Group Whistleblower Policy

Purpose and scope

Purpose

We are committed to fostering a culture where you feel safe to speak up about things that concern you. We encourage you to raise concerns. They could be anything from concerns about conduct that is possibly illegal to behaviour that isn't in line with our Values or Code of Conduct.

You are encouraged to speak up and constructively challenge at any time, including by calling out behaviour that isn't or doesn't seem right. If you don't feel comfortable doing this, SpeakUP provides services to enable you to report a concern, including anonymously if you wish.

This policy explains:

- how you can raise concerns to SpeakUP;
- which concerns will be assessed as Whistleblower Disclosures (for example, fraud, theft, bribery, harassment (including sexual harassment in certain circumstances), insider trading, making false statements to customers and failing to disclose conflicts of interest, but not customer complaints or work-related grievances that impact you and do not have broader implications for the Group);
- how Whistleblower Disclosures are managed, and what SpeakUP will do with any concerns that are not Whistleblower Disclosures; and
- how we will support and protect you if you are a Whistleblower.

Scope

This policy applies to the Group, Directors, Employees, Secondees and other persons described in this policy as Eligible Persons or Eligible Recipients. This policy does not apply to customers.

This policy may apply outside Australia and is applied in accordance with the laws of the relevant jurisdictions where we operate. For those parts of the Group that are subject to laws or regulatory requirements that conflict with this policy, the more stringent standard applies. Refer to Appendix C for requirements that may be applicable in the context of the Group's offshore operations.

ASB Bank Limited and CBA Europe N.V. also have whistleblower policies which align with the core principles and intent of this policy.

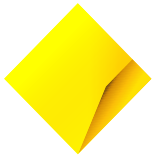
This policy does not form part of any contract of employment or any industrial instrument. Nothing in this policy is intended, or should be construed, to interfere with your rights under applicable law and you may exercise any such rights.

This policy is available on One.CBA and CBA's website.

Policy statement

Any concern you raise will be treated seriously and sensitively.

All Whistleblower Disclosures will be handled in accordance with this policy and applicable whistleblower legislation. We will not tolerate any form of actual or threatened victimisation (for example, termination, demotion, harassment, harm or injury) towards someone because they or another person has or may have made, or proposes to or could make, a Whistleblower Disclosure. This sort of conduct is referred to as Detrimental Conduct in this policy.



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Raising a concern

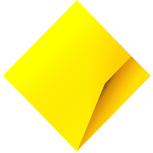
How can I raise a concern?

You can raise a concern via the:

- SpeakUP Hotline – a 24/7 telephone and email service managed by an external vendor; or
- SpeakUP Online – a 24/7 secure online portal.

Refer to Appendix A for their contact details.

You can also make a report to the other Eligible Recipients listed on page 4.



Can I raise a concern anonymously?

You can raise a concern anonymously. If the concern is a Whistleblower Disclosure, you will qualify for Whistleblower protection under this policy. You can remain anonymous after you've raised your concern, including throughout and after any investigation into your concern. You may refuse to answer questions throughout the process that could reveal your identity.

If you raise concerns anonymously to the SpeakUP Hotline or SpeakUP Online, you will receive a unique reference. You can use that reference to contact the relevant service to provide further information or request an update at any time.

Although you are not required to, you are encouraged to share your identity, at least with SpeakUP, when raising a concern. Remaining anonymous may limit our ability to investigate or manage your concern.

What will happen when I raise a concern?

Once SpeakUP receives your concern, SpeakUP will:

- acknowledge receipt if there is a means to contact you; and
- assess your concern to determine if it is a Whistleblower Disclosure.

Assessment

Will my concern be assessed as a Whistleblower Disclosure?

Your concern will be assessed as a Whistleblower Disclosure under this policy if:

- you are an Eligible Person;
- SpeakUP determines that your concern is about Reportable Conduct; and
- you raised your concern to an Eligible Recipient.

Am I an Eligible Person?

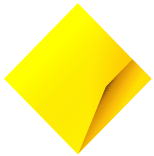
You are an Eligible Person if you are, or have been:

- an Employee of the Group;
- a director or other officer (for example, a company secretary) of a Group company;
- a Group Contractor, consultant, supplier or service provider (or one of their employees or subcontractors);
- a Group Secondee, volunteer, Associate, or a licensee (or its authorised representative or their employee);
- a Group broker, auditor, trustee, custodian or investment manager (or one of their officers, employees, suppliers or suppliers' employees); or
- a relative or dependant of one of the above, or a dependant of their spouse.

Is my concern about Reportable Conduct?

