



Global Natural Resources

## **Whistleblower Policy**



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## 1. Purpose

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### 1.1 Overview

Tribeca Global Natural Resources Limited (ACN 627 596 418) (“**TGF**”), an Australian Stock Exchange (“**ASX**”) listed investment company (ASX Code: TGF) is committed to conducting its business with honesty, fairness and integrity. This Whistleblower Policy (“**Policy**”) is an important element in deterring illegal, unethical and improper conduct and an important tool for helping TGF identify wrongdoing that might not be uncovered unless there is a safe and secure means for disclosure.

The *Corporations Act 2001* (Cth) (“**Corporations Act**”) and the *Tax Administration Act 1953* (Cth) (“**Taxation Administration Act**”) provide for protections for persons who qualify for protection as whistleblowers (known as “**Eligible Whistleblowers**”) and who make a protected disclosure (“**Whistleblower Protection Scheme**”). The purpose of this Policy is to set out:

- who the Policy applies to;
- information about the types of disclosures that qualify for protection under the Whistleblower Protection Scheme;
- information about the protections available to Eligible Whistleblowers;
- information about persons to whom protected disclosures may be made, and how they may be made;
- information about how TGF will support Eligible Whistleblowers and protect them from detriment;
- information about how TGF will handle and investigate disclosures that qualify for protection;
- information about how TGF will ensure fair treatment of officers and/or employees (if any) who are mentioned in disclosures that qualify for protection, or to whom such disclosures relate; and
- information about how this Policy is to be made available to officers and employees (if any) of TGF.

## 2. Scope & Application

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This Policy applies to Tribeca Global Natural Resources Limited (ACN 627 596 418), an ASX listed investment company (ASX Code: TGF).

Compliance with this Policy is mandatory for any officers and employees (if any) of TGF. It also extends to other Eligible Whistleblowers (as defined in Section 4 below).

As of the annual review date of this Policy, TGF does not have former or current employees.

## 3. What disclosures are protected?

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A discloser qualifies for protection as a whistleblower under the Corporations Act and Tax Administration Act if they are an Eligible Whistleblower in relation to TGF and:

- they have made a disclosure of information relating to a “disclosable matter” (see Section 5 below) directly to an “eligible recipient” (see Section 7 below) or to the Australian Securities and Investments Commission (“**ASIC**”), the Australian Prudential Regulation Authority (“**APRA**”) or another Commonwealth body prescribed by regulation;
- they have made a disclosure to a legal practitioner for the purpose of obtaining legal advice or legal representation about the operation of the whistleblower provisions in the Corporations Act or Tax Administration Act; or

- they have made an “emergency disclosure” or “public interest disclosure”.

There are additional categories of disclosure that also qualify for protection under the Whistleblower Protection Scheme, including **public interest disclosures** and **emergency disclosures**. Information relating to these disclosure types is set out in **Appendix A**.

#### 4. Who is an Eligible Whistleblower?

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Under the Whistleblower Protection Scheme, the following individuals are capable of making a disclosure about Improper Conduct (defined in Section 5 below) and are referred to as Eligible Whistleblowers in this Policy:

- current or former officers and employees (including casual, fixed term and temporary employees, if any) of TGF;
- current and former service providers and suppliers (whether paid or unpaid) including contractors, consultants and business partners to TGF and their employees (if any);
- an associate of TGF; and
- a relative, dependant or spouse of any of the above individuals.

#### 5. What is Improper Conduct?

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Under the Whistleblower Protection Scheme, an Eligible Whistleblower can make a disclosure if they have reasonable grounds to suspect that the disclosed information:

- concerns misconduct or an improper state of affairs in relation to TGF (including in relation to tax affairs); or
- indicates that TGF or one of its officers and/or employees (if any) has engaged in conduct that:
  - constitutes an offence against the Corporations Act, Tax Administration Act or other specified financial services legislation including the *Australian Securities and Investments Commission Act 2001*;
  - constitutes an offence against other Commonwealth legislation that is punishable by imprisonment for 12 months or more;
  - represents a danger to the public or the financial system; or
  - is prescribed by regulation,

(“Improper Conduct”).

Examples of Improper Conduct include:

- illegal, unethical, corrupt or criminal conduct;
- fraud, money laundering or misappropriation of funds;
- financial irregularities, insolvent trading or falsification of accounts;
- a failure to comply with, or breach of, any legal or regulatory requirements as an entity listed on the ASX, breach of continuous disclosure rules or insider trading;
- 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, and;
- a breach of company policies.

