detrimental conduct wholly or partly resulted in the termination of an employee's employment, reinstatement of their position; and
- Any other order the court thinks appropriate.

The law also states that if you make a protected disclosure:

- In some circumstances (e.g., if the disclosure has been made to a regulator) the information you provide is not admissible in evidence against you in criminal proceedings or in proceedings for the imposition of a penalty, other than proceedings in respect of the falsity of the information;
- You are not subject to any civil, criminal, or administrative liability for making the disclosure; and
- No contractual or other remedy may be enforced or exercised against you because of the disclosure

6. Protection of a discloser's identity

ACEN is committed to supporting disclosers and protecting disclosers from detriment throughout the disclosure process.

Receiving a disclosure:

- All personal information or reference to the discloser witnessing an event will be redacted.
- The discloser will be referred to by a pseudonym.
- Where possible, the discloser will be contacted to help identify certain aspects of his or her disclosure that could inadvertently identify him or her.
- Disclosures will be handled and investigated by qualified staff.

Record keeping:

- All paper and electronic documents and other materials relating to disclosures will be stored securely.
- Access to all information relating to a disclosure will be limited to those directly involved in managing and investigating the disclosure.
- Only a restricted number of people who are directly involved in handling and investigating a disclosure will be made aware of a discloser's identity (subject to the discloser's consent) or information that is likely to lead to the identification of the discloser.
- Communication and documents relating to the investigation of a disclosure will not be sent to an email address or printer that can be accessed by other staff.
- Each person who is involved in handling and investigating any disclosure will be reminded about the confidentiality requirements.

7. Anonymous report

ACEN encourages the reporting of potential misconduct; however, we appreciate that this can be difficult.

You can make an anonymous report if you do not want to reveal your identity. However, we encourage you to provide your name because it will make it easier to investigate and address your report.

If you do not provide your name, any investigation will be conducted as far as possible in the circumstances. However, an investigation may not be possible unless sufficient information is provided, and it may make it difficult to offer you the same level of practical support if we do not know your identity.

If you do provide your name, it will only be disclosed if you provide your consent, or in exceptional circumstances where the disclosure is allowed or required by law (e.g. in dealings with a regulator). If you have concerns about this, you can discuss this with the Recipient.

8. ACEN response to reports of misconduct

All reports made under this Policy will be received and treated sensitively and seriously, and will be dealt with promptly, fairly and objectively.

- ACEN's response to a report will vary depending on the nature of the report and the amount of information provided. Your report may be addressed and resolved informally (such as assisting employees to change their behaviour) or through formal investigation (either internally or through external advisers).
- While reporting does not guarantee a formal investigation, all reports will be assessed and considered by ACEN and a decision made as to whether they should be investigated.
- All investigations will be conducted in a timely manner and will be fair and independent from any persons to whom the report relates. All employees and contractors must cooperate fully with any investigation.
- If you have made a report, the Recipient may inform you about the action to be taken. Note, in some cases, it may not be possible to keep you informed on the precise action taken as doing so might, for example, infringe on someone else's confidentiality.
- When appropriate, a person being investigated will be provided with details of the report that involves them (to the extent permitted by law) and be given an opportunity to respond.

- Where an investigation identifies a breach of ACEN's Code of Conduct or internal policies or procedures, appropriate disciplinary action will be taken. This may include but is not limited to terminating or suspending the employment or engagement of the person(s) involved in the misconduct.

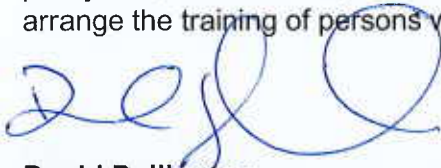
The Board will receive a summary of reports made under this Policy and will be provided additional information about any material incidents raised.

9. False Report

Should it be determined that a Whistleblower knowingly (a) submitted a report containing any material false allegation or (b) presented fabricated or falsified evidence, the Whistleblower shall be subject to disciplinary or legal action pursuant to the policies and procedures of ACEN and any applicable laws.

10. Dissemination of the Policy

The Head of Corporate Services shall be responsible for the public dissemination and communication of this Policy, and to ensure that each employee upon hiring and on an annual basis thereafter acknowledges in writing to have read the policy and to abide by the terms thereof. This policy shall be made available in the internal website. Where necessary, Corporate Services shall arrange the training of persons who will be involved in the implementation of this policy.



David Pollington
Managing Director
ACEN Australia
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