Reportable Conduct includes any act, omission or course of conduct in relation to or by the Group that you have reasonable grounds for suspecting:

- amounts to misconduct or an improper state of affairs, such as:
  - fraud or theft (for example, falsifying loan or credit applications, misappropriating funds);
  - corrupt behaviour (for example, accepting or offering a bribe, dishonestly taking advantage of an employment position);
  - illegal activities (for example, sexual assault, engaging in insider trading, manipulating financial markets, laundering money, knowingly



making false statements to customers, misreporting financial information, selling illegal drugs, assault);

  - a serious or systemic breach of internal policy, including the Code of Conduct (for example, harassment (which may include sexual harassment in certain circumstances) or failing to disclose conflicts of interests); or
  - negligent acts, default, a breach of trust or a breach of duty; or

- represents a danger to the public or financial system; or
- constitutes an offence against, or breach of, one or more Laws.

If your concern is not able to be substantiated, you won't be penalised and any relevant protections under this policy will still apply. However, deliberately raising a concern that you know is false or misleading will likely breach our Code of Conduct, which may result in disciplinary action being taken against you. There could also be legal consequences.

What types of concerns are not Reportable Conduct?

Personal work-related grievances are generally not classified as Reportable Conduct. These are grievances relating to your employment (for example, about remuneration, performance reviews, transfers, promotions or disciplinary action) or to an interpersonal conflict between you and another employee. Personal work-related grievances tend to have implications for you personally, but do not have any other significant or broader implications for the Group.

To raise a personal work-related grievance under the Group's grievance process, refer to the Group Workplace Grievance Review Procedure.

Although not usually the case, personal work-related grievances may amount to Reportable Conduct under this policy if, for example, they:

- indicate a systemic issue; or
- relate to actual or threatened Detrimental Conduct against a person because they have made, may have made, propose to make or could make a disclosure about other Reportable Conduct.

Customer complaints are another type of concern that are generally not classified as Reportable Conduct. If you are a customer and are not satisfied with our products, services, staff or complaint handling process, please contact CBA with your concern via phone, email, online or post. Details are available via this link: https://www.commbank.com.au/support/compliments-and-complaints.html

Who is an Eligible Recipient?

The SpeakUP Hotline and SpeakUP Online are the Group's primary Eligible Recipients of Whistleblower Disclosures.

Each of the following is also an Eligible Recipient:

- an officer, including a Director or company secretary of any Group entity;
- a Senior Leader;
- a Group Internal Auditor;
- an External Auditor;
- if your concerns relate to the tax affairs of any Group entity, any other Employee who has functions or duties that relate to the tax affairs of any Group entity.

You can find further details about these Eligible Recipients in the Definitions section of this policy.

If one of the Eligible Recipients listed above is your manager or manager-once-removed, and you want to raise a concern with them under this policy, we encourage you to indicate to them that you are raising the concern with them specifically in their capacity as an Eligible Recipient, rather than as your manager or manager-once-removed.

What will happen if my concern is assessed as a Whistleblower Disclosure?

If your concern is assessed as a Whistleblower Disclosure, SpeakUP will refer it to a Whistleblower Investigation Officer.

The Whistleblower Investigation Officer is generally a member of the SpeakUP team. In some cases, for example due to a conflict, a member of another internal team may be appointed as the Whistleblower Investigation Officer.

The Whistleblower Investigation Officer will review the Whistleblower Disclosure to decide whether any of the concerns raised should be investigated. Sometimes a decision may be made not to investigate a Whistleblower Disclosure or part of it – for example, if the substance of the concerns has previously been investigated and there is no new material information. We will advise you whether an investigation will be undertaken if you can be contacted.

Eligible Recipients typically do not conduct a review or an investigation into the concerns raised with them.

What will happen if my concern is assessed as not being a Whistleblower Disclosure?

If your concern is assessed as not being a Whistleblower Disclosure, SpeakUP will refer the concern to the most appropriate area of the Group for management (for example, the business unit relevant to the concern or Workplace Relations). If your concern does not contain sufficient information to determine the most appropriate area of the Group for management, SpeakUP may attempt to request additional information from you. If additional information cannot be obtained, SpeakUP may close your concern and notify you of this if you can be contacted. Should further information be subsequently provided, SpeakUP will assess the new information in accordance with this policy.

You should inform SpeakUP or the Whistleblower Support Officer if you have questions about an assessment made by SpeakUP, including, for example, an assessment that your concern is not a Whistleblower Disclosure.

Investigation

What happens during an investigation?

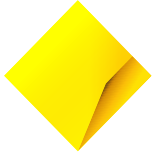
If the Whistleblower Investigation Officer decides that your Whistleblower Disclosure will be investigated, the Whistleblower Investigation Officer will conduct or commission an investigation with the support of internal or external resources as they determine is appropriate.

Investigations will be conducted objectively and impartially. We will seek to conduct the investigation as quickly as the circumstances allow. The Whistleblower Investigation Officer will update you on the progress of the investigation if you can be contacted.