Improper Conduct can include conduct that may not involve a contravention of a particular law. Information that indicates a significant risk to public safety or the stability of, or confidence in, the financial system is also Improper Conduct, even if it does not involve a breach of a particular law.

Under the Whistleblower Protection Scheme, Improper Conduct does not include personal-work related grievances as defined in the Corporations Act. These are generally grievances relating to an employee's current or former employment or engagement (or that of their relative or dependent who is a staff member) that have implications for that person personally, and do not have broader implications for TGF (for example conflicts between employees, decisions about promotion or transfer, decisions about terms and conditions of engagement or a decisions to discipline, suspend or terminate the engagement of an individual). However a personal work-related grievance may still qualify for protection if:

- it is a mixed report, that is, it contains information both about Improper Conduct and a work-related grievance;
- TGF has breached employment or other laws punishable by imprisonment for a period of 12 months or more, engaged in conduct that represents a danger to the public, or the disclosure relates to information that suggests misconduct beyond personal circumstances;
- 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
- legal advice or legal representation has been sought about the operation of the Whistleblower Protection Scheme.

## 6. What information should be provided in a disclosure?

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A disclosure should contain enough information to enable a proper investigation to be undertaken. It's important to provide as much information as possible, this includes any known details about the relevant events which may include:

- date
- time
- location
- names of person(s) involved
- possible witnesses
- evidence to support the disclosure

The disclosure may also include any steps already taken to disclose the Improper Conduct elsewhere.

## 7. Who can I make a disclosure to?

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### 7.1 Protected Disclosure Committee

TGF has established a Protected Disclosure Committee ("**PDC**") (see Section 8 of this Policy). Disclosures of Improper Conduct made by a Eligible Whistleblower to the PDC qualify for protection under the Whistleblower Protection Scheme. An Eligible Whistleblower is encouraged to make a disclosure directly to the PDC in the first instance using the following email address within and outside of business hours: [Tgfwhistleblow@tribecaip.com](mailto:Tgfwhistleblow@tribecaip.com).

Should an Eligible Whistleblower wish to seek additional information before formally making their disclosure, they can contact TGF's Whistleblower Protection Officer ("**WPO**") (see Section 12.1 of this Policy) or an independent legal adviser. Disclosures to a legal practitioner for the purposes of obtaining legal advice or legal representation in relation to the operation of the whistleblower

provisions in the Corporations Act or Tax Administration Act are protected (even in the event that the legal practitioner concludes that a disclosure does not relate to a disclosable matter).

### **7.2 Directly to any officer or auditor**

An Eligible Whistleblower may also make a disclosure of Improper Conduct that qualifies for protection to any officer or external auditor of TGF (**TGF Recipient**).

For these purposes, an officer includes a director or company secretary.

On receipt of a disclosure, the TGF Recipient will provide information about the disclosure (with the possible exception of the identity of the Eligible Whistleblower or information that may lead to their identification) to the PDC for review, and if necessary to TGF's Board of directors ("**Board**") for investigation.

### **7.3 External disclosures**

Nothing in this Policy affects the ability of an Eligible Whistleblower to make a disclosure about Improper Conduct to ASIC, APRA, the Commissioner of Taxation (for matters relating to taxation), a prescribed Commonwealth authority or a legal practitioner. These disclosures also qualify for protection under the Whistleblower Protection Scheme. Please refer to the [ASIC Information Sheet 239](#) for more whistleblowing information provided by ASIC.

## **8. Protected Disclosure Committee**

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The PDC is comprised of two Independent Directors and the WPO of TGF. Please refer to Section 19 below for their contact details.

If any member of the PDC is conflicted in relation to any disclosure or investigation, the conflicted PDC member will be replaced by another person selected by TGF.

Upon receipt of a disclosure, the PDC will assess whether the disclosure falls under this Policy.

In some cases, the PDC may determine that, among other things:

- the disclosure qualifies for protection;
- the disclosure is not Improper Conduct within the scope of the Policy;
- the subject matter of the disclosure has been satisfactorily dealt with or resolved previously;
- some other more appropriate grievance, reporting, complaint or claims procedure in relation to the subject matter of the disclosure applies – for example, the matter should be reported through work health and safety reporting mechanisms; and
- whether a formal, in-depth investigation is required.