Findings

What happens after an investigation?

Once an investigation concludes, the Whistleblower Investigation Officer or investigator will report the findings of the investigation to relevant management. Depending on the circumstances of the Whistleblower Disclosure and the findings, and any privacy or confidentiality concerns, you or the person who is the subject of the Whistleblower Disclosure will be informed of relevant findings; however, neither you nor that person will be provided with a copy of the investigation report. Findings will be communicated to you in the manner SpeakUP considers is appropriate.



Whistleblower protections, support and escalations

What protections and support will be available if my concerns are assessed as a Whistleblower Disclosure?

We understand that you may be concerned about being identified or the potential for repercussions for making a Whistleblower Disclosure. The support and protections outlined below are available to you irrespective of whether the concerns raised in your Whistleblower Disclosure are substantiated. In addition to these protections, you may be entitled to the legal protections outlined in Appendix B and, in the case of offshore operations, Appendix C.

How will my identity be protected?

Your identity (or any information likely to lead to you being identified) as a Whistleblower will not be shared with anyone except in the following circumstances:

1. you provide consent; or

2. it is reasonably necessary for investigating a matter raised in your Whistleblower Disclosure and:
   - the information shared is not of your identity as the Whistleblower; and
   - we have taken all reasonable steps to reduce the risk that you will be identified from the information; or

3. the disclosure is to a legal practitioner to obtain legal advice or representation regarding the operation of the whistleblower provisions of the *Corporations Act* or *Tax Administration Act* as appropriate; or

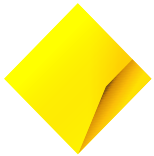
4. the disclosure is otherwise permitted or required by law (for example, your identity may be disclosed to ASIC, APRA or a member of the Australian Federal Police, or in relation to tax-related disclosures, the ATO, Tax Practitioners Board or the Inspector-General of Taxation).

The reasonable steps we will take to protect your identity, and information that is likely to identify you, as a Whistleblower may include:

- securely storing all paper and electronic documents and other materials relating to the Whistleblower Disclosure;
- where possible, communicating with you to help identify the aspects of your concerns that could inadvertently identify you;
- potentially using a pseudonym to refer to you;
- informing other investigation participants of their confidentiality obligations; and
- providing training and awareness about the confidentiality requirements and consequences of breaching confidentiality to those involved in receiving, handling and investigating Whistleblower Disclosures.

Note that while we will take all reasonable steps to protect your identity, it may be difficult if your concern relates to information that only a few people know about or was told to you confidentially.

Non-identifying information about your Whistleblower Disclosure may also be shared with senior management or our governance bodies (for example, the CBA Board, Audit Committee, Misconduct Governance Committee (MGC) and Subsidiary Boards).



How will I be protected against Detrimental Conduct?

We will take all reasonable steps to protect you from Detrimental Conduct. Detrimental Conduct is any actual or threatened detrimental conduct against you or another person because you or another person has made, may have made, proposes to make or could make a Whistleblower Disclosure, or because you have been involved in the investigation of a Whistleblower Disclosure.

You will have access to a Whistleblower Support Officer. The Whistleblower Support Officer will:

- assess and monitor any risks of Detrimental Conduct; and
- take reasonable steps to protect you from those risks. These reasonable steps may include making modifications to your work arrangements or the way you perform your work duties.

If, despite these reasonable steps, Detrimental Conduct occurs, it will not be tolerated.

Detrimental Conduct may include:

- termination, suspension, demotion or involuntary transfer;
- harassment (sexual or non-sexual), bullying or intimidation;
- over or under work;
- being denied a promotion, transfer or training opportunity;
- having authority undermined or work heavily scrutinised;
- harm or injury, including psychological harm;
- any other conduct that constitutes retaliation, victimisation or less favourable treatment; and
- threats of Detrimental Conduct.

Not all conduct will amount to Detrimental Conduct. Conduct such as managing poor work performance in line with the Group's performance management procedures, taking disciplinary action in response to misconduct (including where you intentionally make a Whistleblower Disclosure that you know is false or misleading), or action that is reasonable to protect you from Detrimental Conduct (for example, moving you from your immediate work area to another office) is not Detrimental Conduct.

We may, at our discretion, grant you immunity from internal disciplinary proceedings relating to matters that come to light as a result of your Whistleblower Disclosure.

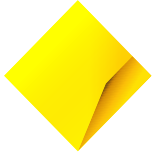
What wellbeing support is provided?

The Whistleblower Support Officer will assist you in maintaining your wellbeing. This support may include providing strategies to minimise and manage stress resulting from making the Whistleblower Disclosure or referring you to counselling or other professional services as appropriate.

In addition to support available from the Whistleblower Support Officer, if you are a current or former employee of the Group (or their immediate family member), you can access the Group's confidential counselling service, the Employee Assistance Program. Upon request, this service may also be extended to other Eligible Persons. Contact details for the Employee Assistance Program are available on One.CBA.

Can I escalate any issues?

You should immediately tell the Whistleblower Support Officer if you are



experiencing (or think you might experience) Detrimental Conduct. Any issues raised about Detrimental Conduct will be referred by the Whistleblower Support Officer to the Workplace Grievance Review Manager for review.

You should also let the Whistleblower Support Officer know if you have any other issues with the management of your Whistleblower Disclosure. For example, if you:

- are not satisfied with a decision of the Whistleblower Investigation Officer not to conduct an investigation;
- are not satisfied with the findings of an investigation; or
- consider that this policy has not been followed, for example if you believe that there has been a breach of your Whistleblower protections.

In respect of any issues which are not about Detrimental Conduct, the Whistleblower Support Officer will consider any such issues and, if material, escalate them to a member of the MGC. The Whistleblower Support Officer may take such action as they consider appropriate in relation to any issues which are not escalated to the MGC.

If you consider that the Whistleblower Support Officer has not appropriately escalated an issue that you raised with them, you can ask the Executive Manager SpeakUP Program to escalate the issue to a member of the MGC.

It may not be possible for action to be taken in relation to an issue if you wish to remain anonymous.

When the Whistleblower Support Officer or a member of the MGC considers an issue, they are not required re-open or re-investigate the Whistleblower Disclosure.

Support for other investigation participants

What happens if a Whistleblower Disclosure raises concerns about me?

If you are the subject of a Whistleblower Disclosure which is being investigated and there are reasonable grounds supporting the concerns raised against you, you will be given information about the concerns so that you can respond to them. In these circumstances, you will be informed of relevant investigation findings (subject to confidentiality requirements), however you will not be provided with a copy of any investigation report.

The investigation will be conducted in an objective and impartial manner.

What support will be available if I am a participant in an investigation into a Whistleblower Disclosure?

If you are a current or former employee of the Group (or their immediate family member), you can access the Group's confidential counselling service, the Employee Assistance Program, for wellbeing support. Current employees can also access Ombpoint, which is a free, confidential and independent support service for Employees seeking guidance on strategies to manage workplace issues. Contact details for these services are available on One.CBA.

When SpeakUP initially contacts you during an investigation, you will be provided with further information on the support available to you.

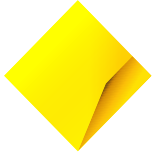
Conflicts management

How are conflicts of interest managed under the policy?

All people with roles under this policy must disclose any actual, potential or perceived conflicts of interest that they have in relation to a Whistleblower Disclosure or investigation.

Any such conflict of interest must be reported, assessed and managed consistently with the principles set out in the Group Conflicts Management Policy.

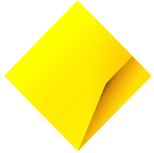
Management of any conflict of interest may include the appointment of another person for the purposes of that Whistleblower Disclosure or investigation.



Accountabilities

The accountabilities under this policy are set out in the below table.

If you are	You are accountable for
the **MGC** (including its members individually)	• Considering issues escalated under this policy and taking such action (if any) as the MGC or member (as relevant) considers appropriate. • Fulfilling the roles of the Executive Manager SpeakUP Program or Whistleblower Investigation Officer, or appointing people to those roles, if the concerns raised to SpeakUP relate to an employee in the Accountability Regime Team or SpeakUP team.
the **Whistleblower Investigation Officer** (Line 1)	• Determining whether Whistleblower Disclosures should be investigated and, if so, conducting or commissioning an investigation in a timely manner (including by remaining impartial of the Whistleblower and the person(s) who are the subject of the Whistleblower Disclosure). • Providing feedback on the progress and timeframes of the investigation to the Whistleblower, as appropriate. • To the extent appropriate, informing the Whistleblower or person(s) who are the subject of the Whistleblower Disclosure of the investigation findings.
the **Whistleblower Support Officer** (Line 1)	• Assessing and monitoring any risks of Detrimental Conduct and taking reasonable steps to protect Whistleblowers from those risks. • Assisting in maintaining the wellbeing of Whistleblowers. • Reviewing issues raised with the Whistleblower Support Officer by Whistleblowers and escalating, or otherwise managing, the issues in accordance with this policy.
the **General Manager FAR & SpeakUP** (Line 1)	• Overseeing SpeakUP, including its reporting to the MGC and the Audit Committee, and its management of a secure central repository for the recording of Whistleblower Disclosures.
the **Executive Manager SpeakUP Program** (Line 1)	• Managing the SpeakUP Program. • Co-ordinating a whistleblower training program (which may include face-to-face training, written materials or online learning modules) for people with roles under this policy. • Monitoring and assessing the effectiveness of the SpeakUP Hotline and SpeakUP Online. • Providing secretariat services for the MGC.