Subject to the confidentiality requirements of Section 12, where the PDC has accepted a disclosure as falling within the scope of the Policy and is subject to an investigation, the PDC will report the disclosure to the Board as soon as possible.

If the PDC determines that the disclosure does not warrant a formal investigation and an Eligible Whistleblower wishes to pursue the matter please contact the appropriate regulatory authority ASIC, APRA or the Australian Tax Office ("**ATO**").

## **9. Investigation**

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The Board will investigate all matters reported under this Policy as soon as practicable after the matter has been reported. The Board will determine the manner and method of all investigations, utilising internal and external resources as appropriate. The Board may engage external financial, legal and operational advisers as required.

The timeframe of the investigation may vary between 5 and 20 working days subject to the nature and complexity of the disclosure.

Investigations are to be conducted in an objective, fair and independent manner, while preserving the confidentiality of the investigation. To ensure fairness and independence, investigations need to be independent of the Eligible Whistleblower and the individuals who are the subject of the disclosure.

The investigation process will usually involve the collection and assessment of information (which may include documents and interviews with relevant people). If the report is not anonymous, the investigator will contact the Eligible Whistleblower to discuss the investigation process including who may be contacted and such other matters as are relevant to the investigation. Where a report is submitted anonymously, the investigator will conduct the investigation and their enquiries based on the information provided to them. There may be circumstances where the investigator is unable to undertake an investigation if a disclosure is made anonymously and the Eligible Whistleblower has refused to provide, or has not provided, a means of contacting them.

Where appropriate and provided the anonymity is not compromised, the Eligible Whistleblower will be kept informed with regular updates of the progress of the investigation, subject to commercial, legal and confidentiality restraints. The frequency and timeframe may vary depending on the nature of the disclosure.

Subject to TGF's confidentiality obligations, the WPO will maintain a summary register of all findings. Where appropriate the WPO will communicate with and provided internal documents and reports of the findings of the investigation to an Eligible Whistleblower. However, there may be circumstances where it may not be appropriate to provide details of the outcome to the Eligible Whistleblower.

## **10. Wrongdoing/Action**

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Where any wrongdoing is uncovered by the investigation as a result of a report, it is the Board, who in each case, will determine the appropriate response.

## **11. False & dishonest disclosures**

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No action will be taken against a discloser for making an allegation or raising their concern if that concern is based on reasonable grounds, even where no wrongdoing is identified, or their disclosure turns out to be incorrect.

If it is found that a discloser making a report has knowingly made a false or vexatious disclosure or did not have reasonable grounds to suspect the Improper Conduct, then the conduct of the discloser will be considered a serious matter.

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## 12. Confidentiality / Anonymity / Protection for Eligible Whistleblowers

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### 12.1 Whistleblower Protection Officer

The WPO is TGF's Company Secretary. The WPO's role is to:

- seek to protect the Eligible Whistleblower from retaliation and detriment, as well as protect their wellbeing;
- where contact details are provided, keep in regular contact with the Eligible Whistleblower;
- review any complaints of retaliation or detriment against the Eligible Whistleblower as a result of making the disclosure or any concern that the disclosure hasn't been dealt with in accordance with this Policy; and
- escalate any matter the WPO considers appropriate to the PDC and/ or Board.

All Eligible Whistleblowers who make a disclosure will have access to the assistance of the WPO as provided for in this Policy.

### 12.2 Confidentiality

Unless the Eligible Whistleblower consents, it is illegal for the recipient to release the identity of the Eligible Whistleblower, or information which may lead to their identification to any person (subject to the exceptions set out below). Evidence of an Eligible Whistleblower's consent to the disclosure of their identity will usually be sought in the consent form (refer to **Appendix C**).

If an Eligible Whistleblower does not consent to their identity being disclosed to any other persons, it will still be lawful to disclose their identity to:

- ASIC, APRA, the Australian Federal Police ("**AFP**") or the Commissioner of Taxation;
- a legal practitioner for the purposes of obtaining advice about the disclosure; or
- to a body prescribed by the regulations.

The PDC or TGF Recipient may also disclose the information contained in a disclosure with or without the Eligible Whistleblower's consent if:

- the information does not include the Eligible Whistleblower's identity;
- the PDC or TGF Recipient has taken all reasonable steps to reduce the risk that the Eligible Whistleblower will be identified from the information; and
- it is reasonably necessary for investigating the issues raised in the disclosure.