	• Escalating issues raised by Whistleblowers in accordance with this policy.
an **Eligible Recipient** (Line 1)	• Receiving and referring Whistleblower Disclosures in accordance with this policy so that concerns can be assessed and, if appropriate, investigated. In fulfilling this accountability, Eligible Recipients may seek legal advice from Group Services Legal on the operation of the whistleblower provisions of the *Corporations Act* or *Tax Administration Act* (as appropriate), including with respect to a particular Whistleblower Disclosure. • Completing Whistleblower training annually or as otherwise reasonably directed by the Group.
SpeakUP Program (Line 1)	• Implementing and complying with the principles set out in this policy and the Group Whistleblower Procedure. • Regulatory reporting of Whistleblower matters, as required. • Implementing the whistleblower training program coordinated by the Executive Manager SpeakUP Program.
Group Services Legal (Line 1)	• Providing legal advice or representation to the Group, including to Eligible Recipients, in relation to the operation of the whistleblower regime and the *Corporations Act* or *Tax Administration Act* (as appropriate), including with respect to a particular Whistleblower Disclosure.
BU/SU Controls Officer (Line 1)	• Ensuring timely and accurate capture of SpeakUP-related incidents, issues and controls in RiskinSite. • Proactively engaging Line 2 BU/SU Risk in relation to any instances of non-compliance with this policy or the Group Whistleblower Procedure.
BU/SU Risk (Line 2)	• Reviewing BU/SU processes and controls to assess their compliance with this policy and the Group Whistleblower Procedure.
Group Audit & Assurance (Line 3)	• Providing independent assurance over the Group's compliance with this policy and the Group Whistleblower Procedure in accordance with usual Group Audit and Assurance practice.

Compliance statement

This policy has been developed having regard to the whistleblower obligations with which CBA must comply, including those contained in the *Corporations Act 2001* (Cth), *Tax Administration Act 1953* (Cth) and associated regulations, and equivalent legislation in other jurisdictions to which the policy applies. This policy has also been developed having regard to ASIC Regulatory Guide 270 *Whistleblower policies*, the ASX Corporate Governance Principles and Recommendations, 4th Edition and the Australian Banking Association Guiding Principles – *Improving Protections for Whistleblowers*.



Breach of policy

Consequences A breach of this policy may be regarded as misconduct, which may lead to disciplinary action (including termination of employment or engagement). You may also be exposed to criminal or civil liability for a breach of relevant legislation. This policy must be read together with the Group Whistleblower Procedure. Failure to follow the Group Whistleblower Procedure may amount to a breach of this policy.

Escalation Any alleged breach of this policy will be taken seriously and, if appropriate, will be investigated. Potential or actual breaches of obligations outlined in this policy must be escalated according to the Group Issue Management Procedure.

Definitions

In this policy, defined terms are capitalised. Those terms have the meaning given to them below.

ASIC	Australian Securities & Investments Commission.
APRA	Australian Prudential Regulation Authority.
Associate	Has the meaning given to that term in the *Corporations Act* and includes a director or secretary of CBA and any related bodies corporate, or an individual acting in concert with CBA.
Audit Committee	CBA Board committee named the 'Audit Committee'.
CBA	Commonwealth Bank of Australia ACN 123 123 124.
Contractors	Individuals who are not employees, and external corporations or organisations, engaged to provide services to the Group.
Detrimental Conduct	Any actual or threatened conduct against you or another person because you or another person made, may have made, proposes to make or could make a Whistleblower Disclosure, or because you have been involved in the investigation of a Whistleblower Disclosure. Some types of Detrimental Conduct are described on page 7 of this policy in the section headed '*Whistleblower protections, support and escalations*'.
Director	Director of a Group entity board of directors.
Eligible Person	A person listed on page 3 of this policy in the section headed '*Am I an Eligible Person?*'.
Eligible Recipient	A person or channel (SpeakUP Hotline or SpeakUP Online) designated in this policy as an avenue through which a disclosure can be made in order to qualify for protections under this policy.
Employee	A full-time, part-time or casual employee of the Group.
External Auditor	An auditor external to CBA Group that is involved in conducting an audit for CBA, or one or more of its Subsidiaries.
Group	CBA and its Subsidiaries, and onshore and offshore controlled entities (being entities that are subject to the control of CBA in terms of section 50AA of the *Corporations Act*).



Group Internal Auditor	An Employee or Secondee of an audit team involved in conducting an audit, other than support and administrative staff, ultimately reporting to either the Group Auditor or the Chief Internal Audit ASB.
Laws	The following: • *Corporations Act 2001*; • *Australian Securities and Investments Commission Act 2001*; • *Banking Act 1959*; • *Financial Sector (Collection of Data) Act 2001*; • *Insurance Act 1973*; • *Life Insurance Act 1995*; • *National Consumer Credit Protection Act 2009*; • *Superannuation Industry (Supervision) Act 1993*; • an instrument made under one of the preceding Acts; • tax legislation (meaning any legislation that has the primary function of imposing tax in Australia); and • any other Commonwealth law that provides for offences the commission of which is punishable by imprisonment for a period of 12 months or more.
Misconduct Governance Committee / MGC	An executive management committee comprising: • Group General Counsel and Group Executive Legal & Group Secretariat (Chair); • Group Chief Risk Officer; • Group People Officer; and • such other persons appointed to the Committee from time to time.
Reportable Conduct	Has the meaning given to it on pages 3 and 4 of this policy under the heading '*Is my concern about Reportable Conduct?*'.
Secondee	A person who is seconded temporarily to the Group but who is employed by a non-Group entity.
Senior Leader	The Chief Executive Officer, a Group Executive, an Executive General Manager, the Group Auditor, and any other Employee specified on One.CBA as having been determined by the MGC from time to time as eligible to receive disclosures under this policy.
SpeakUP Program	A program to provide avenues and processes to enable concerns to be raised. The program includes the Group's Executive Manager SpeakUP Program, their direct reports, manager and manager-once-removed.
Subsidiary	Has the meaning given to that term in the *Corporations Act.*
We / Our	Means the Group.
Whistleblower	An Eligible Person who makes a disclosure of Reportable Conduct to an Eligible Recipient in accordance with this policy.
Whistleblower Disclosure	A concern about Reportable Conduct that is raised by an Eligible Person with an Eligible Recipient.



Whistleblower Investigation Officer / WIO	Any of, or a combination of, the following: • a member of SpeakUP; or • any other person determined by SpeakUP or a member of the MGC to be appropriate to be a WIO.
Whistleblower Support Officer / WSO	HR Chief Controls Officer (or delegate).

Policy governance

Approver	CBA Board
Exemption Authority	Group General Counsel and Group Executive Legal Group Secretariat
Owner	General Manager, FAR & SpeakUP
Support	Group Services Legal Group and Business Unit Compliance
Review Cycle	Every three years
Next Review Date	8 April 2028

Relevant documents

Related internal documents	Group Code of Conduct Group Issue Management Procedure Group Whistleblower Procedure ASB Whistleblower Policy CBA Europe N.V. Whistleblower Policy
External sources of obligations	*Corporations Act 2001* (Cth), Part 9.4AAA ("Protection for Whistleblowers") *Tax Administration Act 1953* (Cth), Part IVD ("Protection for Whistleblowers") and the *Taxation Administration Regulations 2017* (Cth) *Fair Work Act 2009* *Whistleblower Protection Act of Japan* NZ *Protected Disclosures (Protection of Whistleblowers) Act 2022* UK *Employment Rights Act 1996* Financial Conduct Authority Handbook Senior Management Arrangements, Systems and Controls 18 Whistleblowing (UK)



Appendix A
Contact information for raising your concerns

SpeakUP Hotline

The SpeakUP Hotline is available 24/7 and is managed by an external vendor on our behalf.

You can contact the Hotline as follows:

- within Australia on 1800 773 258;
- from overseas on + 61 2 9595 3294; or
- by email to speakup@speakuphotline.com.au

In most cases, the SpeakUP Hotline will seek your permission to share the information you provide with SpeakUP so that we can investigate your concern.

SpeakUP Online

Concerns can be raised directly with the Group 24/7 via a secure online portal powered by Whispli (an external vendor).

You can access SpeakUP Online via One.CBA or at https://cba.whispli.com/speakuponline

The information you submit via SpeakUP Online will be provided directly to CBA's SpeakUP team for assessment. SpeakUP will refer the concern to a Whistleblower Investigation Officer if it is a Whistleblower Disclosure. Other concerns may be referred to an appropriate internal team for management.

Other Eligible Recipients

Contact details for other Eligible Recipients are available in the people directory on One.CBA.



Appendix B

Legal protections

Criteria for protection

Some laws provide additional protections and remedies for certain disclosures by people who make them in accordance with the provisions of that legislation. These protections are designed to encourage people to disclose unlawful, improper or unethical behaviour to relevant parties.

The criteria for you to qualify for protection as a whistleblower under the *Corporations Act* (or *Tax Administration Act*, where relevant) includes:

- you are an Eligible Person; and
- you have made a disclosure of information relating to Reportable Conduct; and
- you have made:
  - that disclosure directly to an Eligible Recipient or to ASIC, APRA or another Commonwealth body or an entity prescribed by law or regulation; or
  - that disclosure 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* or the *Tax Administration Act* (as relevant);
  - (where it relates to the tax affairs of any Group entity) that disclosure to a medical practitioner or psychologist for the purpose of obtaining medical or psychiatric care, treatment or counselling; or
  - an Emergency Disclosure or Public Interest Disclosure, both of which are defined on the next page of this policy.