If the Eligible Whistleblower wishes to lodge a complaint about the breach of confidentiality it can be lodged with the WPO. The Eligible Whistleblower may also lodge a complaint with a regulator, such as ASIC, APRA or the ATO, for investigation.

### 12.3 Anonymity

An Eligible Whistleblower has the option of remaining anonymous while making a disclosure, over the course of the investigation and after the investigation is finalised. Anonymous Eligible Whistleblowers can refuse to answer questions that they feel could reveal their identity at any time, including during follow-up conversations.

If a disclosure comes from an email address from which the person's identity cannot be determined, and the Eligible Whistleblower does not identify themselves in the email, it will be treated as an anonymous disclosure. However, it may be difficult to investigate these disclosures effectively. Anonymous Eligible Whistleblowers are advised to maintain ongoing two-way communication with the investigator.

Anonymous Eligible Whistleblowers are still capable of being protected under the Whistleblower Protection Scheme.

When a disclosure is made anonymously, any subsequent communications will be made through the anonymous email address or telephone number provided by the Eligible Whistleblower. The Eligible Whistleblowers may adopt a pseudonym for the purpose of their disclosure.

#### 12.4 Protection for Eligible Whistleblowers

TGF strictly prohibits all forms of retaliation, detriment and adverse action against an Eligible Whistleblower as a result of making a disclosure under this Policy. All reasonable steps will be taken by TGF to protect a Eligible Whistleblowers from reprisal or disadvantage as a result of making a disclosure<sup>1</sup>.

Under the Whistleblower Protection Scheme it is unlawful for:

- a person to engage in conduct against another person that causes or will cause a **detriment**<sup>2</sup>:
  - in circumstances where the person believes or suspects that the other person or a third person made, may have made, proposes to make or could make a qualifying disclosure; and
  - if the belief held by that person is the reason or part of the reason for their conduct.

Threats of detriment will also be unlawful if:

- the person making the threat intended to cause fear that a detriment would be carried out or was reckless as to whether the person against who it was directed would fear the threatened detriment being carried out; and
- the threat was made because the person makes or may make a qualifying disclosure.

Disclosures may also amount to the exercise of a workplace right by either a TGF employee or contractor (if any). TGF and its officers and employees (if any) are prohibited under the *Fair Work Act 2009* (Cth) from taking adverse action against employees or contractors because they exercised or propose to exercise any workplace rights.

TGF will also support and protect any other TGF officer or employee (if any) assisting in the investigation to the extent possible. Any Eligible Whistleblower who feels they have been disadvantaged as a result of making a disclosure should contact the WPO to discuss any concerns.

An Eligible Whistleblower can seek compensation and other remedies through the courts if they suffer loss, damage or injury because of a disclosure, and TGF failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct. Eligible Whistleblowers are encouraged to seek independent legal advice.

#### 12.5 TGF cannot pursue action against the Eligible Whistleblower for making a qualifying disclosure

Under the Whistleblower Protection Scheme, TGF must not pursue any civil liability (e.g. any legal action against the Eligible Whistleblower for breach of an employment contract, duty of confidentiality or another contractual obligation), criminal liability (e.g. attempted prosecution of the Eligible Whistleblower for unlawfully releasing information, or other use of the disclosure against the Eligible Whistleblower in a prosecution other than for making a false disclosure), administrative liability (e.g. disciplinary action for making the disclosure) against an Eligible Whistleblower for making a disclosure that qualifies for protection under the Whistleblower Protection Scheme. The protections apply not only to internal disclosures, but to disclosures to legal practitioners, regulatory and other

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<sup>1</sup> Refer to Section 12 in relation to False & dishonest disclosures

<sup>2</sup> Refer to Appendix B for the meaning of 'detriment' for the purposes of the Whistleblower Protection Scheme

external bodies, and public interest and emergency disclosures that are made in accordance with the Corporations Act or Tax Administration Act. However, the protections do not grant immunity for any misconduct a Eligible Whistleblower has engaged in that is revealed in their disclosure.

### **12.6 Support and Fair treatment**

TGF is committed to transparency and to building an environment in which Eligible Whistleblowers feel free to raise legitimate issues relating to TGF's operations.

If a qualifying disclosure under the Whistleblower Protection Scheme is made, TGF will, where appropriate, advise the people involved of the protections that apply under the Whistleblower Protection Scheme so those protections are not undermined.

### **12.7 Confidentiality Protection**

TGF has implemented the following measures/mechanisms for protecting the confidentiality of a Eligible Whistleblower's identity:

- Reducing the risk that the Eligible Whistleblower will be identified from the information contained in a disclosure:
  - all personal information or reference to the Eligible Whistleblower witnessing an event will be redacted;
  - the Eligible Whistleblower will be referred to in a gender-neutral context;
  - where possible, the Eligible Whistleblower will be contacted to help identify certain aspects of their disclosure that could inadvertently identify them; and
  - disclosures will be handled and investigated by qualified internal and/or external resources.
- Secure record-keeping and information-sharing processes:
  - 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 the investigation of the disclosure;
  - subject to the Eligible Whistleblower's consent, only a restricted number of people who are directly involved in handling and investigating a disclosure will be made aware of a Eligible Whistleblower's identity or information that is likely to lead to the identification of the Eligible Whistleblower;
  - communications and documents relating to the investigation will not be sent to an email address or to a printer that can be accessed by other persons;
  - each person involved in handling and investigating a disclosure will be reminded about the confidentiality requirements.

### **12.8 Protection from detrimental acts or omissions**

TGF has implemented the following measures/mechanisms for protecting Eligible Whistleblower from detriment:

- process for assessing the risk of detriment against a Eligible Whistleblower will commence as soon as possible after receiving a disclosure;
- taking actions to protect an Eligible Whistleblower from risk detriment (e.g. where appropriate, allowing the Eligible Whistleblower to perform duties from another location, reassign the Eligible Whistleblower to another role at the same level);
- investigating and addressing the detrimental contact (if already occurred) such as by taking disciplinary action, up to and including dismissal, against any person who causes or threatens to cause any detriment against an Eligible Whistleblower.

Eligible Whistleblowers may seek independent legal advice or contact regulatory bodies, such as ASIC, APRA or the ATO, if they believe they have suffered detriment.

### **12.9 Ensure fair treatment of individuals mentioned in a disclosure**

TGF has implemented the following measures/mechanisms for ensuring fair treatment of individuals mentioned in a disclosure:

- disclosures will be handled confidentially, when it is practical and appropriate in the circumstances;
- each disclosure will be assessed and may be the subject of an investigation;
- the objective of an investigation is to determine whether there is enough evidence to substantiate or refute the matters reported;
- when an investigation needs to be undertaken, the process will be objective, fair and independent;
- any officer or employee (if any) of TGF who is the subject of a disclosure will be advised about the subject matter of the disclosure as and when required by principles of natural justice and procedural fairness and prior to any actions being taken. For example, if the disclosure will be the subject of an investigation; and
- any officer or employee (if any) who is the subject of a disclosure may contact the WPO for counselling.

## **13. Reporting**

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The PDC must provide a quarterly report to the Board regarding all disclosures made under this Policy.

## **14. Compliance**

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Failure to comply with the requirement to have and make available a Whistleblower Policy is an offence of strict liability with a penalty of 60 penalty units for individuals and companies (currently \$12,600), enforceable by ASIC.

Failure to comply with this Policy may result in substantial fines and penalties being imposed on TGF and may expose TGF and/or its directors and/or employees (if any) to civil or criminal liability or other financial or reputational damage. Officers or employees who breach this Policy may face disciplinary action which could include dismissal.

## **15. Training**

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This Policy will be communicated to all officers and employees (if any) by the WPO and will be included in the induction pack for new directors and employees (if any) and made available on TGF's website.

TGF will provide training to officers and employees (if any), including their rights and obligations under this Policy, and to officers who may receive whistleblower reports, about how to respond to those reports.

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## 16. General

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TGF may vary or rescind any policies or procedures from time to time in its absolute discretion without notice and without any limitation on its capacity to do so. This Policy does not form part of any officer's or employee's contract and TGF also reserves the right to depart from this Policy as it sees fit. This Policy is not intended to go beyond the legislation.

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## 17. Questions

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Any questions about this Policy should be directed to the WPO.

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## 18. Policy governance

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This Policy cannot be amended without approval of the Board. It will be reviewed at least every two years to ensure that it remains effective and meets best practice standards and the needs of TGF.