You may wish to seek independent legal advice in relation to any such disclosure, which may help you to further understand your rights and protections.

Legal protections

Disclosures can be made anonymously and disclosers are still protected under the *Corporations Act* (or *Tax Administration Act*, where relevant). These protections include:

- making it an offence to disclose your identity (or information which is likely to lead to your identification) without your consent or unless an exception applies. The exceptions are described in this policy in the section headed '*How will my identity be protected?*'. If the disclosure of your identity is allowed or required by law then the disclosure may be made with or without your knowledge or consent;
- making it an offence for a person to threaten or engage in Detrimental Conduct against you or another person, with the intention for you to fear that the threat will be carried out because you or any other person makes, or may make, a disclosure that qualifies for protection under the Act;
- compensation and remedies through the courts if, for example, you suffer loss, damage or injury because of a disclosure you made and the Group failed to take reasonable steps to prevent the Detrimental Conduct;
- protection from civil liability, for example, any legal action against you for breach of an employment contract, duty of confidentiality or another contractual obligation;
- protection from criminal liability, for example, attempted prosecution for unlawfully releasing information, or other use of the disclosure against you in a prosecution (other than for making a false disclosure); and
- protection from administrative liability, for example, disciplinary action for making the disclosure.



These protections do not grant immunity for any misconduct you may have engaged in that is revealed in your disclosure.

No contractual or other remedy or right may be enforced or exercised against you because you have made a Whistleblower Disclosure.

Disclosures that are not Reportable Conduct do not qualify for protection under the *Corporations Act* but may be protected under legislative instruments such as the *Fair Work Act 2009*.

Relevant laws are described in the 'Relevant Documents' section of this policy.

Emergency Disclosures

An Emergency Disclosure is the disclosure of information to a journalist or parliamentarian where:

- you have previously made a disclosure of the information to ASIC, APRA or another Commonwealth body prescribed by regulation and that disclosure qualifies for protection as a Whistleblower Disclosure;
- you have reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment;
- before making the emergency disclosure, you have given written notice to the body to which the previous disclosure was made that:
  - includes sufficient information to identify the previous disclosure; and
  - states that you intend to make an emergency disclosure; and
- the extent of the information disclosed in the emergency disclosure is no greater than is necessary to inform the journalist or parliamentarian of the substantial and imminent danger.

It is important that you understand the criteria for making an Emergency Disclosure. You should consider seeking legal advice in relation to any such disclosure, which may help you to further understand your rights and protections.

Public Interest Disclosures

A Public Interest Disclosure is the disclosure of information to a journalist or a parliamentarian where:

- you have previously made a disclosure of the information to ASIC, APRA or another Commonwealth body prescribed by regulation and that disclosure qualifies for protection as a Whistleblower Disclosure;
- at least 90 days have passed since you made the disclosure;
- you do not have reasonable grounds to believe that action is being, or has been, taken to address the matters to which the previous disclosure relates;
- you have reasonable grounds to believe that making a further disclosure of the information would be in the public interest;
- before making the public interest disclosure, you have given written notice to the body to which the previous disclosure was made that:
  - includes sufficient information to identify the previous disclosure; and
  - states that you intend 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 recipient of the misconduct or the improper state of affairs or other relevant circumstances.

It is important that you understand the criteria for making a Public Interest Disclosure. You should consider seeking legal advice in relation to any such disclosure, which may help you to further understand your rights and protections.

Reporting to regulators and other external parties

In addition to your rights under this policy, you may communicate with a government agency, law enforcement body or a regulator (such as, in Australia, ASIC or APRA, or in relation to Whistleblower



Disclosures about taxation matters, the Australian Taxation Office (ATO), the Tax Practitioners Board, the Inspector-General of Taxation, a prescribed entity of which the Eligible Person is a member, or any registered tax agent or business activity statement agent providing relevant services to any Group company), including making a disclosure or reporting a breach of your legislative protections as a Whistleblower in accordance with any relevant law, regulation or prudential standard applicable in a jurisdiction in which the Group operates.

Information about reporting externally in Australia can be found at the following links:

- ASIC
- APRA
- ATO

You may also seek legal advice before or after making a disclosure or during the investigation process, which may help you to further understand your rights and protections.



Appendix C

Requirements for the Group's operations in other jurisdictions

You can report a concern from outside Australia and/or in relation to conduct that occurs outside of Australia.

If you are an employee of ASB Bank Limited or CBA Europe N.V., and your concern relates to their operations, your starting place should be their whistleblower policies.

If you are otherwise located outside Australia or your concerns are about the Group's offshore operations, other requirements, rights and/or protections may apply alongside this Policy, such as those outlined below.

Japan

Eligible Person

In Japan, in addition to the categories described in the policy under the section headed '*Am I an Eligible Person?*', you are also an Eligible Person if you are a statutory accounting advisor or statutory liquidator.

New Zealand

Eligible Person

In New Zealand, in addition to the categories listed in the policy under the section headed '*Am I an Eligible Person?*', an Eligible Person also includes a person who provides information in an investigation that supports or relates to the Whistleblower Disclosure under investigation.

Reportable Conduct

In New Zealand, in addition to the conduct under the subheading '*Is my concern about Reportable Conduct?*', Reportable Conduct also includes any act, omission, or course of conduct in relation to or by the Group that you have reasonable grounds for suspecting:

- constitutes a serious risk to the health or safety of any individual or the environment; or
- constitutes a serious risk to the maintenance of law, including the prevention, investigation, and detection of offences or the right to a fair trial.

Special disclosure requirements apply to New Zealand intelligence and security information, defence information, or international relations information. These special rules are set out in the *Protected Disclosures (Protection of Whistleblowers) Act 2022*.

Eligible Recipients

In New Zealand, an appropriate authority (including an Ombudsman and the Reserve Bank of New Zealand) is also an Eligible Recipient.

You have the right to make a further disclosure to a Minister of the New Zealand Government if you believe on reasonable grounds that the Eligible Recipient has not:

- acted as it should in relation to the investigation process; or
- dealt with the matter so as to address the serious wrongdoing constituting the Reportable Conduct.

Whistleblower protections and support

In New Zealand, the Whistleblower support and protections are also available to you if:

- you technically fail to comply with the disclosure requirements in the relevant legislation (so long as you have substantially complied); or



- you have also made a Whistleblower Disclosure to another person, as long as you do so on a confidential basis and for the purposes of seeking advice about whether or how to make a protected disclosure in accordance with the relevant legislation.

Your identity (or any information likely to lead to you being identified) will not be shared with anyone except in the following circumstances:

- those outlined in the policy in the section headed *'How will my identity be protected'*;
- to prevent a serious risk to public health, public safety, the health or safety of any individual, or the environment; or
- to comply with the principles of natural justice.

We will consult you about the release of any identifying information before it is shared:

- in circumstances where it is reasonably necessary for investigating a matter raised in your Whistleblower Disclosure and:
  - the information shared is not of your identity as the Whistleblower; and
  - we have taken all reasonable steps to reduce the risk that you will be identified from the information;
- to comply with the principles of natural justice; and
- if practicable, for other circumstances,

and we will inform you once the identifying information has been shared.

You will not be liable to any civil, criminal, or disciplinary proceeding because of making a Whistleblower Disclosure.

United Kingdom (UK)

Eligible Person

In the UK, for a whistleblowing complaint to be a 'Protected Disclosure', it must be made by someone who is a 'worker' which includes employees, individuals with worker status, agency workers and trainees.

Reportable Conduct

Reportable Conduct also includes anything that would amount to a 'Protected Disclosure' within the United Kingdom. Protections in the United Kingdom arise under the *Employment Rights Act 1996*.

A Protected Disclosure is a disclosure made in the public interest which, in the reasonable belief of the Whistleblower making the disclosure, shows that one or more of the following has been, is being or is likely to be committed:

- a criminal offence;
- a breach of a legal obligation;
- a miscarriage of justice;
- danger to the health or safety of any individual;
- sexual harassment;
- damage to the environment; or
- the deliberate covering up of wrongdoing in the above categories.

Eligible Recipients

In the UK, the Group is regulated by both the Financial Conduct Authority (FCA) and the Prudential Regulation Authority (PRA).

UK Whistleblowers can report Reportable Conduct to:

- the Group's internal channels; or



- the FCA or the PRA, in which case the concerns do not need to be first raised with an Eligible Recipient or the Group; or
- the Group's internal channels, and the FCA or PRA, either simultaneously or consecutively.

Contact details for the FCA:

- Phone: +44 (0)20 7066 9200
- Email: whistle@fca.org.uk
- In writing: Intelligence Department (Ref PIDA), Financial Conduct Authority, 12 Endeavour Square, London, E20 1JN
- Using this online form.

Contact details for the PRA:

- Phone: +44 (0)203 461 8703
- Email: PRAwhistleblowing@bankofengland.co.uk
- In writing: Bank of England(whistleblowing), Threadneedle Street, London EC2R 8AH

United States of America (US)

In the US, Whistleblowers can report Reportable Conduct to:

- the Group's internal channels; or
- relevant US regulators or government agencies, in which case the concerns do not need to be first raised with an Eligible Recipient or the Group; or
- the Group's internal channels, and relevant US regulators or government agencies, either simultaneously or consecutively.