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## 19. Whistleblower contacts

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Ken Liu – WPO/ Company Secretary;  
Rebecca O'Dwyer – Independent Director;  
Bruce Loveday – Independent Director; and  
Independent Auditor

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## 20. Material revisions

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| Version | Board approval date | Effective date | Details   |
|---------|---------------------|----------------|---|
| 1.0     | 18 December 2019    | December 2019  | Document created to reflect revised legislative requirements introduced by the Treasury Laws Amendment (enhancing Whistleblower Protection) Bill 2018 |
| 1.1     | 24 August 2021      | August 2021    | Updates on PDC and whistleblower contacts   |
| 1.2     | 22 August 2022      | August 2022    | Annual review   |

## Appendix A – Other disclosures

### 1. Public interest disclosures

There is an additional category of disclosures called 'public interest disclosures' that qualify for protection under the Whistleblower Protection Scheme. These can be made to journalists and members of Parliament but only if the Eligible Whistleblower complies with the following strict requirements:

- the Eligible Whistleblower has made a qualifying disclosure to ASIC, APRA or a prescribed Commonwealth authority;
- at least 90 days has passed since the qualifying disclosure was made;
- 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;
- the Eligible Whistleblower has reasonable grounds to believe that making a public interest disclosure would be in the public interest;
- after 90 days have passed, the Eligible Whistleblower must give the body to which the qualifying disclosure was originally made, a written notification that:
  - includes sufficient information to identify the qualifying disclosure; and
  - states that the Eligible Whistleblower intends to make a public interest disclosure; and
  - the extent of the information disclosed in the public interest disclosure is no greater than is necessary 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 Whistleblower Protection Scheme.

### 2. Emergency disclosures

There is also an additional category of disclosures called 'emergency disclosures' that qualify for protection under the Whistleblower Protection Scheme. These can be made to journalists and members of Parliament but only if the Eligible Whistleblower complies with the following strict requirements:

- the Eligible Whistleblower must have first made a qualifying disclosure to ASIC, APRA or a prescribed Commonwealth authority;
- 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; and
- the Eligible Whistleblower gave notice to the body to which the qualifying disclosure was made that states:
  - that they intend to make an emergency disclosure; and
  - includes sufficient information to identify the qualifying disclosure; and
  - 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.

**Note:** Disclosures are encouraged to contact an independent legal adviser before making a public interest disclosure or an emergency disclosure.

## Appendix B – Meaning of ‘detriment’

### Meaning of ‘detriment’ for the purposes of the Whistleblower Protection Scheme

In relation to providing protection to Eligible Whistleblowers, the meaning of 'detriment' is very broad and includes:

- dismissing an employee;
- injuring an employee in their employment;
- altering an employee's position or duties to their disadvantage;
- discriminating between an employee and other employees;
- harassing or intimidating a person;
- harming or injuring a person;
- damaging a person's property, reputation, business or financial position; and
- any other damage to a person.

Courts are given broad scope to make orders remedying a detriment or threatened detriment under the Whistleblower Protection Scheme. These include:

- injunctions;
- compensation orders (including against individual employees and their employers);
- reinstatement;
- exemplary damages; and
- the making of apologies.

Civil and criminal sanctions also apply to breaches of the Whistleblower Protection Scheme.

Detrimental conducts do not include:

- Administrative action that is reasonable for the purpose of protecting an Eligible Whistleblower from detriment (e.g. where appropriate, moving an Eligible Whistleblower who has made a disclosure about their immediate work area to another office to prevent them from detriment); and
- Managing an Eligible Whistleblower's unsatisfactory work performance, if the action is in line with the entity's performance management framework.

## Appendix C – Pro-forma Consent Form

### Consent to disclose

Name of person making the Disclosure \_\_\_\_\_ (**Eligible Whistleblower**)

Name of person to whom Disclosure made \_\_\_\_\_ (**Eligible Recipient**)

Date of disclosure \_\_\_\_\_

- The Eligible Whistleblower has made a disclosure to the Eligible Recipient (Disclosure).
- The Eligible Whistleblower consents to the Eligible Recipient disclosing their identity to the Protected Disclosure Committee and to any other person nominated by the PDC.

Dated \_\_\_\_\_

Signed \_\_\_\_\_

Name (print) \_\_\_\_\_